



**MINUTES OF THE MEETING
OF THE
LEGISLATIVE COMMITTEE ON PUBLIC LANDS**

(Nevada Revised Statutes 218.5363)

December 14, 1999

Carson City, Nevada

The first meeting during the 1999 - 2000 interim of the of the Nevada Legislature's Committee on Public Lands (*Nevada Revised Statutes* [NRS] 218.5363) Subcommittee to Review Proposals and Grant Requests for Money Appropriated in Senate Bill 560 of the 1999 Legislative Session was held on Tuesday, December 14, 1999, at the Legislative Building, Room 3135, Carson City, Nevada. Pages 2 through 5 contain the "Meeting Notice and Agenda" for this meeting.

COMMITTEE MEMBERS PRESENT:

Assemblyman John W. Marvel, Chairman

Senator Mark James

Assemblyman P.M. Roy Neighbors

OTHER LEGISLATORS IN ATTENDANCE

Assemblyman Marcia de Braga

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Michael J. Stewart, Senior Research Analyst, Research Division

J. Randall Stephenson, Senior Deputy Legislative Counsel, Legal Division

Kim Marsh Guinasso, Principal Deputy Legislative Counsel, Legal Division

Terrie Williams, Research Secretary, Research Division

MEETING NOTICE AND AGENDA

Name of Organization: Nevada's Legislative Committee on Public Lands (*Nevada Revised Statutes* 218.5363)
Subcommittee to Review Proposals and Grant Requests for Money Appropriated in Senate Bill 560 of the
1999 Legislative Session

Date and Time of Meeting: Tuesday, December 14, 1999

1 p.m.

Place of Meeting: Legislative Building

Room 2135

401 South Carson Street

Carson City, Nevada

AGENDA

I. Opening Remarks and Introductions by Subcommittee Chairman

Assemblyman John W. Marvel

*II. Brief Overview of Senate Bill 560 of the 1999 Legislative Session and the Criteria and Guidelines for the Use of Money Appropriated in S.B. 560 to Nevada's Legislative Committee on Public Lands

*III. Proposed Projects and Requests for Grants:

*A. Scoping Study Regarding the Controlled Harvest of Piñon Juniper in Lincoln County

John McClain, Principal, Resource Concepts

*B. Humboldt River Basin Assessment

Peter G. Morros, Director, State Department of Conservation and Natural Resources

R. Michael Turnipseed, State Engineer, Nevada's Division of Water Resources

Russ Plume, Hydrologist, United States Geological Survey

*C. Las Vegas Springs Preserve - Native Habitat Revegetation Project

Las Vegas Wash/Wetlands - Public Education Project

Leisa Whittum, Management Analyst, Las Vegas Valley Water District

*D. Economic Analysis of Mine Dewatering - Effects in Northeastern Nevada

Representatives, Eureka and Elko Counties

Representative, University of Nevada, Reno

*E. Acquisition of Bureau of Land Management (BLM) Land in Caliente, Nevada

Bryan R. Elkins, Director, Community Development

*F. Purchase of Federal Land in Carlin

Cherie Aiazzi, Carlin City Clerk

*G. Acquisition of Federal Lands Adjacent to the Indian Hills General Improvement District (GID)

Jim Bentley, General Manager, Indian Hills GID

*H. Development of Alternative Grazing Fee Structures

William O. Champney, Associate Professor Emeritus, Department of Applied Economics and Statistics, University of Nevada, Reno.

*I. Creating Preferred Grazing Alternative in Forest Plan Amendments of the Humboldt-Toiyabe National Forest Funding Request to Assist in the Appeal of *Public Lands Council et al.v. Babbitt*

C. Joseph Guild III, President, Nevada Cattlemen's Association

*J. Determining the Conflicts Between Elk and Livestock on Nevada Rangelands

Glenn Terry, White Pine County

*K. Request by the Town of Gardnerville for Participation in the Martin Slough Water Quality Enhancement Project

Robert Fellows, P.E., Lumos and Associates

*L. Research on BLM Land Disposal and Exchanges - BLM's Association With Not- For-Profit Organizations

Jim Olds, President, Private Land Advocates, Inc.

***M. Study Regarding Federalism - Impacts of Federal Rule Making**

John L. Dobra, Ph.D., Natural Resource Industry Institute

***N. Statewide Public Lands Symposium**

Exploring Feasibility of Developing Consensus Regarding Bureau of Land Management Wilderness Study Areas

Update of Statewide Public Lands Policy as Part of Senate Bill 40

Study to Enhance the Facilitation of BLM Public Lands Sales

Pamela B. Wilcox, Administrator, State Department of Conservation and Natural Resources

***O. Planned Acquisition of Federal Lands in the City of North Las Vegas Under the Recreation and Public Purposes Act (two sites)**

Jacquelin Risner, Economic Development Manager, City of North Las Vegas

***P. Update of Urban Interface Plan with the BLM and Development of Master Plan for Utilization and/or Acquisition of Federal Lands in Carson City**

Rob Joiner, Principal Planner, Carson City

Walter Sullivan, Community Development Director, Carson City

***Q. Sagebrush Conservation Plan**

Gary Back, Northeast Nevada Stewardship Group

Leta Collord, Northeast Nevada Stewardship Group

***R. U.S. Highway 95/Bonanza Trail Development**

Chris Knight, Comprehensive Planning Manager, City of Las Vegas

*S. Study of Nevada Mining Industry's Economic Impact on Businesses in Other States

Dana R. Bennett, Research By Design

*T. Evaluation of Water Management Alternatives on the Humboldt River Basin

Mike Baughman, Executive Director, Humboldt River Basin Water Authority

*U. Publication of Public Lands Fact Handbook - Facts for Resource Users

C.J. Hadley, Publisher, *Range Magazine*

*V. Influence of Hydrological Change on the Channel of the Humboldt River

Kyle House, Ph.D., Research Geologist, Nevada Bureau of Mines and Geology

*W. Request for Allocation of Funds for Well Owner Reimbursement Pursuant to Assembly Bills 408 and 347 of the 1999 Legislative Session

Ray Preston, President, Nevada Well Owners Association, Las Vegas

*X. Nevada Abandoned Mine Lands Database Update

Project to Index, Microfilm, and Digitize the Nevada Bureau of Mines and Geology Mining District Files

Ronald Hess, Geologic Information Systems Specialist, Nevada Bureau of Mines and Geology Representative, Nevada Micrographics and Imaging Program

David A. Davis, Geologic Information Specialist, Nevada Bureau of Mines and Geology

IV. Public Comment

*V. Work Session on Preceding Agenda Items

*Denotes items on which the subcommittee may take action.

NOTE: Presenters may be taken out of order at the discretion of the chairman.

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 Clark County Office, 500 South Grand Central Parkway.

OPENING REMARKS AND INTRODUCTIONS

Assemblyman John Marvel, Chairman of the Nevada's Legislative Committee on Public Lands (*Nevada Revised Statutes* (NRS) 218.5363) Subcommittee to Review Proposals and Grant Requests for Money Appropriated in Senate Bill 560 of the 1999 Legislative Session, called the meeting to order at 1:01 p.m.

BRIEF OVERVIEW OF SENATE BILL 560 OF THE 1999 LEGISLATIVE SESSION AND THE CRITERIA AND GUIDELINES FOR THE USE OF MONEY APPROPRIATED IN S.B. 560 TO NEVADA'S LEGISLATIVE

COMMITTEE ON PUBLIC LANDS

After introducing members of the subcommittee and staff, Chairman Marvel noted \$1,073,152 in grant requests have been received. He stated the subcommittee has broad discretionary powers in regard to the allocation of the funds. The funds must be used: (1) to maximize opportunities for the transfer and acquisition of federal public lands within Nevada; (2) to study water management practices within the Humboldt River Basin; and (3) any other purpose related to maximizing the utilization and enjoyment of public lands by Nevadans. In addition, the money appropriated pursuant to subsection 6, of S.B. 560, states that the appropriation may be expended directly by the Legislative Committee on Public Lands or through money granted to applicants.

Chairman Marvel announced an extended deadline for submission of grant requests of December 31, 1999. He said it was not the duty of the subcommittee to decide which proposals would receive funding, but to make grant award recommendations to the Legislative Committee on Public Lands. He cautioned that the Public Lands Committee was not obligated to accept any recommendations from the subcommittee. Assemblyman Marvel invited any additional

presenters not on the agenda to sign in and be prepared to speak during the public comment section. He reminded all presenters that "Criteria and Guidelines" for the S.B. 560 proposals must be signed.

Assemblyman Marvel stated that the bill draft deadline for comments regarding future legislative action for the Public Lands Committee is September 2000.

Assemblyman P.M. Roy Neighbors made the following statement regarding his involvement in the mining industry:

As a mine owner, I am professionally involved in the mining industry. Although many of the grants proposed at this meeting could benefit the mining industry generally, any benefits accruing to me as a result of a grant being awarded will not be greater than those accruing to any other person who owns mining property who is involved in the mining 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 Marvel stated that he no longer participates in the cattle business, and has no interest with grazing fees, or any subjects related to grazing fees.

The chair recognized the presence of Assemblyman Marcia de Braga in the audience.

PROPOSED PROJECT AND REQUESTS FOR GRANTS

A. Scoping Study Regarding The Controlled Harvest of Piñon Juniper in Lincoln County

John McClain

John McClain, Principal, Resource Concepts, Carson City, Nevada, presented a grant proposal titled "Piñon-Juniper Sustainable Harvest Management Issues Scoping Process," prepared by the Lincoln County Regional Development Authority (Exhibit A).

Mr. McClain provided the following background:

- Piñon and juniper trees are invader-climax species and are not conducive to a healthy ecosystem.
- Previously, the Piñon-Juniper woodland encompassed approximately 11 millions acres and was used traditionally for Christmas tree harvest and firewood.
- Recently, the Piñon-Juniper woodland has benefitted from the fire-suppression policy and spread to 30 million acres, which caused a shift in economic considerations by the decreased watershed values, wildlife habitat, and livestock forage.
- The present United States Department of the Interior, Bureau of Land Management (BLM), containment policy consists of chaining and burning the Piñon-Juniper woodlands instead of harvesting it for wood products.

Mr. McClain explained that the Lincoln County Regional Development Authority grant proposes to encourage the sustained harvest and utilization of piñon and juniper through the following wood products:

- Landscaping wood chips;
- Fuel for thermal or electrical energy production; and
- Wood fiber content in various oriented structure board products.

Mr. McClain closed his presentation by stating that converting a wood product such as the Piñon-Juniper into a commercial product will improve Nevada's economic conditions, especially in the rural areas.

Assemblyman Marvel asked if the Piñon-Juniper woodland would be treated as a renewable resource, or if the goal of the program is elimination. Mr. McClain stated that the program will harvest only mature trees in closed canopy situations and the cleared areas would be seeded to provide ground cover and forage for wildlife habitat and livestock.

Mr. McClain said the proposal intends to identify and inform potential stakeholders of the issues to address for the

development of a comprehensive harvest management plan and related environmental impacts. He said the estimated time line of the proposed "scoping project" and document preparation is three to four months.

Assemblyman Marvel said it would be encouraging to see economic benefits from the harvest of the Piñon-Juniper. Mr. McClain agreed but cautioned that the Piñon-Juniper are viewed as a resource to some for the value of the pine nuts alone. He said the proposed study would identify and address all public concerns.

Assemblyman Neighbors noted the proposal referred to a \$1.2 million request of the Federal Government and asked if NTS Development Corporation helped with funding. Mr. McClain said NTS Development Corporation has offered to help Lincoln County take the proposal to United States Senator Harry Reid.

Total Request: \$25,200.

B. Humboldt River Basin Assessment

R. Michael Turnipseed

R. Michael Turnipseed, State Engineer, State of Nevada Department of Conservation and Natural Resources (SDCNR), Carson City, presented a grant proposal and submitted two reports titled "The Humboldt River Basin Assessment Progress Report-October 1997," and "The Humboldt River Basin Assessment" (Exhibit B). He explained that a study by the United States Geological Survey, United States Department of the Interior (USGS) of groundwater pumped by the mines, focused on the mining activity in the "Carlin trend area north of Carlin, Nevada, from 1990 until 1994. The Humboldt River Basin Assessment (HRBA) is an ongoing project to provide a better understanding of the effects of mine dewatering.

Terry Reese and Russ Plume

Terry Reese, Associate District Chief, USGS, Reno, introduced Russ Plume, Project Chief, HRBA, Hydrologist, USGS, Carson City, who gave a slide presentation on the history of the HRBA. Mr. Plume noted the HRBA's objective is to determine the impacts of all the different water uses in the Humboldt River Basin on the magnitude and timing of the flow of the Humboldt River. The three goals for the Humboldt River Basin study are to:

- Appraise the ground and surface water resources of each hydrographic area;
- Determine the contribution of each hydrographic area as to the quantity and timing of flow in the main-stem section of the river; and
- Account for all major water uses.

Mr. Reese then explained that the HRBA has a coordinating committee which oversees the direction that the Assessment takes and makes decisions regarding which hydrologic issues receive priority status. Members of the committee include representatives from the USGS, SDCNR, BLM, and financially participating mining companies.

Mr. Reese said the proposed grant will fund Phase II of the project and these funds will be matched by the USGS. Also, SDCNR and several mining companies have committed monies. This is part of a five-year study. The majority of expenditures will be incurred during the first several years for data collection and the creation of a linked groundwater surface water model for the middle Humboldt River Basin. Once a model is created, it would be used to evaluate natural variations in stream flow and test different pumping scenarios and effects on the Humboldt River.

Total Request: \$50,000

C. Las Vegas Springs Preserve - Native Habitat Revegetation Project and Las Vegas Wash/Wetlands - Public Education Project

Leisa Whittum

Leisa Whittum, Management Analyst, Las Vegas Valley Water District, presented a packet of documents from the Las Vegas Springs Preserve (LVSP) and the Southern Nevada Water Authority (SNWA) for the proposed LVSP Native Habitat Revegetation Project (Exhibit C). She explained the purpose of the project is to educate people regarding: (1) the history of the Las Vegas Valley; (2) ecology; and (3) the importance of water.

Ms. Whittum said the goal of the project is to preserve and restore native plant communities covering 15 acres within

the 180-acre LVSP site. The study consists of gathering data and conducting surveys pertaining to natural vegetation and the objectives are to:

- •Preserve and manage unique and rare native habitats for conservation, education, and public enjoyment;
- •Increase habitats by revegetation of previously disturbed areas; and
- •Provide increased habitat for species, plants, and animals to extend long term survival.

Chairman Marvel asked Ms. Whittum to identify the endangered species in this area. She listed the Desert Pocket Mouse and the Bear Poppy. He asked if the public would still be able to enjoy areas deemed endangered species habitats. She said the public could enjoy some habitats from a distance and utilize close-up windows to view other habitats.

Total Request, Las Vegas Springs Preserve - Native Habitat Revegetation Project: \$18,500.

Ms. Whittum then detailed a second proposal to create a public education outreach project entitled "Watch Our Wetlands Grow." The components of the grant are:

- •The creation of an interactive component to be added to SNWA's Web site, which will allow the public to follow the Las Vegas Wash Committee efforts during a four month bioengineering demonstration project at an existing erosion control structure in the Las Vegas Wash;
- •To stabilize erosion in the Las Vegas Wash;
- •Provide water quality "polishing"; and
- •Provide additional wildlife habitat.

Chairman Marvel pointed out there has been increased activity with flood and erosion control in the Las Vegas Wash. He said a portion of Las Vegas sales tax is allocated to flood control. Ms. Whittum pointed out that the quarter-cent tax has been used countywide since 1987 for the public safety side of flooding.

Ms. Whittum concluded by saying proposed grant targeted Las Vegas Wash, and was part of a larger effort on behalf of the Las Vegas Wash Coordination Committee.

Total Request, Las Vegas Wash/Wetlands - Public Education Project: \$18,500.

D. Economic Analysis of Mine Dewatering - Effects in Northeastern Nevada

Peter J. Goicoechea and Rangesan Narayanan, Ph.D.

Peter J. Goicoechea, Commissioner, Eureka County, Nevada, and Rangesan Narayanan, Ph.D., Professor and Associate Dean, Department of Applied Economics and Statistics, Associate Dean of Outreach, College of Agriculture, University of Nevada, Reno (UNR), submitted a proposal entitled "Economic Analysis of Mine De-Watering Effects in Northeastern Nevada" (Exhibit D). Mr. Goicoechea said the proposal intends to compile existing data collected by both the USGS and the Humboldt River Basin Water Authority.

He explained that Elko and Eureka Counties have joined forces to support this proposal for "number crunching" data from the mine's model and the social economic impacts from the UNR study for immediate results. He expressed concern that other proposed studies will not be completed for several years, and the need for this kind of information is currently critical.

Dr. Narayanan stated that he, along with Thomas R. Harris, Interim Chair and Professor, Department of Applied Economics and Statistics, UNR, and William O. Champney, Associate Professor Emeritus, Department of Applied Economics and Statistics, UNR, and Eureka County, worked on a socioeconomic impact analysis. From this analysis, an input-output analysis was developed for Eureka County.

Dr. Narayanan said the purpose of the proposed study is to:

- Evaluate projections of gold production and potential Humboldt River baseline flows;

- Determine if additional agricultural production possibilities exist due to these flows; and
- Examine the positive and negative impacts through the input-output analysis.

Chairman Marvel asked if the proposed study duplicates the current USGS and state studies. Dr. Narayanan said the proposed study will use much of the hydrologic data generated by the USGS and state studies in determining the economic impact.

Responding to a question from Chairman Marvel regarding the possibility of combining some of the Humboldt Rivers Studies, Mr. Turnipseed noted that the state and federal studies are primarily concerned with water, while the study proposed by Eureka and Elko Counties focuses on economic considerations. He further stated that the results of the water studies would be made available for the economic study.

Commissioner Goicoechea listed the phases of the proposed study:

- Phase one consists of studies of the socioeconomic impacts and studies of the proposed dewatering in the Boulder Basin. Funding for phase one is complete.
- Phase two consists of the hiring of a professional consultant to quantify and qualify the data from the other studies.
- Phase three is a river-wide assessment.

Commissioner Goicoechea concluded his comments by requesting funding for phase two.

Total Request: \$50,000.

- **Acquisition of Bureau of Land Management (BLM) Land in Caliente, Nevada**

Bryan R. Elkins, Director, Community Development, Caliente, Nevada, proposed a grant to fund the acquisition of BLM land by the City of Caliente (Exhibit E).

Mr. Elkins explained the City of Caliente needs additional funds to purchase lands from BLM to facilitate the immediate groundbreaking for an industrial park. The BLM has been supportive of these efforts, and a manufacturer, Estrudex Environmental Technologies (ETT), has committed to the project. This firm anticipates creating 180 jobs within the first year, doubling the employment rate for the City of Caliente.

Mr. Elkins said the industrial park cannot move forward until the City of Caliente purchases the land from the BLM. The land will be assessed as unimproved industrial land with a rough estimate cost of \$2,000 per-acre.

Chairman Marvel asked how this issue correlated with the "Reid Bill" (S.1331). This is a bill to give Lincoln County, Nevada, the right to purchase at fair market value certain public land in the county. Mr. Elkins stated that there was legislation submitted by United States Senator Harry Reid (D-Nevada) which referred to the Alamo and the Caliente Industrial Parks. The legislation will be separated into two distinctive pieces with the Caliente piece reintroduced in January 2000.

Assemblyman Neighbors said he attended a recent meeting with Senator Reid who is attempting to free up some of the land locked areas near the City of Caliente, because of the depressed tax base. Mr. Elkins reported 98.2 percent of the land in Lincoln County is federally owned, which limits expansion plans. Assemblyman Neighbors stated that Lincoln County has more federally owned land than any county in the United States.

Mr. Elkins concluded by stating a long-term lease will be extended to ETT with stipulation that should ETT withdraw from the area, all buildings and infrastructure improvements would revert to the City of Caliente without cost.

Total Request: \$32,262.

F. Purchase of Federal Land in Carlin

Cherie Aiazzi

Cherie Aiazzi, Carlin City Clerk-Treasurer, Carlin, Nevada, requested funds for The City of Carlin to purchase BLM land for industrial use (Exhibit F).

Ms. Aiazzi stated that the proposal would partially reimburse the City of Carlin for the 1991 purchase of BLM land located within an existing industrial park in the City of Carlin. Sixty acres of the purchased land was not available for development until this year pending the completion of various studies including BLM evaluation, State Historic Preservation mitigation, and an archeological study.

Ms. Aiazzi reported the City of Carlin's population is declining while assessed property values continue to rise. Currently, only three business are located in the industrial park and the City of Carlin cannot offer tax incentives to bring additional businesses into the area.

Chairman Marvel asked Ms. Aiazzi if there were other funding sources. She answered that the local mines were willing to assist the City of Elko, but the City of Carlin received little.

Chairman Marvel said the subcommittee needed research to determine if the City of Carlin's proposal met the qualifications.

Total Request: \$60,000.

G. Acquisition of Federal Lands Adjacent to the Indian Hills General Improvement District

Jim Bentley

Jim Bentley, General Manager, Indian Hills General Improvement District (GID), Carson City, submitted a proposal to convert a portion of Douglas County Parcel 13-010-08, from federal to local ownership by the GID (Exhibit G).

Mr. Bentley explained that the proposed purchase included a parcel of land adjacent to the GID sewer treatment facility.

The purchase of the parcel would:

- Provide long-term access to the sewer treatment facility;
- Facilitate the development of a training facility for utility operators in the area adjacent to the new water treatment plant; and
- Further develop recreational opportunities at the James Lee Park by opening a new southern entrance and trailhead into the park from the Hobo Hot Springs Road.

Mr. Bentley continued by saying the purpose of the grant is to cover the cost to perform mandatory feasibility studies and engineering studies in preparation for the filing of a patent request for ownership of the entire parcel. The feasibility studies include the economic and political aspects. The engineering studies include survey, soil, environmental, and archeological aspects.

In response to Assemblyman Marvel's question regarding basic funding needs, Mr. Bentley stated that \$19,750 would allow the project to proceed, and the GID would contribute the remaining funding.

Total Request: \$28,580.

H. Development of Alternative Grazing Fee Structures

William O. Champney

William O. Champney, Associate Professor Emeritus, Department of Applied Economics and Statistics, UNR, Reno, presented a proposal to study existing and proposed grazing fee structures imposed by the Federal Government (Exhibit H).

Professor Champney stated that the proposal would provide funding to conduct a study of the current formula used to establish grazing fees, and evaluate other systems and formulas for establishing fees. He said the study will take approximately two years. The primary objectives are to:

- Review and document current grazing fee systems adopted by different Western states;
- Develop a number of alternative fee grazing formula based upon state and federal formula using published information; and
- Evaluate the performance of these alternative formula using historical data.

Professor Champney also noted that he would collaborate with colleagues at other universities in states with grazing fee structure interests.

Assemblyman Marvel pointed out the importance of having support from the other Western states, should a suitable plan be formulated. Professor Champney concurred, stating that if a plan is decided upon, it would have to be presented to various associations and agencies throughout the other Western states.

Total Request: \$50,000.

I. Creating Preferred Grazing Alternative in Forest Plan Amendments of the Humboldt-Toiyabe National Forest and Funding Request to Assist in the Appeal of *Public Lands Council et al v. Babbitt*

C. Joseph Guild III and John Fallen

C. Joseph Guild III, President, Nevada Cattlemen's Association, Reno, Nevada, submitted a proposal to hire a qualified range scientist to prepare a preferred grazing alternative for presentation to the United States Department of Agriculture (USDA) Forest Service, Humboldt-Toiyabe National Forest, to be included in the amendment to the Monitor/Hot Creek Mountain Range forest plan (Exhibit I).

The range scientist would collect and analyze data and formulate a plan regarding management, implementation, monitoring, and usage, which could be used by the Forest Service, in its issuance of grazing permits in the Humboldt-Toiyabe National Forest. This alternative grazing proposal could then be used as a model for other upcoming forest plan

amendments. Humboldt National Forest and Toiyabe National Forest undertook a revision of their forest use plans approximately 15 years ago. He said the Forest Service requested only scientifically sound proposals.

Assemblyman Marvel asked Mr. Guild to clarify that there will be an assessment against Animal Unit Month's (AUM). Mr. Guild said the Rangeland Resource Commission plans to bill each public land permit holder in the state of Nevada at a rate of 10 cents per AUM. The fees are refundable. Recovered fees are paid to the Nevada Cattlemen's Association several months later. Mr. Guild said the proposal is due before April 2000.

John Fallen, Past President, Chairman, Public Lands Committee, Nevada Cattlemen's Association, Oroville, Nevada, explained the United States Supreme Court Case *Public Lands Council et al. v. Babbitt* by making the following points:

- On October 12, 1999, the Supreme Court agreed to hear the challenge against the United States Department of Interior's 1995 Rangeland Reform Regulations.
- The case states that Secretary of the Interior, Bruce Babbitt, has no authority to substitute permitted use for adjudicated grazing preference or deny permittees title to their range improvements.
- This case challenged the Secretary of the Interior's authority to circumvent law and the intent of Congress through a rule-making process.
- The final phase of this challenge will cost approximately \$225,000, funded by a coalition of Western states.

Mr. Guild noted that the preference rule has been used for 65 years to determine value and set a capitalization upon which range livestock operations have borrowed and operated. He continued, stating the issue is removal and replacement of preference rights with a permitted use system, which will destroy the financial underpinnings of the range livestock industry.

Senator James asked about the composition of the Public Lands Council. Mr. Fallen said the Council is comprised of representatives from each of the Western states, and is funded by seven western states. He stressed that Nevada has a large interest in the outcome of the case and would benefit financially from being a participating partner in the action.

Total Request, Preferred Grazing Alternatives: \$30,000.

Total Request, Assistance in the Appeal of Public Lands Council et al. v. Babbitt: \$25,000.

J. Determining the Conflicts Between Elk and Livestock on Nevada Rangelands

Glenn Terry

Glenn Terry, Resource Development, White Pine County, Ely, Nevada, stated he represented the Duck Creek Basin Resource Users and requested matching funds to continue the second phase of a study to determine conflicts on range resources between livestock and elk in the Duck Creek Basin in White Pine County, and by extension, the State of Nevada (Exhibit J).

Mr. Terry explained that range users in the basin provided the funding for the first year of the study. He said that conflicts between elk and livestock on Nevada rangelands have presented an ongoing controversy in the state for the past several years. Little data exists to help the state resolve and diffuse the controversy. Data from other states is not necessarily relevant to Nevada's particular plant communities and soil types.

Mr. Terry said the primary goal of the study is to gather information to determine the severity of the controversy. The study began in the spring of 1999 and should continue for at least one year in order to collect data covering wet and dry years.

Mr. Terry said the objectives of the study are to:

- Obtain reliable information that will permit the development of realistic estimates of the degree of competition between the major classes of ungulates grazing selected riparian and other critical habitats in the Duck Creek Basin and an evaluation of the overall effect of that competition;
- Identify actions needed to reduce resource damage and conflict between grazing animals; and
- Explore measures to reduce or mitigate adverse effects which might occur due to the implementation of needed and/or agreed to actions.

The data will be gathered by means of measurement, judgment estimates, and photography exhibits of vegetation, livestock, wildlife, and sites.

Assemblyman Marcia de Braga spoke on behalf of the proposal, noting that it is a vital issue to the citizens of that portion of the state. She was uncertain if the request comes under the purview of the allotted funds for the completion of the grazing lands study approved by the Assembly Committee on Natural Resources, Agriculture, and Mining during the 1999 Legislative Session.

Total Request: \$6,000.

K. Request by the Town of Gardnerville for Participation in the Martin Slough Water Quality Enhancement Project

Robert Fellows, P.E., and Diane Pettitt

Robert Fellows, P.E., Lumos and Associates, Reno, and contracted Engineer, Gardnerville, Nevada, introduced Diane Pettitt, Town Manager, Gardnerville, and requested funding for a portion of the Martin Slough Water Quality Enhancement Project (Exhibit K). Dr. Fellows said funding is needed for the construction of phases two (Slough realignment) and three-A (restoration of the stream corridor). Phase one was completed in September 1999.

Chairman Marvel asked if this area was part of a flood plain, and Dr. Fellows agreed that it was. He said the approval of nationwide restoration permits have allowed the project to begin. Dr. Fellows reported partial project funding is provided by a Non-point Source Pollution Grant, Section 319h.

He continued, saying the Martin Slough is part of the Upper Carson River Basin, which has been the subject of the development in the "Upper Carson River Watershed Management Plan." The proposed improvements in phases two and three are consistent with the management plan prepared by Nevada's Division of Environmental Protection in cooperation with a consortium of agencies and individuals.

The project will provide:

- Regional water quality treatment;
- Limited flood water storage;
- Groundwater recharge;
- Wetland and wildlife habitat enhancement;
- Educational opportunities;
- Continued irrigation uses;
- Public parks; and
- Bicycle and pedestrian corridors.

Responding to Assemblyman Neighbors, Ms. Pettitt stated Gardnerville is an unincorporated town.

Dr. Fellows concluded with a correction of the grant proposal amount.

Total Request: \$43,512 revised (\$36,472 original)

L. Research on BLM Land Disposal and Exchanges - BLM's Association With Not- For-Profit Organizations

Jim Olds

Jim Olds, President, Private Land Advocates, Inc., La Jolla, California, proposed a study of the BLM's Rural Lands

Initiative (RLI), and provided a history and current status of the RLI (Exhibit L).

Mr. Olds noted a common theme in all of the speakers before him is a problem with the federal government and their land ownership. He said he supported the committee's goal to maximize opportunities for the transfer and acquisition of federal public lands within Nevada. He said the gap of ownership existed with the private person, after the land was transferred from the federal level to the local level. Mr. Olds noted that previous research in the RLI has provided good information, but questioned the use of word "disposal" instead of "selling."

The goals of the proposed grant by the Private Lands Advocates, Inc. are to:

- Conduct a comparative analysis between the United States Homestead Act of 1862 and the RLI; and
- Submit recommendations for legislative action as a result of a comprehensive search of public records under the Freedom of Information Act.

Mr. Olds concluded by saying the proposed grant would clarify the RLI, which appears to be a "mystery." Chairman Marvel asked if the grant proposal was leading to the disposition of public lands. Mr. Olds answered that he hoped so, but said that the problems association with the acquisition of public lands needed to be presented. Chairman Marvel agreed that investigating the process of BLM land acquisition may be needed.

Total Request: \$45,994.

M. Study Regarding Federalism - Impacts of Federal Rule Making

John L. Dobra, Ph.D. and Christopher Simon, Ph.D.

John L. Dobra, Ph.D., Natural Resource Industry Institute, Reno, introduced Christopher Simon, Ph.D., Department of Political Science, UNR, and stated the purpose of the proposal was to study the federalism impacts of federal rule making (Exhibit M). He said the relevance of this issue is to find "workable federalism," and to identify the impact of how federal rules affect Nevada's sovereignty. He proposed a study to identify:

- The costs of federal land management to the state's industries that use public lands;
- Federal infringement of the state's rights to manage wildlife and water resources; and
- Federal land disposals for urban development in Clark County and other areas of the state.

Dr. Dobra said the State of Nevada representatives may not have the information necessary to effectively deal with a federal agency involved with enforcing regulations. He said the proposal would offer the state the information it needs to be familiar with the federalism impacts. He pointed out that President Bill Clinton has already made the arguments for this proposal in an Executive Order (E.O. 13132 of August 4, 1999).

Dr. Dobra continued by stating the proposal's methodology will consist of interviewing state and local officials followed by the completion of a comparative analysis to the nearest non-public land state which shares similar non-economic activities to Nevada. He indicated that Texas was a likely choice because of their grazing, natural resources, large urban areas where land use planning issues arise, and there is very little federal land due to parkland.

Senator James asked what effect the decision in United States Supreme Court Case *Public Lands Council et al.v. Babbitt* will have. Dr. Dobra indicated the proposal would affect the broader issue of compliance from the Federal Government in consulting with local and state officials when they make rules impacting public lands. He offered the example of how the disposal in Southern Nevada may affect the real estate markets. Senator James acknowledged this issue is intriguing from a legal standpoint.

Senator James noted that there was merit to a comprehensive study such as Dr. Dobra's proposed grant, but cautioned that such a study would need to be done under the right auspices with the appropriate participants. He stated that he was looking for a study with a broader scope to address all of the permutations of this issue.

Senator James then asked how a study of this magnitude could be conducted on the money requested. Dr. Dobra agreed that more money would be useful, but the proposed study would give a broad picture of how the right of the sovereignty of the state to regulate would be affected.

Chairman Marvel said the Legislature also had to recognize this issue as far as regulations are concerned. He said there are vast differences in designing the regulations to fit the legislation's original expected outcome. He went on to explain the purpose of the Legislative Oversight Committee was to quash regulations that do not fit their respective legislation.

Chairman Marvel agreed with Senator James in that a study such as this would be a tremendous undertaking.

Dr. Dobra stated that the proposed study was specifically asking for the opportunity to answer how Nevada's sovereignty would be affected when the Federal Government passed a rule.

Senator James pointed out that some constitutional questions have been addressed in the formation of this study regarding: (1) the Yucca Mountain issue; (2) the grazing regulations currently being challenged in the Supreme Court; and (3) numerous mining issues.

Chairman Marvel stated that the study would be taken under advisement and the legal department would have to be consulted.

Total Request: \$34,542.

N. Statewide Public Lands Symposium / Exploring Feasibility of Developing Consensus Regarding Bureau of Land Management Wilderness Study Areas / Update of Statewide Public Lands Policy as Part of Senate Bill 40 / Study to Enhance the Facilitation of BLM Public Lands Sales

Mike Del Grosso

Mike Del Grosso, Senior Land Use Planner, Nevada's Division of State Lands (NDSL), Carson City, began his presentation with a correction that his three proposals did not include the Exploring Feasibility of Developing Consensus Regarding Bureau of Land Management Wilderness Study Areas which was listed on the agenda.

Mr. Del Grosso listed three proposal requests (Exhibit N):

- A grant to cut registration fees to the Statewide Public Lands Symposium, sponsored by the NDSL. Private

individuals, representatives from nonprofit groups, and environmental groups object to the \$65 registration fee as being too expensive. If the grant is approved, symposium program content would be partly defined by the Committee on Public Lands and the two Legislative Natural Resources Committees. The reduction of symposium registration fees would:

- Facilitate greater public participation, communication, and awareness; and
- Attract more Nevada residents to the third symposium, which is a three-day event featuring a discussion and debate on a variety of timely land and natural resource topic and issues.

Assemblyman de Braga supported this request by stating the need to bring together land users and federal, state, and local government representatives. She pointed to a "serious disconnect" regarding land management which is not improving. She said long range plans, agreements and cooperative efforts can be accomplished by bringing together different interests in a setting such as a symposium format. She suggested that a large portion of the symposium format be dedicated to break-out sessions rather than speakers. Assemblyman de Braga concluded her remarks by stressing the need to keep registration fees as low as possible in order to encourage greater public attendance.

Total Request, Statewide Public Lands Symposium: \$9,000.

2. A grant to provide additional funds for the development of the Statewide Public Land Policy Plan. Funds would be used to:

- Cover travel expenses for Division and Governor's staff to attend statewide workshops;
- Arrange public workshops; and
- Prepare and distribute planning documents.

Total Request, Development of a Statewide Public Land Policy Plan: \$10,500.

3. A grant to study and identify "Barriers to a More Expeditious Land Disposal Process." The purpose is to:

- Develop potential solutions for overcoming the barriers; and

- Make recommendations for future work on the most feasible alternatives.

Chairman Marvel pointed out that the greater problem is in transferring lands into the private sector versus government ownership.

Total Request, The Disposal of Federal Lands in Nevada: Identifying Related Barriers and Potential Solutions: \$20,000.

O. Planned Acquisition of Federal Lands in the City of North Las Vegas Under the Recreation and Public Purposes Act (two sites)

Jacquelin Risner

Jacquelin Risner, Economic Development Manager, City of North Las Vegas, presented a grant proposal for financial assistance in the acquisition of acreage at two sites, one for 90 acres, and one for 180 acres Exhibit O).

Grant fees for both parcels would apply to mitigation fees that must be paid in the form of Tortoise Habitat Conservation Plan fees, which are \$587 per acre. She stated that North Las Vegas is deficient in public park lands.

Ms. Risner said Congress enacted the Southern Nevada Public Lands Management Act of 1998 (PL 105-263) for the purpose "to provide for the orderly disposal of certain Federal lands in Clark County, Nevada. . ." She explained the entire 7,500 acres of federal land spanning the northern tier of the City of North Las Vegas is within the boundaries of this Act. The city is negotiating with the Secretary of the Interior and BLM to have this land released for auction. Prior to that, the city seeks to withdraw from the 7,500 acres for park and recreation facilities. Ms. Risner listed uses for the proposed land acquisition:

- Site No. 1 involves the acquisition of 90 acres in North Las Vegas under the Recreation and Public Purpose (R&PP) Act for the development of an 80-acre community park and a 10-acre senior recreation facility.
- Site No. 2 involves the acquisition of 180 acres in North Las Vegas under the R&PP Act for the development of a regional park, which would serve the entire metropolitan area.

Ms. Risner concluded by prioritizing the Site No. 1 funding request as being the most important.

Total Request, Proposal Site One: \$50,000.

Total Request, Proposal Site Two: \$50,000.

P. Update of Urban Interface Plan with the BLM and Development of Master Plan for Utilization and/or Acquisition of Federal Lands in Carson City

Rob Joiner, Principal Planner, Carson City and Walter Sullivan, Community Development Director, Carson City, were unable to attend the meeting. Their grant request and support documents appear as Exhibit P.

Total Request: \$20,000.

Q. Sage Grouse Conservation Plan

J. Kent McAdoo

J. Kent McAdoo, Certified Wildlife Biologist, Rangeland Resources Specialist, Nevada Cooperative Extension, UNR, stated he also represented the Northeast Nevada Stewardship Group (NNSG) and presented a proposal to help conserve and improve diminishing habitat for sage grouse and other sagebrush-dependent species (Exhibit Q). He said Nevada's sage grouse has the potential of becoming the spotted owl of the Great Basin.

Mr. McAdoo reported special interest groups have petitioned the United States Department of the Interior, Fish and Wildlife Service, to list the sage grouse as a threatened or endangered species in Washington State. The NNSG has been informed that the same may soon happen in Nevada. He explained that the petition is expected in the Spring of 2000,

and the listing could have adverse social, ecological, political, and economic constraints. The NNSG proposes to take a pro-active approach to the conservation of sage grouse and the sagebrush ecosystem.

Mr. McAdoo explained the mission of the NNSG is to discuss and to resolve the important issues related to resource management and the informed management of public lands. NNSG has a diverse membership consisting of private citizens, ranchers, miners, businessmen, and state and federal agency representatives. Specifically, the NNSG is seeking funding to formulate a scientifically-based guidance plan for managing the sagebrush ecosystem with the following goals:

- •Complete a literature review of the sage grouse and the sagebrush ecosystem;
- •Write a habitat conservation plan (HCP) based on the collaborative process involving both public and private interests;
- •Obtain local data on sage grouse seasonal distribution and habitat use; and
- •Implement local habitat management demonstration areas.

Mr. McAdoo listed the four parts of the proposal and the cost of each:

- Literature review to provide a basis for issue discussion and resolution (\$3,000);
- Preparation of the HCP through a well organized, methodical, and collaborate process involving the general public, private interests, and public agencies (\$12,000);
- Sage Grouse distribution and habitat use data to evaluate future habitat management projects (\$16,000); and
- The creation of habitat management demonstration areas that would be thinned out by the use of fire, herbicide application, disking, and/or aeration (\$19,000).

Mr. McAdoo concluded his presentation by explaining that this type of grassroots conservation planning approach has been endorsed and encouraged by Nevada's Division of Wildlife (NDOW).

The NDOW will receive \$16,000 of the funding to augment current sage grouse telemetry studies, helicopter work, and monitoring areas around strutting grounds. The requested additional funding would provide information on the distribution and seasonal habitat use of sage grouse.

Chairman Marvel pointed out that \$50,000 is a substantial amount for the subcommittee's initial phase of grant requests, and suggested that Mr. McAdoo seek funding from the NDOW. Mr. McAdoo said it was going to take more than \$50,000.

Total Request: \$50,000.

R. U.S. Highway 95/Bonanza Trail Development

Don Schmeiser

Don Schmeiser, Senior Planner, Planning and Development Department, City of Las Vegas, announced he was substituting for scheduled presenter Chris Knight, and stated that he was representing the interests of Clark County, Henderson, Las Vegas, North Las Vegas, and many other entities of the Las Vegas Valley. He presented a proposal to design and establish a major link to a regional trail system in Nevada connecting: (1) federal public lands; (2) local parks; and (3) open space areas (Exhibit R).

He said the purpose of the trail system is to maximize the opportunities for all persons in the Las Vegas Valley to utilize and enjoy the many parks and open spaces that are present and proposed.

Mr. Schmeiser spoke of a major effort in Southern Nevada to establish a regional trail system using the Bonanza Trail as a major trail link for multi-use because it that parallels U.S. Highway 95. The Red Rock Canyon area is currently studying a major trail system extension to reach U.S. Highway 95. In conjunction with the widening of U.S. Highway 95 to ten lanes, the City of Las Vegas would be working closely with the Department of Transportation to establish a trails link along U.S. Highway 95 from Rainbow Boulevard.

Mr. Schmeiser said the only portion of the regional trails link that is not programmed for designed study and

development is a portion of the Bonanza Trail which is the topic of the grant proposal. The two phases to the proposal are the study and design of the Bonanza Trail from Rancho Drive to Las Vegas Boulevard, where it crosses Interstate Highway 15 and the actual trail development.

Mr. Schmeiser concluded by acknowledging that the subcommittee had limited funds, and requested that phase one of the Bonanza Trail be funded at a cost of \$15,000 with an additional \$5,000 to cover the entire cost of the study and design phase of the project. He said he would seek other funding sources to cover the actual construction of the trail at a later date.

Total Request: \$20,000 (originally \$50,000)

S. Study of Nevada Mining Industry's Economic Impact on Businesses in Other States

Dana R. Bennett

Dana R. Bennett, Owner of Research By Design, presented a proposal to compile data on Nevada's mining revenue spent in other states (Exhibit S). The proposed grant would provide Nevada legislators with concrete figures to use in conversations with congressmen and representatives from other states.

Ms. Bennett requested that the section of the grant proposal making reference to sales taxes be deleted because it is too complex.

She stated that in order to keep proprietary information confidential and encourage broad participation, the resulting report from the proposal would not reveal any particular company's market share.

Senator James commented that this was a good study because Nevada elected officials could point out to other states benefitting from doing business with the Nevada mining industry that this is not just a Nevada issue. He wondered why the industry did not contract Ms. Bennett to do this study. She responded that discussion was limited to the entity where the original question was asked.

Public comment from Tim Crowley, Nevada Mining Association, agreed with Senator James in that the mining companies might consider supplementing the cost of this study.

Total Request: \$20,390.

T. Evaluation of Water Management Alternatives on the Humboldt River Basin

Mike Baughman, Ph.D.

Mike Baughman, Ph.D., Contract Executive Director, Humboldt River Basin Water Authority (HRBWA), submitted three proposals to help fund phases of the evaluation of water management alternatives in the Humboldt River Basin (Exhibit T). Mr. Baughman reviewed the history of seeking funding by noting that the Chairman of the Senate Committee on Finance promised that HRBWA's needs would be addressed within Senate Bill 560. However the next day, \$250,000 which was intended for HRBWA, went to the Legislative Committee on Public Lands instead. The HRBWA organized the remainder of the project down into three phases to stay in compliance with the \$50,000 cap on grant proposals.

Mr. Baughman stated the need for groundwater banking. The USGS provided data that between July 1, 1998, and September 1999, an estimated 272,000 acre feet of water flowed out of the end of the Humboldt system, into the Carson sink, where it will evaporate. This flow has been occurring for two and a half years. He detailed how the proposed three grants would address this issue:

- Phase one costs \$30,000 and is paid for in part by a \$25,000 grant from the State of Nevada Community Development Block Grant Program, and \$5,000 from HRBWA. The purpose of phase one is to identify the preferred water management alternatives.
- Phase two costs \$50,000 and will complete two activities: (1) identify and rank candidate project sites; and (2) design guidelines and estimate cost of the preferred alternative.
- Phase three costs \$50,000 and will complete two activities: (1) preparation of conceptual designs, preliminary construction, operation, and maintenance costs estimates; and (2) estimate development costs for the preferred alternative.
- Phase four costs \$50,000 and will complete two activities: (1) preparation of a plan to fund construction, operation and maintenance of preferred alternative(s); and (2) prepare an implementation strategy for the

preferred alternative(s).

Mr. Baughman closed by asking the subcommittee to send letters to the Senate Committee on Finance and the Assembly Committee on Ways and Means to assure funding for completion of the project. He expressed confidence that the subcommittee could go back to the 2001 Legislature and get the remaining funding for the HRBWA to move forward.

Chairman Marvel said he would take this recommendation as well as the discussion under advisement.

Total Request, Phase 2, Site Selection and Design Guidelines: \$50,000.

Total Request, Phase 3, Conceptual Design and Cost Estimates: \$50,000.

Total Request, Phase 4, Implementation Strategy: \$50,000.

U. Publication of Public Lands Fact Handbook - Facts for Resource Users

C. J. Hadley

C.J. Hadley, Publisher, *Range Magazine*, Carson City, shared the history of her publishing experience and involvement with public lands issues with the subcommittee. She presented a proposal by the nonprofit Range Education Foundation to seek funding for the cost of producing a public lands handbook (Exhibit U). She said the relevance of the handbook would be to offer "real numbers" on land use and rural economics, and would be a valuable tool for many years to come.

Ms. Hadley stated that Nevada is in the middle of two groups: (1) radical preservationists who want to extend wilderness; and (2) resource users whose products are of benefit to the country as a whole. She explained that a handbook is needed in order to find an honest middle ground.

The proposed handbook would offer a compilation on actual facts and numbers of land use and potential of federally controlled resources including: (1) multiple use for profit; (2) wilderness; (3) recreation; and (4) wildlife. Ms. Hadley said The Range Education Foundation, through *Range Magazine*, has already started to separate fiction and anecdotal

evidence from hard truths. She reported that at present, there is no single reference where "real numbers" can be found, and a public lands handbook would fill that need.

Ms. Hadley said Nevada's would benefit from a publication, and it will allow rationale decisions to be made on the use of resources. The public lands handbook would be distributed free of charge to academics, elected officials, environmental groups, federal and state agencies, legislators, resource and recreational users; and any other interested parties.

Ms. Hadley concluded her remarks by suggesting that wide distribution of the proposed public lands handbook would promote a balanced, reasonable assessment of public lands resources, especially among those who have opinions and votes, but very little first hand knowledge. She noted that many of the proposed projects before the subcommittee were in need of data, and offered assurance that the public lands handbook would supply many individuals, including

lawmakers in Washington D.C., with valuable information on Nevada's public lands. She said she anticipated printing 100,000 copies of a magazine sized book, 16 to 24 pages, and the cost would be \$63,318. She asked the subcommittee for one third of the cost.

Total Request: \$21,312.

V. Influence of Hydrological Change on the Channel of the Humboldt River

P. Kyle House, Ph.D.

P. Kyle House, Ph.D., Research Geologist, Nevada's Bureau of Mines and Geology, proposed a study of the influence of hydrological change on the channel of the Humboldt River and how it relates to hydrological change in the watershed (Exhibit V). He said the actual river channel has not been "studied to death" and the Humboldt River flood plain map shows a very complicated and intricate mosaic of geological deposits. One of the more interesting aspects found during the mapping process was the presence of paleochannels. These are ancient and abandoned channels of the Humboldt River that have dimensions considerably different from those of the present day Humboldt River. He said "ancient," in this case, would refer to several thousand years.

Dr. House showed the subcommittee an aerial photograph of the present day Humboldt River channel. He pointed out the ancient paleochannels. He explained there is very clear geological evidence for the Humboldt River behaving very differently hydrologically in a relatively recent past. The proposed project would map this geology on a quadrangle by

quadrangle basis and then focus on a very large area in order to establish a time frame of these different features.

The project involves three main tasks and a variety of sub-tasks. Overall, the study requires numerous days of field geological research and office-based analysis of maps and aerial photographs. The project components and methodology include:

- Data collection;
- Data analysis in the office/GIS lab; and
- Report preparation and data presentation.

Dr. House concluded his presentation by explaining that because the Humboldt River is an alluvial river, it is critical to understand the potential response of the Humboldt River channel to changing streamflow conditions. Understanding the resources of the watershed is in the best interest of effective and responsible land management. He said the river is the conduit through which these water resources continually flow, and the legacy of several thousand years of this linkage is recorded in the river's deposits. He suggested that unraveling the history would have tremendous value for understanding the river and its watershed.

Chairman Marvel asked Dr. House if this study was comparable to the USGS study or to what the HRBWA was planning on studying. Dr. House responded that this project was compatible to any water resources study on several levels.

Chairman Marvel asked if this study would reveal any water "banking" locations. Dr. House said the USGS mapping would reveal shallow deposits only, not the type of depth needed for banking to occur. He said he has uncovered patterns on the flood plain which have important implications for how the hydrology varies.

Mr. Reese approached the witness stand to give scientific support to the proposal. He said this type of proposal would provide a better understanding of how the Humboldt River system operates and the resulting study would complement the types of activities that the USGS is interested in doing. He said there is a recent map indicating the depth of various basins within the middle reaches of the Humboldt River. This map is part of a publication released 2-3 months ago which is a phase one activity of the Humboldt River Assessment, and he offered to provide a copy to the subcommittee.

Total Request: \$47,983.

W. Request for Allocation of Funds for Well Owner Reimbursement Pursuant to Assembly Bills 408 and 347 of the 1999 Legislative Session

At the request of Ray Preston, President, Nevada Well Owners Association, Las Vegas, this grant proposal has been withdrawn.

X. Nevada Abandoned Mine Lands Database Update / Project to Index, Microfilm, and Digitize the Nevada Bureau of Mines and Geology Mining District Files

Ronald Hess and David A. Davis

Ronald Hess, Geologic Information Systems Specialist, Nevada's Bureau of Mines and Geology (NBMG), Representative, Nevada Micrographics and Imaging Program, stated his intention to make a grant proposal on the Nevada abandoned mine land database update, and to withdraw a proposal from his associate, David A. Davis, Geologic Information Specialist, NBMG, on microfiching historic mining records (Exhibit X).

Mr. Hess said the existing database was created and maintained in conventional format by the NBMG. In 1990, a series of databases were created from both in-house and federal data sets. Five years ago, the location information of 6,240 abandoned mine sites were digitized. Since then, the 1,500 to 2,000 new abandoned mine sites that have been located make updating the database imperative. Mr. Hess said the purpose of the grant proposal is to:

- Digitize and consolidate NBMG's Abandoned Mine Site Database;
- Obtain and update the USGS Mineral Resources Data System (MRDS) and the U.S. Bureau of Mines' Mineral Industry Location System (MILS) mine/mill site information databases for public access; and
- Supply all three updated data sets to the NBMG.

Responding to questions from Assemblyman Neighbors, Doug Driesner, Director, Mining Services, Nevada's Commission on Mineral Resources, stated that abandoned mines are sites which represent a physical hazard to people or animals.

Mr. Driesner responded that filling in an abandoned mine is done in cooperation with Bat Conservation International, the BLM, the USDA Forest Service, and the Nevada Attorney General's Office. A Memorandum of Understanding was developed which allowed the NBMG to erect fencing to secure the open mine shafts, while preserving cultural resources or geologic potential existing in the abandoned mines. The bats can still access the mine shaft by flying through the fence holes.

Mr. Driesner responded that a claim to an abandoned mine is filed with the BLM, and then subject to notification by the NBMG that the owner on the claim is responsible for securing the abandoned mine. He said there are a large number of "orphan" mines with no claimant or private owner. Mr. Hess added the liability issue has never been tested, and no legislation exists.

Mr. Hess said the need to locate and prioritize the sealing off of abandoned mines is high. He said there are limited funds, and the mines which represent the greatest danger need to be identified and secured first. He gave the example of prioritizing a mine near an elementary school versus a mine 500 miles from the nearest city.

Responding to a question from Chairman Marvel, Mr. Hess answered that the current staff consists of two individuals funded by "soft money." Chairman Marvel wondered why the BLM was not more forthcoming in funding since most of the abandoned mines in need of securement were on BLM property. Mr. Hess responded that the BLM participated initially but those funds disappeared.

Total Request: \$12,917.

PUBLIC COMMENT

Rich Haddock

Rich Haddock, Senior Counsel, Barry Goldstrike Mines Incorporated (BGMI), commented on three studies presented earlier: (1) USGS study; (2) the Las Vegas Valley Wash Project; and (3) the Abandoned Mine Land Study. His specific comments for each study were:

- The USGS Study takes BGMI's impact analysis for individual mines and models and verifies it on a regional basis. The importance of the USGS study is critical to the mining industry, and that is why BGMI has already invested \$1 million. Other studies of the Humboldt River "flow" from this study: (1) economic impacts; and (2)

water availability for upstream storage or conjunctive use.

- BGMI has also invested corporate money into the Las Vegas Valley Wash Project because of the potential resource it represents for the residents of Las Vegas. This project fits well within the purview of S.B. 560 because it is public land, and it promotes the use of public land.
- There was an incident in October 1999 which involved the death of an 11-year-old girl who died as a result of falling down an open mine shaft. The location of this unsecured public mine is near BGMI's Bullfrog Mine outside of Beatty. The BGMI is participating in a legacy project with the BLM to locate and close the abandoned mines in this area.

C. Joseph Guild

Mr. Guild, Newmont Gold Corporation (identified earlier), stated that he supported the USGS Study for all the reasons listed by Mr. Haddock. He said that Newmont Gold Corporation has shown support.

Stephanie Licht

Stephanie Licht spoke for Elko County and said she was sent to monitor subcommittee events and to offer assistance.

Louise Kehmeier

Louise Kehmeier, Volunteers for Outdoor Nevada, Reno, presented a \$15,000 proposal to the subcommittee to assemble a database and purchase software to make available to the general public a catalog with a comprehensive statewide list of all the outdoor volunteer opportunities.

Ms. Kehmeier explained the proposed list would include projects sponsored by federal agencies, local groups, and other nonprofit groups. This information would be presented in catalog format and also on an Internet Web site. She said her organization started in May 1999 and began gathering resources and prioritizing goals. Volunteers for Outdoor Nevada has over 700 volunteers and has built three trails, a park, and a wildlife interpretive trail.

Chairman Marvel asked her how many hits she had received on her Web site. She responded that the website is part of the proposal, and is not in existence. Chairman Marvel suggested the Commission on Tourism or the Commission on

Economic Development as alternative funding sources for the proposal.

Chairman Marvel said he could appreciate a group of volunteers but asked her how long she thought such a group could stay together, pointing out that he has seen many groups like this grow and then dissipate all at once. He asked her for any guarantee of tenure. She responded that she was from Nevada, and went to school in Colorado. She was involved with a volunteer group in Colorado, and has consequently modeled the Nevada program after it. She recommended that the subcommittee look at the Colorado Web site. Ms. Kehmeier reported the volunteers were enthusiastic and she was looking at training programs to make projects flow smoothly.

Senator James commented on the proposal to help complete the Bonanza Trail, and asked her how her Web site would dovetail with all the other Web sites maintained by the BLM, the Clark County Parks and Recreation, et cetera. He stated that if he was looking on the Internet, he would go to the different jurisdictional agencies. He asked her how her Web site would differ. Ms. Kehmeier said those agencies would post information and projects that would apply to their lands, but her website would gather all of the projects together in one place, and it would also provide the opportunity for statewide queries.

Total Request: \$15,000.

There being no further business to come before the subcommittee, Chairman Marvel thanked the speakers and adjourned the meeting at 5:15 p.m.

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

Respectfully submitted,

Sally A. Kennedy

Senior Research Secretary

Michael J. Stewart

Senior Research Analyst

APPROVED BY:

Senator Dean A. Rhoads, Chairman

Nevada's Legislative Committee on Public Lands

Date: _____

LIST OF EXHIBITS

Exhibit A, a document entitled "Piñon-Juniper Sustainable Harvest Management Plan Scoping Process," submitted by the Lincoln County Regional Development Authority, and presented by John McClain of Resource Concepts.

Exhibit B, a packet regarding the Humboldt River Basin Assessment, including letters from R. Michael Turnipseed, State Engineer, SDCNR, and Peter G. Morros, Director, SDCNR, as well as other publications from the project: (1) "The Humboldt River Basin Assessment Progress Report 1997; (2) "Humboldt River Basin Assessment December 1998 Phase One Progress - Phase Two Plans;" (3) USGS Water-Resources Investigations Report 94-4233, "Potential Hydrologic Effects of Mining in the Humboldt River Basin, Northern Nevada;" and (4) USGS Water Resources Investigations Report 98-4209 "Hydro geologic Framework and Ground-Water Levels, 1982 and 1996, Middle Humboldt River Basin, North-Central."

Exhibit C, a packet containing two proposals detailing: (1) the Las Vegas Springs Preserve Native Habitat Revegetation Effort; and (2) the Southern Nevada Water Authority Public Education Project.

Exhibit D, a document entitled "Project Proposal: Economic Analysis of Mine De-Watering Effects in Northeastern Nevada.

Exhibit E, a document from the City of Caliente, including a project description (Appendix A).

Exhibit F, a grant application from the City of Carlin.

Exhibit G, a grant application from the Indian Hills General Improvement District.

Exhibit H, a document regarding the development of Alternative Grazing Fee Structures.

Exhibit I, a document from the Nevada Cattlemen's Association detailing two grant requests: (1) preferred grazing alternatives; and (2) a request for monies to aid in the *Public Lands Council et al. v. Babbitt* court case.

Exhibit J, a document entitled "Determining Conflicts Between Elk and Livestock on Nevada Rangelands," the Duck Creek Resource Users' request for funding.

Exhibit K, a document from the towns of Gardnerville and Minden requesting funding assistance to enable participation in the renovation of the Martin Slough Water Quality project.

Exhibit L, a document from Private Lands Advocates, Inc., of La Jolla, California, for funding to conduct a study of BLM's Rural Lands Initiative.

Exhibit M, a document submitted by John Dobra, Ph.D., titled "Research Proposal on the Federalism Impacts of Federal Rule-making in Nevada."

Exhibit N, a packet submitted by the Nevada Division of State Lands, detailing three proposals: (1) "Development of a Statewide Public Land Policy Plan;" (2) "The Disposal of Federal Lands in Nevada: Identifying Related Barriers and Potential Solutions;" and (3) "Nevada Lands Symposium Session 3."

Exhibit O, a packet submitted by the City of North Las Vegas containing two grant funding proposals.

Exhibit P, a packet from Carson City containing details of a proposal for grant funding, including a booklet printed by the U.S. Department of the Interior, BLM, entitled "Joining Forces - Cooperative Projects Between Counties and The Bureau of Land Management."

Exhibit Q, a packet submitted by the Northeastern Nevada Stewardship Group, Inc., a grant request to fund a study of "Sage Grouse Habitat Conservation Plan and Corollary Work."

Exhibit R, a packet submitted by the City of Las Vegas to fund design and to establish a portion of a regional trail. Included in the exhibit is a booklet entitled "Bonanza Trail Alignment."

Exhibit S, a document submitted by Dana R. Bennett, Research by Design, detailing her grant request to fund the gathering of information regarding the economic benefits of hard-rock mining to Nevada and other states.

Exhibit T, a packet submitted by the Humboldt River Basin Water Authority detailing a grant request for the "Evaluation of Water Management Alternatives: Humboldt River Basin."

Exhibit U, a proposal from *Range Magazine* to create and publish a Public Lands Handbook.

Exhibit V, a grant proposal submitted by P. Kyle House, Ph.D., to conduct an applied geological research project regarding the recent history of the Humboldt River.

Exhibit W, a grant proposal withdrawn by Ray Preston, President, Nevada Well Owner's Association, Las Vegas, which requests an allocation of funds for well owner reimbursement pursuant to Assembly Bills 408 and 347 of the 1999

Legislative Session.

Exhibit X, a grant proposal submitted by Ronald Hess of the Nevada Bureau of Mines and Geology regarding an update of Nevada's Abandoned Mines Database.

Exhibit Y, the Attendance Record for this meeting.

Copies of the materials distributed in the meeting are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the library at (775) 684-6827.