



NEVADA LEGISLATURE
LEGISLATIVE COMMITTEE ON PUBLIC LANDS
(Nevada Revised Statutes 218.5363)

SUMMARY MINUTES AND ACTION REPORT

The third meeting of the Nevada Legislature's Legislative Committee on Public Lands was held on Thursday, March 18, 2010, at 9 a.m. in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. This meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada, and Room 118, Greenhaw Technical Arts Building, Great Basin College, 1500 College Parkway, Elko, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://www.leg.state.nv.us/interim/75th2009/committee/>. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Dean A. Rhoads, Chair
Assemblyman David P. Bobzien

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblyman Jerry D. Claborn, Vice Chair
Senator David R. Parks
Senator Michael A. Schneider (*alternate*)
Assemblyman Paul Aizley

COMMITTEE MEMBER PRESENT IN ELKO:

Assemblyman John C. Carpenter

COMMITTEE MEMBERS ABSENT:

Senator Terry Care
Senator John J. Lee
Tom Collins, Clark County Commissioner

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Susan E. Scholley, Chief Principal Research Analyst, Research Division
J. Randall Stephenson, Principal Deputy Legislative Counsel, Legal Division
Charity A. Fowler, Deputy Legislative Counsel, Legal Division
Susan M. Young, Senior Administrative Assistant, Research Division

OPENING REMARKS

- Senator Rhoads called the meeting to order and asked the secretary to call the roll. He welcomed testifiers, presenters, and members of the public. Chair Rhoads noted the meeting would be videoconferenced to Elko and Las Vegas. Concluding his opening remarks, Senator Rhoads noted that the Legislative Committee on Public Lands would receive a report of the overlapping water issues from the Legislative Committee to Oversee the Western Regional Water Commission (Senate Bill 487, Chapter 531, *Statutes of Nevada 2007*) at its meeting in July. (Please see [Exhibit B.](#))

APPROVAL OF THE “SUMMARY MINUTES AND ACTION REPORT” OF THE MEETING HELD ON JANUARY 22, 2010, IN LAS VEGAS, NEVADA

- The Committee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYMAN CARPENTER MOVED TO APPROVE THE “SUMMARY MINUTES AND ACTION REPORT” OF THE JANUARY 22, 2010, MEETING HELD IN LAS VEGAS, NEVADA. THE MOTION WAS SECONDED BY ASSEMBLYMAN BOBZIEN AND PASSED. SENATOR PARKS AND SENATOR SCHNEIDER WERE ABSENT FOR THE VOTE.

UPDATE ON THE BUREAU OF LAND MANAGEMENT (BLM) PROGRAMS AND ACTIVITIES IN WESTERN NEVADA

- Doran Sanchez, Chief, Office of Communications, BLM, Nevada, gave an update on the BLM programs and activities in western Nevada which included: (1) Carson City District program highlights; (2) the American Recovery and Reinvestment Act of 2009 (ARRA) funds available for BLM projects nationwide, in Nevada, and in the Carson City District; (3) renewable energy projects and development; (4) the wind energy program at the Sierra Front Field Office; (5) wildfires and fire management; (6) fuel management projects; (7) the wild horse and burro program; (8) cultural resources management; (9) volunteer programs; (10) Ranger program; (11) BLM programs statewide; (12) wildland fire management program; (13) 2010 pre-suppression budget and the planned suppression resources; (14) geothermal programs; (15) mining; (16) mineral material sales; (17) livestock grazing; and (18) abandoned mine lands and hazardous material management. (Please see [Exhibit C-1](#), [Exhibit C-2](#), [Exhibit C-3](#), [Exhibit C-4](#), and [Exhibit C-5](#).)

Responding to a question from Assemblyman Carpenter regarding an environmental impact statement (EIS) with BLM geothermal land leases in Edwards Creek Valley, Mr. Sanchez noted that the BLM tries to conduct the required cultural reports through an environmental assessment to identify and mitigate potential impacts, and depending on complexity and size of the lease, it can take three to six months to complete.

There was a discussion between Senator Rhoads and Mr. Sanchez regarding sage grouse habitat. Mr. Sanchez referenced fact sheets regarding the sage grouse and the conservation measures to protect and preserve. He articulated that the BLM will take every conservation measure possible to prevent the listing of the sage grouse as an endangered species. (Please see [Exhibit C-6](#), [Exhibit C-7](#), [Exhibit C-8](#), [Exhibit C-9](#), [Exhibit C-10](#), [Exhibit C-11](#), and [Exhibit C-12](#).)

- Senator Rhoads queried as to ARRA funding received by the BLM.
- Mr. Sanchez replied that the BLM received 27 million dollars in Nevada and there are 47 projects statewide as a result of the ARRA funds received.

UPDATE ON THE UNITED STATES FOREST SERVICE (USFS) PROGRAMS AND ACTIVITIES IN WESTERN NEVADA AND SURROUNDING AREAS

- René Mabe, Acting District Ranger, Carson Ranger District, USFS, provided an update on the USFS resource management activities on the Carson Ranger District, Humboldt-Toiyabe National Forest, which included: (1) recreation management; (2) wildlife management; (3) wildfire and fuels management; and (4) the noxious weed management program. (Please see [Exhibit D](#).)

Responding to Senator Rhoads' question regarding if ARRA funding had been received by the USFS, Ms. Mabe noted that two million dollars had been received in the Carson Ranger District.

- Genny Wilson, Acting Deputy Forest Supervisor, Humboldt-Toiyabe National Forest, testified that the USFS has worked closely with the Nevada Fire Safe Counsel to align fire treatment with other land ownerships. She further testified that the Carson Ranger District would not be receiving funds for fuels management from Southern Nevada Public Land Management Act (SNPLMA) Round 11 preliminary estimates.
- Grace G. Newell, Acting District Ranger, Bridgeport Ranger District, USFS, provided an update on the resource management activities of the Bridgeport Ranger District, Humboldt-Toiyabe National Forest, which included: (1) fire and fuels management; (2) highlights of the Bridgeport Ranger District travel management plan; (3) sage grouse habitat management; (4) noxious weed management; and (5) an update on domestic sheep grazing in the Sierra Nevada Bighorn Sheep habitat areas. (Please see [Exhibit E](#).)

A discussion ensued between Assemblyman Aizley and Ms. Wilson regarding sage grouse in the Sweetwater area. Ms. Wilson explained that the USFS works closely with Nevada's Department of Wildlife (NDOW) to monitor the sage grouse. She further stated that the USFS concentrates on species habitat and NDOW monitors the number of sage grouse.

- Assemblyman Bobzien queried as to the travel maps that will be issued in June 2010 and the maps currently available on the USFS website. Ms. Newell clarified that the travel maps to be issued in June 2010 are vehicle maps and the maps on the website are project-related maps.
- Senator Rhoads commented on the continued discussion concerning disease transmission between domestic and wild sheep.
- Ms. Wilson noted that the USFS is of the opinion that domestic sheep pose a potential risk for disease transmission to wild sheep. She emphasized that the USFS is obligated to err on the side of an endangered species.

OVERVIEW OF PROGRAMS AND ACTIVITIES RELATING TO WILDFIRES ON PUBLIC LANDS AND IN THE URBAN INTERFACE

Nevada's Division of Forestry (NDF), State Department of Conservation and Natural Resources (SDCNR)

- Pete Anderson, State Forester, NDF, SDCNR, provided an overview of programs and activities relating to wildfires on public lands and in the urban interface, which included: (1) an overview of Assembly Bill 75 (Chapter 144, *Statutes of Nevada 2009*); (2) forest conditions, fuels management, and fire prevention activities; (3) projects and activities in the Lake Tahoe Basin; (4) accomplishments on the Nevada-side of Lake Tahoe by each of the involved entities; (5) requirements to review existing laws from Senate Bill 94 (Chapter 479, *Statutes of Nevada 2009*) and recommendations; (6) the anticipation of an active 2010 fire season; (7) the western Great Basin fire activity; (8) reduction in the number of wildfire hand crews; and (9) ARRA funding for five projects around the State. (Please see [Exhibit F-1](#), [Exhibit F-2](#), and [Exhibit F-3](#).)

There was a discussion between Senator Rhoads and Mr. Anderson concerning jurisdiction over fires that spread onto BLM, USFS, and private lands. Mr. Anderson pointed out that the different agencies establish a unified command so that decisions are made in an integrated manner.

Nevada Fire Safe Council (NFSC)

- Andrew List, Executive Director, NFSC, provided an overview of the programs and activities relating to wildfires on public lands and in the urban interface, which included: (1) a brief background and description of the NFSC; (2) working with 124 communities and 5,000 volunteers; (3) educating citizens about the threats inherent to living in a fire prone environment; (4) mitigating the risk of catastrophic loss due to wildfire; (5) empowering individuals to make their communities safe; (6) structure of the NFSC operations into four regions; (7) a brief overview of the

acres treated in 2009 in the Sierra Front, Northeastern/Central, Lake Tahoe Basin, and Southern Regions; (8) fuels reduction work; and (9) the 2009 budget for fire education and fire mitigation. (Please see [Exhibit G-1](#) and [Exhibit G-2](#)).

There was a discussion between Senator Rhoads and Mr. List regarding the receipt of ARRA funding at the NFSC. Mr. List noted that 3.2 million dollars was received through Region 5 of the USFS for work on the California-side of Lake Tahoe.

- Senator Parks queried as to the clearing of potential fire hazards in the Cold Creek area of the Spring Mountain Range in southern Nevada.
- Mr. List responded that the NFSC has a local chapter in the Cold Creek area.
- Kim Otero, Project Coordinator, NFSC, noted that project was a USFS shaded fuel break in the Cold Creek area. She further noted that the NFSC worked with the property owners adjacent to the fuel break.

PRESENTATION ON ISSUES AND PROGRAMS RELATING TO NOXIOUS WEEDS

State Department of Agriculture (SDA)

- Scott Marsh, Program Coordinator, Plant Industry Division, SDA, gave a presentation on issues and programs relating to noxious weeds, which included: (1) completion of the SDA's new office building; (2) legislation pertaining to the SDA from the 2009 Session; (3) grants received by the SDA; (4) concentration on eradication efforts of Medusahead; (5) destructive nature of Medusahead; (6) the need to increase the number of weed districts in Nevada to eradicate and control noxious weeds; (7) loss of funding for the weed mapping program; (8) possible introduction of future legislation to create regulations in Chapter 555 of the *Nevada Revised Statutes* and the removal of the use of county funds to conduct abatement; and (9) the loss of sage grouse habitat due to noxious weeds. (Please see [Exhibit H](#).)

There was a discussion among Assemblyman Bobzien, Senator Rhoads, and Mr. Marsh regarding the possible introduction of legislation during the 2011 Session. Mr. Marsh noted that the SDA will introduce its potential legislation. Assemblyman Bobzien commented that if the SDA provided an update to the Committee at a future meeting, it would allow for a possible show of support from the Legislative Committee on Public Lands. Senator Rhoads opined that it would be a great idea to have the endorsement of the Committee.

- Tina Mudd, Special Programs Coordinator, Plant Industry Division, SDA, provided an overview of the SDA's special noxious weeds programs; which included: (1) a brief description of cooperative weed management area (CWMA) programs; (2) nonprofit and local community level approaches to weed control; (3) ARRA funding for CWMA programs; (4) early detection and rapid response to noxious

weeds; (5) education regarding noxious weeds; (6) fuels reduction and habitat enhancement projects; (7) post-fire rehabilitation programs; (8) weed-free forage programs; (9) importance of growing weed-free forage; (10) use of weed-free materials to help prohibit the spread of noxious weeds; and (11) control of the spread of invasive species to protect sage grouse habitat.

In response to Assemblyman Bobzien's question concerning the status of the Eurasian watermilfoil, Ms. Mudd responded that weed control groups at Lake Tahoe and various programs at the University of Nevada, Reno, have been the primary participants in the eradication and control of the Eurasian watermilfoil.

- Scott Marsh, previously identified, further testified that the SDA has applied for funding to conduct studies of the Truckee River to map Medusahead since it is currently known to be located solely in the Truckee River Basin.

Tri-County Weed Group

- Betsy Macfarlan, Executive Director, Eastern Nevada Landscape Coalition (ENLC), gave an update on issues and programs relating to noxious weed activities of the ENLC and the Tri-County Weed Group, which included: (1) a brief description of the ENLC as a nonprofit organization; (2) establishment of six CWMAs; (3) pursuit of grant and cooperative agreement funds for managing invasive species; (4) matched funding with labor, equipment, and chemicals by the CWMAs; (5) treatment of over 309,590 weed-infested acres throughout eastern Nevada; (6) weed infestation acreage inventories; (7) annual weed meetings; (8) the Tri-County Weed Group's (TCWG) efforts to establish Lincoln, Nye, and White Pine Counties as a weed district; (9) TCWG finance management; (10) the need for the State to have county weed supervisors to assist with weed control management at the county level; and (11) the importance of a proactive approach to invasive species management. (Please see [Exhibit I](#).)

Responding to Senator Rhoads' question concerning ARRA funding, Ms. Macfarlan said that the ENLC did not receive any stimulus money. She further noted that the ENLC receives its funding through grants, cooperative agreements, and private donations.

OVERVIEW OF PROGRAMS AND ISSUES RELATED TO SAGE GROUSE IN NEVADA

U.S. Fish and Wildlife Service (USFWS)

- Bob Williams, State Supervisor, Nevada Fish and Wildlife Office, USFWS, provided an overview of programs and issues related to sage grouse in Nevada, which included: (1) the 12-month finding of the Greater Sage Grouse; (2) administrative background; (3) biological background of the species and habitat; (4) sage grouse population trends; (5) distribution of sage grouse; (6) 2005 findings

and changes since 2005 to sage grouse populations and habitat; (7) secondary and synergistic threats; (8) conservation opportunities and efforts; (9) protecting the species through a collaborative process; (10) future of sage grouse populations; (11) threatened and endangered species list priorities; (12) distinctive populations listed by state; and (13) listing of the sage grouse as an endangered species being warranted. (Please see [Exhibit J-1](#), [Exhibit J-2](#), [Exhibit J-3](#), [Exhibit J-4](#), [Exhibit J-5](#), [Exhibit J-6](#), [Exhibit J-7](#), and [Exhibit J-8](#).)

There was a discussion between Senator Rhoads and Mr. Williams regarding fires as a major component of habitat destruction for the sage grouse population. Mr. Williams commented that fire is a large factor in Nevada and southern Idaho. He noted that fire and species habitat issues are closely linked together. Mr. Williams further noted the population has continued to decline due to new threats.

Nevada's Department of Wildlife (NDOW)

- Kenneth E. Mayer, M.S., Director, NDOW, provided an overview of programs and issues related to Nevada's Greater Sage Grouse conservation project, which included: (1) use of hunting sage grouse as a means of compensated mortality; (2) population management unit approach; (3) demographic information obtained from sage grouse wings; (4) strategies and plans for sage grouse conservation; (5) risks and threats to sage grouse; (6) population trends; (7) "on-the-ground" accomplishments; and (8) the future outlook for sage grouse. (Please see [Exhibit K](#).)
- Bob Williams, previously identified, commented that hunting of sage grouse is considered a low priority and that sage grouse are a State-managed species. He further commented that there are 250 species on the list that come before the listing of the sage grouse.

Responding to a question from Assemblyman Claborn regarding the population of deer in Nevada, Mr. Mayer said that there was slight decline in the deer population and the number of hunting tags.

There was a discussion among Assemblyman Bobzien, Mr. Mayer, and Mr. Williams concerning the listing of the sage grouse as an endangered species and the potential impact to renewable energy projects in the habitat areas. Mr. Mayer responded that the listing of the sage grouse would not stop projects; however, it would create complications concerning the amount of time and increased costs to the projects. Mr. Williams noted that the mapping of habitat could allow for the projects to avoid potential habitat areas with a collaborative process.

- Assemblyman Carpenter opined that NDOW and the USFWS have not addressed the decline of the sage grouse population caused by predators. He further opined that if predator control was conducted, there would be an increase in the sage hen population.
- Kenneth E. Mayer, previously identified, noted that predator control has been conducted on ravens. He further noted that there was an increase in the number of raven predator chicks when a dominant male and female were removed from the flock.

PRESENTATION ON ACTIVITIES OF WATER DISTRICTS IN WESTERN NEVADA

Truckee-Carson Irrigation District (TCID)

- Ernest C. Schank, President, Board of Directors, TCID, gave a presentation on the activities of the TCID, which included: (1) organizational structure of TCID; (2) water conservation program requirements; (3) summarized history of the Newlands project; (4) statistics of expenditures and amounts of water delivered from 2006 through 2009; (5) installation of ramp flumes from 2006 through 2009; (6) total acreage irrigated in 2008; (7) timeline of the Truckee Canal break on January 5, 2008; (8) the 2008 Omnibus Appropriations Act; (9) objectives and components of the Truckee Canal planning study; (10) development of rehabilitation alternatives; and (11) TCID operations forecasts for 2010. (Please see [Exhibit L-1](#) and [Exhibit L-2](#).)

Carson Water Subconservancy District (CWSD)

- Edwin James, General Manager, CWSD, provided an overview of the programs and activities of the CWSD, which included: (1) the CWSD history with its duties and purpose; (2) the structure of the CWSD; (3) maximization of CWSD resources; (4) balancing of water resources among agricultural, domestic, and environmental demands; (5) current CWSD programs; (6) integrated watersheds management; (7) regional floodplain planning; (8) regional water system management; (9) streamflow timing trends; (10) percent of annual precipitation falling as snow; (11) the Carson River Coalition and its working groups; (12) sediment sources; and (13) ARRA program opportunities. (Please see [Exhibit M](#).)

Gardnerville Ranchos General Improvement District (GRGID)

- Bob Spellburg, District Manager, GRGID, provided an update of the GRGIDt, which included: (1) a brief history of the GRGID; (2) development and expansion of the Ranchos area; (3) water rights of the GRGID; (4) residential water usage; (5) operation and maintenance of its water, sewer, and storm drainage systems; (6) continued issues with arsenic; (7) weed control programs; and (8) replacement of the original pipeline.

OVERVIEW OF ACTIVITIES OF THE DIVISION OF WATER RESOURCES, SDCNR

- Jason King, Acting State Engineer, Division of Water Resources, SDCNR, provided an overview of activities of the Division of Water Resources, SDCNR, which included: (1) backlog of applications and actions taken to address the backlog; (2) renewable energy projects using solar and geothermal power plants; (3) the Truckee River Operating Agreement; (4) change applications to move Walker River irrigation water to Walker Lake; (5) results of the recent legislative sessions affecting the Division's budget, and fee increases; (6) the Nevada Supreme Court decision (*Great Basin Water Network v. State Engineer*, 126 Nev. Adv. Op. No. 20); (7) the motion to express legislative intent in the 26th Special Session; (8) potential legislation for the 2011 Session; and (9) critical water issues. (Please see [Exhibit N.](#))

Responding to a question from Senator Rhoads regarding the potential need for a special session to address the Great Basin Water Network decision, Mr. King noted that if the issue is not addressed until the 2011 Session, it would increase the uncertainty of other water rights rulings and increase protests. He further noted that there have been motions requesting a rehearing of the Nevada Supreme Court by the Southern Nevada Water Authority (SNWA) and the Division of Water Resources, SDCNR.

- Assemblyman Carpenter queried as to potential impacts on geothermal plants with respect to water availability concerns.
- Mr. King responded that there is potential for impacts on geothermal plants due to the fact that water rights are issued to support those manners and types of use. He further noted that water rights are issued based upon what the system can yield.

OVERVIEW OF THE ACTIVITIES OF THE GREAT BASIN WATER NETWORK (GBWN)

- Simeon Herskovits, Member, Board of Directors, GBWN, provided an overview of the activities of the GBWN, which included: (1) formation and purpose of the GBWN; (2) fundamentals of the GBWN's mission; (3) the participants and members; (4) the balancing of the interests of rural Nevada with urban Nevada; (5) the recent Supreme Court decision (*Great Basin Water Network v. State Engineer*, 126 Nev. Adv. Op. No. 20); (6) petitions for rehearing and clarification of the ruling; (7) an evaluation of the effectiveness of the March 16, 2010, workshop held in Carson City, Nevada; (8) the need to provide an opportunity for residents from rural Nevada to voice opinions and concerns. (Please see [Exhibit O-1](#) and [Exhibit O-2.](#))
- Senator Rhoads queried as to the options available to the Nevada Supreme Court regarding the recent ruling.
- Mr. Herskovits clarified that the Supreme Court can: (1) deny a rehearing and send the case down on remand to the District Court; (2) grant a partial or full rehearing to

withdraw or reformulate a new ruling; or (3) may review petitions for rehearing and in its equitable jurisdiction modify the ruling.

- Mr. Herskovits opined that the scope of the decision may arguably apply to some of the other applications filed in 1989 by SNWA. He noted that the Nevada Supreme Court made note of a procedure available to the State Engineer to extend the application review beyond the 1-year deadline by notification to the applicants and the protestants.
- Assemblyman Bobzien queried as to the process of the water applications and the timeline procedure implemented by the Office of the State Engineer. He further requested clarification regarding the content of the legislative intent adopted during the 26th Special Session.
- Jason King, previously identified, responded that the Office of the State Engineer is not opposed to holding more workshops.

PRESENTATION ON WALKER BASIN RESTORATION PROGRAM (WBRP)

- David Yardas, Senior Advisor, Western Water Programs, Interim Director, WBRP, National Fish and Wildlife Foundation (NFWF), provided an update of the WBRP, which included: (1) a description of the Walker River Basin; (2) a description of the NFWF; (3) NFWF and the Columbia Basin Water Transactions Program (CBWTP); (4) CBWTP model for the Walker River Basin; (5) Walker Lake and its decline; (6) WBRP core activities and funding; and (7) research, evaluation, conservation, and stewardship of the WBRP. (Please see [Exhibit P.](#))

Responding to questions posed by Assemblyman Carpenter regarding current funding availability for the WBRP and the amount of water to be taken from the Walker River Irrigation District, Mr. Yardas noted that the funding available most likely will not be adequate; however, the amount of funding needed will depend upon how the WBRP develops. He further noted that the volume and timing of flows will be part of determining the water rights allocated through the system.

- Assemblyman Aizley queried about the salinity of Walker Lake.
- Mr. Yardas responded that the volume of fresh water flowing into Walker Lake is orders of magnitude below the salinity in the Lake itself, and the concentration of salts decreases as the volume of the Lake increases.

OVERVIEW OF PUBLIC LANDS AND NATURAL RESOURCE ISSUES, INCLUDING PROGRAMS AND ACTIVITIES OF MUNICIPAL WATER DISTRICTS IN THE FOLLOWING COUNTIES

Carson City

- Lee Plemel, AICP, Planning Director, Carson City, provided a brief overview of the 2009 Carson City lands bill, which included: (1) a brief description of Omnibus Public Land Management Act of 2009 (S. 22, before the 111th Congress); (2) land transfer summary and description; and (3) land transfer corrections that need to be addressed in future legislation. (Please see [Exhibit Q.](#))
- Juan F. Guzman, Open Space Manager, Carson City, provided an overview of public lands and natural resource issues pertaining to Round 11 of the SNPLMA, which included: (1) Carson City open space opportunities; (2) purchase of property to provide a new park, trail, or natural areas; (3) current concerns with abandoned cars, camping and related trash, desert dumping, drug trafficking, and shooting; (4) resource protection of significant environmental, historical, and open space site characteristics; (5) regional and local plans; (6) SNPLMA acquisitions along the Carson River corridor; (7) the costs and value of lands investments; (8) investment of public funds and ownership for continuation of existing multiple recreation uses; (9) partnerships and contributions; and (10) a summary of the benefits of the SNPLMA project. (Please see [Exhibit Q.](#))
- Mr. Guzman requested that the Legislative Committee on Public Lands write a letter to Ken Salazar, Secretary of the Interior, in support of the critical land purchase along the Carson River Corridor.

In response to Assemblyman Bobzien's question concerning the ability to stop illegal dumping, Mr. Guzman noted that motorized vehicles will be limited along the Carson River due to the Virginia and Truckee Railroad, and by designing roads to make it difficult for vehicles to illegally dump trash.

Churchill County

- Brad T. Goetsch, County Manager, Churchill County, discussed natural resources and water issues in Churchill County, which included: (1) renewable energy development; (2) agricultural land use near the Fallon Naval Air Station (NAS); (3) the Dixie Valley study for agricultural, recreation, and Fallon NAS uses; (4) water availability for the building of a pipeline in Dixie Valley; (5) challenges with geothermal energy development concerning open space, water usage, power transmission lines, utilities, and environmental issues; (6) sage grouse habitat; (7) Churchill County Water District issues with its water supply; (8) construction of state-of-the-art water system facilities; (9) importance of keeping public lands for

multi-use purposes; and (10) the continued need for financing water projects throughout Nevada.

Lyon County

- Mike Workman, Utilities Director, Lyon County, provided an overview of water programs and activities in Lyon County, which included: (1) water and waste water services for Dayton and Mound House, Nevada; (2) management of small general improvement districts; (3) operation of a private water company; (4) rebuilding of the Crystal Clear water company; (5) a brief description of the Carson-Lyon Intertie project and the interlocal governmental cooperation; (6) stabilization of peak water demands; (7) improved energy management; (8) potential for new riverfront open space; (9) new water infrastructure; and (10) water supply planning for future growth. (Please see [Exhibit R.](#))
- Ken Arnold, Deputy Public Works Director, Carson City, provided an overview of water programs and activities in Carson City, which included: (1) benefits of the Carson-Lyon Intertie project; (2) the Marlette-Hobart Water Supply System rebuilding project; (3) drought conditions affecting water levels; (4) interlocal agreements and cooperative efforts with Douglas County water systems; (5) arsenic problems in northern Douglas County; (6) uranium problems in Carson City; and (7) modeling of a Carson-Douglas intertie project after the Carson-Lyon Intertie project. (Please see [Exhibit S](#) and [Exhibit T.](#))

PUBLIC COMMENT

- Kevin Kirkeby, Rural Coordinator, Office of U.S. Senator John Ensign, briefly discussed the various public lands and natural resources issues on behalf of Senator John Ensign (R-Nevada), which included: (1) concerns over the potential listing of the sage grouse as an endangered species, and the potential impacts to the economy and public lands access; (2) a brief overview of a letter sent to Ken Salazar, Secretary of the Interior; (3) introduction of S.3041 (of the 111th Congress) that would prohibit the further extension or establishment of national monuments in Nevada except by express authorization of Congress; (4) concerns over disease transmission among domestic sheep to bighorn sheep; (5) the leasing program within the WBRP in addition to purchase of water; and (6) issues with geothermal royalties effects on rural Nevada counties.
- Michael Garabedian, President, Water Keepers, stated that the goal of Water Keepers is to keep water in the basins of origin. He expressed concern over the proposed pipeline in Snake Valley by SNWA. He opined that: (1) SNWA's pipeline project in Snake Valley is too large; (2) rules are needed for water rights hearings; (3) rangeland will be affected by a decrease in the water table; (4) the public has water rights; (5) botanists have not surveyed much of the Great Basin; (6) rural communities need to have a voice; (7) the State Engineer dismissed points of interest raised by the protestants

in *Great Basin Water Network v. State Engineer* (126 Nev. Adv. Op. No. 20); and (8) hearings should be held by the State Engineer on the stipulations of the case. (Please see [Exhibit U-1](#) and [Exhibit U-2](#). These exhibits were received after the meeting and are being included as exhibits at the request of Chair Rhoads.)

There was a discussion between Assemblyman Aizley and Mr. Garabedian on the basic premise of Mr. Garabedian's argument that water should stay in its basin of origin.

In response to Assemblyman Aizley's question on whether that basic premise should extend to gold in Elko, Nevada, Mr. Garabedian noted that Water Keepers has not been involved with other natural resource issues.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:36 p.m.

Respectfully submitted,

Susan M. Young
Senior Administrative Assistant

Susan E. Scholley
Chief Principal Research Analyst

APPROVED BY:

Senator Dean A. Rhoads, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Susan E. Scholley, Chief Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB).

[Exhibit B](#) is a memorandum dated March 1, 2010, to Assemblyman David P. Bobzien, Chair, Legislative Committee to Oversee the Western Regional Water Commission, regarding a review of water entities in Washoe County by Nevada’s Legislative Committee on Public Lands, from Senator Dean A. Rhoads, Chair, Legislative Committee on Public Lands.

[Exhibit C-1](#) is the written testimony of Doran Sanchez, Chief, Office of Communications, Bureau of Land Management (BLM), Nevada.

[Exhibit C-2](#) is a Microsoft PowerPoint presentation titled “BLM-Carson City District,” given by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit C-3](#) is a document titled “Carson City District Highlights,” submitted by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit C-4](#) is a document dated March 18, 2010, titled “BLM-Carson City District, District Program Highlights,” offered by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit C-5](#) is a map titled “Bureau of Land Management Nevada, District and Resource Area Boundaries,” provided by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit C-6](#) is a news release dated March 5, 2010, titled “Interior Expands Common-Sense Efforts to Conserve *Sage Grouse* Habitat in the West,” referenced by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit C-7](#) is a fact sheet dated March 5, 2010, titled “Sage-grouse Management Instruction Memorandum,” submitted by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit C-8](#) is a document titled “BLM-Nevada Sage-grouse Conservation Efforts,” furnished by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit C-9](#) is a document dated March 12, 2010, titled “Great Basin Landscape Conservation Cooperative,” provided by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit C-10](#) is a document titled “BLM’s Ecoregional Strategy,” submitted by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit C-11](#) is a document titled “Rapid Ecoregional Assessment,” furnished by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit C-12](#) is a document dated March 8, 2010, titled “Central Basin Management Questions,” provided by Doran Sanchez, Chief, Office of Communications, BLM, Nevada.

[Exhibit D](#) is the written testimony of René Mabe, Acting District Ranger, Carson Ranger District, United States Forest Service (USFS).

[Exhibit E](#) is the written testimony of Grace G. Newell, Acting District Ranger, Bridgeport Ranger District, USFS.

[Exhibit F-1](#) is the written testimony of Pete Anderson, State Forester, Nevada’s Division of Forestry (NDF), State Department of Conservation and Natural Resources (SDCNR).

[Exhibit F-2](#) is a spiral bound document titled “Report to Nevada State Legislature-AB75, Fire-Fuels-Forest Restoration Activities and Accomplishment at Lake Tahoe, NV,” referenced by Pete Anderson, State Forester, NDF, SDCNR.

[Exhibit F-3](#) is document titled “NDF Active Fuels Reduction Projects – 2010,” provided by Pete Anderson, State Forester, NDF, SDCNR.

[Exhibit G-1](#) is a document titled “The Nevada Fire Safe Council, 124 Communities Choosing to be ‘Fire Safe’,” furnished by Andrew List, Executive Director, Nevada Fire Safe Council (NFSC).

[Exhibit G-2](#) is a newsletter dated February 16, 2010, titled “News from the Nevada Fire Safe Council,” provided by Andrew List, Executive Director, NFSC.

[Exhibit H](#) is a spiral bound booklet titled “Nevada Noxious Weed Guide,” submitted by Scott Marsh, Program Coordinator, Plant Industry Division, State Department of Agriculture (SDA).

[Exhibit I](#) is a document titled “Eastern Nevada Landscape Coalition and White Pine County’s Cooperative Weed Management Areas,” prepared by Betsy Macfarlan, Executive Director, Eastern Nevada Landscape Coalition.

[Exhibit J-1](#) is a Microsoft PowerPoint presentation titled “Greater Sage-Grouse, 12-month Finding,” given by Bob Williams, State Supervisor, Nevada Fish and Wildlife Office, U.S. Fish and Wildlife Service (USFWS).

[Exhibit J-2](#) is a map titled “Greater Sage-Grouse Distribution,” provided by Jeannie Stafford, Public Affairs Officer, USFWS.

[Exhibit J-3](#) is a map titled “Greater Sage-Grouse Distribution in Nevada,” furnished by Jeannie Stafford, Public Affairs Officer, USFWS.

[Exhibit J-4](#) is a map titled “Bi-State Greater Sage-Grouse DPS Distribution,” referenced by Bob Williams, State Supervisor, Nevada Fish and Wildlife Office, USFWS.

[Exhibit J-5](#) is a news release dated March 5, 2010, titled “Interior Expands Common-Sense Efforts to Conserve Sage Grouse Habitat in the West,” submitted by Bob Williams, State Supervisor, Nevada Fish and Wildlife Office, USFWS.

[Exhibit J-6](#) is a document titled “Questions and Answers for the Greater Sage-Grouse Status Review,” provided by Jeannie Stafford, Public Affairs Officer, USFWS.

[Exhibit J-7](#) is a news release dated March 5, 2010, titled “Fish and Wildlife Service Will Add Bi-State Population of Greater Sage-Grouse To List of Candidates for Endangered Species Act Protection,” furnished by Bob Williams, State Supervisor, Nevada Fish and Wildlife Office, USFWS.

[Exhibit J-8](#) is a document dated March 5, 2010, titled “Questions and Answers, 12-Month Finding for the Bi-State Distinct Population Segment of the Greater Sage-Grouse,” referenced by Bob Williams, State Supervisor, Nevada Fish and Wildlife Office, USFWS.

[Exhibit K](#) is a document titled “Nevada’s Greater Sage-Grouse Conservation Project,” submitted by Kenneth E. Mayer, M.S., Director, Nevada’s Department of Wildlife.

[Exhibit L-1](#) is a Microsoft PowerPoint presentation dated March 18, 2010, titled “Truckee Carson Irrigation District,” given by Ernest C. Schank, President, Board of Directors, Truckee-Carson Irrigation District (TCID).

[Exhibit L-2](#) is a booklet titled “The Truckee Canal: Water for a Sustainable Future,” provided by Ernest C. Schank, President, Board of Directors, TCID.

[Exhibit M](#) is a Microsoft PowerPoint presentation dated March 18, 2010, titled “Presentation To Legislative Committee on Public Lands Regarding An Overview of the Carson Water Subconservancy District And Activities in the Watershed,” submitted by Edwin James, General Manager, Carson Water Subconservancy District.

[Exhibit N](#) is a Microsoft PowerPoint presentation titled “Overview of Activities of the Division of Water Resources,” given by Jason King, Acting State Engineer, Division of Water Resources, SDCNR.

[Exhibit O-1](#) is an informational pamphlet titled “What You Should Know about Great Basin Water Issues,” provided by Simeon Herskovits, Member, Board of Directors, Great Basin Water Network (GBWN).

[Exhibit O-2](#) is a booklet titled “Gambling on the Water Table,” furnished by Simeon Herskovits, Member, Board of Directors, GBWN.

[Exhibit P](#) is a Microsoft PowerPoint presentation dated March 18, 2010, titled “Walker Basin Restoration Program,” presented by David Yargas, Senior Advisor, Western Water Programs, Interim Director, Walker Basin Restoration Program.

[Exhibit Q](#) is a Microsoft PowerPoint presentation titled “Carson City 2009 Lands Bill,” provided by Lee Plemel, AICP, Planning Director, Carson City.

[Exhibit R](#) is a document titled “Carson-Lyon Intertie Project,” referenced by Mike Workman, Utilities Director, Lyon County.

[Exhibit S](#) is a map titled “Douglas County Water System Analysis,” provided by Ken Arnold, Deputy Public Works Director, Carson City.

[Exhibit T](#) is a map titled “Carson City Proposed Water Lines,” furnished by Ken Arnold, Deputy Public Works Director, Carson City.

[Exhibit U-1](#) is a letter dated April 16, 2010, to Senator Dean A. Rhoads, Chair, Legislative Committee on Public Lands, regarding water issues in the State of Nevada, submitted by Michael Garabedian, President, Water Keepers. (This exhibit was received after the meeting and is being included as an exhibit at the request of Chair Rhoads.)

[Exhibit U-2](#) is an application filed to appropriate the underground waters of Snake Valley, hydrographic basins, in the Office of the State Engineer, SDCNR, provided by Michael Garabedian, President, Water Keepers. (This exhibit was received after the meeting and is being included as an exhibit at the request of Chair Rhoads.)

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.