



NEVADA LEGISLATURE
LEGISLATIVE COMMITTEE ON PUBLIC LANDS
(Nevada Revised Statutes [NRS] 218E.510)

SUMMARY MINUTES AND ACTION REPORT

The second meeting of the Nevada Legislature's Legislative Committee on Public Lands was held on Tuesday, February 16, 2016, at 9 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://www.leg.state.nv.us/interim/78th2015/committee/>. In addition, copies of the audio or video record are available through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835) and may be available online at <http://www.leg.state.nv.us/Granicus/>.

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Senator Donald G. Gustavson, Chair
Senator David R. Parks
Assemblywoman Heidi Swank

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Assemblyman Ira Hansen, Vice Chair
Senator Pete Goicoechea
Senator Ben Kieckhefer
Assemblyman John C. Ellison
Assemblywoman Robin L. Titus, M.D.
Ron Cerri, Humboldt County Commissioner

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Jered M. McDonald, Senior Research Analyst, Research Division

Heidi A. Chlarson, Principal Deputy Legislative Counsel, Legal Division

Erin Roohan, Deputy Legislative Counsel, Legal Division

Natalie J. Pieretti, Senior Research Secretary, Research Division

Items taken out of sequence during the meeting have been placed in agenda order.

AGENDA ITEM I—CALL TO ORDER

Chair Gustavson called the meeting to order.

AGENDA ITEM II—PUBLIC COMMENT

Howard Watts III, Nevada Chapter, Backcountry Hunters and Anglers, spoke in opposition to public land transfer and drew attention to the Headwaters Economics study ([Exhibit B](#)).

Bevan Lister, Vice President, Nevada Farm Bureau, questioned the applicability of the Headwaters Economics study based on population densities. He expressed concern with the use of public funds in purchasing and operating ranch and farm grounds, while competing in the open market. Further, Mr. Lister reported the city of Caliente is being required to relinquish certificated water rights due to nonuse.

Scott Higginson, representing Clark County Regional Flood Control District (CCRFCD), stated the CCRFCD is seeking federal legislation that would transfer the ownership of federal lands upon which public entities and facilities currently reside.

AGENDA ITEM III—APPROVAL OF THE MINUTES OF THE MEETING HELD ON NOVEMBER 18, 2015, IN CARSON CITY, NEVADA

MOTION: Assemblywoman Titus moved to approve the minutes of the meeting held on November 18, 2015, in Carson City, Nevada. The motion was seconded by Senator Parks and passed unanimously.

AGENDA ITEM IV—REVIEW OF PROGRAMS AND ACTIVITIES OF THE SOUTHERN NEVADA WATER AUTHORITY

John J. Entsminger, General Manager, Southern Nevada Water Authority (SNWA), and Las Vegas Valley Water District, shared a Microsoft PowerPoint presentation, which provided a review of the programs and activities of the SNWA ([Exhibit C](#)). He stated the Colorado River provides 90 percent of Clark County's water, while 10 percent comes from groundwater. Mr. Entsminger reported that since 1999, the Colorado River Basin has been experiencing a severe drought.

Chair Gustavson and Mr. Entsminger discussed the water level decline in Lake Mead.

Discussion ensued between various members and Mr. Entsminger on the subjects of: (1) desalinization; (2) wastewater treatment between Apex Industrial Park and the Las Vegas Valley; (3) the footprint of the special improvement district and tax increment financing area to determine who will bear the costs associated with the wastewater

treatment; (4) NV Energy-owned groundwater wells; (5) Garnet Valley water demand; and (6) the snowpack.

AGENDA ITEM V—UPDATE ON UNITED STATES FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, ACTIVITIES IN NEVADA AND THE SPRING MOUNTAINS NATIONAL RECREATION AREA

Bill Dunkelberger, Forest Supervisor, Humboldt-Toiyabe National Forest (HTNF), U.S. Forest Service (USFS), U.S. Department of Agriculture (USDA), gave a Microsoft PowerPoint presentation outlining the activities within the USFS ([Exhibit D](#)) with emphasis on the following:

- USFS projects utilized under the Southern Nevada Public Land Management Act of 1998;
- Implementation of the September 2015 *Greater Sage-grouse Record of Decision* (ROD); and
- The access and travel management plan (TMP) within the HTNF.

Vice Chair Hansen asked whether appropriate management levels (AMLs) have been established under the Wild Free-Roaming Horses and Burros Act of 1971.

Mr. Dunkelberger replied AMLs have not been set at this time, but he is hopeful to have them completed by the end of federal Fiscal Year 2015-2016.

Discussion continued between Vice Chair Hansen and Mr. Dunkelberger on grazing allotments, habitat assessments, and the ROD.

Senator Goicoechea voiced concerns with the signage, access, and maintenance to public roads under the TMP. Mr. Dunkelberger offered to meet and have further discussion.

Donn Christiansen, Area Manager, HTNF, Spring Mountains National Recreation Area (SMNRA), USFS, USDA, provided an update of ongoing projects in the SMNRA including: (1) restoration of the Mount Charleston South Loop Trail and Harris Springs Water Shed damaged by the Carpenter 1 fire; (2) endangered species listing and action plan for the Mount Charleston blue butterfly; (3) the Mahogany Grove Group Campground, the McWilliams Campground, the Foxtail Group Picnic Area, and the Old Mill Picnic Area; (4) multiple trailheads; and (5) the SMNRA Gateway.

Mr. Christiansen discussed the formation of the Mount Charleston Winter Alliance, which promotes a safer recreation experience for the public during the winter months.

AGENDA ITEM VI—UPDATE ON BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, PROGRAMS AND ACTIVITIES IN SOUTHERN NEVADA

Gayle E. Marrs-Smith, Field Manager, Southern Nevada District Office, Bureau of Land Management (BLM), U.S. Department of the Interior (DOI), briefed the Committee on the current status of district projects occurring on public lands in southern Nevada. Other topics discussed included: (1) the Nevada Test and Training Range; (2) development of a Proposed Resource Management Plan/Final Environmental Impact Statement; (3) funding of projects to encourage environmental sustainability, community collaboration, and wildlife connectivity; and (4) fire suppression support (Exhibit E and [Exhibit E-1](#)).

Discussion between various Committee members and Ms. Marrs-Smith centered on the following topics: (1) transfer of ownership of public lands to local government; (2) solar energy zone mitigation funds for Gold Butte; (3) BLM's presence in Gold Butte; (4) stray and trespass livestock in Gold Butte; and (5) nomination of disposal of land parcels within the Las Vegas Valley.

AGENDA ITEM VII—PRESENTATION ON THE PROGRAMS AND ACTIVITIES OF THE U.S. FISH AND WILDLIFE SERVICE, U.S. DEPARTMENT OF THE INTERIOR, IN SOUTHERN NEVADA

Mike Senn, Field Supervisor, Southern Nevada Fish & Wildlife Office, U.S. Fish and Wildlife Service (USFWS), DOI, indicated that implementation of the Endangered Species Act (ESA) of 1973 is the main goal and function of the USFWS. He discussed the challenges faced in enhancing and preserving the resources for future generations while enforcing the ESA ([Exhibit F](#)).

There was discussion between members and Mr. Senn on issues related to: (1) livestock grazing and tortoise population trends in the Mojave Desert; (2) USFWS law enforcement officers and enforcement of the law; (3) highway fencing; and (4) the Desert Tortoise.

AGENDA ITEM VIII—OVERVIEW OF THE OPERATIONS AND ACTIVITIES OF THE U.S. BUREAU OF RECLAMATION IN THE LOWER COLORADO RIVER AREA

Jennifer McCloskey, Deputy Regional Director, Lower Colorado River Region, U.S. Bureau of Reclamation, reported on the management of the lower Colorado River ([Exhibit G](#)).

Chair Gustavson, Assemblywoman Titus, and Ms. McCloskey discussed the maintenance, ownership, and modernization of Hoover Dam.

AGENDA ITEM IX—REVIEW OF PROGRAMS AND ACTIVITIES OF THE COLORADO RIVER COMMISSION OF NEVADA

Jayne Harkins, P.E., Executive Director, Colorado River Commission (CRC), outlined the CRC's responsibilities in protecting Nevada's rights to Hoover Dam; Hoover Dam power allocations; and water and natural resource issues (Exhibit H and [Exhibit H-1](#)).

Assemblywoman Titus and Ms. Harkins conversed on the topic of balancing water priority in dry years and the ability to generate power from Hoover Dam.

AGENDA ITEM X—UPDATES FROM CLARK COUNTY ON CURRENT ISSUES AND PRIORITIES RELATING TO PUBLIC LANDS AND NATURAL RESOURCES IN SOUTHERN NEVADA

Marci Henson, Director, Department of Air Quality, Clark County, presented current issues and priorities related to public lands and natural resources ([Exhibit I](#)).

Assemblywoman Swank noted that a portion of the public supports a Gold Butte National Monument designation.

In answer to Senator Parks' inquiry regarding the expansion of the disposable area, Ms. Henson described the area in which the BLM may dispose of its parcels by competitive auction.

AGENDA ITEM XI—DISCUSSION OF SCHEDULE AND SCHEDULING OF FUTURE MEETINGS

The following dates and locations were scheduled:

- April 15, 2016, in Winnemucca, Nevada;
- May 20, 2016, in Caliente, Nevada;
- July 22, 2016, in Elko, Nevada; and
- August 19, 2016, in Carson City, Nevada, with videoconferencing to Las Vegas, Nevada.

AGENDA ITEM XII—PUBLIC COMMENT

Chair Gustavson called for public comment; however, no testimony was presented.

Handwritten comments by James F. Falk, resident, Churchill County, Nevada resident, were submitted but were not discussed ([Exhibit J](#)).

AGENDA ITEM XIII—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:21 p.m.

Respectfully submitted,

Natalie J. Pieretti
Senior Research Secretary

Jered M. McDonald
Senior Research Analyst

APPROVED BY:

Senator Donald G. Gustavson, Chair

Date: _____

EXHIBITS

EXHIBIT	WITNESS/ENTITY	DESCRIPTION
Exhibit A	Jered M. McDonald, Senior Research Analyst, Research Division, Legislative Counsel Bureau	Agenda
Exhibit B	Howard Watts, III, Nevada Chapter, Backcountry Hunters and Anglers	Headwaters Economics Study
Exhibit C	John J. Entsminger, General Manager, Southern Nevada Water Authority, and Las Vegas Valley Water District	Microsoft PowerPoint Presentation
Exhibit D	Bill Dunkelberger, Forest Supervisor, Humboldt-Toiyabe National Forest, United States Forest Service, U.S. Department of Agriculture	Microsoft PowerPoint Presentation
Exhibit E	Gayle E. Marrs-Smith, Field Manager, Southern Nevada District Office, Bureau of Land Management (BLM), U.S. Department of the Interior (DOI)	Outline of Current Projects
Exhibit E-1	Gayle E. Marrs-Smith, Field Manager, Southern Nevada District Office, BLM, DOI	Handwritten Comments
Exhibit F	Mike Senn, Field Supervisor, Southern Nevada Fish & Wildlife Office, U.S. Fish and Wildlife Service, DOI	Microsoft PowerPoint Presentation
Exhibit G	Jennifer McCloskey, Deputy Regional Director, Lower Colorado River Region, U.S. Bureau of Reclamation	Microsoft PowerPoint Presentation
Exhibit H	Jayne Harkins, P.E., Executive Director, Colorado River Commission (CRC)	Mission Statement
Exhibit H-1	Jayne Harkins, P.E., Executive Director, CRC	Microsoft PowerPoint Presentation
Exhibit I	Marci Henson, Director, Department of Air Quality, Clark County	Microsoft PowerPoint Presentation
Exhibit J	James F. Falk, resident, Churchill County	Handwritten Comments

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 and other materials distributed at the meeting are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: (775) 684-6827.