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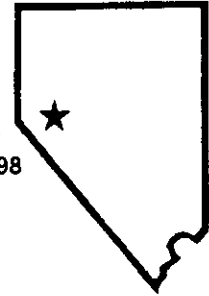
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NEVADA ASSOCIATION OF COUNTIES

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**Testimony of the Nevada Association of Counties to the
Assembly Committee on Natural Resources, Agriculture and Mining
February 24, 2003**

Introduction. Good afternoon. My name is Andrew List. I represent the Nevada Association of Counties. Thank you for allowing me to testify today on issues related to natural resources, agriculture, mining, and county governance.

Federal Lands. As this committee has heard numerous times, 86% of land in Nevada is managed by the federal government. The largest federal land management agencies are the Department of the Interior, the Department of Agriculture, and the Department of Defense. The preponderance of federal land ownership in this state has resulted in a very small private land base. This small land base serves commercial activities and generates property taxes across the state. However, because this private land base is so small (Lincoln County, for example, is 97% federally managed), many rural counties depend on activities that occur on federal land to generate economic activity. These activities include mining, ranching, and recreation. The Nevada Association of Counties believes that cooperation with federal land managers is of great importance. Resolution 02-03 asks that Federal land management agencies recognize county elected officials in Nevada as the duly elected representatives of the citizens of Nevada, and states our objection to any actions taken by federal land management agencies without communication and consultation with county elected officials.

PILT. The federal government compensates counties for their lack of private land, to some degree, with PILT payments. PILT, or Payments in Lieu of Taxes, are calculated using several factors, including population and land area. These payments are made to counties annually. The current debate involving PILT is whether these payments should be subject to the annual appropriations process, or whether PILT should be taken "off line" and fully funded each year. When these payments are calculated annually and made subject to the federal appropriations process, counties do not know how much the payment will be from year to year and thus can have a difficult time fitting the payment into the county budget process. NACO supports fully funded PILT payments that are not subject to the annual appropriations process.

Wilderness. Since their inception, millions of acres designated as "wilderness study areas" (WSAs) have been managed as de facto wilderness since their inception, even though such a designation has never officially been made. In many cases WSAs contain non-wilderness values such as roads, active and inactive mining claims, water

improvements, and utility corridors. A study commissioned by NACO in 1991 illustrates how important public lands are to local economies. The study, prepared by the Western Economic Analysis Center, estimated that the proposed wilderness withdrawals will result in \$756 million of lost personal income to Nevada residents, \$2.3 billion in lost sales to Nevada businesses, and loss of \$214 million in state and local government revenue. These numbers were calculated prior to the recent Clark County wilderness bill and prior to the designation of the Black Rock/High Rock National Conservation Area and associated wilderness areas in Humboldt County. NACO's position, ratified by the NACO Board of Directors in Resolution 02-02, is that all acreage deemed unsuitable by the Bureau of Land Management for wilderness should be immediately released from wilderness study status. All remaining wilderness study area lands should be studied to develop wilderness legislation in an open collaborative process with local elected officials and concerned citizens. Any wilderness legislation should balance economic considerations equally with environmental considerations.

Endangered Species. Implementation of the Endangered Species Act (ESA) has also had impacts on county governments and their fiscal stability. An endangered species can bring existing activities to a halt on public lands and also make attracting new industries difficult. Currently, there is an ongoing effort to plan for the conservation of the Sage Grouse on its range throughout Nevada. This planning activity has taken time and resources from volunteers and local governments. If successful, these efforts will prevent the Sage Grouse from being listed and not have a negative impact on local economies. NACO supports amending the ESA, as expressed in NACO Resolution 02-01, to require scientific peer review of any finding issued by the United States Fish and Wildlife Service. This resolution was adopted in response to data manipulation and misapplication that occurred in regards to the endangered black lynx in Washington state.

Mining. As you have heard in previous committee meetings, mining plays an important part in rural economies. Pursuant to NRS 362.140, mining generates tax revenue for county governments based on the net proceeds of minerals. This revenue stream can be quite volatile over time. The net proceeds of minerals in Pershing County, for example, totaled just over \$41 million in 1998. Mining activities have decreased substantially since that time and have dropped nearly 75% to \$10.7 million in 2001.

Wildfires. In 1999, wildfires scorched nearly 1.9 million acres in Nevada. In 2000, almost 700,000 acres burned. Approximately 654,000 acres burned in 2001. Nevada was one of the few western states that did not suffer catastrophic fires in 2002 when approximately 78,000 acres burned. As previously stated, Nevada's counties look to federal lands as a base to generate economic activities. Whether these activities are related to mining, grazing, or recreation, the fact remains that once acreage is burned it is normally closed off for a period of time for rehabilitation purposes. NACO seeks any support that this body can provide to help rehabilitate federal lands burned by wildfires. NACO further asks for any consideration and support that can be given to these counties while these lands heal.

Grazing. As documented in a 2001 report by Resource Concepts, grazing activities on federal lands have decreased 16% from 1980 through 1999. The report estimated that this has had a \$25 million dollar impact on Nevada's economy. Most of these impacts were felt in rural Nevada. Many times these decreases were due to wildfires or the implementation of the ESA.

Summary. This brief narrative is only the beginning of a long list of natural resource issues in Nevada's counties. The issues I have discussed go much deeper than we have time for, and there are other issues, including those of water use and appropriation, noxious weed eradication, and fugitive dust problems that are also worthy of discussion. NACO recognizes that this body has limited influence over federal lands in Nevada. We ask that this body recognize the fragile state of county land-based economies in this state and make every effort to promote sound economic and environmental use of lands in Nevada. Thank you for your time and consideration. I look forward to working with you now and in the future on these issues. I am available for comments and questions.

Nevada Association of Counties Resolution 02-03

***A RESOLUTION ESTABLISHING THE ROLE OF COUNTY
GOVERNMENTS IN THE POLICY MAKING PROCESS OF
THE FEDERAL GOVERNMENT***

WHEREAS, the Nevada Association of Counties recognizes the fundamental and highly influential role that county elected officials play in the daily lives of the citizens they represent; and

WHEREAS, the Nevada Association of Counties recognizes that county elected officials must take certain actions and which promote the general welfare of Nevada's counties and citizens; and

WHEREAS, the Nevada Association of Counties recognizes that relationships between county elected officials and federal governmental entities are necessary to carry out the duties and responsibilities of county elected officials; and

WHEREAS, due to the preponderance of Federal lands and number of Federal agencies within Nevada, the Nevada Association of Counties recognizes that the actions and influences of the federal government impact the ability of county governments to function and perform their responsibilities.

NOW THEREFORE BE IT RESOLVED that the Federal government of the United States of America acknowledge and recognize County elected officials in Nevada as duly elected representatives of citizens throughout the State of Nevada, and not merely as "stakeholders" in the outcome of Federal actions;

BE IT FURTHER RESOLVED that the Federal government of the United States of America is obligated and responsible to directly communicate and consult with county elected officials prior to taking actions that impact citizens of the state of Nevada;


BE IF FURTHER RESOLVED that county elected officials stringently object to actions taken by the Federal government of the United States of America that fail to include consultation with county elected officials;

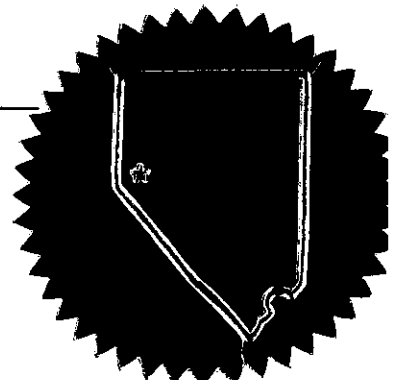
BE IT FURTHER RESOLVED that county elected officials, through the Nevada Association of Counties, will distribute copies of this resolution to the Federal government of the United States of America and its various agencies to support and foster a spirit of cooperation between local governments and the Federal government in the state of Nevada.

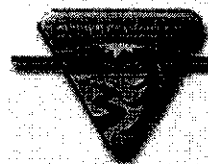
PASSED, APPROVED AND ADOPTED this 9th day of August, 2002 by the Board of Directors of the Nevada Association of Counties:

Attest:


Robert S. Hadfield
Executive Director


LeRoy Goodman
President





Bureau of Land Management

Payments in Lieu of Taxes

Total Payments and Total Acres by State/County

Summary by State and County Fiscal Year 2002		
NEVADA		
County	Payment	Total Acres
CARSON CITY	\$55,656.00	46,625
CHURCHILL COUNTY	\$1,003,277.00	2,143,755
CLARK COUNTY	\$1,579,548.00	4,806,144
DOUGLAS COUNTY	\$324,771.00	257,305
ELKO COUNTY	\$1,516,539.00	7,907,503
ESMERALDA COUNTY	\$76,979.00	2,247,693
EUREKA COUNTY	\$130,888.00	2,158,842
HUMBOLDT COUNTY	\$749,568.00	4,968,371
LANDER COUNTY	\$445,399.00	3,335,384
LINCOLN COUNTY	\$330,193.00	6,422,951
LYON COUNTY	\$1,026,294.00	868,307
MINERAL COUNTY	\$386,895.00	1,940,797
NYE COUNTY	\$1,245,237.00	8,523,984
PERSHING COUNTY	\$489,334.00	2,928,779
STOREY COUNTY	\$16,921.00	14,242
WASHOE COUNTY	\$1,584,062.00	2,923,632
WHITE PINE COUNTY	\$544,839.00	5,296,180
TOTAL	\$11,506,400.00	56,790,494

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Nevada Association of Counties Resolution 02-02

A RESOLUTION URGING CONGRESS TO RESOLVE THE STATUS OF LANDS PRESENTLY CLASSIFIED AS WILDERNESS STUDY AREAS

WHEREAS, approximately 4.46 million acres of Federal land in Nevada were designated as Wilderness Study Areas (WSAs) over thirty years ago to consider whether they met the criteria for designation under the 1964 Wilderness Act; and

WHEREAS, the Bureau of Land Management has determined that approximately 2.84 million acres within designated WSAs are "non-suitable" as Wilderness and do not meet wilderness criteria set forth in the 1964 Wilderness Act; and

WHEREAS, the Final Environmental Impact for Wilderness Recommendations in Nevada was delivered to Congress in 1987; and

WHEREAS, the 1964 Wilderness Act clearly shows that Congress intended timely determination of Wilderness Designation as evidenced by its adoption of a ten-year time limit for recommendation; and

WHEREAS, Congress and the Bureau of Land Management has taken action to resolve the status of WSAs in Clark and Lincoln Counties, an action supported by the Nevada Association of Counties; and

WHEREAS, WSAs continue to be managed as de facto wilderness under the Bureau of Land Management's Interim Management Policy; and

WHEREAS, multiple-use of Federal lands for mining, livestock grazing, wildlife management, RS2477 access and other traditional and economic activities are vital to the economy of Nevada's counties; and

WHEREAS, active management based on sound scientific data for purposes of fuels management, fire rehabilitation, invasive and noxious weed control, riparian health, wildlife habitat, endangered species habitat, and livestock management is stymied by the Bureau of Land Management's interim management policy.

NOW THEREFORE BE IT RESOLVED that the Nevada Association of Counties supports the collaborative process used for wilderness designation in Clark and Lincoln Counties and urges that the process used to resolve remaining wilderness designation issues in the balance of the State of Nevada;

BE IF FURTHER RESOLVED that the Nevada Association of Counties urges Congress to immediately release all acreage deemed "non-suitable" as wilderness back into multiple use status;


BE IT FURTHER RESOLVED that the Nevada Association of Counties urges the Congress and the Bureau of Land Management to work collaboratively with county governments and concerned citizens to determine the fate of the remaining acreage;

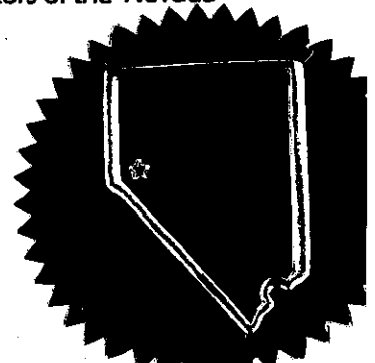
BE IT FURTHER RESOLVED that the Nevada Association of Counties recommends amending the Wilderness Act of 1964 to include a sunset provision that would return WSAs into multiple use status if not acted upon within ten years.

PASSED, APPROVED AND ADOPTED this 9th day of August, 2002, by the Board of Directors of the Nevada Association of Counties:

Attest:


Robert S. Hadfield
Executive Director


LeRoy Goodman
President
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RESOLUTION 02-01

OF THE BOARD OF DIRECTORS OF THE NEVADA ASSOCIATION OF COUNTIES, URGING CONGRESS TO INVESTIGATE ALLEGED DATA MANIPULATION BY FEDERAL EMPLOYEES AND EMPLOYEES OF THE STATE OF WASHINGTON WITH RESPECT TO IMPLEMENTATION OF THE ENDANGERED SPECIES ACT, URGING THE AMENDMENT OF FEDERAL LAND MANAGEMENT LAWS AND POLICIES, AND REQUESTING A MORATORIUM ON ALL ENDANGERED SPECIES LISTINGS UNTIL THE RELIABILITY OF SCIENTIFIC DATA CAN BE ASSURED

WHEREAS, Federal employees are required to act in a lawful manner and in the best interests of the people of the United States when implementing the Endangered Species Act and other Federal land management laws and policies; and

WHEREAS, the integrity of Federal and State Government is diminished when Federal and State employees manipulate and misapply scientific data on which the lawful and proper implementation of the Endangered Species Act and other Federal land management laws and policies is based; and

WHEREAS, there is no language in the Endangered Species Act or other Federal land management laws or policies stating that the manipulation or misapplication of scientific data supporting lawful implementation of the Act is unlawful; and

WHEREAS, Congress requires that agents of government who act contrary to public policy and/or outside the law be accountable for their actions.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Nevada Association of Counties that the United States Congress is urged to thoroughly investigate the alleged manipulation and misapplication of scientific data and all other potential breaches of public trust in the administration of the Endangered Species Act and other Federal land management laws and policies;

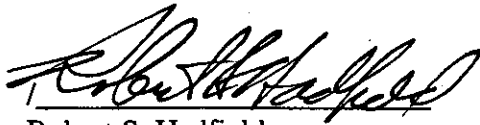
BE IT FURTHER RESOLVED by the Board of Directors of the Nevada Association of Counties that Congress strengthen the Endangered Species Act and all Federal land management laws and policies to make the intentional manipulation and misapplication of scientific data used to further the purposes of the such laws and policies a Federal crime; and

BE IT FURTHER RESOLVED by the Board of Directors of the Nevada Association of Counties that the United States Fish and Wildlife Service and the Department of the Interior place an immediate moratorium on the listing of any additional species pursuant to the Endangered Species Act until the agency can demonstrate that such listing is based on sound, accurate, and reliable scientific data.

Nevada Association of Counties
Resolution 02-01

PASSED, APPROVED AND ADOPTED this 12th day of April, 2002 by the
Board of Directors of the Nevada Association of Counties.

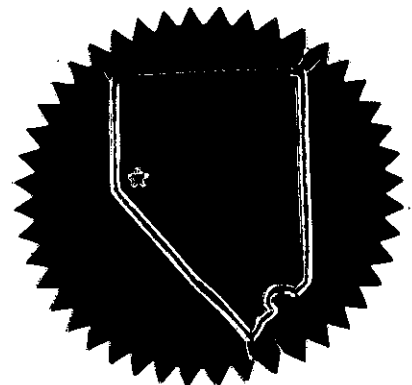
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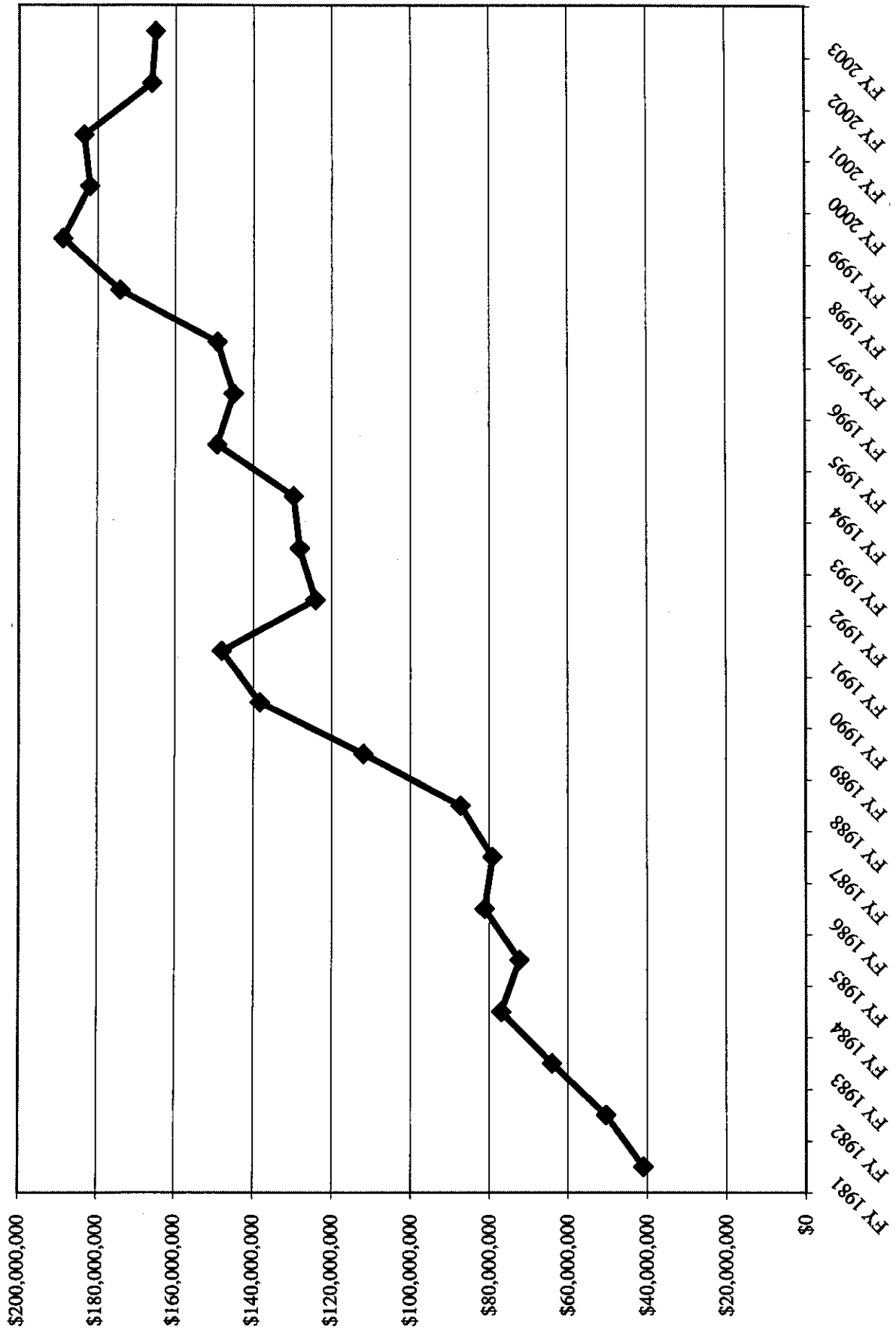
Robert S. Hadfield
Executive Director



LeRoy Goodman
President

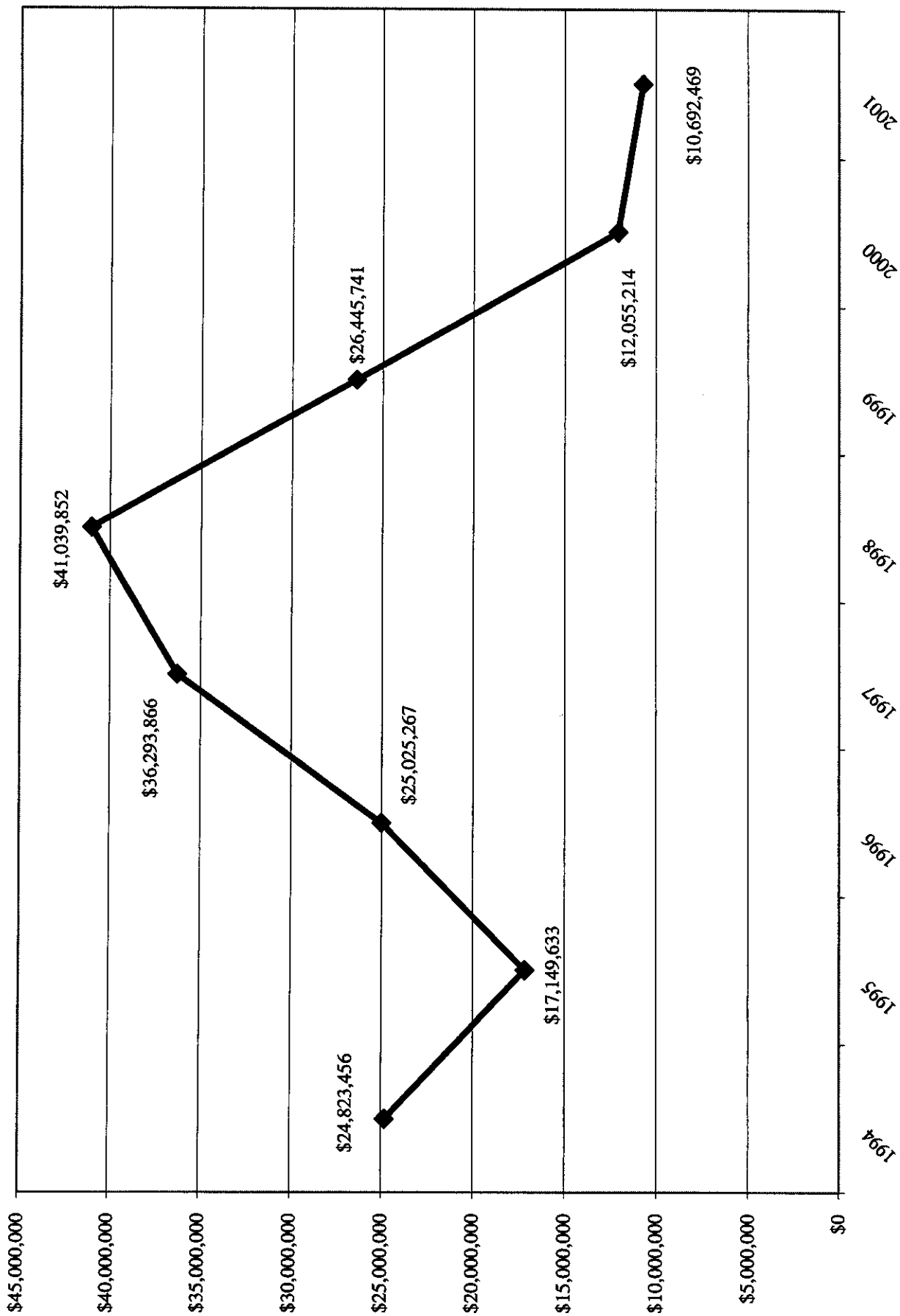


Pershing County Assessed Valuation FY-81 through FY-03



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Pershing County Net Proceeds of Minerals 1995 - 2002



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