



NEVADA LEGISLATURE LEGISLATIVE COMMITTEE ON PUBLIC LANDS (*Nevada Revised Statutes 218E.510*)

SUMMARY MINUTES

The fifth meeting of the Legislative Committee on Public Lands for the 2017–2018 Interim was held on Thursday, July 26, 2018, at 9 a.m. at the Lander County Courthouse and Administration Building, Community Meeting Room, 50 State Route 305, Battle Mountain, 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 BATTLE MOUNTAIN:

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
Debra March, Mayor, City of Henderson

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Alysa M. Keller, Principal Policy Analyst, Research Division

Heidi Chlarson, Senior Principal Deputy Legislative Counsel, Legal Division

Erin Sturdivant, Senior Deputy Legislative Counsel, Legal Division

Natalie J. Pieretti, Research Policy Assistant, Research Division

Ryan Dombrowski, Technical Communication Systems Specialist II, Broadcast and Production
Services (BPS), Administrative Division

Brian Van Geel, Technical Communication Systems Specialist II, BPS, Administrative Division

Dean Reynolds, Officer, Legislative Police, Administrative Division

Dean Kumagai, 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 fifth meeting of the Legislative Committee on Public Lands with the reminder that written recommendations for the Committee's work session are due to staff by August 3, 2018.

AGENDA ITEM II—PUBLIC COMMENT

Patrick Donnelly, Nevada State Director, Center for Biological Diversity, opposed oil drilling and fracking in the Ruby Mountains and asked the Committee to consider a resolution supporting the Ruby Mountains and opposing oil drilling and fracking.

Kyle J. Davis, Davis Strategies, previously submitted written commentary for the Committee's consideration. (Agenda Item II)

AGENDA ITEM III—APPROVAL OF MINUTES OF THE MEETING HELD ON JUNE 29, 2018

MOTION: Assemblyman Kramer moved to approve the minutes of the meeting held on June 29, 2018. The motion was seconded by Senator Parks and passed.

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

Thomas R. Harris, Ph.D., Director of Center for Economic Development, the College of Business, University of Nevada, Reno, discussed how public land grazing, mining operations, tourism, land based revenues, and Bureau of Land Management (BLM), United States Department of Agriculture (USDA), operations affect northern Nevada communities. (Agenda Item IV)

Members and Dr. Harris discussed:

- Livestock grazing reduction;
- Wildfires;
- Wildfire suppression;
- Tools to assist with gaps in services in communities; and
- Payment in lieu of taxes (PILT).

AGENDA ITEM V—OVERVIEW OF PUBLIC LAND ACTIVITIES AND IMPACTS IN LANDER COUNTY

A. Lander County Economic Development Authority

George Fennemore, Board Member, Lander County Economic Development Authority (LEDA), pointed out the roles mining and public lands play in Lander County (LC) economic activities. He stated challenges include: (1) access to land; (2) access to water; (3) economic diversification; (4) economic leakage; (5) housing availability; and (6) retail/service availability. Mr. Fennemore reported on results from a community survey, economic and physical development of public lands, development statistics, and potential for growth in LC. (Agenda Item V A)

Mr. Fennemore, in responding to Mayor March's question of the steps taken to attract new industries in the community, said LEDA is looking toward renewable energy and the transportation sector, as well as small businesses.

Senator Goicoechea expressed his interest in knowing how much private property in LC is agricultural property.

B. Lander County Public Land Use Advisory Planning Commission

Frank Whitman, Chair, Lander County Public Land Use Advisory Commission, provided an overview on: (1) public lands in LC; (2) LC lands bill; (3) Secure Rural Schools (SRS) funding; (4) tourism; (5) development; (6) projects; (7) RS 2477 roads; (8) mining and geothermal energy; (9) oil and gas exploration; (10) sage-grouse; (11) wild horses and burros; (12) the Austin airport and the Naval Air Station Fallon (NAS) expansion; and (13) groundwater issues.

Mr. Whitman asked that the Committee review the issue of fracking and oil drilling around geothermal sources.

Members and Mr. Whitman discussed grant funding for LC.

AGENDA ITEM VI—UPDATES REGARDING PUBLIC LANDS ACTIVITIES AND IMPACTS IN ELKO, EUREKA, HUMBOLDT, AND PERSHING COUNTIES

(Agenda Item VI A and Agenda Item VI B were heard together.)

A. Representative, Elko County Board of Commissioners

Demar Dahl, Commissioner, Elko County Board of Commissioners (ECBC), briefed the Committee on a ECBC resolution supporting the Nevada Land Management Task Force's (NLMTF) recommendation to transfer public lands to the state. (Agenda Item VI A-1) (Agenda Item VI A-2) (See: [NLMTF July 18, 2014, Report](#))

Mr. Dahl shared an update on the following public land activities and impacts to Elko County: (1) mining; (2) recreation; (3) livestock grazing; (4) wildfires; (5) wild horses and burros; (6) travel management plans; and (7) challenges. (Agenda Item VI A-3)

B. Representative, Eureka County Board of Commissioners

Jake Tibbitts, Natural Resources Manager, Eureka County, requested the Committee consider the Eureka County Board of Commissioners' recommendations. (Agenda Item VI B-1)

Mr. Tibbitts provided a brief overview of economic impacts of outdoor recreation, hunting, and fishing. He discussed the following: (1) expansion and retention of economic diversification opportunities; (2) grant funding for mountain biking; (3) agricultural diversification; (4) dependency on federal lands; (5) Congressional mandates; (6) sage-grouse; (7) groundwater and water rights; and (8) livestock grazing. (Agenda Item VI B-2) (Agenda Item VI B-3) (Agenda Item VI B-4) (Agenda Item VI B-5)

There was discussion between members and Messrs. Dahl and Tibbitts on:

- Projects in downtown Eureka;
- Wild horse gathers; and
- Lands bills.

(Agenda Item VI C and Agenda Item VI D were heard together.)

C. Representative, Humboldt County Board of Commissioners

Jim French, Vice Chair, Humboldt County Board of Commissioners, shared how restriction of the economic base has affected the county tax base and the ability to provide essential services. He touched upon the topics of: (1) mining; (2) agriculture; (3) recreational use; (4) tourism; (5) nonconsumptive use of public lands; (6) wildfires; (7) sage-grouse; (8) wildlife; (9) PILT; (10) SRS funding; and (11) wild horses and burros. (Agenda Item VI C)

D. Representative, Pershing County Board of Commissioners

Robert McDougal, Chair, Pershing County Board of Commissioners, discussed how individual counties cannot reach full economic potential due to the existence of public lands, and how federal land management of wild horses and burros and wildfires has been ineffective. He shared how expansion in other counties has resulted in an influx of individuals seeking social services in Pershing County (PC) placing a stress on those services. Mr. McDougal voiced concerns with the proposed NAS expansion, noting the expansion would close access to an expanding iron mine. He asked that the Committee urge the NAS to adjust its expansion plan for the benefit of PC's economy. (Agenda Item VI D)

Committee members and Mr. French discussed:

- SRS funding;
- PILT; and
- Wild horses and burros.

AGENDA ITEM VII—OVERVIEW OF PROGRAMS AND ACTIVITIES OF THE NEVADA MINING ASSOCIATION

Dylan Shaver, Vice President, Nevada Mining Association, offered a mining presentation on: (1) land use; (2) opportunities; (3) mineral production; (4) employment and community support; (5) lithium mine; (6) generation of funds for Nevada's economy; (7) diatomaceous production; (8) land stewardship; (9) wildlife habitat; (10) groundwater rights; (11) air quality; and (12) partnership with communities. (Agenda Item VII)

Mr. Shaver voiced concerns how unsustainable federal land withdrawals would be for the mining industry. Concluding, he commented on the BLM's district reorganization proposal.

There was discussion between members and Mr. Shaver on:

- Workforce housing availability; and
- Lithium mines usage of water.

AGENDA ITEM VIII—UPDATE ON THE BUREAU OF LAND MANAGEMENT, UNITED STATES DEPARTMENT OF THE INTERIOR, PROGRAMS AND ACTIVITIES IN NORTHERN NEVADA

Michael Courtney, Acting State Director, BLM, USDA, provided the following overview of the programs and activities of the BLM: (1) livestock grazing; (2) timber resources; (3) mineral development; (4) wildlife habit; (5) public and checkerboard lands; (6) recreation; (7) the Secretary's priorities and orders; (8) related legislation; (9) BLM district reorganization; (10) nonrenewable energy; (11) national conservation lands, areas, and wilderness; and (12) renewable energy and solar power. (Agenda Item VIII)

Discussion between members and Mr. Courtney focused on:

- Reorganization structure process;
- Wind generation permits; and
- Wilderness study area status.

AGENDA ITEM IX—OVERVIEW OF THE U.S. FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, ACTIVITIES IN NORTHERN NEVADA

Joe Garrotto, District Ranger, Santa Rosa Ranger District, U.S. Forest Service (USFS), USDA, shared information on rangeland management, recreation, and wilderness programs in the Santa Rosa Ranger District. (Agenda Item IX)

Senator Goicoechea and Mr. Garrotto discussed the Martin wildfire burning in northern Nevada.

On behalf of Joshua Nicholes, Acting District Ranger, USFS, USDA, Mr. Garrotto provided a brief overview of the following programs in the Mountain City, Ruby Mountains, and Jarbidge Ranger districts: (1) vegetation/fuels management program; (2) minerals program; (3) rangeland management program; and (4) recreation and wilderness program. (Agenda Item IX)

Assemblyman Ellison and Mr. Garrotto discussed aerial treatment for invasive weeds.

Cheva Gabor, Nevada State Liaison, USFS, USDA, was invited to join in the discussion with members and Mr. Garrotto concerning public meetings and the environmental impact statement for the Ruby Mountains. Ms. Gabor noted that upon the filing of the final decision by the Washington Office, individuals who previously commented on the project will have the option of filing an objection to the decision.

Members requested the USFS provide answers to questions posed at this meeting prior to the Committee's next meeting.

AGENDA ITEM X—OVERVIEW OF NEVADA'S DEPARTMENT OF WILDLIFE PROGRAMS AND ACTIVITIES ON PUBLIC LANDS IN NORTHERN NEVADA

Alan Jenne, Habitat Division Administrator, Nevada's Department of Wildlife (NDOW), and Rachel Buzzetti, Secretary, Nevada Outfitters and Guides Association (NOGA).

Mr. Jenne provided a presentation on the following NDOW divisions: (1) data and technology services; (2) law enforcement; (3) fisheries division; (4) game; (5) wildlife diversity; (6) habit; and (7) conservation education. (Agenda Item X)

Senator Goicoechea and Mr. Jenne discussed access by NOGA to NDOW's saleable list, and Senator Goicoechea requested a copy of NDOW's survey results.

Ms. Buzzetti clarified NOGA is only interested in the saleable list, and joined in the request for the survey results.

Vice Chair Ratti and Mr. Jenne discussed Congressional bills for nongame species funding.

Vice Chair Ratti requested a recommendation on the Committee's work session in support of proposed Congressional legislation for funding of nongame species.

AGENDA ITEM XI—OVERVIEW OF ACTIVITIES AND PROJECTS OF THE STEWARDSHIP ALLIANCE OF NORTHEAST ELKO

Rainy Lawson, Coordinator, Stewardship Alliance of Northeast Elko (SANE), and James Rogers, Member, SANE, and Manager, Winecup Gamble Ranch, shared a joint presentation on the overview and activities of SANE, including: (1) the ecosystem management plan; (2) project history; (3) funding; (4) current activities; and (5) conservation funding models from surrounding states. (Agenda Item XI A-1) (Agenda Item XI A-2) (Agenda Item XI A-3)

There was discussion between members and Ms. Lawson and Mr. Rogers on:

- Fiduciary structure of SANE;
- Neutral facilitator; and
- SANE area and sage-grouse habitat.

AGENDA ITEM XII—OVERVIEW OF ACTIVITIES BY THE NATURE CONSERVANCY ON PUBLIC LANDS IN THE SAGE SYSTEMS OF NEVADA

Elizabeth Munn, Sagebrush Ecosystem Program Manager, The Nature Conservancy, testified on the following programs: (1) Mojave Desert; (2) Eastern Sierra Rivers; (3) Truckee headwaters; (5) water; and (5) sagebrush ecosystem. (Agenda Item XII)

She reported challenges to the ecosystem include:

- Fire and invasive weeds;
- Declining wildlife populations;
- Water management;
- Insufficient funding;
- Complex boundaries; and
- Social conflict.

She discussed strategic pillars, modeling science, collaboration, and innovative restoration.

Concluding, Ms. Munn focused her recommendations and comments on financial resources and the importance of state funding of critical state agencies and programs. She asked the Committee consider: (1) retaining funding levels for state agencies; (2) increasing the funding for conservation and restoration work; and (3) approve match funding of federal grants for management of federal, state, and private lands in Nevada. She conveyed funding through the Question 1 Program is dwindling, and that additional funding by the state is necessary to continue the programs.

Discussion followed between members and Ms. Munn regarding:

- Conservation funding;
- Model language examples for funding from other states;
- Funding matches;
- Key threats; and
- Wildfire breaks and suppression.

AGENDA ITEM XIII—UPDATE ON PROGRAMS AND ACTIVITIES OF THE HUMBOLDT RIVER BASIN WATER AUTHORITY

Jeff Fontaine, Executive Director, Humboldt River Basin Water Authority, provided an overview of roles and responsibilities, geography, history, and characteristics of the Humboldt River Basin (HRB). He discussed the economic importance of the HRB to local communities, as well as mineral and agricultural production. (Agenda Item XIII)

He reported the following factors contributed to diminished Humboldt River base flow and discussed the following water resource issues requiring resolution within the HRB: (1) loss of proper functioning riparian areas; (2) groundwater pumping; (3) warming trends; and (4) drought.

Mr. Fontaine requested the Committee consider the following recommendations:

- Support enhanced funding to continue progress in processing the backlog of water right applications and to continue to improve online data sources;
- Continue support for cloud seeding activities in Nevada; and
- Continue support for the implementation of projects that improve water efficiency for agricultural and livestock production.

Members and Mr. Fontaine discussed:

- Cloud seeding and funding;
- Groundwater and aquifer storage; and
- Navigable waters of the U.S.

AGENDA ITEM XIV—PUBLIC COMMENT

Melany Aten, Conservation Staff Specialist, State Department of Conservation and Natural Resources, requested conservation issues be retained on the local level, and echoed concerns over match funds for conservation efforts. She stated she would like to see memorandums of understanding in place.

Shane Hall, Crawford Cattle, discussed:

- Wildfires;
- Livestock grazing;
- Groundwater issues
- Support for additional animal unit measures;
- Feral and tribal wild horses; and
- Sage-grouse habitat.

Chair Swank reminded the audience to submit Committee recommendations in writing to staff prior to August 3, 2018. She announced the next meeting is the Committee's work session meeting to be videoconferenced from Carson City to Las Vegas on Friday, September 7, 2018.

AGENDA ITEM XV—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:24 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
Agenda Item II	Kyle J. Davis, Davis Strategies	Written commentary
Agenda Item IV	Thomas R. Harris, Ph.D., Director of Center for Economic Development, the College of Business, University of Nevada, Reno	Microsoft PowerPoint presentation
Agenda Item V A	George Fennemore, Board Member, Lander County Economic Development Authority	Microsoft PowerPoint presentation
Agenda Item VI A-1	Demar Dahl, Commissioner, Elko County Board of Commissioners (ECBC)	Resolution No. 2018-24
Agenda Item VI A-2	Demar Dahl, Commissioner, ECBC	Amendment to H.R. 1484
Agenda Item VI A-3	Demar Dahl, Commissioner, ECBC	Presentation
Agenda Item VI B-1	Jake Tibbitts, Natural Resources Manager, Eureka County	Recommendations
Agenda Item VI B-2	Jake Tibbitts, Natural Resources Manager, Eureka County	Handout
Agenda Item VI B-3	Jake Tibbitts, Natural Resources Manager, Eureka County	Handout
Agenda Item VI B-4	Jake Tibbitts, Natural Resources Manager, Eureka County	Agricultural statistics
Agenda Item VI B-5	Jake Tibbitts, Natural Resources Manager, Eureka County	Report
Agenda Item VI C	Jim French, Vice Chair, Humboldt County Board of Commissioners	Written commentary
Agenda Item VI D	Robert McDougal, Chair, Pershing County Board of Commissioners	Written commentary
Agenda Item VII	Dylan Shaver, Vice President, Nevada Mining Association	Microsoft PowerPoint presentation
Agenda Item VIII	Michael Courtney, Acting State Director, Bureau of Land Management United States Department of Agriculture (USDA)	Microsoft PowerPoint presentation
Agenda Item IX	Joe Garrotto, District Ranger, Santa Rosa Ranger District, U.S. Forest Service, USDA	Microsoft PowerPoint presentation
Agenda Item X	Alan Jenne, Habitat Division Administrator, Nevada's Department of Wildlife	Microsoft PowerPoint presentation
Agenda Item XI A-1	Rainy Lawson, Coordinator, Stewardship Alliance of Northeast Elko (SANE)	Microsoft PowerPoint presentation
Agenda Item XI A-2	Rainy Lawson, Coordinator, SANE	Handout
Agenda Item XI A-3	Rainy Lawson, Coordinator, SANE	Letter

Agenda Item XII	Elizabeth Munn, Sagebrush Ecosystem Program Manager, The Nature Conservancy	Microsoft PowerPoint presentation
Agenda Item XIII	Jeff Fontaine, Executive Director, Humboldt River Basin Water Authority	Microsoft PowerPoint presentation

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>.