



NEVADA LEGISLATURE LEGISLATIVE COMMITTEE ON PUBLIC LANDS

(Nevada Revised Statutes [NRS] 218E.510)

SUMMARY MINUTES

The fourth meeting of the Legislative Committee on Public Lands for the 2017–2018 Interim was held on Friday, June 29, 2018, at 9 a.m. at Thompson’s Opera House, 644 Main Street, Pioche, Nevada.

The agenda, minutes, meeting materials, and audio recording of the meeting are available on the Committee's [meeting page](#). The audio recording may also be found at <https://www.leg.state.nv.us/Granicus/>. Copies of the audio record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) (publications@lcb.state.nv.us or 775/684-6835).

COMMITTEE MEMBERS PRESENT IN PIOCHE:

Assemblywoman Heidi Swank, Chair
Senator Julie Ratti, Vice Chair
Senator Pete Goicoechea
Senator Donald (Don) G. Gustavson
Senator David R. Parks
Assemblyman John C. Ellison
Assemblyman Al Kramer
Assemblyman William McCurdy II
Debra March, Mayor, City of Henderson

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Alysa M. Keller, Principal Policy Analyst, Research Division

Erin Sturdivant, Senior Deputy Legislative Counsel, Legal Division

Natalie J. Pieretti, Research Policy Assistant, Research Division

Jeff Loflin, Unit Chief, Broadcast and Production Services (BPS), Administrative Division

Ryan Dombrowski, Technical Communication Systems Specialist II, BPS,
Administrative Division

Dean Reynolds, Officer, Legislative Police, Administrative Division

Mark Sharp, Officer, Legislative Police, Administrative Division

Items taken out of sequence during the meeting have been placed in agenda order.

AGENDA ITEM I—OPENING REMARKS

Chair Swank welcomed the members and public to the fourth meeting of the Legislative Committee on Public Lands and reminded listeners that written recommendations for the Committee's work session are due to staff August 3, 2018.

AGENDA ITEM II—PUBLIC COMMENT

Joe Barker, private citizen, opposed conducting a proposed state park feasibility study for Little Ash Springs and public land to the north of Ash Springs. He discussed nuisances and endangered species habitats on Little Ash Springs.

Patrick Donnelly, Nevada State Director, Center for Biological Diversity, opposed Southern Nevada Water Authority's pipeline proposal and discussed the ecological effects the pipeline would have on eastern Nevada.

Susan Agee, private citizen, asked the Committee to consider the effect of a limited tax base in the rural counties. ([Agenda Item II](#))

Bruce Hudson, licensed master guide and member, Nevada Outfitters and Guide Association (NOGA), voiced his concerns with Nevada's Department of Wildlife's (NDOW) policy change regarding the sellable list of big game tag applicants provided to NOGA and small businesses.

AGENDA ITEM III—APPROVAL OF MINUTES OF THE MEETING HELD ON MAY 18, 2018

MOTION: Mayor March moved to approve. The motion was seconded by Senator Gustavson and passed.

AGENDA ITEM IV—PRESENTATION REGARDING ECONOMIC IMPACTS OF PUBLIC LANDS ON COMMUNITIES IN CENTRAL NEVADA

Holly M. Gatzke, Ph.D., Extension Educator, University of Nevada Cooperative Extension, Nevada System of Higher Education, discussed the effect on taxes for business development and community infrastructure with dominantly public lands. She reported mountain bike trails have benefitted from the Southern Nevada Public Land Management Act of 1998 and state agency funding. ([Agenda Item IV](#))

Dr. Gatzke stressed the need for: (1) broadband and cell services; (2) quality infrastructure; (3) suitable housing; and (4) matching grant funding.

Several members and Dr. Gatzke conversed on:

- In-kind consideration for matching funds;

- Disposal of public lands;
- Tourism;
- Funding for heritage tourism; and
- Grants.

AGENDA ITEM V—OVERVIEW OF PUBLIC LAND ACTIVITIES AND IMPACTS ON COMMUNITIES IN LINCOLN AND WHITE PINE COUNTIES

A. Representative, Lincoln County Regional Development Authority

Jeffrey Fontaine, Executive Director, Lincoln County Regional Development Authority, provided the following overview on public land activities and impacts in Lincoln County (LC): (1) general characteristics; (2) economic indicators compared to statewide; (3) economy; (4) employment; (5) highest percentage of federally owned land in the state; (6) management of federal lands; (7) federal lands in LC with use limitations; (8) positive and negative impacts of public lands development; (9) public land barriers and opportunities; and (10) outdoor recreation. ([Agenda Item V A](#))

Mr. Fontaine recommended the Committee consider:

- Incentivizing industrial utilization of biomass;
- Encouraging additional Bureau of Land Management, United States Department of the Interior, resources for permitting;
- Supporting public land multiple uses;
- Providing funding mechanisms for development of key infrastructure (broadband, transportation, elector power transmission); and
- Promoting tourism and outdoor recreation.

There was discussion on:

- Payment in lieu of taxes;
- Opportunity zones; and
- Railway opportunities and feasibility study.

B. Representative, Lincoln County Board of Commissioners

Varlin Higbee, Commissioner, Lincoln County Board of Commissioners, shared the challenges of a mainly federally owned county. He reported on LC's attempt to fix a tax revenue shortfall with established wilderness areas around mining districts, private property, and private water holdings. ([Agenda Item V B](#))

He requested the Committee consider the following:

- Support of LC's request for fair market auctions and disposal of small wilderness parcels;
- Support for federal regulations to allow for development on federal lands;
- Recognition of homestead acts that establish private property rights in the form of rights-of-way and water developments;
- Allow permitting within one to two years for the mining industry in accordance with state and federal regulations;
- A change in Nevada water law to ease a claim of vested water rights for livestock grazing on federal lands; and
- State control of the wild horse and burro population to allow the individual counties to manage sustainable herd levels.

C. Representative, White Pine County Board of Commissioners

Carol McKenzie, Commissioner, White Pine County Board of Commissioners, testified regarding: (1) mining; (2) funding for the new courthouse; (3) livestock grazing and sage-grouse; (4) wild horses and burros; (5) Pinyon-juniper (PJ) removal; (6) wild animals within the community foraging for food; (7) water resources; (8) tourism; and (9) solar projects.

Members and Commissioner McKenzie discussed:

- Funding for the new courthouse; and
- PJ removal.

AGENDA ITEM VI—UPDATE ON LITHIUM EXPLORATION, ABANDONED MINES, AND OTHER PROGRAMS AND ACTIVITIES OF NEVADA'S DIVISION OF MINERALS, COMMISSION ON MINERAL RESOURCES

Rich Perry, Administrator, Nevada's Division of Minerals (NDOM), Commission on Mineral Resources, shared a presentation on the 2017 Nevada mineral production, dissolved mineral resource regulations, and Arden Mine closure projects. ([Agenda Item VI A-1](#)) ([Agenda Item VI A-2](#)) ([Agenda Item VI A-3](#))

Members and Mr. Perry discussed:

- The Arden mine;
- Mining claims;
- Abandoned mines;
- An Eagle Scout mine closure project.

AGENDA ITEM VII—OVERVIEW OF PROGRAMS AND ACTIVITIES OF THE NEVADA MINERAL EXPLORATION COALITION

Susan L. Fisher, Vice President, Government Affairs and Advocacy Group, McDonald Carano, emphasized the number of active mining claims, mines, and active mines in LC. She reported mines become active depending on what is expected to be found within the mine, what commodities are needed in the market, and when it is financially viable for the mine to become active.

David R. Shaddrick, President, Nevada Mineral Exploration Coalition (NMEC), shared the following topics: (1) NMEC duties; (2) mineral exploration processes; (3) benefits to Nevada; and (4) threats to the mining industry. ([Agenda Item VII](#))

Mr. Shaddrick asked the Committee to consider:

- Continuation of NMEC's role in history and regulatory and revenue-generating decision making;
- Sending a letter to Nevada's Congressional delegation supporting multiple use for public lands; and
- Continuing support of the NDOM and Nevada's Bureau of Mines and Geology, University of Nevada, Reno work.

Several members and Mr. Shaddrick discussed the:

- Greater Nevada Sage-grouse mitigation program; and
- Exploration permitting process.

AGENDA ITEM VIII—OVERVIEW OF CURRENT ISSUES IN NEVADA WATER LAW

Jason King, P.E., State Engineer, Division of Water Resources, State Department of Conservation and Natural Resources (SDCNR), discussed current water issues as follows: (1) severely over-

appropriated groundwater basins; (2) conjunctive management; (3) domestic wells; and (4) the lower White River flow system. ([Agenda Item VIII](#))

Members and Mr. King had discussion on:

- Consumptive use;
- Issuance of water rights permits;
- Revocation of water rights;
- Aquifers studies in over-appropriated basins;
- Domestic wells and water rights;
- The Humboldt River;
- Groundwater basins;
- Domestic well metering; and
- The lower White River flow system.

AGENDA ITEM IX—UPDATE ON PROGRAMS AND ACTIVITIES OF THE UNITED STATES FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, IN CENTRAL NEVADA

Jose Noriega, District Ranger, Ely District, United States Forest Services (USFS), U.S. Department of Agriculture (USDA), shared an update on the national forest service and ranger district priorities, including discussion on vegetation and fuels, and developed recreation and trails. ([Agenda Item IX A](#))

Members and Mr. Noriega discussed:

- USFS road funding;
- PJ and other fuel treatments;
- Online campsite reservations; and
- NDOW sellable list for outfitters and guides and the limited number of guides to operate on USFS land.

Lance Brown, District Ranger, Austin-Tonopah District, USFS, USDA, provided information on the national forest service and district priorities, including: (1) vegetation and fuels; (2) developed

recreation and trails; (3) minerals and geothermal energy; (4) range management; (5) wild horses and burros; and (6) wildlife management. ([Agenda Item IX B](#))

There was discussion between members, Mr. Brown, and Mr. Noriega regarding the hauling of water for wild horses and burros.

AGENDA ITEM X—PRESENTATION REGARDING PINYON-JUNIPER WOODLANDS MANAGEMENT AND BIOMASS UTILIZATION

Jeremy Drew, Project Manager, Resource Concepts, Inc., Nevada Pinyon-Juniper Partnership, shared a presentation that included: (1) background of PJ ecosystems; (2) wildfire risk and infrastructure; (3) challenges; (4) restoration; (5) utilization role; (6) proactive management; (7) healthy ecosystems; and (8) stronger communities. ([Agenda Item X](#))

Members and Mr. Drew discussed:

- Wildland fires and biomass;
- Transportation costs and funding for removing biomass; and
- Extension of stewardship contracts.

AGENDA ITEM XI—OVERVIEW OF PROGRAMS AND ACTIVITIES OF THE FRIENDS OF NEVADA WILDERNESS

Shaaron Netherton, Executive Director, Friends of Nevada Wilderness (FNW), shared how FNW is working to preserve access to public lands threatened by military expansion, and with counties and Nevada's Congressional delegation on public lands bills to find a balance between economic development and conservation. She testified to the success of the FNW's stewardship program through partnerships with federal land management agencies, business partners, and volunteers. ([Agenda Item XI](#))

In response to Chair Swank's inquiry regarding monitoring of the petroglyphs, Ms. Netherton said the FNW works closely with the state stewardship program and volunteers who are interested in archeological work to help with the monitoring.

AGENDA ITEM XII—PRESENTATION REGARDING CONSERVATION DISTRICTS, COLLABORATIVE GROUPS, AND RESOURCE NEEDS ASSESSMENTS IN NEVADA

Maggie Orr, President, Nevada Association of Conservation Districts, Commissioner, State Conservation Commission, SDCNR, and Vice Chair, Lincoln County Conservation District, briefed the Committee on local area work groups and local work groups. She reported the conservation districts work across private and public ownership boundaries to unite landowners, groups, and agencies in an effort to identify resource concerns and solutions in their respective areas. ([Agenda Item XII A-1](#)) ([Agenda Item XII A-2](#)) ([Agenda Item XII A-3](#))

Mayor March and Ms. Orr discussed southern Nevada's involvement in the survey process.

AGENDA ITEM XIII—OVERVIEW OF PROGRAMS AND ACTIVITIES OF THE NEVADA FARM BUREAU FEDERATION

Bevan Lister, President, Nevada Farm Bureau Federation, shared how agriculture has been a key component for the state's economy. He touched upon the following topics: (1) mining; (2) livestock grazing; (3) public land resources; (4) crop harvesting; (5) wild horses and burros; (6) public land management acts; (7) sage-grouse conservation; (8) healthy rangelands; (9) available water resources; and (10) tourism. ([Agenda Item XIII](#))

Mr. Lister encouraged the Committee's support for appropriate mechanisms for rural communities to match grants and other financial tools used for economic development opportunities.

(This agenda item was taken out-of-order.)

AGENDA ITEM XIV—OVERVIEW OF CURRENT ISSUES PERTAINING TO THE NEVADA OUTFITTERS AND GUIDES ASSOCIATION

Rachel Buzzetti, Secretary, NOGA, expressed concerns with the NDOW's change in procedure regarding release of the complete sellable list of big game tag applicants to allow guides to promote and market their services to hunters. ([Agenda Item XIV A](#)) ([Agenda Item XIV B](#))

Discussion was held between members and Ms. Buzzetti regarding:

- Discussion with the Nevada Board of Wildlife Commission;
- Purchase of mailing labels; and
- Concerns over inexperienced or untrained guides.

At the request of Senator Goicoechea, Jack Robb, Deputy Director, NDOW, joined in the conversation. He acknowledged that NDOW is looking at a small amendment to *Nevada Administrative Code* 502.211 (Wildlife: Licenses, Tags and Permits), and described the opt-in or opt-out option for the big game tag applicants.

There was further discussion between members, Ms. Buzzetti, and Mr. Robb on:

- Issuance of licenses and publication of names for guides and outfitters; and
- NOGA advertising and information for hunters.

AGENDA ITEM XV—PUBLIC COMMENT

Kevin Phillips, Commissioner, Lincoln County Board of Commissioners, commented on the Southern Nevada Water Authority ranches.

Rod McKenzie, President, Lund Irrigation and Water Company, expressed his concerns over shared water resources coming from carbonate aquifers.

Chair Swank announced the next meeting for Thursday, July 26, 2018, in Battle Mountain.

AGENDA ITEM XVI—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:49 p.m.

Respectfully submitted,

Natalie J. Pieretti
Research Policy Assistant

Alysa M. Keller
Principal Policy Analyst

APPROVED BY:

Assemblywoman Heidi Swank, Chair

Date: _____

MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
<u>Agenda Item II</u>	Susan Agee, private citizen	Written comments
<u>Agenda Item IV</u>	Holly M. Gatzke, Ph.D., Extension Educator, University of Nevada Cooperative Extension, Nevada System of Higher Education,	Microsoft PowerPoint Presentation
<u>Agenda Item V A</u>	Jeffrey Fontaine, Executive Director, Lincoln County Regional Development Authority	Microsoft PowerPoint Presentation
<u>Agenda Item V B</u>	Varlin Higbee, Commissioner, Lincoln County Board of Commissioners	Written Comments
<u>Agenda Item VI A-1</u>	Rich Perry, Administrator, Nevada's Division of Minerals (NDOM), Commission on Mineral Resources (CMR)	Report
<u>Agenda Item VI A-2</u>	Rich Perry, Administrator, NDOM, CMR	Microsoft PowerPoint Presentation
<u>Agenda Item VI A-3</u>	Rich Perry, Administrator, NDOM, CMR	Report
<u>Agenda Item VII</u>	David R. Shaddrick, President, Nevada Mineral Exploration Coalition	Microsoft PowerPoint Presentation
<u>Agenda Item VIII</u>	Jason King, P.E., State Engineer, Division of Water Resources, State Department of Conservation and Natural Resources	Microsoft PowerPoint Presentation
<u>Agenda Item IX A</u>	Jose Noriega, District Ranger, Ely District, United States Forest Services (USFS), U.S. Department of Agriculture (USDA)	Written Comments
<u>Agenda Item IX B</u>	Lance Brown, District Ranger, Austin-Tonopah District, USFS, USDA	Written Comments
<u>Agenda Item X</u>	Jeremy Drew, Project Manager, Resource Concepts,	Microsoft PowerPoint Presentation

	Inc., Nevada Pinyon-Juniper Partnership	
Agenda Item XI	Shaaron Netherton, Executive Director, Friends of Nevada Wilderness	Microsoft PowerPoint Presentation
Agenda Item XII A-1	Maggie Orr, President, Nevada Association of Conservation Districts (NACD), Commissioner, State Conservation Commission (SCC), Nevada's Department of Conservation and Natural Resources (DCNR) and Vice Chair, Lincoln County Conservation District (LCCD)	Written Comments
Agenda Item XII A-2	Maggie Orr, President, NACD	Microsoft PowerPoint Presentation
Agenda Item XII A-3	Maggie Orr, President, Nevada Association of Conservation Districts, Commissioner, State Conservation Commission, DCNR, and Vice Chair, Lincoln County Conservation District	Microsoft PowerPoint Presentation handout
Agenda Item XIII	Bevan Lister, President, Nevada Farm Bureau Federation	Written Comments
Agenda Item XIV A	Rachel Buzzetti, Secretary, Nevada Outfitters and Guides Association (NOGA)	Letter
Agenda Item XIV B	Michael John Jurad, NOGA	Letter

The Summary Minutes are supplied as an informational service. All meeting materials are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or <https://www.leg.state.nv.us/Division/Research/Library/About/Contact/feedbackmail.cfm>.