



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

SUMMARY MINUTES AND ACTION REPORT

The ninth meeting and work session of the Nevada Legislature's Legislative Committee on Public Lands was held on Friday, August 22, 2008, at 9 a.m. at the Lovelock Community Center, Rochester Room, 820 Sixth Street, Lovelock, 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 www.leg.state.nv.us/74th/Interim. 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:

Senator Dean A. Rhoads, Chairman
Assemblyman John W. Marvel, Vice Chairman
Senator Mark E. Amodei
Senator Terry Care
Assemblyman Jerry D. Claborn
Assemblywoman Debbie Smith
Tom Fransway, Humboldt County Commissioner

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Michael J. Stewart, Supervising Principal Research Analyst, Research Division
J. Randall Stephenson, Principal Deputy Legislative Counsel, Legal Division
Susan M. Gottschalk, Senior Administrative Assistant, Research Division
Chuck Anderson, A/V Technical Assistant, Broadcast and Production Services
Brian Van Geel, A/V Technical Assistant, Broadcast and Production Services

OPENING REMARKS AND INTRODUCTIONS

Chairman Rhoads opened the meeting with Committee and staff introductions. Senator Rhoads expressed appreciation to the Town of Lovelock for hosting the Legislative Committee on Public Lands. He then expressed gratitude to Assemblyman Marvel for the many years of service and hard work that he has provided to the Nevada State Legislature and the Legislative Committee on Public Lands

APPROVAL OF THE “SUMMARY MINUTES AND ACTION REPORT” OF THE MEETING HELD ON JULY 14, 2008, IN EUREKA, NEVADA

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

SENATOR AMODEI MOVED TO APPROVE THE “SUMMARY MINUTES AND ACTION REPORT” OF THE JULY 14, 2008, MEETING HELD IN EUREKA, NEVADA. THE MOTION WAS SECONDED BY ASSEMBLYMAN MARVEL AND PASSED UNANIMOUSLY.

UPDATE OF PUBLIC LANDS, NATURAL RESOURCES, AND RELATED PLANNING ACTIVITIES UNDER CONSIDERATION BY PERSHING COUNTY

- Darin Bloyed, County Commissioner, Board of County Commissioners, Pershing County, provided a brief update of public lands, natural resources, and related planning activities under consideration by Pershing County, which included: (1) future development of a water resource plan; (2) the creation of a natural resource advisory committee; and (3) a possible Pershing County land use bill.

UPDATE OF PUBLIC LANDS, NATURAL RESOURCES, AND RELATED PLANNING ACTIVITIES UNDER CONSIDERATION BY LANDER COUNTY

- Gene Etcheverry, Executive Director, Lander County, provided a broad update of public lands, natural resources, and related planning activities under consideration by Lander County, which included: (1) development of strategies to address water issues connected to land use planning; (2) geothermal plants; (3) importance of land access issues to agriculture and mining; (4) interagency cooperation with the Bureau of Land Management (BLM) regarding grazing permits; (5) a county-wide strategic plan to address primary issues, including water use; (6) advantage of county fire protection districts formed under Chapter 474 of *Nevada Revised Statutes* (NRS) with access to funding and training; (7) planning and zoning; (8) viability of the infrastructure in Austin, Nevada; (9) off-highway vehicles (OHVs) and access routes as a key to tourist economic development; and (10) “Question-1” funding to create a trail from Battle Mountain to Austin.

- Steven Stienmetz, Commissioner, Lander County, offered an update of public lands, natural resources, and related planning activities under consideration by Lander County, which included: (1) water resource management and the connection to resource plan management; and (2) current land use issues in Lander County.
- Responding to Senator Rhoads’ questions regarding the percentage of public land in Lander County and checkerboard pattern development, Mr. Etcheverry noted that the percentage of public land within Lander County is approximately 92.7 percent. He further responded that the development of the checkerboard pattern has created serious problems with the land sales, access, and firefighting efforts.

There was a discussion between Assemblyman Marvel and Commissioner Steinmetz regarding potential future OHV legislation in Nevada. Commissioner Steinmetz opined that a permit or sticker program coupled with funding to improve the trails is needed.

UPDATE OF PUBLIC LANDS, NATURAL RESOURCES, AND RELATED PLANNING ACTIVITIES UNDER CONSIDERATION BY CHURCHILL COUNTY

- Bjorn “B.J.” Selinder, Public Policy Innovations, Fallon, Nevada provided an update of public lands, natural resources, and related planning activities under consideration by Churchill County, which included: (1) water resources, inventory planning, and challenges; (2) recent master plan updates; (3) Newlands Project water resources; (4) development of alternative water saving crops; (4) geothermal activities, development, and other energy projects; (5) conservation and agriculture easements; (6) interagency cooperation with the United States Navy and nongovernment organizations; (7) quality of life in rural Nevada; (8) lack of support for a “comprehensive lands bill”; (9) regional cooperation with neighboring counties and agencies; (10) support for a diversified economy in Churchill County; (11) support for the policies of the Central Nevada Regional Water Authority; (12) continued support of the State water inventory; (13) support for alternative and renewable energy; and (14) development of geothermal, solar, biomass, and wind resources. (Please see [Exhibit B.](#))
- Eleanor Lockwood, Director, Planning Department, Churchill County, provided an update of public lands, natural resources, and related planning activities under consideration by Churchill County, which included: (1) Churchill County’s support for a Resource Management Plan (RMP) that has been started by the BLM rather than a “comprehensive lands bill”; and (2) difficulties with completing a RMP due to budgetary constraints.

Responding to Senator Amodei’s question regarding the collaborative efforts with respect to the RMPs, Ms. Lockwood noted that the collaborative efforts involve all stakeholders participating in the process to identify critical issues and that the lack of protocol regarding participation is primarily due to budgetary constraints.

Senator Amodei opined that public lands bills become controversial when the residents of the affected counties have significant concerns that are not adequately addressed.

There was discussion between Assemblyman Marvel and Mr. Selinder regarding the Sand Mountain Recreational Area. Mr. Selinder responded that the BLM has successfully worked with Churchill County in developing requirements for continued viable OHV recreational access.

A discussion ensued among Commissioner Fransway, Mr. Selinder, and Ms. Lockwood, regarding previous problems in Churchill County concerning illegal dumping. Ms. Lockwood responded that the issue with illegal dumping was addressed with public education and local groups that aided the Community. She noted that there is a code enforcement officer for citing illegal dumping; however, most reports of illegal dumping are from people in the Community. Mr. Selinder noted that the City of Fallon should be given a great deal of credit for the decline in illegal dumping due to the purchase and operation of Waste Management's Fallon transfer station to serve the Community.

UPDATE OF BUREAU OF LAND MANAGEMENT PLANNING EFFORTS IN THE WINNEMUCCA DISTRICT OFFICE AND DISCUSSION OF BLM ACTIVITIES IN NORTHWEST NEVADA

- Bob Edwards, Supervisory Realty Specialist/RMP Team Leader, Winnemucca District Office, BLM, U.S. Department of the Interior (DOI), provided an update of the BLM planning efforts in the Winnemucca District Office and discussion of BLM activities in northwest Nevada, which included: (1) the three-tier reorganization of the BLM; (2) energy; (3) minerals; (4) public lands and realty, including major rights-of-way projects; (5) recreation and cultural resources; (6) fisheries; (7) wildlife; (8) wild horses and burros; (9) range management and grazing permit renewals; (10) fire management; (11) the Winnemucca RMP; and (12) the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area and associated wilderness. (Please see [Exhibit C-1](#) and [Exhibit C-2](#).)

Responding to Assemblyman Marvel's question regarding support for open space in Washoe County, Mr. Edwards stated that Washoe County is collaborating with the Carson City District Office to possibly develop a southern Washoe County lands bill.

There was a discussion between Senator Amodei and Mr. Edwards regarding the process of a public lands bill. Mr. Edwards stressed that the process for a public lands bill is complex and extremely different compared to the process of a RMP.

OVERVIEW AND STATUS REPORT OF LAND PURCHASE PROPOSALS IN THE TROUT CREEK AND JUNGO HILLS AREA OF HUMBOLDT COUNTY

- John DeLong, President, DeLong Ranches, Inc., testified regarding the length of time he has been working with the BLM to purchase land in the Trout Creek and Jungo Hills area of Humboldt County, which is in the vicinity of his ranch.
- Bob Edwards, previously identified, provided an overview and status report of the land purchase proposals in the Trout Creek and Jungo Hills area of Humboldt County, which included: (1) a brief background relating to the purchase; (2) reduction in the amount of land desired to be purchased; (3) the BLM's efforts in working on the sale of the land; (4) requirement of a completed and approved cultural survey administered from the Office of Historic Preservation within Nevada's Department of Cultural Affairs; and (5) the BLM's current status concerning the land sale.

There was a discussion between Commissioner Fransway and Mr. DeLong regarding the delay of the original application for the land disposal. Commissioner Fransway opined that the discovery of a buffalo head during the cultural survey should not jeopardize the land sale and that Mr. DeLong has spent his own money to complete his portion of the process.

- Responding to Commissioner Fransway's discussion, Mr. Edwards explained that the BLM is conducting its actions within the law to complete the land sale and to ensure that nothing is missed in the process.

OVERVIEW OF THE PROGRAMS AND ACTIVITIES AT THE STILLWATER NATIONAL WILDLIFE REFUGE COMPLEX AND THE SHELDON-HART MOUNTAIN NATIONAL WILDLIFE REFUGE COMPLEX

- Mike Goddard, Project Leader, Stillwater National Wildlife Refuge (NWR) Complex, U.S. Fish and Wildlife Service (USFWS), DOI, provided an overview of the programs and activities at the Stillwater NWR Complex, which included: (1) a brief description of the Stillwater NWR Complex; (2) purposes of the Refuge; (3) a comprehensive conservation plan; (4) budget and staffing; (5) a brief description of the Anaho Island NWR, the Fallon NWR, and the Lahontan Valley Wetlands; (6) the shorebird reserves; (7) wetlands; (8) Refuge activities; (9) new visitor facilities and access; (10) demonstration wetlands; (11) invasive species, weed control, and water challenges; (12) weed control on acquired lands; (13) water delivery and management; (14) the 1905 Newlands Project; (15) water rights acquisition; and (16) interagency, local, and partnership coordination. (Please see [Exhibit D-1](#) and [Exhibit D-2](#).)
- Paul Steblein, Project Leader, Sheldon-Hart Mountain NWR Complex, USFWS, DOI, provided an overview of the programs and activities at the Sheldon-Hart NWR Complex, which included: (1) a brief history of the Sheldon NWR Complex; (2) importance of wildlife to the public at the Refuge; (3) the different types of wildlife; (4) the

wilderness and wild character of the area; (5) cultural and prehistoric resources; (6) the range of stresses to the sagebrush ecosystem; (7) fragmented distribution of Sagebrush cover; (8) the Comprehensive Conservation Plan (CCP) process and Environmental Impact Study (EIS) at the Sheldon NWR Complex; (9) focus of wildlife and habitat management; (10) status of management and effects of feral horses and burros; (11) fishing and camping; (12) wilderness management; (13) public access, roads, and facilities; (14) conservation on the landscape; and (15) future direction of the Refuge. (Please see [Exhibit E-1](#), [Exhibit E-2](#), [Exhibit E-3](#), [Exhibit E-4](#), and [Exhibit E-5](#).)

There was a discussion between Senator Rhoads and Mr. Steblein regarding the number of horses that have been released onto the range. Mr. Steblein noted that there has been an increase in domestic horses released onto the range primarily due to increased costs to care for the animals.

UPDATE OF TRAINING PROGRAMS AND LAND USE PLANNING ACTIVITIES AT NAVAL AIR STATION (NAS) FALLON

- Commander Luther Hook, Executive Officer, NAS Fallon, provided an update of the training programs and land use planning activities at NAS Fallon, which included: (1) a brief description of NAS Fallon's mission; (2) a brief background on the Naval Strike and Air Warfare Center mission; (3) NAS Fallon demographics; (4) annual training in Fiscal Year 2006; (5) a brief description of the Fallon Range Training Complex (FRTC); (6) FRTC training tactics and enhancement; (7) FRTC range issues concerning wilderness areas and wind farms; (8) airspace; and (9) land use partnering. (Please see [Exhibit F](#).)

Responding to Senator Care's questions regarding training tactics geared towards the Middle East, Commander Hook replied that most of the training tactics are directed toward Iraq; however, the training employed is also dictated by the relative distance to the closest aircraft carrier.

There was a discussion between Senator Amodei and Commander Hook regarding interbranch cooperation with training missions. Commander Hook noted that long-range strikes are conducted into the ranges of different military branches.

OVERVIEW OF THE PROPOSED DEVELOPMENT OF THE DIVISION CANYON PUMP STORAGE HYDROELECTRIC PROJECT NEAR MONTELLO, NEVADA

(As directed by Chairman Rhoads, this agenda item was taken out of order.)

- Daniel K. Dygert, Chief Operating Officer, Carrus Land Systems, LLC, Logan, Utah, provided an overview of the proposed development of the Division Canyon Pump Storage Hydroelectric project near Montello, Nevada, which included: (1) a brief synopsis of the integrated clean energy development; (2) a brief analysis of property

and project maps; (3) pump storage projects and models; (4) technology and equipment requirements; (5) utility benefits; (6) the integrated licensing process; (7) a brief description of natural resource enhancements to grazing improvements, wildlife habitat, wetland creation and mitigation, and eco-recreation development; and (8) the significance of clean energy development to the West's energy demands. (Please see [Exhibit G-1](#) and [Exhibit G-2](#).)

Responding to Assemblyman Claborn's question regarding the use of electricity to start the pumps, Mr. Dygert responded that electricity is used to start the pumps; however, to start the process, water is pumped out of the aquifer to fill the reservoirs that operate the system in the upper and lower reservoirs.

There was a discussion among Senator Rhoads, Assemblyman Marvel, and Mr. Dygert, regarding financing and completion of the project's construction. Mr. Dygert noted that financing is received primarily through private equity firms and the earliest estimate for construction would be in the either 2011 or 2012.

OVERVIEW OF THE ACTIVITIES OF NEVADA'S COMMISSION ON ECONOMIC DEVELOPMENT (NCED) RURAL ECONOMIC DEVELOPMENT AND RURAL COMMUNITY DEVELOPMENT PROGRAMS

(As directed by Chairman Rhoads, this agenda item was taken out of order.)

- Michael E. Skaggs, Executive Director, NCED, provided an overview of the activities of NCED rural economic development and rural community development programs, which included: (1) a brief review of the mission and structure of the NCED; (2) programs that impact rural Nevada; and (3) a brief description of marketing and product development in Nevada, including "Made in Nevada." (Please see [Exhibit H](#).)
- Joe Locurto, Director, Rural Economic Development, NCED, provided an overview of the activities of NCED rural economic development and rural community development programs, which included: (1) grant programs allocated through general funds; (2) local development projects in 11 rural economic development authorities; (3) technical assistance and training for economic community diversity and sustainability; and (4) aiding rural communities to become competitive and sustain global economic competitiveness. (Please see [Exhibit I](#).)
- Nick Vander Poel, Outreach Manager, International and Rural Development, NCED, provided an overview of the activities of NCED rural economic development and rural community development programs, which included: (1) a brief review of the National Clean Energy Summit; (2) renewable energy opportunities from wind, solar, and geothermal; (3) the 35-parcel "lease sale" to the BLM for geothermal uses; and (4) potential for creating partnerships with corporations using renewable energy. (Please see [Exhibit J](#).)

A discussion ensued among Assemblywoman Smith, Mr. Locurto, and Mr. Skaggs, regarding tax abatement and incentive programs qualifying criteria. Mr. Locurto commented that the incentives and tax abatement programs are fostered through NCED, which are then reviewed by the NCED's Research and Business Development Departments to determine the economic impact on the county and the State with respect to revenue and potential jobs. Mr. Skaggs noted that he would send Assemblywoman Smith more information on the tax abatements and incentives regarding minimum wage and medical plan requirements.

UPDATE OF RECENT ACTIVITIES AND PROGRAMS OF THE DIVISION OF WATER RESOURCES, STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES (SDCNR)

- Tracy Taylor, P.E., State Engineer, Office of the State Engineer Division of Water Resources, SDCNR, provided an update of recent activities and programs of the SDCNR, which included: (1) a brief description of recent rulings by the SDCNR; (2) appeals to the rulings; (3) future rulings by the SDCNR; (4) other activities of the SDCNR including, reduction of backlog, public outreach, and litigation; (5) results of 2007 Legislation; (6) consumptive use; (7) decisions of the State Engineer following a hearing; (8) priority for domestic wells; (9) accessory dwellings on domestic wells; and (10) parceling dedication or relinquishment of water rights. (Please see [Exhibit K-1](#).)
- Jason King, P.E., Deputy State Engineer, Division of Water Resources, SDCNR, provided an update of recent activities and programs of the SDCNR, which included: (1) a brief description of fines and penalties; (2) administrative penalties; (3) regulation changes to be presented to Nevada's Legislative Commission on September 17, 2008; (4) the goal to achieve compliance of Nevada's water law within a framework that minimizes enforcement; and (5) regulation enforcement action criteria. (Please see [Exhibit K-1](#) and [Exhibit K-2](#).)

DISCUSSION OF THE IMPACT OF CURRENT NEVADA WATER LAW ON U.S. FOREST SERVICE (USFS) GRAZING PROGRAMS

- Edward Monnig, Forest Supervisor, Humboldt-Toiyabe National Forest, USFS, U.S. Department of Agriculture (USDA), offered a discussion of the impact of current Nevada water law on USFS grazing programs, which included: (1) a brief background of the Humboldt-Toiyabe National Forest; and (2) multiple uses and values important to forest management including recreation, wildlife, grazing, timber harvest, and issues related to water rights.
- William LeVere, Director of Bio-Physical Resources, Intermountain Region, USFS, USDA, provided a discussion of the impact of current Nevada water law on USFS grazing programs, which included: (1) a brief background on the

“USDA Forest Service Intermountain Region Briefing Paper”; (2) the current status of the USFS’ purposes to obtain and maintain water rights; (3) the issuance of livestock water certificates; and (4) proposed changes to NRS 533.040 and NRS 533.503. (Please see [Exhibit L-1](#) and [Exhibit L-2](#), and [Exhibit M](#).)

Responding to Senator Care’s question regarding the USFS’ water policy, Mr. LeVere commented that there are differences between the water policies of the USFS and the BLM. He further noted that the intent of the proposed changes to NRS 533.040 and NRS 533.503 is not to exclude grazing permittees from water rights, but rather to not prevent the USFS from obtaining water rights for the purposes of range improvements and enhancements.

There was a discussion among Commissioner Fransway, Mr. LeVere, and Mr. Monnig, regarding the original intent of NRS 533.040 and NRS 533.503. Commissioner Fransway opined that the intent of this statute is to provide water for livestock. Mr. Monnig commented that the USFS does not want to be placed into the position of informing grazing permittees that they cannot graze due to lack of water. Mr. LeVere noted that he is willing to work with the Legislative Committee on Public Lands to reach an agreement on the issue of water rights and the proposed changes.

UPDATE ON THE PROGRAMS AND ACTIVITIES OF THE STATE DEPARTMENT OF AGRICULTURE (SDA)

- Tony Lesperance, Director, SDA, provided an update on the programs and activities of the SDA, which included: (1) the realignment of the SDA and its budget status; (2) a briefing on the August 26 and August 27, 2008, Directors report; (3) an update and recent count report of wild horses in the Virginia Range; (4) the drought status recommendation to Governor Gibbons; (5) recent status of stray horse numbers; and (6) the loss of reasonable methods to dispose of unwanted horses. (Please see [Exhibit N](#).)

Responding the Assemblyman Marvel’s question regarding the possibility of communicable diseases among domestic and wild animals, Dr. Lesperance declared that there is little evidence to support direct communication of diseases from domestic to wild animals, except when the animals are held in confinement.

DISCUSSION CONCERNING THE OVERSIGHT OF NEVADA’S STATE GRAZING BOARDS AND THE RECOMMENDATION OF THE CENTRAL COMMITTEE OF NEVADA STATE GRAZING BOARDS (CCNSGB) CONCERNING THE FILLING OF A RANGELAND SPECIALIST POSITION WITHIN THE SDA

- Ron Cerri, Chairman, CCNSGB, offered a brief discussion concerning the oversight of Nevada’s State Grazing Boards and provided a discussion regarding the recommendation of the Central Committee of CCNSGB concerning the filling of a Rangeland Specialist position within the SDA, which included: (1) the request for a

language change in NRS 568.040 to strike the words “within the State Department of Agriculture”; (2) the importance and need of the Rangeland Specialist position to grazing permittees; and (3) a request that the Legislative Committee on Public Lands write a letter supporting filling the Rangeland Specialist position. (Please see [Exhibit O](#) and [Exhibit P](#).)

- Tony Lesperance, Director, SDA, provided a brief discussion concerning the oversight of Nevada’s State Grazing Boards and provided a discussion regarding the recommendation of the Central Committee of CCNCGB concerning the filling of a Rangeland Specialist position within the SDA, which included: (1) the desire for a continued close working relationship with the CCNCGB; (2) the elimination of the Rangeland Specialist position due to the budget crisis; and (3) no authorization from the SDA to use a bill draft request (BDR) to recreate the position. (Please see [Exhibit Q](#).)

Responding to the Commissioner Fransway’s request for clarification regarding the elimination of the Rangeland Specialist position, Dr. Lesperance stressed that the position was eliminated due to a reduction in the budget.

REVIEW OF RECOMMENDATIONS FROM THE OFF-HIGHWAY VEHICLE (OHV) WORKING GROUP FOR CONSIDERATION BY THE LEGISLATIVE COMMITTEE ON PUBLIC LANDS

- Leah Bradle, Executive Director, Nevada Powersport Dealers Association, offered a review of recommendations from the OHV working group for consideration by the Committee, which included: (1) OHV titling; (2) OHV registration; and (3) OHV fund and project grants processes and distributions. (Please see [Exhibit R](#).)
- Jeremy Drew, Director, Coalition for Nevada’s Wildlife (on behalf of Larry Johnson, President, Coalition for Nevada’s Wildlife), and Representative, Nevada Responsible Trails Alliance, offered a review of recommendations from the OHV working group for consideration by the Committee, which included: (1) the purpose and creation of an OHV Commission; (2) the OHV Commission consisting of 11 appointed voting members; (3) an advisory board to interface with the Commission; and (4) OHV enforcement and compliance. (Please see [Exhibit R](#).)

Responding to a question from J. Randall Stephenson, Principal Deputy Legislative Counsel, Legislative Counsel Bureau (LCB), regarding the existing certificate of operation program (Chapter 490 of NRS), Ms. Bradle conceded that the OHV working group did not want to lose the ability to use the certificate of operation program if future OHV legislation is passed. Mr. Stephenson noted that Nevada has a constitutional provision that requires any fee collected to operate a motor vehicle on a public highway must go to the State Highway Fund and not to a designated commission or separate fund, which could create issues with potential OHV legislation.

PUBLIC COMMENT

- Larry Johnson, Director, Nevada Big Horns Unlimited, Reno, expressed displeasure and concern on several issues and topics presented at this meeting, including:
 1. Possible euthanizing of wild horses on the range by the BLM;
 2. Lack of adoption of wild horses;
 3. Overpopulation of wild horses in the Sheldon-Hart Mountain NWR Complex;
 4. Lack of priority placed on antelope inhabiting the Sheldon-Hart Mountain NWR Complex; and
 5. Disease transmission from domestic animals to wild animals decimating wild herd populations. (Please see [Exhibit S](#) and [Exhibit T](#).)

- Don Ault, a resident of Silver Springs, Nevada, commented on the need to preserve RS 2477 right-of-way access on property as part of the proposed changes in NRS 113.065.

- Matt Tuma, Regional Representative, Office of U.S. Senator Harry Reid, commented on lands bills, which included: (1) the Carson City lands bill; (2) the potential lands bill in Esmeralda, Lyon, and Mineral Counties; and (3) continued work with various governments to aid communities affected by lands bills.

- John Tull, Conservation Director, Nevada Wilderness Project, Las Vegas, Nevada, commented on four items to be considered during the Committee's work session, which included: (1) the request of drafting a resolution urging the U.S. Congress to fully comply with the definition of wilderness areas from the Wilderness Act of 1964; (2) request that Recommendation No. 13 address the issue of "value-to-value" rather than "acre-for-acre" as part of the "no net loss" concept during the work session; (3) concern that Recommendation No. 22 would have the State directing federal agencies regarding federal lands; and (4) concern with Recommendation No. 23 regarding the possible creation of unfunded mandates for counties and costs associated with signage and maintenance of roads.

- Kim Jolly, MPA, Management Analyst III, Nevada's Division of Wildlife, provided comments on certain work session recommendations and public comment, which included: (1) support for Recommendation No. 4 regarding mining claim markers; (2) issues with Recommendation No. 25; and (3) domestic and wild sheep disease transmission information from Nevada veterinarians. (Please see [Exhibit U](#).)

- John Falen, Secretary-Treasurer, Public Lands Council, National Cattlemen's Beef Association, presented a letter from Dan Gralian, President, Nevada Cattlemen's Association, dated August 4, 2008, to the Mustang Heritage Foundation, in support of the concepts, events, and programs proposed by the Foundation. Mr. Falen opined that

the euthanization of wild horses is a very unpopular solution to the increasing wild horse population. He further opined that the most expensive location for the wild horses to be maintained is on public lands due to the degradation caused by the horses to the lands. (Please see [Exhibit V.](#))

- Sue Silver, Secretary, Coalition for Public Access, Smith, Nevada, commented on the difficulties surrounding the potential future lands bills for Esmeralda, Lyon, and Mineral Counties. She opined that counties spent a tremendous amount of time to track, map, and photograph, every feature of the lands. Ms. Silver noted that it is important that “our” Nevada remain open. She also addressed work session Recommendation No. 23 regarding language that would address RS 2477 right-of-ways.

WORK SESSION—DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS RELATING TO:

- *Water*
- *Noxious Weeds*
- *OHVs*
- *Federal Natural Resources and Public Lands Legislation*
- *Grazing*
- *Fire Suppression and Rangeland Rehabilitation*
- *Public Lands Management*
- *Mining*
- *Natural Resources and Public Lands Generally*

“WORK SESSION DOCUMENT”

The following “Work Session Document” ([Exhibit W](#)) has been prepared by the Chairman and staff of Nevada’s Legislative Committee on Public Lands. It is designed to assist the Committee members in developing statements and determining recommendations to be forwarded to the 2009 Session of the Nevada Legislature. Each item in this document may be the subject of further discussion, refinement, or action.

The recommendations contained herein do not necessarily have the support or opposition of the Committee. Rather, these possible actions are compiled and organized so the members may review them to decide if they should be adopted, changed, rejected, or further considered. The members of the Committee may vote to send as many Committee statements or letters as they choose; however, pursuant to NRS 218.2429, the Committee is limited to ten BDRs, including requests for the drafting of legislative resolutions. For purposes of this “Work

Session Document,” the recommendations have been grouped, in part, by topic and also by possible Committee action. They are not preferentially ordered. Additionally, although possible actions may be identified within each recommendation, the Committee may choose to recommend any of the following actions: (1) draft legislation; (2) draft a legislative resolution; (3) draft a Committee letter; (4) draft a Committee resolution; or (5) include a statement in the final report.

The source of each recommendation is noted in parentheses. Please note that specific sponsors of the recommendations may not be provided if the proposals were raised and discussed by numerous individuals and entities during the course of the Committee’s meetings. It should also be noted that some of the recommendations may contain an unknown fiscal impact. Committee members should be advised that Legislative Counsel Bureau staff will coordinate with the interested parties to obtain detailed fiscal estimates, where appropriate, for inclusion in the final report.

As in the past, the Committee members will use a consent calendar to quickly approve those recommendations, as determined by the Chairman, that need no further consideration or clarification beyond what is set forth in the recommendation summary. Items on the consent calendar primarily include Committee letters and statements of a more general nature. Any Committee member may request that items on the consent calendar be removed for further discussion and consideration.

Finally, please note that specific details of approved requests for legislation or Committee statements may need to be clarified by Committee staff prior to drafting. Supporting documents for some recommendations may be obtained by contacting Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB, at 775/684-6825. All place names referred to in the recommendations are in Nevada unless otherwise noted.

RECOMMENDATIONS FOR LEGISLATIVE MEASURES

Grazing— Nevada’s State Grazing Boards, Legal Challenges to Grazing Allotments, and Disclosure of Grazing Allotments in Certain Real Estate Transactions

RECOMMENDATION NO. 1

Request the drafting of a bill to provide that Nevada’s State Grazing Boards operate autonomously and outside the jurisdiction of the State Department of Agriculture (SDA). The proposal would amend NRS 568.040 in the following manner:

NRS 568.040 State grazing boards: Creation. To direct and guide the disposition of the range improvement fund of each grazing district concerned, in the manner most beneficial to the stock raising payers of the grazing fees from which the funds are derived and to the counties concerned, there is hereby created ~~within the State Department of Agriculture~~ a state grazing board for each Bureau

of Land Management grazing district established and existing in Nevada under the provisions of the Taylor Grazing Act.

This proposed amendment would return the language in NRS 568.040 to its pre-1999 form, prior to the creation of the SDA. *(Recommended by Ron Cerri, Chairman, and members of the Central Committee of Nevada State Grazing Boards.)*

- Chairman Rhoads explained Recommendation No. 1 and called for a motion.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYMAN MARVEL MOVED TO APPROVE RECOMMENDATION NO. 1. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN SMITH AND PASSED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

RECOMMENDATION NO. 2

Request the drafting of a resolution expressing the Nevada Legislature's strong disapproval of ongoing and continuous legal challenges against livestock grazing proposals. Include in the resolution statements concerning the detrimental economic impacts these challenges pose for Nevada's rural communities and the threats such challenges pose to agriculture. Also include language urging Nevada's Office of the Attorney General to proactively address these legal challenges on the grounds that they damage the overall economic stability of Nevada's agricultural activities. The resolution should be sent to Nevada's Congressional Delegation, the Office of the Governor, the Office of the Attorney General, the Bureau of Land Management (BLM), the United States Forest Service (USFS), the Nevada and National Cattlemen's Associations, the Public Lands Council, and any other parties or organizations identified by the Committee.

AND

Send a Committee letter to Nevada's Attorney General Catherine Cortez Masto setting forth the concerns that will be noted in the legislative resolution and urging her office to respond to the legal challenges of grazing allotment renewal proposals. Cite specific instances in the letter, including the recent challenge concerning the Hubbard Vineyard Allotment (Boies Ranches, Inc.), where such challenges have had a detrimental affect on ranching and agricultural activities. *(Recommended by Chairman Rhoads, several other Committee members, and numerous presenters throughout the legislative interim.)*

- Chairman Rhoads explained Recommendation No. 2 and called for a motion.

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

ASSEMBLYMAN MARVEL MOVED TO APPROVE RECOMMENDATION NO. 2.
THE MOTION WAS SECONDED BY SENATOR AMODEI AND PASSED.
(SENATOR CARE WAS ABSENT FOR THE VOTE.)

RECOMMENDATION NO. 3

Request the drafting of a bill to amend NRS 113.065 to ensure that the purchaser of a home or lot retains a copy of the required disclosure notifying the purchaser that the home or lot is adjacent to the open range. Additional amendments to NRS 113.065 may also be considered, including the expansion of the type of information provided in the disclosure. Currently, NRS 113.065 states:

1. Before the purchaser of a home or improved lot that is adjacent to open range signs a sales agreement, the seller shall, by separate written document, disclose to the purchaser information regarding grazing on the open range. The written document must contain a statement with the following language:

This property is adjacent to open range on which livestock are permitted to graze or roam. Unless you construct a fence that will prevent livestock from entering this property, livestock may enter the property and you will not be entitled to collect damages because the livestock entered the property. Regardless of whether you construct a fence, it is unlawful to kill, maim or injure livestock that have entered this property.

2. The seller shall retain a copy of the disclosure document that has been signed by the purchaser acknowledging the date of receipt by the purchaser of the original document.

3. Compliance with this section by a seller constitutes an affirmative defense in any action brought against the seller by the purchaser based upon any damages allegedly suffered as the result of livestock entering the property.

4. As used in this section, "open range" has the meaning ascribed to it in [NRS 568.355](#).

(Recommended by Assemblyman Goicoechea.)

- Chairman Rhoads explained Recommendation No. 3 and called for a motion.
- Assemblywoman Smith expressed support for this recommendation and reserved the right to review this recommendation during the 2009 Legislative Session.
- Michael J. Stewart, Supervising Principal Research Analyst, Research Division, Legislative Counsel Bureau, clarified that Don Ault, previously identified, requested the RS 2477 rights-of-way issues be considered as part of Recommendation No. 3.

- Senator Rhoads agreed to consider the RS 2477 rights-of-way issues as part of Recommendation No. 3.
- Mr. Stewart further clarified Assemblyman Goicoechea's intention that this recommendation include an element set forth in writing with the disclosure to be filed with the property deed, and the county.
- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR AMODEI MOVED TO APPROVE RECOMMENDATION NO. 3 WITH THE RECOMMENDED CHANGES. THE MOTION WAS SECONDED BY COMMISSIONER FRANSWAY AND PASSED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

Mining

RECOMMENDATION NO. 4

Request the drafting of a bill to amend NRS 517.030 concerning mining claim markers. Specifically, amend the language in this statute to provide that only solid mine claim markers will be considered legal, valid claim markers. The proposal would state that after a period of one year following the adoption of the amendment, any hollow pipe used to mark the boundaries of the claim will not be considered a valid claim monument. Testimony indicated that hollow mine claim markers currently used have entrapped birds and other wildlife species. *(Recommended by the Lahontan Audubon Society and Nevada's Department of Wildlife.)*

- Senator Amodei disclosed that he is the President of the Nevada Mining Association and that this issue was discussed at the June 6, 2008, Legislative Committee on Public Lands' meeting in Elko.
- Chairman Rhoads explained Recommendation No. 4 and called for a motion.
- The Committee **APPROVED THE FOLLOWING ACTION:**

COMMISSIONER FRANSWAY MOVED TO APPROVE RECOMMENDATION NO. 4. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN SMITH AND PASSED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

Noxious Weeds and Invasive Species

RECOMMENDATION NO. 5

Request the drafting of a bill to remove the requirement in NRS 555.215 that an assessment must be levied by the board of county commissioners upon real property in order to establish a

weed control district. The proposed amendment would replace the word “shall” with “may” in subsection 1 of NRS 555.215:

1. Upon the preparation and approval of a budget in the manner required by the Local Government Budget and Finance Act, the board of county commissioners of each county having lands situated in the district ~~shall~~ may, by resolution, levy an assessment upon all real property in the county which is in the weed control district.

(Recommended by the Tri-County Weed Group.)

- Chairman Rhoads explained Recommendation No. 5 and called for a motion.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYWOMAN SMITH MOVED TO APPROVE RECOMMENDATION NO. 5. THE MOTION WAS SECONDED BY ASSEMBLYMAN CLABORN AND PASSED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

- After the vote, Commissioner Fransway asked for clarification regarding the difference between using the word “shall” versus the word “may.”
- Mr. Stewart referred to information in the Committee members’ binders depicting the rationale presented by the “Tri-County Weed Group” that would allow for funding of its own “Weed Districts” by a means other than a tax levy and allow for more funding options and flexibility.

RECOMMENDATION NO. 6

Request the drafting of a bill to provide an intermediate step in the noxious weed abatement process currently used by the SDA. Current provisions in NRS require the SDA to notify a landowner to cut, eradicate, or destroy noxious weeds that have been identified on the landowner’s property. If the landowner fails to cut, eradicate, or destroy the noxious weeds, he is guilty of a misdemeanor and an abatement must be commenced by the Department. This amendment would allow the SDA to adopt regulations specifying a schedule of administrative fines for such a violation, much like those currently authorized under the Department’s nursery and pesticide programs. Suggested language submitted by Scott Marsh, Noxious Weeds Regulatory Specialist, Plant Industry Division, SDA, appears below:

Violation of provisions: Administrative fine.

1. The Director may adopt regulations specifying a schedule of administrative fines which may be imposed, upon notice, for each violation of the provisions of NRS 555.130 to 555.202, inclusive, or the regulations adopted pursuant thereto, in addition to any criminal penalty. If an administrative fine is imposed pursuant to this section, the costs of the proceeding, including

investigative costs and attorney's fees, may be recovered by the Department. The maximum fine that the Director may impose for each violation may not exceed:

(a) For the first violation, \$1,000;

(b) For the second violation, the Department shall cause the nuisance to be abated by eradicating or controlling any noxious weeds on the premises in accordance with the provisions of NRS 555.160 to 555.200

2. The Director may:

(a) In addition to imposing an administrative fine pursuant to this section, issue an order requiring a violator to take appropriate action to correct the violation. The violator shall pay the cost of any appropriate action so ordered.

(b) Request the district attorney of the appropriate county to investigate or file a criminal complaint against any person who the Director suspects may have committed flagrant or repeated violations of any provision of NRS 555.235 to 555.249, inclusive.

3. All fines collected by the Director pursuant to this section must be available for carrying out the provisions of NRS 555.130 to 555.220, inclusive, as prescribed in 555.140.

(Recommended by Scott Marsh, Noxious Weeds Regulatory Specialist, Plant Industry Division, SDA.)

- Chairman Rhoads asked Mr. Stewart to explain Recommendation No. 6.
- Senator Rhoads called for a motion.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYMAN MARVEL MOVED TO APPROVE RECOMMENDATION NO. 6. THE MOTION WAS SECONDED BY SENATOR AMODEI AND PASSED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

Off-Highway Vehicles

RECOMMENDATION NO. 7

Request the drafting of a bill requiring the registration and titling of OHVs by Nevada's Department of Motor Vehicles; creating an OHV fund for the collection and distribution of grant funds; requiring biennial reports to the Nevada State Legislature; establishing an OHV Commission; setting forth certain enforcement procedures; and providing for other related OHV regulation. *(Proposed by many meeting participants throughout the 2007-2008 Legislative Interim period and by several Committee members and agreed to by the OHV Working Group.)*

- Chairman Rhoads explained Recommendation No. 7.

- Commissioner Fransway stressed the need in drafting the BDR for Recommendation No. 7 that it includes a 20 percent funding allocation for enforcement of OHV rules by law enforcement. He also requested that the BDR incorporate a provision addressing OHV usage for agricultural and occupational uses
- Mr. Stewart clarified that, to the extent possible, the certificate of operation would remain, and authorization for counties to designate roads for OHV use would remain as currently set forth in Chapter 490 of NRS.
- Chairman Rhoads called for a motion.
- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR AMODEI MOVED TO APPROVE RECOMMENDATION NO. 7. THE MOTION WAS SECONDED BY ASSEMBLYMAN CLABORN AND PASSED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

Water

RECOMMENDATION NO. 8

Request the drafting of a bill amending NRS 349.983 (“A.B. 198 Water Grants Program”) to provide that the required matching grant must be an amount less than 15 percent or more than 75 percent of the eligible project cost (rather than the grant amount, as set forth in the current NRS language). In addition, the proposal would amend Chapter 445A of NRS (regarding Nevada’s Water Pollution Control Law) to allow the Director of the State Department of Conservation and Natural Resources (SDCNR) or his designee to award subgrants from the Account for the Revolving Fund and the Account for Set-Aside Programs in carrying out the Water Pollution Control Law. *(Recommended by Chairman Rhoads as requested by Nevada’s Division of Environmental Protection.)*

- Chairman Rhoads explained Recommendation No. 8.
- Tom Porta, P.E., Deputy Administrator, Corrective Actions, Mining, and Water Programs, Nevada’s Division of Environmental Protection (NDEP), SDCNR, explained that this recommendation affects the Board for Financing Water Projects and expands the range that a project can be funded.
- David Emme, Chief, Administrative Services, NDEP, SDCNR, clarified that the document sent to Mr. Stewart mixed two possible BDRs. He noted that the NDEP was only intending to make technical corrections amending NRS 349.983 (“A.B. 198 Water Grants Program”) and does not amend Chapter 445A of NRS.

- Chairman Rhoads called for a motion.
- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR AMODEI MOVED TO APPROVE RECOMMENDATION NO. 8. THE MOTION WAS SECONDED BY ASSEMBLYMAN MARVEL AND PASSED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

RECOMMENDATION NO. 9

Request the drafting of a bill creating the Water Resource Technical Support Fund for the purpose of developing a hydrologic database for water basins in the State of Nevada. The proposal, as recommended by the Central Nevada Regional Water Authority (CNRWA), is set forth below:

It is recommended the 2009 Legislature create the Water Resources Technical Support Fund (Fund) for the specific purpose of developing an accessible, current, and maintained hydrologic database for water basins in the State of Nevada. Data to be collected are as follows: a) groundwater level data; b) precipitation data; and c) evapotranspiration data. This data is critical in understanding the sustainable water supply in Nevada's water basins; hence, assist future decision-making regarding water withdrawals and uses. It is recommended that local governments be eligible for grants from the Fund and the Nevada Board for Financing Water Projects make the grants and administer the program.

One potential source of revenue for the Fund is a certain percentage of the funds generated pursuant to NRS 349.986. NRS 349.986 states "The State Board of Finance shall issue general obligation bonds of the State of Nevada to support the purposes of the program established by NRS 349.981." NRS 349.981 provides grants for water conservation and capital improvements to certain water systems. This program is often referred to as the A.B. 198 program. The recommendation is that 3 percent of future A.B. 198 general obligation bonds be set aside for the Fund. The aggregate principal amount of A.B. 198 bonds outstanding at any one time may not exceed \$125 million. At this point, in time there are approximately \$80 million in outstanding bonds. The attached document entitled "A.B. 198 Program Projected Cash flow through Fiscal Year (FY) 2011" shows \$13 million is the projected bond need in the near term (2008), and the projected bond need is \$14 million for FY 2010 and \$12 million for FY 2011.

Therefore, if the Fund were created by the 2009 Legislature to take effect in FY 2010 (July 1, 2009), then the potential revenue from A.B. 198 bond sales in FY 2010 and FY 2011 would be 3 percent of \$26 million or \$780,000. This is not a lot of money to address the critical need to better understand Nevada's

sustainable water supply, but it is a start. Also, the funds can be used to match United States Geological Survey (USGS) funding via a joint funding agreement with the USGS for water resource investigations. Assuming the USGS has the funds to enter into a joint funding agreement, and the USGS desires to do so, the USGS would provide 45 percent of the agreement's budget, and the other party would provide 55 percent of the agreement's budget. So \$780,000 from A.B. 198 bond sales would generate \$638,182 from the USGS via a joint funding agreement for water resource investigations; hence, a total of \$1,418,182 for the two year period (FY 2010 and FY 2011) to conduct the aforementioned water resource investigations.

(Recommended by the Central Nevada Regional Water Authority.)

- Chairman Rhoads explained Recommendation No. 9.
- Steve Bradhurst, Director, CNRWA, explained the request is to create the “Water Resources Technical Support Fund” with a primary function to collect data including precipitation, water level, and evapotranspiration data important to the water supply in Nevada’s basins.
- Senator Amodei opined that the money should be given to Nevada’s Office of the State Engineer, Division of Water Resources, SDCNR, since that office is the ultimate water authority.
- Tracy Taylor, P.E., State Engineer, Office of the State Engineer, Division of Water Resources, SDCNR, commented that there has to be a funding source in order for the office to collect the data.
- Commissioner Fransway requested that the Committee not consider Recommendation No. 9.
- Senator Rhoads noted that Nevada’s Office of the State Engineer, Division of Water Resources, SDCNR, currently does not have this type of funding to collect the data in this manner. Chairman Rhoads suggested that an amendment be made.
- Senator Amodei suggested amending the “Work Session Document” Recommendation No. 9 to include language “within available resources” and change it as a request to provide an appropriation to Nevada’s Office of the State Engineer, Division of Water Resources, SDCNR in an amount to be determined in order to fulfill Recommendation No. 9.
- Chairman Rhoads called for a motion that would include the stated amendments to Recommendation No. 9.

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

SENATOR AMODEI MOVED TO APPROVE RECOMMENDATION NO. 9 WITH THE AMENDMENTS HE SUGGESTED. THE MOTION WAS SECONDED BY ASSEMBLYMAN MARVEL AND PASSED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

Wilderness and Wilderness Study Areas

RECOMMENDATION NO. 10

Request the drafting of a resolution urging the United States Congress, if approving new wilderness areas, to comply fully with the definition found in the Wilderness Act of 1964, and requesting Congress to seek the release of all Wilderness Study Areas (WSAs) where the areas have been determined by the BLM to not meet the wilderness requirements. This resolution may be modeled, in part, after the Nevada Association of Counties Resolution No. 08-06 and Senate Joint Resolution No. 1 of the 2005 Legislative Session (File No. 58, *Statutes of Nevada*). The resolution should stress that no county federal lands bill should be introduced in Congress without the approved support of the governing body of the impacted county and that any wilderness proposals should be driven at the local level. In addition, the resolution should urge Congress to establish a date or a series of dates by which WSAs deemed not suitable for wilderness protection should be released to multiple use. (*Proposed by the Coalition for Public Access.*)

- Chairman Rhoads suggested that Recommendation No. 10 and Recommendation No. 11 be referred to the Senate Committee on Natural Resources for introduction.

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

COMMISSIONER FRANSWAY MOVED TO REFER RECOMMENDATION NOS. 10 AND 11 TO THE SENATE COMMITTEE ON NATURAL RESOURCES. THE MOTION WAS SECONDED BY SENATOR AMODEI AND PASSED. (SENATOR CARE WAS ABSENT FOR THE VOTE.)

Wildland Fire, Fire Suppression, and Rangeland Rehabilitation

RECOMMENDATION NO. 11

Request the drafting of a resolution expressing support for the Wildfire Support Group (WSG) and encouraging the expansion of the WSG model in other areas of the State of Nevada. (*Recommended by Gary McQuin, Extension Educator, University of Nevada Cooperative Extension; Jan Schade, Coordinator, WSG; and John L. McLain, Principal, Resource Concepts, Inc.*)

- Recommendation No. 11 was referred to the Senate Committee on Natural Resources and voted on under Recommendation No. 10.

RECOMMENDATION NO. 12

Request the drafting of a bill providing an appropriation (exact amount to be determined) to Nevada’s Division of Forestry (NDF) for the purchase of mobile radios and related training and management for the early detection of wildfires in key areas of Nevada. The appropriation shall also provide money to improve statewide “Initial Attack” capabilities through the provision of equipment and training to Nevada’s volunteer fire departments and strengthen NDF’s aviation capabilities through the development of a mobile module to be moved throughout the State during periods of high wildfire danger. *(Recommended by Pete Anderson, State Forester Firewarden, NDF.)*

- Chairman Rhoads explained Recommendation No. 12.
- No action was taken on Recommendation No. 12.

POSSIBLE COMMITTEE LETTERS, RESOLUTIONS, AND STATEMENTS

- Chairman Rhoads called attention to the consent calendar and asked for the Committee’s preference.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYMAN MARVEL MOVED TO ADOPT THE FOLLOWING ITEMS FROM THE “WORK SESSION DOCUMENT” AS A CONSENT CALENDAR VOTE: RECOMMENDATION NOS. 15, 16, 17, 18, 19, 21, 22, 26, 28, 30 THROUGH 39, AND 41 THROUGH 46. THE MOTION WAS SECONDED BY SENATOR AMODEI AND PASSED. (SENATOR CARE AND ASSEMBLYMAN CLABORN WERE ABSENT FOR THE VOTE.)

RECOMMENDATION NO. 15

Send a Committee letter to Ed Schafer, Secretary of the USDA, and Abigail Kimbell, Chief, USFS, expressing the Committee’s appreciation of the USFS’ efforts and support of the Committee during the 2007-2008 Legislative Interim. Include in the letter a statement concerning the USFS’ consistent willingness to appear before the Committee and provide useful and helpful information to assist the Committee in its duties. *(Recommended by Chairman Rhoads.)*

- There was no discussion on Recommendation No. 15. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 16

Send a Committee letter to Dirk Kempthorne, Secretary of the DOI, and Jim Caswell, Director of the BLM, expressing the Committee's appreciation of the BLM's efforts and support of the Committee during the 2007-2008 Legislative Interim. Include in the letter a statement concerning BLM's consistent willingness to appear before the Committee and provide useful and helpful information to assist the Committee in its duties. *(Recommended by Chairman Rhoads.)*

- There was no discussion on Recommendation No. 16. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 17

Include a statement in the final report commending the efforts of the Nevada Natural Heritage Program and expressing appreciation for the Program's conservation efforts and its work on identifying and mapping noxious weeds in Nevada. *(Recommended by Chairman Rhoads.)*

- There was no discussion on Recommendation No. 17. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 18

Include a statement in the final report expressing support for the programs and activities of the Public Lands Institute (based at the University of Nevada, Las Vegas) and encouraging its expansion and influence to other areas of Nevada. *(Recommended by Chairman Rhoads.)*

- There was no discussion on Recommendation No. 18. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 19

Include a statement in the final report expressing support for cooperative permittee monitoring, which is currently being used on a limited basis in the Battle Mountain District of the BLM. This process allows grazing permittees to cooperatively monitor their own allotments. Testimony indicated that this practice will benefit grazing permittees and federal

land management agencies and will ultimately enhance rangeland health. *(Recommended by Lenny Fiorenzi, Eureka County Commissioner; Jake Tibbits, Eureka County Natural Resources Manager; and Gary McCuin, Extension Educator, University of Nevada Cooperative Extension.)*

- There was no discussion on Recommendation No. 19. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 21

Include a statement in the final report expressing the Committee's ongoing concern with the illegal dumping of trash and other waste on Nevada's public and private lands. Encourage the aggressive enforcement of Nevada's laws regarding dumping and littering. *(Recommended by André Gill, Fallon.)*

- There was no discussion on Recommendation No. 21. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 22

Include a statement in the final report urging the U.S. Congress to consider federal legislation to permanently establish areas of public land for multiple use as identified by the various county governing boards. *(Recommended by the Coalition for Public Access.)*

- There was no discussion on Recommendation No. 22. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 26

Send a Committee letter to the various State and federal land management agencies in Nevada concerning post-fire rehabilitation coordination efforts among the agencies. The letter should commend the various agencies for their work in fire suppression and encourage the same coordination and collaboration in land rehabilitation following fires. *(Recommended by Senator Amodei.)*

- There was no discussion on Recommendation No. 26. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 28

Include a statement in the final report expressing support for the recommendations made by the Great Basin Wildfire Forum. The Forum's recommendations include targeted livestock grazing, weed control, fuel break establishment, fire management plan development, soils monitoring, and geographic information systems data collection and mapping. *(Recommended by Lenny Fiorenzi, Eureka County Commissioner; Jake Tibbits, Eureka County Natural Resources Manager; and Gary McCuin, Extension Educator, University of Nevada Cooperative Extension.)*

- There was no discussion on Recommendation No. 28. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 30

Draft a Committee resolution encouraging the active and scientifically based management of Nevada's watersheds and ecosystems to collaboratively improve their health, without regard to jurisdictional boundaries, using a host of different methods (to include livestock grazing, mechanical treatment, prescribed fire, and herbicides). Such actions will help Nevada's forests, grasslands, and rangelands become more resistant to wildland fires. *(Recommended by Pete Anderson, State Forester Firewarden, NDF.)*

- There was no discussion on Recommendation No. 30. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 31

Send a Committee letter to the members of Nevada's Congressional Delegation and Governor Jim Gibbons expressing support for the recently-introduced "Carson City Vital Community Act of 2008" (the Carson City lands bill) and encouraging its passage. *(Discussed by representatives from Carson City at the Committee's meeting on October 24, 2007.)*

- There was no discussion on Recommendation No. 31. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 32

Send a Committee letter or include a statement in the final report expressing concern regarding H.R. 2262 ("Hardrock Mining and Reclamation Act of 2007") and similar federal legislation that establishes a royalty plan that could negatively impact Nevada's mining industry, creates uncertainty in the mine permitting process, and hampers mineral investment. The letter or

statement should express support for mining reforms that promote responsible development of mineral resources, keep public lands open for mining, and offer a reasonable net-proceeds style royalty that is responsive to fluctuating minerals prices. (*Discussed at the Committee's meeting in Carson City on October 24, 2007, and at numerous additional meetings and during the Committee's Washington, D.C., informational tour.*)

- There was no discussion on Recommendation No. 32. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 33

Send a Committee letter to the members of Nevada's Congressional Delegation thanking the Delegation for continuing to use 5 percent of the funds generated from the various federal lands bills for Nevada's Permanent School Fund and urging the Delegation to consider expanding the use of funds generated from the Southern Nevada Public Land Management Act of 1998, the White Pine County Conservation, Recreation, and Development Act of 2006, and other federal lands bills for use in Nevada state parks and for improvements to State lands and facilities. (*Recommended by Pamela B. Wilcox, Administrator, Division of State Lands [retired].*)

- There was no discussion on Recommendation No. 33. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 34

Send a Committee letter to Nevada's Congressional Delegation, the Chairmen of the U.S. Senate Committee on Energy and Natural Resources and the U.S. House Committee on Natural Resources, and the Chairmen of the appropriations committees in the U.S. Senate and House of Representatives, encouraging the full funding of the Federal Payments in Lieu of Taxes program. Make reference to H.R. 308 (R.S. 2477 Rights-of-Way Recognition Act") of the 110th Congress, which was considered in late 2007. (*Recommended by Tom Fransway, Humboldt County Commissioner; Mark Walsh, Executive Director of the Western Counties Alliance; and several other Committee members.*)

- There was no discussion on Recommendation No. 34. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 35

Include a statement in the final report expressing support for S. 2509 ("Small System Drinking Water Act of 2007"), which would prohibit the U.S. Environmental Protection

Agency from enforcing small water system compliance with a federal drinking water standard unless the small system has received enough federal funds to pay for the federal share of the water system upgrade. The bill would set aside \$15 million a year nationally for Fiscal Years 2008 through 2012 to accomplish this. The measure also revises technical assistance provisions to require water systems serving fewer than 10,000 individuals to receive adequate technical assistance and training to meet requirements of final rules. The bill also establishes pilot programs to: (1) explore new technologies or approaches to comply with a drinking water standard; and (2) research technology transfer issues and disinfection strategies relating to drinking water. *(Recommended by Ron Williams, Nye County Manager.)*

- There was no discussion on Recommendation No. 35. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 36

Send a Committee letter to Nevada's Congressional Delegation and Governor Jim Gibbons expressing opposition to H.R. 2421 and S. 1870 (both known as the "Clean Water Restoration Act of 2007"). Testimony at several Committee meetings indicated that the language in the measure could diminish the authority of State water engineers and water resources departments to properly manage water resources. *(Recommended by numerous presenters.)*

- There was no discussion on Recommendation No. 36. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

Water and Water Resources

RECOMMENDATION NO. 37

Send a Committee letter to Governor Jim Gibbons and the Division of Water Resources, SDCNR, requesting the Division to continue work on a comprehensive inventory of water in key water basins in Nevada (using the latest technology for determining water amounts). Request that the State Engineer report back to the Legislative Committee on Public Lands during the 2009-2010 Legislative Interim with a report on the progress of its water inventory activities. *(Discussed by Chairman Rhoads at several Committee meetings.)*

- There was no discussion on Recommendation No. 37. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 38

Include a statement in the final report urging the Division of Water Resources, SDCNR, to further evaluate the protests filed by the federal government against applications for water diversions in the Amargosa Valley. Testimony at the Committee's meeting in Beatty suggested that proposals by water users in the Amargosa Valley to simply divert water from one agricultural field to another are being protested and subsequently denied. The statement should urge the Division and local government leaders in Nye County to collaborate on this important water issue and openly discuss the impacts such denials may have on the agricultural operations near Pahrump. *(Recommended by Gary Hollis, Nye County Commissioner, and other representatives of Nye County.)*

- There was no discussion on Recommendation No. 38. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 39

Send a Committee letter to the State Engineer, Division of Water Resources, SDCNR, requesting him to respond in writing to a proposal set forth in a letter presented by the N-4 Grazing Board to the Legislative Committee on Public Lands at its meeting on March 7, 2008, in Caliente, concerning the interbasin transfer of water. The letter should also encourage the State Engineer to appear before the Senate Committee on Natural Resources and Assembly Committee on Natural Resources, Agriculture and Mining during the 2009 Legislative Session to discuss the concerns and recommendations set forth by the N-4 Grazing Board. The letter from the N-4 Grazing Board, in part, requests the following actions by the State Engineer:

- A. Prior to any interbasin transfer of water decision by the State Engineer, a basin of origin comprehensive water inventory, and analysis of future growth and development potential, and initiation of a long-term monitoring program should be required; and
- B. When water is appropriated or purchased in one basin and then the owner requests a basin transfer and a change in the manner of use, the transferred water rights will be given a position subordinate to the historic water rights that remain in the basin.

(Recommended by Connie Simpkins, Secretary, N-4 Grazing Board.)

- There was no discussion on Recommendation No. 39. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 41

Include a statement in the final report encouraging the State Engineer to continue enhancing online data sources available to the Division of Water Resources, SDCNR, which may assist in any backlog of water right applications. *(Recommended by Mike Baughman, Executive Director, Humboldt River Basin Water Authority.)*

- There was no discussion on Recommendation No. 41. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 42

Include a statement in the final report encouraging Nevada's Division of Environmental Protection to creatively seek grants, if available, and other outside funding to enhance water quality data collection and monitoring in the Humboldt River Basin. *(Recommended by Mike Baughman, Executive Director, Humboldt River Basin Water Authority.)*

- There was no discussion on Recommendation No. 42. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 43

Send a Committee letter to the State Engineer, Division of Water Resources, SDCNR, asking him to analyze and comment on the issue of water evaporation as it relates to the possibility of requiring a water right for pit lake evaporation and whether it is feasible to apply Nevada's interbasin transfer of water provisions to water evaporation in certain instances from one basin to another. *(Discussed by Mike Baughman, Executive Director, Humboldt River Basin Water Authority, and Nancy Boland, Chair, Esmeralda Board of County Commissioners.)*

- There was no discussion on Recommendation No. 43. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 44

Send a Committee letter to the State Engineer and the Administrator of the Division of State Lands, SDCNR, acknowledging their work in water resource and land use planning for rural communities that have little or no resources to prepare such plans and encouraging their continued active support of water and land use planning to rural communities. *(Recommended by the Central Nevada Regional Water Authority.)*

- There was no discussion on Recommendation No. 44. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 45

Send a Committee letter to the State Engineer encouraging the Division of Water Resources, SDCNR, to monitor the impacts of water purveyor production wells. This letter is aimed at improving the public's confidence that possible impacts caused by water purveyor production wells (i.e., impacts on the level of groundwater, vegetative cover, springs, and domestic wells, et cetera) can be recognized by the State Engineer, and addressed by the State Engineer while such impacts are emerging, and before they cause harm to the environment or the economy. *(Recommended by the Central Nevada Regional Water Authority.)*

- There was no discussion on Recommendation No. 45. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

RECOMMENDATION NO. 46

Send a Committee letter to Nevada's Congressional Delegation encouraging the Delegation to consider sponsoring legislation addressing the demand for water on the Virgin River. Testimony at the Committee's meeting in Caliente indicated that the states of Arizona and Utah are competing with Nevada for water resources in the river system. Indicate in the letter that the recently approved "7-States Agreement" for the Colorado River system could serve as a potential model for a similar agreement on the Virgin River. *(Recommended by Senator Care and Mike Winters, General Manager, Virgin Valley Water District.)*

- There was no discussion on Recommendation No. 46. Committee action on this work session proposal was taken after discussion of the consent calendar (page 23 of these minutes.)

General Natural Resource Topics

RECOMMENDATION NO. 27

Send a Committee letter to the Nevada State Director of the BLM, the District Manager of the Winnemucca Field District of the BLM, and the Wildfire Support Group (and other parties to be determined) urging the implementation of 11 fuels management plans on public and private lands that have been developed but not yet implemented on the ground in Humboldt and Pershing Counties. The fuels management plans are designed to help grazing permit holders manage and protect their resources and rangeland areas from wildland fire. The letter should also encourage the expansion of the fuels management plans. *(Recommended by Jan Schade, Coordinator, Wildfire Support Group, and John L. McLain, Principal, Resource Concepts, Inc.)*

- Chairman Rhoads called for Recommendation No. 27 out of order and called for a motion.
- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR AMODEI MOVED TO APPROVE RECOMMENDATION NO. 27. THE MOTION WAS SECONDED BY COMMISSIONER FRANSWAY AND PASSED. (SENATOR CARE AND ASSEMBLYMAN CLABORN WERE ABSENT FOR THE VOTE.)

RECOMMENDATION NO. 13

Send a Committee letter to Nevada’s Congressional Delegation, the Chairmen of the U.S. Senate Committee on Energy and Natural Resources and the U.S. House Committee on Natural Resources, the U.S. Department of the Interior (DOI), and the BLM requesting support for legislation and policies that provide for a “no net loss” of private land in federal land exchanges and purchases. *(Proposed by Senator Care; John Milton, Humboldt County Commissioner; and discussed by several Committee members.)*

- Chairman Rhoads called for Recommendation No. 13 out of order.
- Mr. Stewart indicated that the letter might clarify the issue of value-to-value versus acre-to-acre.
- Commissioner Fransway opined that “no net loss” should be the same as “no net gain.”
- Senator Amodei discussed with the Committee that part of the consideration is a county-by-county basis. He noted that there has been discussion among some County Commissions and the effect of “no net loss” on the tax base. He suggested that someone on the Committee could use one of his personal BDRs for a resolution for this recommendation to fully explore the details.
- There was no Committee action taken on Recommendation No. 13.

RECOMMENDATION NO. 14

Draft a Committee resolution and provide copies of that resolution to the members of Nevada’s Congressional Delegation, the Secretary of the DOI, and the Director of the BLM, concurring with the policy positions of the National Cattlemen’s Beef Association, the National Association of Counties, and the Nevada Association of Counties concerning the use of the National Environmental Policy Act review of grazing permits. Currently, the BLM is utilizing the authority granted in Public Law 108-108, which allows for the automatic renewal of a grazing permit if such renewal of the permit does not propose any changes to

the existing permit. The resolution should also urge the Congressional Delegation to pass legislation permanently extending the provisions of PL 108-108 regarding the renewal of grazing permits and encourage, in the meantime, the BLM to administratively adhere to the conditions of the rider beyond the September 2008 expiration of the rider. *(Recommended by Tom Fransway, Humboldt County Commissioner; Assemblyman Carpenter; John Falen, Secretary-Treasurer, Public Lands Council; and other Committee members.)*

- Chairman Rhoads called for Recommendation No. 14 out of order.
- Commissioner Fransway clarified wording in this recommendation noting that the “USFS” should be in place of “BLM” in “Currently, the BLM is utilizing the authority granted in Public Law 108-108. . . .”
- Mr. Stewart explained Recommendation No. 14 and called attention to information in the Committees’ work session binders under “Tab I” that references both the USFS and the BLM.
- J. Randall Stephenson, previously identified, concurred with Mr. Stewart that Public Law 108-108 would be applicable to the BLM and USFS.
- Chairman Rhoads called for a motion.
- The Committee **APPROVED THE FOLLOWING ACTION:**

COMMISSIONER FRANSWAY MOVED TO APPROVE RECOMMENDATION NO. 14. THE MOTION WAS SECONDED BY ASSEMBLYMAN MARVEL AND PASSED. (SENATOR CARE AND ASSEMBLYMAN CLABORN WERE ABSENT FOR THE VOTE.)

RECOMMENDATION NO. 20

Send a Committee letter to Governor Jim Gibbons and Tony Lesperance, Director, SDA, expressing support for the filling of the Rangeland Specialist position within the Department, which has remained vacant since January 2008. *(Recommended by Ron Cerri, Chairman, and members of the Central Committee of Nevada State Grazing Boards.)*

- Chairman Rhoads called for Recommendation No. 20 out of order and called for a motion.
- Assemblywoman Smith expressed that the Committee should not set a precedent by sending this letter to Governor Jim Gibbons.
- There was no Committee action taken on Recommendation No. 20.

RECOMMENDATION NO. 23

Draft a Committee resolution similar to Senate Joint Resolution No. 2 of the 1999 Legislative Session (File No. 23, *Statutes of Nevada*) expressing support for an amendment to the Federal Land Policy and Management Act of 1976 to require the identification, mapping, and recognition of certain rights-of-way across land administered by the federal government. *(Recommended by the Coalition for Public Access.)*

- No Committee action was taken on Recommendation No. 23.

RECOMMENDATION NO. 24

Draft a Committee letter to the Chairmen of the Senate Committee on Natural Resources and Assembly Committee on Natural Resources, Agriculture and Mining requesting that the Committees provide an opportunity to Floyd W. Rathbun, Certified Range Management Consultant, Fallon, to discuss his request for the enactment of legislation “that duplicates the Federal Data Quality Act and Federal Data Access Act along with Office of Management and Budget guidelines” during the 2009 Legislative Session. In the letter, encourage Mr. Rathbun and his client, Fred Fulstone, F.I.M. Corporation, to partake in this opportunity so the Nevada Legislature can gain a better understanding of the proposal. *(Recommended by Chairman Rhoads.)*

- No Committee action was taken on Recommendation No. 24.

RECOMMENDATION NO. 25

Draft a Committee letter to Nevada’s Department of Wildlife requesting clarification from the Department of concerns addressed by Floyd W. Rathbun, Certified Range Management Consultant, Fallon, regarding the Desert Bighorn Sheep management policy. Specifically inquire about risk of disease transmission between domestic sheep and bighorn sheep. *(Recommended by Floyd W. Rathbun, Certified Range Management Consultant.)*

- No Committee action was taken on Recommendation No. 25.

Wildland Fire, Fire Suppression, and Rangeland Rehabilitation

RECOMMENDATION NO. 29

Send a Committee letter to the Chairmen of the Senate and Assembly Committees on Judiciary requesting the Committees’ review during the 2009 Legislative Session of penalties associated with the negligent and careless starting of fires. In particular, emphasize the need to examine the careless and negligent starting of fires that devastate Nevada’s open space and public lands. Request that the Committees, if necessary, enact legislation enhancing the penalties for such actions. *(Recommended by Tom Fransway, Humboldt County Commissioner.)*

- Chairman Rhoads called for Recommendation No. 29 out of order.
- Commissioner Fransway requested that this recommendation also address arson.
- Chairman Rhoads called for a motion.
- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR AMODEI MOVED TO APPROVE RECOMMENDATION NO. 29. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN SMITH AND PASSED. (SENATOR CARE AND ASSEMBLYMAN CLABORN WERE ABSENT FOR THE VOTE.)

Federal Public Lands and Natural Resource Legislation and County Lands Bills

RECOMMENDATION NO. 40

Include a statement in the final report supporting the development and implementation of increased water storage within the Humboldt River Basin. *(Recommended by Mike Baughman, Executive Director, Humboldt River Basin Water Authority [HRBWA].)*

- Chairman Rhoads called for Recommendation No. 29 out of order and called for a motion.
- Mike L. Baughman, Ph.D., President, Intertech Services Corporation, and Contract Executive Director, HRBWA, Carson City, explained that the intent of this recommendation would be to store water in the “above average flow” years.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYMAN MARVEL MOVED TO APPROVE RECOMMENDATION NO. 40. THE MOTION WAS SECONDED BY SENATOR AMODEI AND PASSED. (SENATOR CARE AND ASSEMBLYMAN CLABORN WERE ABSENT FOR THE VOTE.)

PUBLIC COMMENT

- There was no public comment after the work session.
- Michael J. Stewart, previously identified, informed the Committee about the informational tour to Washington, D.C., on September 16 through September 18, 2008. He further noted that during this interim, the Legislative Committee on Public Lands was not able to hear from the Walker River Irrigation District and other Walker River and Walker Lake working groups, and he would try to include their information in the water section of the Committee’s final report.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Susan M. Gottschalk
Senior Administrative Assistant

Michael J. Stewart
Supervising Principal Research Analyst

APPROVED BY:

Senator Dean A. Rhoads, Chairman

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Michael J. Stewart, Supervising Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB).

[Exhibit B](#) is a Microsoft PowerPoint presentation dated August 22, 2008, and titled “Legislative Committee on Public Lands Presentation by Churchill County,” presented by Bjorn “B.J.” Selinder, Public Policy Innovations, Fallon.

[Exhibit C-1](#) is the written testimony of Bob Edwards, Supervisory Realty Specialist/Resource Management Plan (RMP) Team Leader, Winnemucca District Office, Bureau of Land Management (BLM), United States Department of the Interior (DOI), dated August 22, 2008.

[Exhibit C-2](#) is a map titled “Winnemucca District Black Rock/Humboldt River Field Office Three-Tier Proposal,” provided by Bob Edwards, Supervisory Realty Specialist/RMP Team Leader, Winnemucca District Office, BLM, DOI.

[Exhibit D-1](#) is a Microsoft PowerPoint presentation titled “Stillwater National Wildlife Refuge Complex A Great Basin Oasis,” provided by Jeannie Stafford, Public Affairs Officer, U.S Fish and Wildlife Service (USFWS), DOI.

[Exhibit D-2](#) is pamphlet titled “Stillwater National Wildlife Refuge Complex,” submitted by Jeannie Stafford, Public Affairs Officer, USFWS, DOI.

[Exhibit E-1](#) is a Microsoft PowerPoint presentation titled “Legislative Committee on Public Lands: Sheldon National Wildlife Refuge Comprehensive Conservation Plan,” provided by Jeannie Stafford, Public Affairs Officer, USFWS, DOI.

[Exhibit E-2](#) is a pamphlet titled “Sheldon National Wildlife Refuge,” submitted by Jeannie Stafford, Public Affairs Officer, USFWS, DOI.

[Exhibit E-3](#) is a document titled “Nevada’s Last Chance Scenic Place – 2007,” provided by Jeannie Stafford, Public Affairs Officer, USFWS, DOI.

[Exhibit E-4](#) is an informational newsletter titled “Sheldon National Wildlife Refuge Planning Update 1, May 2008,” submitted by Jeannie Stafford, Public Affairs Officer, USFWS, DOI.

[Exhibit E-5](#) is a spiral bound document titled “Horse and Burro Management at Sheldon National Wildlife Refuge,” referenced by Paul Steblein, Project Leader, Sheldon-Hart Mountain National Wildlife Refuge Complex, USFWS, DOI.

[Exhibit F](#) is a Microsoft PowerPoint presentation dated August 22, 2008, titled Naval Air Station Fallon Update for the Legislative Committee on Public Lands,” provided by Zip Upham, Public Affairs Officer, Naval Air Station Fallon, U.S. Navy.

[Exhibit G-1](#) is a spiral bound document titled “Intermountain Energy Ranch,” referenced by Daniel K. Dygert, Chief Operating Officer, Carrus Land Systems, LLC, Logan, Utah.

[Exhibit G-2](#) is a booklet titled “Carrus Land Systems, Profitable Conservation Partnerships,” submitted by Daniel K. Dygert, Chief Operating Officer, Carrus Land Systems, LLC, Logan, Utah.

[Exhibit H](#) is a document titled “Economic Development Commission,” presented by Michael E. Skaggs, Executive Director, Nevada Commission on Economic Development (NCED).

[Exhibit I](#) is an informational booklet titled “Nevada Commission on Economic Development, Building Nevada’s Economy,” submitted by Joe Locurto, Director, Rural Economic Development, NCED.

[Exhibit J](#) is a map titled “Renewable Energy Zones and Transmission Interconnects Map,” referenced by Nick Vander Poel, Outreach Manager, International and Rural Development, NCED.

[Exhibit K-1](#) is a Microsoft PowerPoint presentation dated August 22, 2008, titled “Public Lands Committee,” provided by Jason King, P.E., Deputy State Engineer, Division of Water Resources, State Department of Conservation and Natural Resources (SDCNR).

[Exhibit K-2](#) is a document dated August 1, 2008, titled “Final Adopted Regulations of the State Engineer Legislative Counsel Bureau File No. R024-08,” offered by Jason King, P.E., Deputy State Engineer, Division of Water Resources, SDCNR.

[Exhibit L-1](#) is a document dated August 15, 2008, titled “USDA Forest Service Intermountain Briefing Paper,” furnished by William LeVere, Director of Bio-Physical Resources, Intermountain Region, U.S. Forest Service (USFS), U.S. Department of Agriculture (USDA).

[Exhibit L-2](#) is a document titled “Livestock Watering Rights,” provided by William LeVere, Director of Bio-Physical Resources, Intermountain Region, USFS, USDA.

[Exhibit M](#) is a document titled “Forest Service Suggested Changes to NRS 533.040 & NRS 533.503,” submitted by William LeVere, Director of Bio-Physical Resources, Intermountain Region, USFS, USDA.

[Exhibit N](#) is a packet of information given by Tony Lesperance, Director, State Department of Agriculture (SDA), which includes:

- A letter dated August 22, 2008, to Senator Rhoads, Chairman, Nevada’s Legislative Committee on Public Lands and Committee Members, concerning the programs and activities of the SDA;
- An SDA Director’s report for the August 26 and August 27, 2008, Board Meeting;

- A letter to Tony Lesperance, Director, SDA, regarding the observation of wild horses; and
- A letter dated August 13, 2008, to Governor Jim Gibbons, regarding the 2008 drought situation, from Tony Lesperance, Director, SDA.

[Exhibit O](#) is a letter to Senator Rhoads, Chairman, Nevada's Legislative Committee on Public Lands, regarding access to BLM information, provided by Ron Cerri, Chairman, Central Committee of Nevada State Grazing Boards (CCNSGB).

[Exhibit P](#) is a is a letter to Senator Rhoads, Chairman, Nevada's Legislative Committee on Public Lands, regarding the filling of the Rangeland Specialist position within the SDA, offered by Ron Cerri, Chairman, CCNSGB.

[Exhibit Q](#) is a letter dated August 22, 2008, to Senator Rhoads, Chairman, Nevada's Legislative Committee on Public Lands and Committee Members, regarding the oversight of State Grazing Boards, given by Tony Lesperance, Director, SDA.

[Exhibit R](#) is a document titled "Consensus Points of the OHV Working Group as of August 12, 2008," provided by Jeremy Drew, Director, Coalition for Nevada's Wildlife (on behalf of Larry Johnson, President, Coalition for Nevada's Wildlife), and Representative, Nevada Responsible Trails Alliance.

[Exhibit S](#) is a pamphlet titled "The Compatibility Between Bighorn and Domestic Sheep," referenced by Larry Johnson, Director, Nevada Big Horns Unlimited, Reno.

[Exhibit T](#) is a document titled "Pasteurellosis Transmission Risks between Domestic and Wild Sheep," furnished by Larry Johnson, Director, Nevada Big Horns, Reno.

[Exhibit U](#) is a packet of information provided by Kim Jolly, MPA, Management Analyst III, Nevada's Division of Wildlife (NDOW), which includes:

- A letter to Floyd W. Rathbun, Certified Range Management Consultant, dated May 23, 2008, regarding disease interactions between wild and domestic sheep, from James R. Mason, Ph.D., Chief, Game Division, NDOW; and
- A Memorandum titled "Memorandum of Agreement Between the Nevada Department of Wildlife, the Nevada Department of Agriculture and the University of Nevada, Reno, for the Management of Interactions between Bighorn Sheep and Domestic Sheep and Goats.

[Exhibit V](#) is a letter dated August 4, 2008, to the Mustang Heritage Foundation, regarding unadopted mustangs in long-term holding facilities, from Dan Gralian, President, Nevada Cattlemen's Association, referenced by John Falen, Secretary-Treasurer, Public Lands Council, National Cattlemen's Beef Association.

[Exhibit W](#) is a document dated August 22, 2008, titled “Work Session Document,” provided by Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB, Carson City.

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.