

**LEGISLATIVE COMMITTEE ON PUBLIC LANDS' SUBCOMMITTEE TO  
STUDY WILDERNESS  
AREAS AND WILDERNESS STUDY AREAS**  
(Senate Concurrent Resolution No. 7 [File No. 63, *Statutes of Nevada 2003*])

**SUMMARY MINUTES AND ACTION REPORT**

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The first meeting of the Legislative Committee on Public Lands' Subcommittee to Study Wilderness Areas and Wilderness Study Areas (WSAs) for the 2003-2004 interim was held on Thursday, December 18, 2003, at 8:30 a.m. in the Winnemucca Convention Center, West Hall, 50 West Winnemucca Boulevard, Winnemucca, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's Web site at [www.leg.state.nv.us/Session/72nd2003/Interim](http://www.leg.state.nv.us/Session/72nd2003/Interim). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775/684-6835).

**SUBCOMMITTEE MEMBERS PRESENT:**

Senator Dean A. Rhoads, Chairman  
Assemblyman Jerry D. Claborn, Vice Chairman  
Senator Mike McGinness  
Assemblyman Pete Goicoechea  
Assemblywoman Peggy Pierce

**SUBCOMMITTEE MEMBERS ABSENT:**

Senator Bob Coffin

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Scott Young, Principal Research Analyst, Research Division  
R. René Yeckley, Principal Deputy Legislative Counsel, Legal Division  
Gayle Nadeau, Senior Research Secretary, Research Division

**OPENING REMARKS**

Chairman Rhoads appointed Assemblyman Claborn Vice Chairman for the Subcommittee, and then introduced the Subcommittee and staff.

**REVIEW OF SUBCOMMITTEE PROPOSED WORK PLAN AND DISCUSSION OF SUBCOMMITTEE ACTIVITIES AND MEETINGS DURING THE 2003-2004 LEGISLATIVE INTERIM**

Scott Young, Committee Analyst, Wilderness Areas and Wilderness Study Areas Subcommittee, explained the Subcommittee's responsibilities for the study pursuant to S.C.R. 7 and noted that at the end of the study a final report will be issued detailing any recommendations for legislation to the 2005 Session of the Nevada Legislature. Mr. Young summarized some of the major recommendations from the Subcommittee's 2001-2002

interim study.

## **REMARKS BY REPRESENTATIVES OF HUMBOLDT COUNTY COMMISSION**

Tom Fransway, Commissioner, Humboldt County Commission, Winnemucca, relayed Humboldt County's concern that Congress needs to act on the wilderness study areas in the county expeditiously or sunset them so that more wilderness areas can be returned to multiple use.

## **BRIEF SLIDE PRESENTATION ON WILDERNESS STUDY AREAS IN THE BUREAU OF LAND MANAGEMENT (BLM), UNITED STATES DEPARTMENT OF THE INTERIOR (USDOI), WINNEMUCCA FIELD OFFICE AREA**

Shaaron Netherton, Executive Director, Friends of Nevada Wilderness, Reno, Nevada, presented a brief slide show of some pristine wilderness areas in Humboldt County.

## **REPORTS TO COMMITTEE**

### ***Overview of the Wilderness Act of 1964 and Federal Lands Policy Management Act (FLPMA) of 1976***

Steve Smith, Nevada Wilderness Coordinator, BLM, USDOI, Reno, provided an overview of the history and content of the Wilderness Act of 1964 and the FLPMA of 1976. He noted that work on the Wilderness Act began in 1955 and it was probably the most scrutinized piece of federal legislation in history. Mr. Smith explained that it is important to have a basic understanding of these two acts because they are the foundation upon which the BLM's wilderness management program is based. Please see [Exhibit B](#).

### ***Update of Current Status of Wilderness and Wilderness Study Areas in Nevada***

Meg Jensen, Deputy State Director for Natural Resources, Lands and Planning, BLM, USDOI, Reno, provided an overview of wilderness areas in Nevada noting: (1) the BLM identified 110 WSAs covering 5.1 million acres in 1980; (2) Congress designated Mt. Moriah as a wilderness area in 1989; (3) 600,000 acres were designated as wilderness in the Black Rock Desert area in 2000, with six of the areas in Humboldt County; (4) thirteen WSAs were designated in Clark County in 2002; (5) there are 24 designated WSAs covering about 1 million acres in Nevada, which places the State third in the nation in designated wilderness areas; and (6) 85 WSAs encompassing 3.8 million acres remain in Nevada, and of those, the BLM has recommended 42 for designation as wilderness areas totaling approximately 1.4 million acres.

### ***Discussion of Criteria and Guidelines Used to Study and Recommend Lands to Congress for Designation as Wilderness Area***

- Meg Jensen (identified above) explained that the wilderness designation process was established by the FLPMA of 1976, which directed the BLM to study lands greater than 5,000 acres that were without roads. Of 49 million acres originally reviewed by the BLM under the FLPMA guidelines, 15 million acres met the criteria to be analyzed for their wilderness qualities. The criteria used to determine if an area is suitable for wilderness designation include:
  - (1) Has the land been affected by forces of nature?
  - (2) Is the impact of man substantially noticeable?
  - (3) Are there opportunities for solitude or permanent recreation?
  - (4) Are there significant archeological or geologic features?
  - (5) Is there educational, scenic, or historic value associated with the area?
- Skip Canfield, Senior Planner, Division of State Lands, State Department of Conservation and Natural Resources (SDCNR), Carson City, provided a summary on the State's input into the BLM's Nevada wilderness study and the SDCNR's position paper on federal wilderness areas. See [Exhibit C](#).
- Shaaron Netherton, Executive Director, Friends of Nevada Wilderness, Reno, called attention to the

contents in the wilderness study area notebook referenced by Mr. Smith (previously identified on page 2). Noting that the wilderness community supports designating more areas as WSAs, Ms. Netherton provided a digital copy of a citizens' wilderness proposal for Lincoln and White Pine Counties.

Ms. Netherton's testimony addressed: (1) the wilderness community's approach in determining areas for WSA designation; (2) that urban growth changes opinions about wilderness study areas and their value, and over time, areas need to be readdressed; (3) the importance of ensuring there is a process where everyone can be heard as Nevada's public lands belong to all Americans; (4) Nevada offers diversity for tourists and residents; and (5) the State's wilderness areas allow for multiple uses for such activities as grazing, hunting, hiking, and walking. See [Exhibit B](#) and Exhibit D1 and [Exhibit D2](#).

***Discussion of Wilderness Management and Interim Management of Wilderness Study Areas: Access to Wilderness and Wilderness Study Areas, Fire Suppression, Response to Emergencies, Allowable Activities, Permitted Activities (Livestock Grazing, Permitted Recreation, and Wildlife Improvements), Mining Claims, Access to Private Lands***

Meg Jensen (previously identified on page 3) reported that the BLM and Nevada's Department of Wildlife (NDOW) develop a memorandum of understanding each year that guides NDOW's responsibilities in terms of wildlife management in wilderness areas, and she noted the following activities that the BLM is allowed to do with WSAs: (1) manage them to preserve their wilderness value; (2) conduct prescribed fires in accordance with the land use and fire plan for the area; (3) conduct range improvements and maintenance activities; (4) control noxious weeds and nonnative plants; (5) rehabilitate watershed areas; (6) manage wild horses and burros; (7) reestablish native fish and wildlife within their historical range; and (8) permit most recreational activities that are consistent with wilderness management. Not allowed are any activities that would impair the wilderness value of an area such as wood harvesting, disposing of land within a WSA, issuing new rights-of-way, new land use authorizations, or any ground-disturbing activity.

***Discussion of Wilderness Designation Process: Working with Stakeholders, Working with Congressional Delegation, Mapping of Proposed Boundaries, Introduction of Bills in United States Congress***

Meg Jensen (previously identified on page 3) explained that after the BLM makes its recommendations to Congress for wilderness designations, discussions take place between the stakeholders and Nevada's Congressional Delegation, often in local areas because the delegation is interested in a county-by-county approach rather than a statewide bill. Ms. Jensen noted that the BLM provides support in terms of information and map preparation. Ultimately, Congress designates WSAs and then areas not designated can be returned for multiple-use management.

***Discussion of Post-Designation Actions: Planning Process, Signing Boundaries, Changes in Management, Public Information***

- Dave Cooper, Manager, Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area (NCA) and Associated Wilderness, Winnemucca, discussed some of the activities that take place once an area is designated as wilderness and the legislation is signed into law: (1) Congress is provided with boundary descriptions of the area; (2) a wilderness management plan is developed; (3) the area is withdrawn from such uses as mining; (4) the area is closed to motorized and mechanized use; (5) education programs, materials, and maps are developed for the public on the uses and restrictions of the newly designated area; (6) BLM staff is trained to manage the area; and (7) coordination for such activities as law enforcement and wildlife management are established with multiple agencies. See [Exhibit E](#).
- Brian Murdock, Wilderness Specialist, Black Rock Desert-High Rock Canyon Emigrant Trails NCA and Associated Wilderness, Winnemucca, noted that the Black Rock Desert wilderness area is the largest single wilderness unit currently in the BLM and that it took approximately one year to develop signage for the area.

**PUBLIC COMMENTS**

- Dan Heinz, resident, Washoe County, said he is a strong wilderness advocate and views wilderness areas as an opportunity to reverse the trend of today's hunters using technological comforts to enhance their hunting experience and success.
- Karen Boeger, resident, Reno, expressed concern over uncontrolled access to Nevada's wilderness and the damage that results, especially in regard to motorized vehicle use.

## ADJOURNMENT

There being no further business to come before the Subcommittee, the meeting was adjourned at 10:44 a.m.

Respectfully submitted,

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Gayle Nadeau  
Senior Research Secretary

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Scott Young  
Principal Research Analyst

APPROVED BY:

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Senator Dean A. Rhoads, Chairman

Date: \_\_\_\_\_

## LIST OF EXHIBITS

[Exhibit A](#) is the "Meeting Notice and Agenda."

[Exhibit B](#) is a notebook provided by Steve Smith, Nevada Wilderness Coordinator, BLM, USDO, Reno, and Shaaron Netherton, Executive Director, Friends of Nevada Wilderness, Reno, titled "Wilderness and Wilderness Study Area Reference Material."

[Exhibit C](#) consists of two documents provided by Skip Canfield, Senior Planner, Division of State Lands, SDCNR, Carson City, titled "Summary of State Input Into the BLM's Nevada Wilderness Study," and "Attachment A, State of Nevada, Department of Conservation and Natural Resources, Federal Wilderness Areas, Position Paper."

Exhibit D1 is a compact disc provided by Shaaron Netherton, Executive Director, Friends of Nevada Wilderness, Reno, containing digital information in PDF format titled "Citizens' Wilderness Proposal: Lincoln and White Pine Counties, Nevada, Nevada Wilderness Coalition, June 2003." (Due to size limitations, this exhibit is available for viewing through the Research Library.)

[Exhibit D2](#) is a compact disc provided by Shaaron Netherton, Executive Director, Friends of Nevada Wilderness, Reno, containing digital information in HTML format titled "Citizens' Wilderness Proposal: Lincoln and White Pine Counties, Nevada, Nevada Wilderness Coalition, June 2003."

[Exhibit E](#) is a map and visitor guide to the Black Rock Desert-High Rock Canyon Emigrant Trails NCA and Associated Wilderness Areas provided by Dave Cooper, Manager, Black Rock Desert-High Rock Canyon Emigrant Trails NCA and Associated Wilderness, Winnemucca.

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