



**MINUTES OF THE MEETING
OF THE
LEGISLATIVE COMMITTEE ON PUBLIC LANDS
(*Nevada Revised Statutes* 218.5363)
December 15, 1999
Lovelock, Nevada**

The second meeting of the Nevada Legislature's Committee on Public Lands (*Nevada Revised Statutes* [NRS] 218.5363) during the 1999-2000 interim was held on Wednesday, December 15, 1999, at the Lovelock Community Center, Rochester Room, 820 Sixth Street, Lovelock, Nevada. Pages 2 and 3 contain the "Meeting Notice and Agenda" for this meeting.

COMMITTEE MEMBERS PRESENT:

Senator Dean A. Rhoads, Chairman
Assemblyman John W. Marvel, Vice Chairman
Senator Terry Care
Senator Mark A. James
Assemblyman Jerry D. Claborn
Assemblyman P. M. "Roy" Neighbors
Buster Dufurrena, Humboldt County Commissioner

OTHER LEGISLATORS IN ATTENDANCE:

Assemblyman Tom Collins

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Michael J. Stewart, Senior Research Analyst
J. Randall Stephenson, Senior Deputy Legislative Counsel
Kim Marsh Guinasso, Principal Deputy Legislative Counsel
Terrie Williams, Research Secretary

MEETING NOTICE AND AGENDA

Name of Organization: Nevada's Legislative Committee on Public Lands

Date and Time of Meeting: Wednesday, December 15, 1999
10 a.m.

Place of Meeting: Lovelock Community Center
Rochester Room
820 Sixth Street
Lovelock, Nevada

A G E N D A

- I. Opening Remarks and Introductions by Chairman
 Senator Dean A. Rhoads
- *II. Approval of the Minutes of the Meeting Held on September 8, 1999, in Reno, Nevada
- *III. Brief Overview of the December 14, 1999, Subcommittee Meeting to Review Proposals and Grant Requests for Money Appropriated in Senate Bill 560 of the 1999 Legislative Session
- *IV. Reports to the Committee
 - *A. Update on Public Lands Issues in Pershing County
 Ray Espinoza, Mayor, City of Lovelock
 Roger Mancebo, Vice Chairman, Pershing County Board of Commissioners
 - *B. Review of Various Assessments and Studies of the Humboldt River Basin
 R. Michael Turnipseed, State Engineer, Nevada's Division of Water Resources, State Department of Conservation and Natural Resources (SDCNR)
 Russ Plume, Hydrologist, United States Geological Survey
 Glenn C. Miller, Ph.D., Professor of Environmental and Resource Sciences, College of Agriculture, University of Nevada, Reno
 Kyle House, Ph.D., Research Geologist, Nevada Bureau of Mines and Geology
 - *C. Update on Mine Dewatering Activities in Northern Nevada
 R. Michael Turnipseed, State Engineer, Nevada's Division of Water Resources, SDCNR
 Representative, Barrick Goldstrike Mining Company
 Representative, Newmont Mining Corporation
 - *D. Overview of United States Environmental Protection Agency's Proposed Total Maximum Daily Load (TMDL) Regulations
 Tom Porta, Chief, Bureau of Water Quality Planning, Nevada's Division of Environmental Protection, SDCNR
 - *E. Update of Issues Pertaining to the Argenta Marshes
 Terry Crawford, Administrator, Nevada's Division of Wildlife, SDCNR
 Locke Hahne, P.E., Manager of Operation and Maintenance Division, Lahonton Basin Area Office, U.S. Bureau of Reclamation
 Bennie Hodges, Secretary/Manager, Pershing County Water Conservation District
 Representative, Governor Kenny C. Guinn's Office (invited)
 Mickey Yarbro, Lander County Commissioner
 - *F. Update of Activities and Land Management in the Black Rock Desert and Discussion of Potential Designation of National Conservation Area (NCA)
 Representatives, Bureau of Land Management
 Tebeau Piquet, President, Public Lands Access Network, High Desert Coalition
 Bob Schweigert, Owner, Intermountain Range Consultants
 Jim Linebaugh, Range Consultant

John Estill, Soldier Meadows Ranch
Stu Brown, Owner, Double Horseshoe Ranch
Susan Lynn, Executive Director, Public Resource Associates
Ron and Carole Vance, High Rock Truckers
Marian Goodell, Communications and Business Manager, Burning Man Event
Karen Boeger, Acting Executive Director, Friends of Nevada Wilderness
C. Joseph Guild III, President, Nevada Cattlemen's Association

- *G. Rangeland Rehabilitation Efforts Following Recent Fires in Northern Nevada
Pat Murphy, Project Manager, Emergency Fire Rehabilitation (EFR) Team and Deputy State Forester, Nevada's Division of Forestry, SDCNR

V. Public Comment

*VI. Work Session on Preceding Agenda Items

*Denotes items on which the committee may take action.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Terrie Williams at (775) 684-6825 as soon as possible.

- Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed for posting to the following Las Vegas, Nevada, locations: Grant Sawyer State Office Building, 555 East Washington Avenue; and the Clark County Office, 500 South Grand Central Parkway. Notice of this meeting was faxed for posting at the following Lovelock, Nevada, location: Lovelock Community Center, 820 Sixth Street.

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OPENING REMARKS AND INTRODUCTIONS BY CHAIRMAN

Chairman Rhoads brought the meeting to order and explained that the Legislative Committee on Public Lands, created in 1983, meets throughout the State during the interim. The Committee caters primarily to the rural areas, but also works with the urban communities, such as Reno and Las Vegas, on public land issues. He noted that the Committee has helped to achieve better relationships between the legislators from the Counties of Clark and Washoe. Chairman Rhoads expressed gratitude for the presence of the legislators from Las Vegas, including Senators Care and James, and Assemblyman Claborn, who have taken an active part in Committee decisions.

Senator Rhoads introduced Assemblyman Tom Collins, Alternate Committee Member. The remainder of the Committee members introduced themselves.

Michael J. Stewart, Senior Research Analyst, Research Division, Legislative Counsel Bureau, distributed Exhibit A, which is a packet of information he prepared for the Committee.

APPROVAL OF THE MINUTES OF THE MEETING HELD ON SEPTEMBER 8, 1999, IN RENO, NEVADA

ASSEMBLYMAN MARVEL MOVED FOR APPROVAL OF THE MINUTES OF THE MEETING HELD ON SEPTEMBER 8, 1999, IN RENO, NEVADA. THE MOTION WAS SECONDED BY ASSEMBLYMAN NEIGHBORS AND PASSED UNANIMOUSLY. SENATOR JAMES WAS ABSENT FOR THE VOTE.

BRIEF OVERVIEW OF THE DECEMBER 14, 1999, SUBCOMMITTEE MEETING

TO REVIEW PROPOSALS AND GRANT REQUESTS FOR MONEY
APPROPRIATED IN SENATE BILL 560 OF THE
1999 LEGISLATIVE SESSION

Chairman Rhoads indicated that during the 1999 Legislative Session, \$250,000 was allocated for grants to be provided for public land related issues. He explained that the Senate Bill 560 Subcommittee, chaired by Assemblyman Marvel, met on December 14, 1999.

Chairman Rhoads made the following disclosure statement:

I own a ranch and am professionally involved in the ranching industry. Although many of the grants proposed at this meeting could benefit the ranching industry generally, any benefits occurring to me as a result of a grant being awarded will not be greater than those occurring to any other person who owns ranching property or who is involved in the ranching industry. The ethics laws therefore allow me to vote on these proposals and to participate fully in their consideration. I am required, however, to disclose my interest.

Assemblyman Neighbors disclosed that he is a mine owner, has been professionally involved in mining for many years, and has no conflict with the determinations of the Legislative Committee on Public Lands.

Assemblyman John Marvel

Assemblyman Marvel reported that a meeting of Nevada's Legislative Committee on Public Lands Subcommittee to Review Proposals and Grant Requests for Money Appropriated in Senate Bill 560 of the 1999 Legislative Session, was held on December 14, 1999, in Carson City, Nevada. The Subcommittee met to address proposals requesting funds from the grant. He noted that the requests total \$1,070,000. Consequently, the Subcommittee will meet prior to the next Committee meeting to create a rating system to be used when allocating the funds. He explained that due to the number of requests, some proposals would be eliminated or reduced. He opined that decision-making would be difficult. Further, he noted that some funds would be retained for Subcommittee expenses. Assemblyman Marvel expressed anticipation that the allocation would be accomplished in a fair manner.

Assemblyman Marvel noted that because some individuals were not informed about the availability of the grants until the week of December 6, 1999, proposals will be accepted until December 31, 1999.

REPORTS TO THE COMMITTEE

Update on Public Lands Issues in Pershing County

Ray Espinoza

Ray Espinoza, Mayor, City of Lovelock, brought to the Committee's attention that Lovelock currently has a population of 2,630. It is estimated that the fiscal year beginning July 2000 will show a population of 2,820. In recent years Lovelock has spent \$6 million on infrastructure, including a sewer plant, sewer lines, and street and lighting improvements, to attract medium and small-sized industries. He invited members of the audience to explore the City, particularly the "round" courthouse. According to Mr. Espinoza, the courthouse is the only one of this type in operation west of the Mississippi River, and perhaps the entire United States. He opined that Lovelock is not only a nice place to visit, but also a good place to work, play, and live.

Continuing, Mr. Espinoza indicated that Lovelock has no public lands per se, rather the land is owned by the City and constituents want it left open and free from obstruction, to accommodate public use. He noted that more laws and restrictions would cause those who enjoy the outdoors to limit their exploration and enjoyment of the beauty of the State of Nevada.

In conclusion, he expressed hope that the Legislative Committee on Public Lands would determine that residents of the State should be allowed to continue to enjoy public lands whenever they see fit.

Roger Mancebo

Mr. Mancebo, Vice Chairman, Pershing County Board of Commissioners, reported that although experiencing slow growth, Pershing County is alive, well, and prospering. However, there are concerns regarding public lands, including the reseeded of burned areas, hard rock mining, and the possibility of a proposed Black Rock Desert/High Rock Canyon National Conservation Area (NCA). The NCA, he opined, is an unpopular item in Pershing County. Continuing, he read portions of a letter, dated December 15, 1999, addressed to Senator Dean Rhoads and Members of the Legislative Committee on Public Lands from Robert Hadfield, Executive Director, Nevada Association of Counties (NACO) (Exhibit B).

Responding to an inquiry, Mr. Mancebo opined that an NCA designation would include the gypsum mining area. Chairman Rhoads noted that in this event, Eureka County would be affected and further queried whether Pershing County gains net proceeds from gypsum mining. Mr. Mancebo confirmed, and also pointed out that the area contains a great deal of rangeland, which is currently under contract for grazing.

At this time Chairman Rhoads acknowledged that Senator James had joined the Committee.

Bill Denier

Bill Denier, Chairman, Pershing County Board of Commissioners, stated that although it is a federal situation, Pershing County requests the support of the Legislative Committee on Public Lands to oppose the NCA designation in the Black Rock Desert/High Rock Canyon area. Mr. Denier explained that legislation designating an NCA is anticipated to be introduced by United States Senator Richard H. Bryan and cosponsored by U.S. Senator Harry Reid. Chairman Rhoads queried whether the NCA designation would be encompassed in a bill, which would include only Nevada, or other states throughout the west as well. In response, Robert V. Abbey, Nevada State Director, Bureau of Land Management (BLM), United States Department of the Interior (DOI), indicated that meetings have been proposed with various constituent groups to provide input. However, Mr. Abbey indicated that he was unaware of a bill draft at this time. He stated that according to Senator Bryan's staff, the intent is to introduce such legislation by the end of the calendar year.

Review of Various Assessments and Studies of the Humboldt River Basin

R. Michael Turnipseed

R. Michael Turnipseed, State Engineer, Nevada's Division of Water Resources, State Department of Conservation and Natural Resources (SDCNR), explained that mining, as it is conducted today, began in the late 1980s. He noted that the first proposal for a mine to go below the water table to reach ore was at the Sleeper Mine in Desert Valley, Nevada, developed by Amex. Mr. Turnipseed explained that generally, ground water is managed on a permitable yield basis. However, no additional permits will be issued to allow for the extraction of water above the amount replenished over the long-term average by snow melt and rainfall. He explained that in 1989, it was determined to be good public policy to allow the mines to "over pump" the basin on a short-term basis, in order to reach the ore. This was permitted because when the mine was finished, the equilibrium would be naturally restored. He noted that this process involved a fairly small amount of water over an equally small time period. Mr. Turnipseed indicated that Amex "overpumped" the water table at the Sleeper Mine from approximately 1989 until 1996, when the mine closed. He indicated that the pit is now refilling and equilibrium will be restored.

Continuing, Mr. Turnipseed noted that since that time, there have been several mines that have pumped below the water table to reach the ore. He explained that currently, when there is a proposal to go below the water table, the first priority is to find a place to return the water to the ground at a later date. For the most part this process has been successful. He indicated that the Twin Creeks and Park Line Mines in Crescent Valley, Nevada, replaced all of the ground water, although they have proposed to substitute some water onto the Dean Ranch. In the event the mines are unsuccessful in locating an area in which to replace the ground water, the mines have requested to substitute the water for other ground water in areas within the basin. He indicated that this practice has been successful.

Continuing, Mr. Turnipseed reported that the former Santa Fe Pacific Mine in Lone Tree, Nevada, which is now owned by Newmont Mining Corporation (NMC), was unable to find a place to return the water to the ground. Therefore, substituting the use at the Merrigold Mine, water was pumped to the Creton Canyon Mine, and water was

also supplied to the Valmy Power Plant. He explained that water still exists in excess of the requirements, and the operation is consequently allowed to discharge the excess into the Humboldt River. (Mr. Turnipseed noted that in the event the mines are unable to find a place return the water into the ground, and there is no ground usage close enough to substitute, the third alternative is to allow discharge into a surface water source.) He pointed out that Boulder Valley developed a number of center pivots, to the extent of approximately 10,600 acres of irrigation, out of the pipeline emanating from the Betze-Post project.

Continuing, Mr. Turnipseed explained that because the mines are unable to irrigate in the winter, a large dam is used to retain water. He noted that a study was conducted to determine the extent of pumping, water quality changes, and water level changes in the three aquifers of the Humboldt River Basin because there has long been concern over what the larger affects might be on the Humboldt River or its tributaries. A 1994 study conducted by the BLM; the United States Geological Survey (USGS), DOI; and the State Engineer's Office; estimated what could be accomplished with the amount of funds generated. He noted that the first phase of the study has been completed and findings will be discussed later in the meeting. The findings, he noted, will include:

- The depth of bedrock in these various basins;
- The depth of water and to what extent there is interbasin flow; and
- The long-term effects from agricultural, industrial, and mining pumping on the Humboldt River.

Chairman Rhoads asked how long phase two of the study would take to complete. It was explained that, assuming the funding is generated, the study would be finished in 2003.

Responding to a query made by Senator Care, Mr. Turnipseed noted that the study to which he had referred is contained in the USGS publication, included in the packet of information prepared for the Committee by Michael J. Stewart, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB) (Exhibit A).

Russ Plume

Russ Plume, Hydrologist, USGS, and Project Chief for the Humboldt River Basin Assessment, discussed the project. He informed the Committee that the USGS is conducting another study on the Humboldt River Basin, which focuses on mineral resources. Further, the USGS has been sampling the Humboldt River from Rye Patch Reservoir to the Humboldt Sink for the past few years.

He explained that the Humboldt River Basin Assessment is a cooperative study in conjunction with the SDCNR. Mr. Plume discussed the assessment and noted that it began as a result of increased concern regarding the large amounts of ground water being pumped in the Humboldt River Basin for mining purposes. The overall objective of the assessment is to study the long-term impacts of water uses on the magnitude and timing of flows in the Humboldt River.

Three approaches have been taken:

1. Appraise the surface water and ground water resources of each hydrographic area in the Humboldt River Basin;
2. Determine the contribution of each of these areas to the timing and magnitude of flows on the main stem of the Humboldt River; and
3. Assess the effects of all major water uses, including agriculture, municipal, mining, and the generation of electricity.

He commented there is a coordinating committee for the assessment and the BLM is a member. Further, the USGS, in cooperation with the SDCNR, is primarily responsible for undertaking the various studies. He noted that three mining companies are participating financially.

Senator James asked if it is customary for these types of studies to be partially industry funded. In response, Mr. Plume explained that in order for the first study, in 1988, to be conducted, it was necessary for the participating mining companies to contribute funds. Because the USGS is prohibited from accepting funds from a mining company, the SDCNR received the contributions. The funds for Phase I were partially matched by the USGS. However, the USGS plans to match funds dollar-for-dollar in Phase II. He further explained that four mining companies have again provided project funding. Additionally, he noted that NMC has also provided direct services to the project.

Senator Rhoads questioned if the staff of any mining companies are participating directly in the studies, thereby saving money for USGS, to which Mr. Plume noted that the USGS is responsible for completing the work. He noted that the coordinating committee has meetings twice a year to assess the project's progress and make decisions regarding the direction of the project. Continuing, Mr. Plume noted the mines have contributed data on approximately 20 to 50 pumping wells and 100 monitoring wells for both water levels and water quality generated by the mines. Additionally, the mines have provided funding for additional stream gauging stations and information regarding surface water flows.

Continuing, Mr. Plume explained that originally \$150,000 was budgeted to pay for stream gauging and interpretive studies, but most of those funds were cut back in the early 1990s. In addition, the cost of stream gauging has increased, leaving no funds for interpretive studies.

Chairman Rhoads noted that Senator James wanted to ensure there was no bias in the studies. Jon Nowlin, District Chief, USGS, stated there are two formal agreements guiding the conduct of the study. One is between the USGS, the State of Nevada, and the BLM; the other is between the three aforementioned entities and the participating mines. These documents clearly state that the direction of the studies is entirely at the discretion of the USGS.

Senator James noted that members of the public have expressed concerned about the study and its outcome, particularly the study's objectivity and the decisions which will be made based upon the conclusions. He opined that in an attempt to eliminate some of the controversy, interested parties should be included in all meetings that coordinate and direct the study, and also be provided documentation.

In response to Chairman Rhoads, Mr. Plume noted that to date, all work on the Humboldt River Basin Assessment has been focused on the central area referred to as the middle Humboldt River Basin. He explained that the Humboldt River Basin is divided into 34 hydrographic areas, 17 of which are in the middle of the Humboldt River Basin. Each hydrographic area consists of an individual basin, such as Crescent Valley, Pine Valley, and Upper East River Valley. This is called the "reach of the river."

Mr. Turnipseed, previously identified, noted that these hydrographic basins have been used to manage ground water for approximately 50 years, and the transfer of water from one basin to another is not prohibited because that water right is granted based on the rainfall and snowmelt in that basin. He commented that when the basins were outlined 50 years ago, the interbasin flow and regional flow systems were unknown.

Mr. Plume continued by noting that the middle Humboldt River Basin, where the study has been concentrated for the past several years, includes all the presently active dewatering mines, as well as a number of irrigated agriculture, municipalities, and two power plants.

Responding to Chairman Rhoads, Mr. Plume explained that the mines have networks of monitoring wells in and around the mining properties where water levels are continuously monitored. Further, the USGS checks the water level measurements once a year.

Continuing, Mr. Plume explained that the approach for the assessment has been to address hydrologic issues and phases. Phase I of the assessment began in October 1994 and was completed in September 1998. Phase II began in October 1998, and is scheduled to be completed September 2003.

Mr. Plume noted that the hydrologic data collected by USGS during Phase I of the study is available on the Internet. Additionally, the site contains information pertaining to the Humboldt River Basin Assessment, the annual progress reports, and links to real time stream flow data for several of the gauging stations on the Humboldt River.

Mr. Plume referred to the “Humboldt River Basin Assessment Progress Report,” contained in Exhibit A, and discussed the section beginning on page six, which addresses hydrologic framework and ground water conditions.

Continuing, he noted that a report, which addresses the issue of estimating basin water budgets and the application of the method, is in the publication stage and should be available in a few months. Additionally, modified water budgets will be published for each of the basins in the middle Humboldt River Basin.

Turning to Phase II of the project, Mr. Plume noted that one task is to prepare a mathematical model that will simulate weight, as well as surface and ground water flow, in the middle Humboldt River Basin. The model will enable an evaluation of natural variations in the stream flow of the river. Further, the model will separate the areas and evaluate the variations in stream flow that might occur as a result of human activities. The final product of Phase II will be a link between ground water and surface water in the Humboldt River Basin.

Jon Nowlin

Jon Nowlin, Director, Nevada Division, USGS, presented slides displaying the Humboldt River Basin Assessment and addressed the following activities associated with the groundwater to surface water model:

- A stream flow routing model of the Humboldt River between Carlin and Golconda has been completed.
- A steady State ground water flow model is being developed.
- Utilizing the stream flow routing model, there is a need to survey approximately 40 river channel cross sections. The NMC is conducting this study, as a direct service to the project.
- Statistical analyses of the stream flow data for the Humboldt River is being gathered; data from various stream gauging stations dates back to 100 years. This data will depict the variations and flow of the river. An analysis of the data is underway and will be compiled in a final report to be released the later part of 2000.
- The interaction of stream flow and ground water along several reaches of the river is being studied.

Mr. Nowlin explained that one issue of concern is the subsurface flow between the Upper Reese River Valley to Carico Lake Valley, and Upper Reese River Valley to Middle Reese River Valley. It is suspected there is flow present; however, there are no wells to confirm water flow. For purposes of the model, it is important to know the magnitude of the flow, since some of the ground water flows into the Humboldt River. Mr. Nowlin requested a financial commitment from the Committee for the installation of three to five wells in this study area to determine the subsurface flow.

In conclusion, Mr. Nowlin indicated that a five-year study, funded by the USGS, is in progress to examine the ground water recharge processes on the Trout Creek alluvial fan near Valmy, Nevada. This information will provide information relative to the amount of ground water recharge present on the alluvial fans in the Humboldt River Basin.

Glen C. Miller, Ph.D.

Glen C. Miller, Ph.D., Professor of Environmental and Resource Sciences, College of Agriculture, University of Nevada, Reno (UNR), stated that the Desert Research Institute, the University of California at Davis, Davis, California, and UNR, have been involved in a study on the Humboldt River which considers research issues associated with mining activities within the Humboldt River Basin. Dr. Miller referred to the project known as the “Geochemical, Biological, and Economic Effects of Arsenic and Other Oxyanions on a Mining Impacted Watershed.” Please refer to Exhibit C for a copy of the “NCERQA Grant Progress Report.”

Dr. Miller explained that the study has been ongoing for four years, with funding in the amount of \$750,000 provided by the U.S. Environmental Protection Agency (EPA) and the National Science Foundation. The objective of the research project is to investigate how large scale precious metals mining affects the Humboldt River watershed, which presently produces over half of the production of gold in the United States. Projects include:

- Determination of mobility in previous metals mining pit lakes;
- Dissolution of constituent from heaps and waste rock dumps;
- The biological effects of arsenic on aquatic organisms; and
- Economic impacts.

Dr. Miller discussed the status of the following projects:

- The economic assessment of water valuation and its effect on the water level changes at Humboldt's Rye Patch Reservoir is of concern to the rural areas. An analysis of the recreator's responses to the water level changes at Rye Patch Reservoir is in progress, and a paper examining the tradeoffs between recreational and agricultural use is being revised for resubmission to the *American Journal of Agricultural Economics*.
- There is a great deal of interest in pit lakes and the evolution of these lakes, which fill with water after mining is discontinued. Currently, a new model is being utilized that depicts the effect of the water table when it is "dropped," leaving rock, which has not been exposed to oxygen for millions of years, uncovered. As the water table recovers, all remaining materials are flushed into the lake. Although this is a new model, and there is little data available at this time, he remarked that data has been received from a dewatering operation in California. This data reveals the diminishing water table does not necessarily affect water quality. It is anticipated that as new data is collected, it will provide water quality readings that will assist in designating a specific use. Depending on the characteristics of the water, it may be used for irrigation, stock watering, or recreation. Dr. Miller indicated Nevada currently has three pit lakes, and a fourth is evolving in Yerington, Nevada. Early fieldwork indicates the Yerington lake is "well-mixed," and contains stable concentrations of selenium and a variety of other constituents and copper concentrations are declining.
- Between 1 billion and 2 billion tons of precious metals heaps will have been extracted with cyanide and closed during the next five to ten years in Nevada. From modeling and field data, it is apparent these heaps will release water whenever rain or snowmelt is allowed to penetrate. Results from various experiments, coupled with hydrologic modeling efforts, indicate effluent from these heaps is likely to be significant and contain contaminants. This runoff will need to be managed for several decades to allow complete rinsing of the heaps with rainwater and snowmelt. An alternative method presently under investigation is the possibility of capping the heaps with a layer of topsoil and plants, thus allowing greater water absorption in the first layer during the rainy season.

In response to Assemblyman Neighbors' inquiry regarding the result of oil tanks relative to the water quality of the Helms Pit recreation area in Sparks, Nevada, Dr. Miller stated that material is easily degraded microbiologically. Samples have not been able to detect oil products a few hundred feet down where it seeped into the pit. He noted the water used to restore the pit comes from the Truckee River, which is a well-rinsed gravel aquifer. Thus, the water quality is very good.

Allen Biaggi

Allen Biaggi, Administrator, Nevada's Division of Environmental Protection (NDEP), SDNCR, responding to Senator James' question, stated there is an aggressive reclamation program within the State of Nevada. He noted that the NDEP is continually learning about pit lakes and heap closures as well as addressing problems as they arise. Looking at the development of mining regulations over the past ten years, progress in the area of reclamation is impressive, and indications show that comparable improvements will continue as facilities close. Mr. Biaggi indicated that concurrent reclamation is ongoing on many facilities in which reclaiming is in progress while mines are in operation.

Kyle House, Ph.D.

Kyle House, Ph.D., Research Geologist, Bureau of Mines and Geology, University and Community College System of Nevada, presented an overview on the research in the Humboldt River Basin utilizing a slide presentation. Some of the primary studies of the Humboldt River watershed include:

- Geologic mapping, which includes bedrock and surficial (river alluvian) mapping. Examples of areas where bedrock mapping has occurred include: (1) Argenta Quadrangle; (2) Emigrant Pass; (3) Humboldt River floodplain areas in the Battle Mountain vicinity, (4) Stony Point Quadrangle; and (5) Tuscarora Quadrangle.
- Ore deposits and mineralogical studies;
- Evaluating pit lake geochemistry and hydrological modeling in fractured rock and highly mineralized environments; and
- Examining active earthquake faults in the State of Nevada.

Discussion focused on mapping along the Humboldt River and the implications of the history and paleohydrology of the river. Dr. House indicated that:

- Geological maps are representations of the geographic distributions of deposits of distinct ages of morphology and sedimentology.
- Since the advent of floodplain mapping in 1997, the Battle Mountain and Stony Point Quadrangles have been completed. Current mapping includes the Argenta and Dunphy Quadrangles.
- A stratigraphic history of the river's performance over the last 7,000 years is being used to understand the timing and magnitude of stream flows on the Humboldt River. In some areas of the river, the floodplain is incredibly wide, which has allowed the preservation of past behavior patterns.
- Refined mapping of the active faults in the Humboldt River area have been identified. The Humboldt River channel is very sensitive to "tilting" of the floodplain, associated with activity along these faults. Due to the fact that it is considered a meandering river, it is important to evaluate changes in hydrological characteristics because the channel is flexible. The river flows in a channel formed by its own unconsolidated sediments, so the shape of the channel can change to accommodate different types of stream flow conditions.
- The significance of the morphological features of the paleomeanders are evident in aerial photography. The fact that these channels are well developed represents distinctly long lived episodes of different hydrologic conditions on the river.
- New information reveals stratigraphic evidence of marshes "coming and going" in different areas of the floodplain.

Additionally, Dr. House is involved in the paleohydrological implications of the paleochannels, which includes analyzing the present day geometry of the river channel and relating it to stream flow characteristics, developing relationships between channel and stream flow characteristics, and then analyzing historical channel and paleochannel patterns. This process should provide some inferences as to the implications for changes in stream flow magnitude. He noted that the river is very responsive to stream flow changes, and that changing these characteristics above a certain threshold can influence the river's response.

In response to Senator Care's question regarding previous studies that are similar to Project 190, Dr. Plume remarked that the results of prior Humboldt River Basin studies will be used as a benchmark to enhance the current study.

Update Of Issues Pertaining To The Argenta Marshes

Chairman Rhoads asked the presenters to provide a brief historical review of the Argenta Marshes. He also noted

that discussion of the Sage Grouse will be agendaized for the Committee's February 25, 2000, meeting in Fallon, Nevada.

Terry Crawford

Terry Crawford, Administrator, Nevada's Division of Wildlife (NDOW), SDCNR, stated that through a series of private water acquisitions, the area known as Community Pasture, which is near the Argenta Marshes, has been dewatered. He explained that historically, this was a large wetlands area. Mr. Crawford noted that on various occasions, attempts have been made to urge Nevada's Congressional Delegation to draft legislation to restore the Community Pasture property to Pershing County. The water users of Pershing County are in support of drafting such legislation. The NDOW is in agreement with the County to proceed with the legislation and complete the land transfer.

He indicated that the following issues must be resolved:

- Settle some outstanding matters at Rye Patch Reservoir for the benefit of Nevada's Division of State Parks, SDCNR; and
- Water delivery to the two wildlife management areas south of Lovelock.

In conclusion, Mr. Crawford indicated that NDOW is coordinating a partnership with Ducks Unlimited, the Intermountain West Joint Venture, and NMC to design the most appropriate uses for these public lands. Discussions have revealed that the parties are "at odds" on the number of acres to be restored to marshlands at Argenta; the total pasture consists of 35,000 acres.

Mike Gottschalk

Mike Gottschalk, Chairman, Pershing County Water Conservation District, in response to Assemblyman Marvel's question regarding negative testimony, explained that he was of the opinion that the State and local interests are in agreement and anticipates legislation will be drafted in 2001.

Senator Rhoads recommended the Committee endorse a proposal and draft letters to Nevada's Congressional Delegation in support of the such legislation.

Update On Mine Dewatering Activities In Northern Nevada

R. Michael Turnipseed

Mr. Turnipseed, identified previously, explained that there are only two mines remaining that are discharging to the Humboldt River, NMC and Barrick Goldstrike Mining Company (BGMC). He indicated, however, that applications have been submitted for a new mine, the Leeville Project, which is between Betze and Gold Quarry. The applications were originally protested by Eureka County, Pershing County's Water Conservation District (who has since withdrawn its protest), and the Humboldt River Basin Water Authority. Hearings are set for March 2000.

Rich Haddock, Senior Counsel, U.S. Operations, BGMC, in response to an inquiry made by Chairman Rhoads, explained that the water rights application allows for a dewatering rate of 30,000 gallons per minute (gpm). It is anticipated that permitting will be complete in 2000, and development and dewatering will commence in 2001.

Answering questions posed by Chairman Rhoads, Mr. Turnipseed explained that:

- There is still a fair amount of dewatering taking place; however, most of it is injected back into the ground. A pipeline is utilized at the majority of mines except for Lone Tree and Gold Quarry. Gold Quarry injects water into the ground, as well as irrigating the Hadley Field.
- Once the mines cease operations and dewatering is completed, the Hadley Ranch and the TS Ranch can resume pumping their wells or drill new wells for irrigation purposes.

- Regarding water levels, data has shown that they have risen approximately 50 feet in the area below the Ranch Reservoir, and around the mines it is depressed several hundred feet. The recharge area is between the pit and the river, so there will be no influence between lowering the water level in the mine and the Humboldt River.

Mr. Turnipseed commented that the Leeville Project is the largest pump test ever to be undertaken. The longest pump test on an individual well occurred at Arrow Canyon, which serves the Moapa Valley Water District. There, pumping ran for 120 days, with concurrent monitoring at adjacent wells in the Moapa area and Muddy Springs.

In response to a question from Senator James, Mr. Turnipseed replied that in an effort to maintain flood flows, NMC built a dam specifically so they would not be accused of creating flooding problems. Thus, during times of very high flows on the Humboldt River, the entire discharge flows into storage. He explained that Ranch Dam follows a similar procedure. If the river overflows its banks, the discharge is released into the Ranch Dam and then percolates back into the ground. As far as low flows are concerned, it is a benefit for the irrigators along the Humboldt River to have excess flows diverted for irrigation.

Rich Haddock

Rich Haddock, identified previously, provided the Committee with two documents concerning BGMC. Please refer to Exhibit D for details.

Mr. Haddock presented a brief overview of mine dewatering:

- From a geological aspect, a gold ore body is usually an irregularly shaped “glob” of rock that tends to form along faults from which fluids emanate.
- The largest ore bodies tend to be partially above and below the water table. The water table is the level below which all the spaces in the rock have water. The spaces tend to be interconnected in some rocks and to a lesser degree in others.
- If an ore body is below the water table, it becomes necessary to dewater that portion of the ore body to perform work.
- Pore spaces of rock that are filled with water tend to be weaker, which can lead to rock failure and breakage.
- In order to dewater an open pit, it is necessary to put wells around the outside of the open pit in appropriate geological locations and pump the wells to depress the water table and create a “cone of depression” in which the mine sits.
- A recent court case ruled that mine dewatering is a beneficial use of water in the State of Nevada.

Continuing, Mr. Haddock provided the following information:

- The State Engineer requires an application for a permit be filed for water appropriation.
- Applications are published in a newspaper and are subject to protest by individuals whose rights might be impaired.
- If an application is not protested, the State Engineer will require a model that illustrates the impacts which the proposed dewatering project will have on the water resources and rights in the area.
- Permits are always temporary. They exist only for the life of the mine and expire when the operation ceases.
- Extensive monitoring requirements are imposed. Through extensive ongoing, objective evidence, it can be

determined whether the predicted impacts will pass. Periodically, the monitoring data is entered into the models, recalibrated, and resubmitted to the State Engineer.

- The BGMC measures the ground water at 200 monitoring wells; stream flows at 19 sites in the area around the operation, including the Humboldt River; and the flows of approximately 30 springs in the region.
- The BGMC has returned a total of 856,000 acre-feet since mine dewatering commenced in 1990.
- Approximately 55 percent of the water is returned to the basin via infiltration with 20 percent of that water being used for irrigation purposes in the Boulder Valley.
- Between infiltration and substitution, 75 percent of the water at BGMC has maintained the premining condition of the basin.
- Eight percent of the water is lost to evaporation.
- Since 1990, less than 10 percent of the water has been discharged to the Humboldt River.
- If the 82,000 acre-feet of water discharged to the river was averaged over a nine year period, the amount would be sufficient to irrigate a 2,300-acre farm.

Addressing future projections, he indicated that:

- Mining should cease around the year 2011; however, for several more years of mineral processing and gold production will continue.
- To date, dewatering has drawn the water table down to its maximum level in the areas surrounding the mine. As a result, the pumping rate has decreased 50 percent, or 35,000 gpm, which is the “maintenance level.”

Mr. Haddock explained pumping rates:

- BGMC and NMC jointly prepared and submitted to the State Engineer an estimate of pumping rates from March 31, 1999, through December 31, 2003, for the Goldstrike and Leeville Projects, which are both in the Boulder Flats area.
- BGMC’s pumping rates continue to drop as projects continue.
- Pumping rates are expected to be low throughout the balance of the mine’s life.
- BGMC has an agreement with NMC with regard to shared infiltration capacity in the Boulder Valley and Ranch Reservoir areas.
- BGMC anticipates that over the balance of the mine’s life, it will not be pumping enough water to satisfy the irrigation demands of the valley.

According to Mr. Haddock, Exhibit D contains a document that depicts the economic benefits which mining contributes to Nevada’s communities.

Continuing his presentation, Mr. Haddock noted that from 1992 to 1998, Goldstrike has paid \$132.9 million to Nevada’s counties in property, sales, and use taxes. He noted specific amounts as follows:

- Total state tax for the time period was \$194.5 million.

- BGMC pays an average tax of \$14,000 per employee annually. Gaming, the second most heavily taxed industry in the State, pays approximately \$2,000 annually per employee.
- The average salary of a BGMC employee is \$46,000 per year.
- For each person the mine employs directly, it creates three additional service and support jobs.
- From 1987 to 1998, \$1.1 billion was spent for mine related supplies and equipment in the State of Nevada.

In conclusion, Mr. Haddock addressed the following issues raised during previous testimony:

- Regarding involvement of the mining companies in the Humboldt River study, he stated that the technical decisions and the direction of the study are exclusively those of the USGS, which is an independent body of scientists.
- Safeguards are in place in the event that the BGMC predictions are incorrect. If so, the State Engineer can order Goldstrike to release its extensive Humboldt River water rights to compensate for any deficit it creates.
- The BGMC is implementing the technology of capping heaps in its closure plans. In the case of the AA heap leach pad, utilization of a vegetative cap, designed to trap water and then evapotransporate the water through ponds, will be employed.

John Mudge

John Mudge, Director of Environmental Affairs, NMC, provided the following information:

- The NMC started mining in Nevada on the Carlin Trend in 1965;
- With the purchase of the Santa Fe Pacific Gold Mine, mining has expanded into the Winnemucca, Nevada, area;
- NMC employs approximately 3,000 people; and
- The NMC will produce 3 million ounces of gold in 1999.

Utilizing a slide presentation, Mr. Mudge addressed the activities of NMC's three major mining areas. He indicated that:

- The NMC has strived to be liberal in its ground water models to ensure they are projecting more impacts than will likely occur.
- Monitoring is performed around all properties.
- A large percentage of the programs include mitigation for surface and ground water impacts.
- Significant improvements have been made to riparian areas within the segment of potential effect and over 82 miles of streams and riparian habitat has been enhanced.
- Thousands of acres of seeding is completed to support the deer habitat in the Dunphy, Independence, and Tuscarora Ranges.

Continuing, Mr. Mudge explained that:

- One of the company goals relevant to mine life is to increase annual reserves by 20 percent.
- Mine lives are generally projected at ten years; however, the NMC is doing everything possible to ensure that gold is found in the future.
- The life of the Lone Tree Mine is 2005. Dewatering is 36,000 gpm; 2,200 of which is used in the mine site. An original estimate of 70,000 gpm dewatering was projected for the mine. Current calibrations project a 40,000 gpm maximum rate.
- The NMC is currently pumping into the Valmy Power Plant and substituting ground water that was pumped for their use.
- Brook Spring has dried up in the area from dewatering; consequently, water is currently pumped into the area to make up for the lost spring.
- A test was undertaken a few years ago in an attempt to infiltrate water within the plan boundary; it was unsuccessful due to the tight sediment clays. Since then, an area, which is amenable to infiltration, was discovered and a 2,000 gpm test has been conducted. The NMC is in the process of permitting with the BLM and the State, to achieve an infiltration rate of 20,000 gpm, which would offset the discharge.
- The Twin Creeks mine is a large open pit that commenced dewatering in 1990 and is currently dewatering at a rate of 4,600 gpm. Due to the large number of processing facilities, and the number of roads that are watered for dust control, the majority of the water is utilized. Extensive monitoring has been conducted at the Kelly Creek drainage, which concludes there is water infiltration. The mine life is 2012 for Twin Creeks.
- The Gold Quarry mine started dewatering in 1992 at very low rates. Rates increased in 1993 and a discharge permit was received in 1994. Extensive studies were performed around the mine site to see if infiltration was possible. Quite typically, deep injection circulates back to the mine area and infiltration will not work due to shallow alluvial waters. Dewatering rates of 45,000 gpm were studied and the rate has leveled out to approximately 7,000 gpm. Water usage is 2,900 gpm with 4,100 being discharged. Irrigation of the Hadley Fields during irrigation season is at 3,500 gpm.

Mr. Mudge noted that the NMC is in the permitting process with the State Engineer's office and the BLM for the Leeville underground mine. The future of the Carlin Trend depends on the deep underground deposits. He indicated the current plan projects that NMC will receive permits in 2000 and start dewatering in 2001 with 18 years of reserves. Dewatering will be required at 25,000 gpm, as the shaft is driven down with a reduction to 10,000 gpm when the core of depression is in place. Plans are to continue to coordinate with BGMC and utilize the water in Boulder Valley for irrigation and infiltration through the Ranch Reservoir in the off season.

Responding to an inquiry from Senator Rhoads, Mr. Mudge stated that NMC has completed mining at the Genesis Pit and only marginal dewatering occurs at that site.

Responding to an inquiry from the public, Mr. Haddock, previously identified, explained that BGMC's primary research and development is exploration and its intent is to expand. In addition, research and development is ongoing to develop processing methods that would allow for recovery of lower grades of ore for conversion of waste. Mr. Haddock noted, however, that he is unsure if this will happen.

Mr. Mudge indicated that NMC has developed a bioleach technology that allows for the recovery of gold from relatively low grade ores when gold is associated with sulfides. This type of material was previously waste rock, but NMC has developed the technology to oxidize it on heaps and then process it. Additional permits have been obtained to conduct this process on a full scale basis, but, due to the price of gold, it has been reduced substantially. However, when the price of gold increases, NMC will proceed with bioleach technology.

Overview of the EPA's Proposed Total Maximum Daily Load (TMDL) Regulations

Tom Porta

Tom Porta, P.E., Bureau Chief, Bureau of Water Quality Planning, Nevada's Division of Environmental Protection, SDCNR, provided information regarding the proposed Total Maximum Daily Load (TMDL) regulations.

Mr. Porta began by providing the history of the federal Clean Water Act (CWA), as follows:

- The CWA was passed in the early 1970s.
- The objective was to “restore and maintain the chemical, physical, and biological integrity of the nation’s waters.”
- The goal was to attain fishable and swimmable water quality conditions wherever possible.
- Sources of pollution were divided by point and nonpoint source.
- Point source includes discharges from discernible points, including channels, ditches, pipes, and tunnels. However, agricultural return ditches were excluded.
- Nonpoint source pollution included industrial, land, and urban (storm drain), runoff as well as natural causes.
- The National Pollutant Discharge Elimination System (NPDES) Permit program was implemented to control point source discharges (i.e., sewer treatment plants and industrial waste water discharges).
- The NPDES program has received funding from federal and state construction grants and state revolving loan funds. Approximately \$550 billion has been spent on the program.
- States were required to assess and list surface waters that were “impaired” (i.e., not meeting the water quality standard).
- For impaired waters, states were required to establish the total maximum daily load amount of a pollutant that can be added to the water without causing and impairment.
- By the mid-1980s the programs were working “very well” and some surface waters were restored, but others were still impaired.
- It was determined that NPDES and TMDL regulations were not enough to adequately address impaired surface waters.
- Congress amended the CWA in 1987 to assess nonpoint source pollution. A grant program (“319” funding) was established to enable communities to implement programs.
- By the mid-1990s there were 21,000 impaired bodies of water nationally and environmental groups filed lawsuits based on the fact that the TMDL regulations were not being met.

Mr. Porta next defined and explained TMDL, as follows:

- A TMDL is the maximum amount of a pollutant or pollutants (pounds per day), which can be discharged to a water body without violating the water quality standard.
- TMDLs are pollutant specific and are only established for impaired water bodies.

- It is more difficult to monitor a nonpoint source than a point source because point source pollution is usually monitored by the permitting process and a nonpoint source is usually caused by wet weather, which causes runoff.
- To establish a TMDL, the pounds per day amount of a pollutant is determined. Next, the nonpoint source contributing amount is determined and a safety margin is established, which leaves the balance amount for point source discharge.
- Environmental groups are filing lawsuits in an effort to enforce the TMDL regulations and currently there are 45 lawsuits pending, affecting 32 states.
- The courts are generally agreeing with the environmental groups, and the court orders are stringent.
- The EPA formed a Federal Advisory Committee to address the TMDL regulations. The advisory committee provided 150 consensus recommendations for adjusting the TMDL regulations.
- A draft of the new regulations was published in August 1999. The new regulations revised the TMDL definition, explained the impaired waters listing process, and required and implementation plan.

Continuing, Mr. Porta identified the two potential new methods for listing of impaired waters:

1. By pollutants, which includes traditional compounds as well as temperature and agricultural waste discharge; and
2. By pollution, including riparian loss, degraded aquatic habitat, and low flow.

Mr. Porta opined that the second requirement is especially unfair for the western portion of the United States because the west utilizes diversion dams, which, under the proposal, would be considered a hindrance for fish. Consequently, the water body would be listed as “impaired.”

The new proposal identifies additional elements by which to determine a TMDL. They include:

- Identifying the pollutant;
- Determining maximum loading;
- Providing a safety margin;
- Allowing for growth; and
- Implementing a plan.

The TMDL implementation plan must:

- Identify control measures;
- Monitor for effectiveness; and
- Guarantee reasonable assurance, including funding.

Mr. Porta provided the following information regarding the potential new regulations:

- States must develop TMDLs within 15 years of a listing; and

- The EPA can modify a state's list or develop a new TMDL. He noted that it is not known whether the EPA will provide funding if this occurs.

The impacts for Nevada include:

- The impaired waters list may expand;
- Assessing nonpoint sources will be very complex and costly;
- There is potential for significant impacts to agriculture;
- Local involvement is limited; and
- Point sources will not have any additions until the new regulations are established.

The current status of Nevada's water bodies is:

- Fifty-three percent of assessed waters meet water quality standards;
- Forty percent of assessed waters partially meet water quality standards; and
- Seven percent of assessed waters do not meet water quality standards.

The impacted basins in Nevada are the:

- Carson River Basin;
- Colorado River Tributaries;
- Humboldt River Basin;
- Snake River Tributaries;
- Truckee River Basin; and
- Walker River Basin.

Mr. Porta explained that:

- Thirty-three percent of the listed waters are impaired due to sediment.
- Eighty-three percent of these waters are impaired because of the presence of nutrients (e.g., iron and phosphorous).

According to Mr. Porta, management practices are effective when they are properly installed and maintained.

The best management practices for agriculture are:

- Animal waste management;

- Conservation tillage;
- Contour farming;
- Crop rotation;
- Fertilizer management; and
- Integrated pest management.

The best management practices for grazing are:

- Critical area planting;
- Fencing;
- Livestock selection;
- Range and pasture management;
- Planned grazing system; and
- Range seeding.

The best management practices for forestry and other land management areas are:

- Ground cover maintenance;
- Limiting disturbed areas;
- Log removal techniques;
- Pesticide and herbicide management;
- Proper road maintenance; and
- Riparian zone management.

The best management practices for multicategory areas are:

- Buffer strips;
- Detention and sedimentation basins;
- Interception and diversion;
- Material ground cover;
- Sediment traps; and
- Vegetative stabilization.

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Mr. Porta noted that the proposed TMDL regulations pose a number of challenges, including:

- Assisting and encouraging local groups;
- Involvement in the TMDL process;
- Proactive approach to best management practice implementation;
- Cost-effective monitoring;
- Funding; and
- Patience.

In conclusion, Mr. Porta explained that the responses to the challenges posed by the proposed TMDL regulations include:

- Providing comments on TMDL regulations;
- Providing public outreach on best management practices;
- Reviewing impaired waters listing;
- Involving stakeholders in the TMDLs; and
- Developing watershed teams.

Responding to a question posed by Chairman Rhoads, Mr. Porta noted that a new Presidential Administration could have an effect on the TMDL regulations.

Update Of Issues Pertaining To The Argenta Marshes (continued)

Bennie Hodges

Bennie Hodges, Secretary/Manager, Pershing County Water Conservation District, reported that a conceptual agreement between the Pershing County Water Conservation District and NDOW, SDCNR, for the creation of a wetlands area at the Argenta Marshes has been reached. He noted, however, that “minor details” must be addressed.

Mr. Hodges further noted that the goal of the District is to avoid the loss of Animal Unit Months and achieve title transfer.

Locke Hahne

Locke Hahne, P.E., Manager of Operations and Maintenance Division, Lahonton Basin Area Office, U.S. Bureau of Reclamation, DOI, noted that the title transfer process was created by the U.S. Bureau of Reclamation, in conjunction with the National Performance Review (also referred to as Regal 2). The term “title transfer” means the transfer of lands from the federal government to a beneficiary(s) (i.e., state governments or municipalities and local governments).

Regarding the agreement between the Pershing County Water Conservation District and NDOW for the creation of a wetlands area at the Argenta Marshes, Mr. Hahne noted that the Bureau of Reclamation is pleased that a consensus

has been reached, and explained that the concerns of the Bureau will be addressed during negotiations with the beneficiaries.

Mikey Yarbrow

Mikey Yarbrow, Lander County Commissioner, noted that Lander County is not opposed to the title transfer; however, the County would like to receive information regarding the project's progress and participate in discussions.

Responding to a question posed by Chairman Rhoads, Mr. Hahne, previously identified, explained the title transfer process: (1) the beneficiary(s) will enter into negotiations with the Bureau; (2) a draft document will outline the consensus reached; (3) the draft will be reviewed by the Office of Management and Budget; (4) upon approval, the Secretary of Interior will review the document; (5) upon approval, the transaction will have the support of the executive branch; and (6) the measure will be supported by a member of Congress for adoption.

Update of Activities and Land Management in the Black Rock Desert and Discussion of Potential Designation of National Conservation Area (NCA)

Chairman Rhoads noted that a letter from Senator Bryan, supporting the proposed NCA, is contained in Exhibit A. The letter was read into the record by Michael J. Stewart, Senior Research Analyst, Research Division, LCB.

Commenting further, Chairman Rhoads thanked Mr. Abbey, previously identified, for his attendance, participation, and interest in the Committee.

Terry Reid

Terry Reid, Field Manager, Winnemucca Field Office, BLM, provided the Committee with three documents relating to the BLM Nevada Resource Advisory Council and Black Rock Desert Environmental Impact Statement (EIS). Please refer to Exhibit E for details.

Mr. Reid explained that the BLM is working on a "Black Rock Land Use Plan Amendment," which began in 1997 as an "in house" initiative in response to the increased use of the area. He noted that the BLM recognizes the importance of the issues to be addressed and the need for special management of the area. Therefore, the draft EIS incorporates substantial public comment. He further noted that the BLM has not taken a position regarding the proposed NCA; however, does comply with congressional requests for information.

Responding to a question from Chairman Rhoads, Mr. Reid informed the Committee that there are eight NCAs nationwide.

Tebeau Piquet

Tebeau Piquet, Acting Chairman, Public Lands Access Network - High Desert Coalition, explained that the objective of the organization is to maintain stewardship of public lands with multiple-use as a key factor. Mr. Piquet noted that in the past he was a Humboldt County Commissioner and President of NACO. Additionally, he is the State Chairman for a grassroots organization called People for the U.S.A. The group advocates sound land management and natural resource production with special emphasis on private property and states' rights. He opined that good land management and resource use decisions must allow for access and provide a public forum for the stakeholders.

In conclusion, Mr. Piquet noted that present data does not show any immediate threat to the animal and plant community or resource uses in the Black Rock Desert. He advocated education, not restriction or regulation, as a means to preserving the area.

A letter, dated December 15, 1999, from Tebeau Piquet, addressed to Nevada's Legislative Committee on Public Lands, was submitted as Exhibit F.

Bob Schweigert

Bob Schweigert, Owner, Intermountain Range Consultants, opined that an NCA designation would bring changes to the Black Rock Desert area, specifically with regard to multiple use. He provided the Committee with a packet of information (Exhibit G). Please refer to the List of Exhibits for details.

Mr. Schweigert opined that the information contained in Senator Bryan's letter (Exhibit A), whether intentional or not, is incorrect, because an NCA designation would impact multiple use. He further opined that the Committee "will be lied to" by NCA proponents.

Continuing, Mr. Schweigert referred to a letter dated December 15, 1999, addressed to the Nevada Legislative Committee on Public Lands, from the Public Lands Access Network, High Desert Coalition, contained in Exhibit G. He noted that there are over 15 laws that govern the multiple uses of the Black Rock/High Rock area, as listed in Exhibit G. The organization is concerned about the possible designation of 1.6 million acres as an NCA because such a designation would protect only the "primary use" of an area. All other uses would be secondary and subject to elimination at the discretion of the Secretary of the Interior. He noted that in the case of the Black Rock/High Rock Desert, the primary use would be viewshed protection of the Applegate-Lassen Trail.

Mr. Schweigert also referred to a letter from David Rankine, Esq., contained in Exhibit G, which provides an understanding of NCAs. The document describes how the focus of land management changes under such a designation (i.e., from multiple to single use oriented).

Additionally, Mr. Schweigert noted that of the 825,477 acres of land in Nevada currently designated as Wilderness Study Areas (WSA), over 500,000 acres are not deemed suitable for such designation by the BLM. (Please refer to the document titled "Comparison of Acreage of NCA Proposal to Current Land Uses" contained in Exhibit G.) According to Mr. Schweigert, the NCA proposal would immediately deem these areas WSAs and, consequently, over 500,000 acres of land deemed suitable for multiple use would be "locked away forever."

In conclusion, Mr. Schweigert referred to a document titled "Changes to Multiple Uses on Public Lands," contained in Exhibit G, which highlights multiple use changes as a result of NCA designations nationwide.

Senator Care commented that he attended the Committee meeting in an attempt to learn about the issues affecting public lands in Nevada, including the NCA proposal. However, the use of the word "lie," according to Senator Care, means "an intent to mislead" and any further use of the word will taint his intent to acquire knowledge about the issue. Additionally, he opined that Senator Bryan is not a liar and has the best interest of the State of Nevada at heart.

Chairman Rhoads agreed with the comments made by Senator Care.

Jim Linebaugh

Jim Linebaugh, Range Consultant, provided a document titled "Some Discussion Points on Black Rock/High Rock" (Exhibit H).

Mr. Linebaugh noted that in recent years there has been a shift in emphasis from historic, productive, and recreational uses of public resources to protection and limited human intrusion on public lands. He further noted that private land holdings have gone into public ownership. He opined that an NCA would "set the stage" for further limitations on grazing, mining, off-road vehicle use, et cetera.

Continuing, Mr. Linebaugh listed actions that have been taken to address resource concerns in the Black Rock/High Rock area. These actions, according to Mr. Linebaugh, indicate that a special designation is not needed. They include the:

- Establishment of a 24,000-acre Area of Critical Environmental Concern (ACEC) in High Rock Canyon, which provides for the removal of grazing, seasonal access restriction, acquisition of private inholdings, and mineral withdrawal;

- Update of management plans in the area and major reductions in livestock use. Grazing must now conform with the range reform “Standards and Guidelines”;
- Establishment of 852,000 acres of WSAs;
- Inclusion of the Applegate, Lassen, and Noble Emigrant Roads in the National Trails System, under the National Parks System, with use restricted along wide corridors;
- Acquisition of private lands at Soldier Meadows Ranch for protection of threatened species and conservation easements on most remaining private lands in the vicinity;
- Preparation of a special plan calling for a 35,000-acre ACEC at Soldier Meadows which would include a mineral withdrawal; and
- Near completion of a land use plan revision for 452,000 acres in the Black Rock area, calling for very restrictive visual management guidelines.

Continuing, he opined that it appears Nevada’s Senators and the NCA proponents are not aware of the “very serious work, dedication, and commitment by agencies, landowners, and other interests under existing authorities over the last quarter of this century.” He further opined that the proponents, perhaps, do not agree that lands should be used for productive pursuits, rural living, and most forms of recreation.

Mr. Linebaugh expressed hope that the State would assert some leadership in resource management and point out that multiple use is a good idea. He opined that the proposed NCA is a “slap in the face” to the residents and agency representatives who have worked in a cooperative manner for many years under existing authorities to achieve sound multiple use management. He stated that these people deserve a “pat of the back” for their work, not an NCA designation.

Mr. Abbey, previously identified, responding to Senator James, explained that there is no certainty that funds would be allocated to the BLM in conjunction with an NCA designation.

John Estill

John Estill, Soldier Meadows Ranch, noted that the BLM land use guidelines are contained in the Federal Lands Policy Management Act, and call for multiple use consistent with sustained yield. He further noted that an NCA is managed for a specific purpose, not multiple use, and can be changed at any time by the Secretary of the Interior.

According to Mr. Estill, the users of public lands contribute approximately \$10 million to the rural communities in Nevada annually. He questioned how the rural areas will continue to generate this revenue if an NCA designation occurs.

In conclusion, Mr. Estill opined that it is important to hold public hearings in the affected areas in an effort to determine the wants of Nevada’s rural residents.

Stu Brown

Stu Brown, Owner, Double Horseshoe Ranch, noted that in the past he served as president of the Nevada Cattlemen’s Association. He submitted an article titled “Bold Dream for America’s Wilderness,” which appeared in the *Los Angeles Times* on September 13, 1999 (Exhibit I). Further, he was involved with the NCAs in the King’s Range and the California Desert. He informed the Committee that the BLM did receive funding with the King’s Range NCA designation; however, the funds were used for the acquisition of land. According to Mr. Brown, King’s Range has since grown and grazing, mining, and timber harvest activities have virtually ceased. In addition, access to private lands is restricted and construction on private property is prohibited.

Susan Lynn

Susan Lynn, Executive Director, Public Resources Associates, explained that the organization is a privately funded, nonprofit, nontax-exempt entity, which provides information on public land and natural resource policy issues. Three people are involved with the group.

Ms. Lynn noted that she is a proponent of the NCA; however, Public Resources Associates has not taken a position on the issue. Additionally, Ms. Lynn noted that she seeks to maintain multiple use of the area. She further explained that the Applegate-Lassen Trail has been designated as a National Historic Trail.

Ms. Lynn expressed that an NCA does not have preconceived regulations (i.e., there is no generic regulatory body) rather, the designation calls for a planning process. Further, an NCA does not intend to preclude activities in the desert.

Continuing, Ms. Lynn explained that she supports an NCA designation because there is no area in the United States that “recognizes the hardships and economic expansion of the west like a trail does.” She informed the Committee that the trail carried between 25,000 to 40,000 western travelers. Further, Fly Canyon includes the largest potholes (geologic formations) “that we know of” and “possibly the largest playa in western America.”

She provided a document titled “National Conservation Areas administered by the Bureau of Land Management (April 1997)” (Exhibit J).

Responding to a question posed by Chairman Rhoads, Ms. Lynn informed the Committee that she would support the addition of language allowing for multiple use in an NCA.

Ron Vance

Ron Vance, High Rock Trekkers, explained that the 4-wheel drive organization has approximately 42 members and intends to preserve the High Rock Canyon and the Applegate-Lassen Trail. The group is based in California; however, Mr. Vance and many members reside in Nevada.

Mr. Vance explained that he is opposed to the NCA designation due to the results of the NCA designation in the King Range located in northern California. He noted that in the interest of time, the Committee may refer to his a prepared statement for additional information regarding the reasons for his opposition (Exhibit K). He invited the Committee to contact him with any questions.

Chairman Rhoads thanked Mr. Vance for complying with the Chairman’s request for brief comments.

Marian Goodell

Marian Goodell, Communications and Business Manager, Burning Man Event, explained that Burning Man is an annual seven-day art and cultural event that began on a beach in San Francisco, California, in 1986. The event has been held in the Black Rock Desert since 1990 and in 1999 there were approximately 23,000 attendees from 35 states and 12 countries. The Black Rock site has been moved each year based on water (i.e., damp areas were unavailable). She noted that in 1997, the event was held on private land. In 1998 and 1999 the event was held at the southern tip of the desert, within the boundaries of Pershing and Washoe Counties.

Continuing, Ms. Goodell explained that the event would not be affected by an NCA designation if it were held in the 1999 location indefinitely. However, the event intends to move further into the desert; therefore, the proposed boundaries would affect the event.

She noted that 1999 was the best event thus far and cooperation was experienced with the BLM, the Counties of Pershing and Washoe, and the community of Gerlach. Further, the BLM has recently “signed off” on the clean up of the event and Terry Reid, previously identified, noted that the group did comply with all clean up agreements. Ms. Goodell opined that this demonstrates that the Burning Man Event participants are responsible stewards of the land.

Next, Ms. Goodell explained that Burning Man is a limited liability corporation consisting of six full-time partners, ranging in age from 35 to 54 years, and a five-member managing board. Additionally, the group employs 40

seasonal workers and 400 seasonal volunteers. Participants of the event range in age from children to 70 years from a plethora of occupational, political, and religious backgrounds. An unofficial survey determined that the average income of a participant is between \$40,000 and \$50,000. Event attendees spend approximately \$500 per person in Nevada in conjunction with traveling to and from the event, which translates into \$1.2 million spent in 1999. Additionally, the Burning Man Corporation spent about \$750,000 in Nevada in 1999. She further noted that people “discover” Nevada and return for other activities offered by the State.

In conclusion, Ms. Goodell explained the Draft EIS indicates that special recreation permits would be significantly limited, not just for the Burning Man Event, but for all groups of people with over 49 participants. Additionally, the Draft EIS shows that the location and number of attendees would be arbitrarily limited. She noted that the Burning Man Corporation does not intend to become political with regard to the NCA, due to the diverse population to which the event caters. However, should the NCA create legislation which would affect the event, the Corporation will oppose such a designation.

Responding to Chairman Rhoads, Ms. Goodell expressed concern that without specific language protecting special recreation permit group use, closure of the event will be threatened. Additionally, the event would not be allowed on any of the eight NCAs in existence.

Senator Care noted that in the Draft EIS, one of the alternatives discussed, with regard to special recreation permit group use, is assessing a fee of 3 percent of gross receipts. Ms. Goodell explained that in 1998 and 1999, the event paid for support from Pershing and Washoe Counties, and paid \$67,000 to the BLM for direct costs recovery. In the future, the event will face a new fee schedule that is based on a \$4 daily per person charge, which will translate to approximately \$400,000. She noted that this will “seriously affect the event.”

Karen Boeger

Karen Boeger, Acting Executive Director, Friends of Nevada Wilderness, explained that she is sympathetic to the concerns of the agriculturists and ranchers and is herself a member of a family that engages in both occupations. She provided the Committee with three documents concerning the Black Rock Desert and High Rock Canyon (Exhibit L). Please refer to the “List of Exhibits” for details.

Ms. Boeger informed the Committee that an informal group has developed a “Citizens’ Proposal for the Black Rock/High Rock American Heritage National Conservation Area,” contained in Exhibit K. The group supports both an NCA and WSAs within the NCA. She opined that an NCA would provide “additional tools” to the agencies that manage the area. Further, an NCA would elevate the area in the “eyes of the BLM” and increase the efficiency and coordination between the federal and state agencies charged with managing the area. Ms. Boeger also noted that visitor’s centers in the NCA could provide maps and information regarding the area.

In conclusion, she noted that reaching agreements through the public input process is a goal of the organization.

In response to Chairman Rhoads, Ms. Boeger noted that the “Citizens’ Proposal for the Black Rock/High Rock American Heritage National Conservation Area” supports grazing and off-road vehicle use.

Responding to Commissioner Dufurrena, Ms. Boeger explained that the group intends to protect the entire area, including the trail, playa, and vistas, but does not intend to close the roads in the playa.

C. Joseph Guild III and John Falen

C. Joseph Guild III, President, Nevada Cattlemen’s Association, provided the Committee with a document titled “Resolution 17, Public Lands Committee, Nevada Cattlemen’s Association and Nevada Woolgrowers Association, Joint Convention, Elko, Nevada, November 13, 1999” (Exhibit M). The document outlines the groups’ position opposing the NCA. Additionally, Senator Bryan has been cooperative in discussing the issues and concerns with the two groups.

Continuing the presentation, John Falen, Chairman, Cattlemen’s Association’s Public Lands Committee, explained that the group became involved with the NCA issue following concerns expressed by John Estill, Stu Brown, and other affected parties. Since then, many meetings have been held, two of which were with Senator Bryan.

Mr. Falen questioned the need for an NCA to protect the area and noted that if designated, the legislation must provide language “we can live with.” He noted that associations, counties, and industries in Nevada have resolutions against the NCA and if Senators Bryan and Reid go against the resolutions, “we should oppose the NCA and allow the Antiquities Act to kick in.” He explained that the Antiquities Act allows the President of the United States, by proclamation, to designate the land as a National Monument or other protective designation of this type.

Mr. Guild noted that, if passed, the NCA legislation would contain language to allow for grazing and other multiple use activities. However, he expressed concern that eventually, as with the previously discussed NCAs, the multiple use activities will cease. He cited the Hells Canyon/Snake River NCA, where grazing was not “guaranteed,” rather it was to be given “consideration.”

In conclusion, Mr. Guild urged the Committee to seriously consider the proposed NCA and opined that the area is already receiving necessary protection through current management practices.

Rangeland Rehabilitation Efforts Following Recent Fires in Northern Nevada

Pat Murphy

Pat Murphy, Project Manager, Emergency Fire Rehabilitation (EFR) Team and Deputy State Forester, Nevada’s Division of Forestry, SDCNR, explained that the packet of information he provided, contains documents that “sum up” all EFR actions to date (Exhibit N). Please refer to the “List of Exhibits” for details.

Mr. Murphy explained that the 1999 wildfires, which were larger than in years past, occurred mainly in the “Cheatgrass Areas” of Nevada. He noted that approximately 1.6 million acres burned in Nevada, which had a tremendous impact on humans; homes were lost, hundreds of people were displaced, and lives were lost as a result of accidents caused by debris and dust blowing across the highway, due to the burned surroundings. Further, Nevada experienced losses of riparian wildlife habitat and both summer and winter livestock grazing areas. Watersheds experienced tremendous impacts as well. There was a loss of recreational areas and over 600 miles of fence on both public and private lands are in need of repair. Additionally, areas of cultural value have been opened to looting. Mr. Murphy indicated that in his 26 years of fire suppression involvement in Nevada he has never seen “fire activity as I have seen it this year.” He stressed the need to rehabilitate the Cheatgrass invaded areas.

Continuing, Mr. Murphy noted that rehabilitation of the affected areas is not enough because it is just the first step in the long process of restoration. He compared rehabilitation to setting a broken bone; it is the first step before the healing begins. He explained that rehabilitation is not enough and complete restoration is the key.

In response to the fires of 1999, Burn Area Emergency Rehabilitation (BAER) teams were sent to Elko and Winnemucca. The national teams are made up of 11 to 14 specialists including archaeologists, environmental protection specialists, mapping specialists, range conservationists, watershed specialists, and wildlife biologists. The two objectives of the teams were to: (1) prescribe post-fire mitigation measures necessary to protect human life, property, and critical cultural and natural resources; and (2) restore the integrity of affected lands in the courts with a land management plan for the impacted resource areas.

The BAER teams prepared descriptions of necessary work, which included aerial, drill, and chain seeding, road maintenance, watershed stabilization, and wildlife habitat restoration. Further, the BAER teams compiled cost estimates and specifications for the work and developed maps using a Geographic Information System. Additionally, two remote automated weather stations were installed along Interstate 80, one at Argenta and the other at Emigrant Pass. These stations will notify the weather service in Elko, as well as the Nevada Highway Patrol, when precipitation exceeds one-quarter inch per hour. Consequently, the responsible agencies will be able to address the potential for debris flow on highways. Warning signs regarding dust hazards and debris flow over roadways were posted, noted Mr. Murphy. Further, gatherings of approximately 1,900 wild horses from management areas have occurred.

Following the BAER team report, the EFR team was organized. The EFR team is an interagency team which oversees all actions on public and private lands and shares equipment, finances, information, and resources.

Regarding reseeding efforts, Mr. Murphy noted that it is necessary to test seed for noxious weeds and provide proper storing facilities. He explained that drill seeding efforts have commenced and a drill seeding unit is capable of seeding 100 acres per day. Some aerial seeding has commenced; however, the majority of the contracts will be awarded in January 2000. Additionally, "chaining" efforts, which till the soil and prepare it for aerial seeding, have begun.

In conclusion, Mr. Murphy informed the Committee that there is a potential for an increase of noxious weeds in Nevada due to the recent fires. He noted that the State Department of Agriculture has indicated that Cheatgrass may be a "blessing" compared to other noxious weeds which may potentially invade the area. He again stressed the need to rehabilitate areas that have been invaded by Cheatgrass and other noxious weeds.

Responding to Commissioner Dufurrena, Mr. Murphy explained that not all of the reseeding contracts have been awarded because "culture clearance" must be obtained prior to commencing tillage.

In response to Chairman Rhoads, Mr. Murphy explained that approximately one-third of the burned area will be reseeded and 10 percent of this is complete. The BAER team determined that the remaining two-thirds of the burned area will self-rehabilitate.

Reclamation costs will be approximately \$42 million, noted Mr. Murphy in response to Assemblyman Neighbors.

Responding to Assemblyman Neighbors, Mr. Murphy noted that the desired seed to use in reclamation efforts are of perennial native grass species.

PUBLIC COMMENT

Tim Crowley

Tim Crowley, Nevada Mining Association, noted that the organization has an interest with regard to the proposed Black Rock Desert-High Rock Canyon NCA. He explained that there might be areas of high gold mineralization, which warrant exploration and perhaps mining within the proposed NCA. The association has discussed these concerns with Senator Bryan and will continue to maintain involvement in the issue.

Ed Dunkley

Ed Dunkley, President, High Rock Trekkers, explained that the organization provides conservation assistance and guided tours of the Lassen-Applegate Trail. Further, the group volunteers time to the BLM. He noted that the "off-highway people are doing their part out there and that's a lot more than some of these other people."

Bob Walker

Bob Walker, resident of Lovelock, informed the Committee that a citizens petition containing 1,700 signatures opposing the BLM management plan of the Black Rock Desert was recorded with the Nevada Legislature. However, in the June 1999 flyer titled "The Black Rock News," produced by the BLM, this petition was not reflected.

Continuing, Mr. Walker inquired if the Committee would request that Senator Bryan not introduce the proposed NCA legislation until public hearings have been conducted. Chairman Rhoads noted that such action is not within the Committee's jurisdiction. However, the Committee will take a "good look" at the legislation should a proposal be introduced.

Tebeau Piquet

Tebeau Piquet, Acting Chairman, Public Lands Access Network - High Desert Coalition, thanked the Committee for holding a meeting in Lovelock. He opined that the Committee is "Nevada's finest legislative extension into America's quality of life."

Chairman Roads thanked the speakers and noted that the next Committee meeting is scheduled for January 20, 2000,

in Las Vegas, Nevada, and an informational tour of Nellis Air Force Base will be held on January 21, 2000.

There being no further business to come before the Committee, Chairman Rhoads thanked the speakers and adjourned the meeting at 5 p.m.

Exhibit O is the "Attendance Record" for this meeting.

Respectfully submitted,

Christine Kuhl
Senior Research Secretary

Michael J. Stewart
Senior Research Analyst

APPROVED BY:

Senator Dean A. Rhoads, Chairman

Date: _____

LIST OF EXHIBITS

Exhibit A is a packet of information prepared for the Committee by Michael J. Stewart, Senior Research Analyst, Research Division, Legislative Counsel Bureau.

Exhibit B is a letter dated December 15, 1999 from Robert S. Hadfield, Executive Director, Nevada Association of Counties, dated December 15, 1999, to Senator Dean Rhoads and Members of the Legislative Committee on Public Lands.

Exhibit C, provided by Glen C. Miller, Ph.D., Professor of Environmental and Resource Sciences, College of Agriculture, University of Nevada, Reno, is a copy of the "NCERQA Grant Progress Report."

Exhibit D, provided by Rich Haddock, Senior Counsel, U.S. Operations, BGMC Goldstrike Mining Company, is a document titled "Barrick Goldstrike Mines Inc. Water Management Statistics" and a brochure titled "Barrick in Nevada."

Exhibit E, provided by Terry Reid, Field Manager, Winnemucca Field Office, BLM, consists of the following documents:

1. "BLM Nevada Resource Advisory Council Members; Sierra Front-Northwestern Great Basin";
2. "Black Rock Plain EIS Schedule"; and
3. Black Rock Desert - Draft EIS.

Exhibit F is a letter, dated December 15, 1999, from Tebeau Piquet, addressed to Nevada's Legislative Committee on Public Lands concerning the potential Black Rock Desert National Conservation Area proposal.

Exhibit G, provided by Bob Schweigert, Owner, Intermountain Range Consultants, consists of the following documents:

1. A letter dated December 15, 1999, to Nevada Legislative Committee on Public Lands, from Public Lands Access Network – High Desert Coalition;
2. A “Guide to understanding NCA’s, dated December 12, 1999, from David Rankine, Esq.;
3. A document titled “Comparison of Acreage of NCA Proposal to Current Land Uses”;
4. A document titled “Changes to Multiple Uses on Public Lands”; and
5. A map, which outlines the proposed NCA boundary in the Black Rock/High Rock Desert.

Exhibit H, submitted by Jim Linebaugh, Range Consultant, is a document titled “Some Discussion Points on Black Rock/High Rock.”

Exhibit I, submitted by Stu Brown, Owner, Double Horseshoe Ranch, is an article titled “Bold Dream for America’s Wilderness” which appeared in the *Los Angeles Times* on September 13, 1999.

Exhibit J, provided by Susan Lynn, Executive Director, Public Resources Associates, is a document titled “National Conservation Areas administered by the Bureau of Land Management (April 1997).”

Exhibit K is the prepared statement of Ron Vance, High Rock Trekkers.

Exhibit L, provided by Karen Boeger, Acting Executive Director, Friends of Nevada Wilderness consists of the following documents:

1. Two maps of the Black Rock/High Rock area;
2. A newspaper article titled “Black Rock trek retraces past,” which appeared in the *Reno Gazette-Journal* on December 13, 1999; and
3. A document titled “Citizens’ Proposal for the Black Rock/High Rock American Heritage National Conservation Area.”

Exhibit M, provided by C. Joseph Guild III, President, Nevada Cattlemen’s Association, is a document titled “Resolution 17, Public Lands Committee, Nevada Cattlemen’s Association and Nevada Woolgrowers Association, Joint Convention, Elko, Nevada, November 13, 1999.”

Exhibit N, provided by Pat Murphy, Project Manager, Emergency Fire Rehabilitation Team and Deputy State Forester, Nevada’s Division of Forestry, State Department of Conservation and Natural Resources consists of the following documents:

1. “Battle Mountain Field Office 1999 Emergency Fire Rehabilitation”;
2. “Carson City Field Office 1999 Emergency Fire Rehabilitation”;
3. “Elko Field Office 1999 Emergency Fire Rehabilitation”;
4. “Winnemucca Field Office 1999 Emergency Fire Rehabilitation”;
5. “1999 Northern Nevada Proposed Emergency Fire Rehabilitation Efforts General Summary”;
6. “EWP Fire Rehabilitation Projects”;
7. “Organizational Assignment List”; and

8. “Nevada’s Fires 1999.”

Exhibit O is the “Attendance Record” for this meeting.

LIST OF ACRONYMS

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ACEC	Area of Critical Environmental Concern
BGMC	Barrick Goldstrike Mining Company
BAER	Burn Area Emergency Rehabilitation
BLM	Bureau of Land Management
CWA	Clean Water Act
DOI	United States Department of the Interior
EFR	Emergency Fire Rehabilitation
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
GPM	Gallons per minute
LCB	Legislative Counsel Bureau
NACO	Nevada Association of Counties
NCA	National Conservation Area
NDEP	Nevada’s Division of Environmental Protection
NDOW	Nevada’s Division of Wildlife
NMC	Newmont Mining Corporation
NPDES	National Pollutant Discharge Elimination System
TMDL	Total Maximum Daily Load
UNR	University of Nevada, Reno
USGS	United States Geological Survey
SDCNR	State Department of Conservation and Natural Resources
WSA	Wilderness Study Area