
SENATE JOINT RESOLUTION NO. 4—COMMITTEE ON
NATURAL RESOURCES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON PUBLIC
LANDS' SUBCOMMITTEE ON WILDERNESS AND
WILDERNESS STUDY AREAS)

FEBRUARY 11, 2003

Referred to Committee on Natural Resources

SUMMARY—Urges Nevada Congressional Delegation and
Congress to take certain actions concerning
wilderness areas and wilderness study areas.
(BDR R-715)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

SENATE JOINT RESOLUTION—Urging the Nevada
Congressional Delegation and Congress to take certain
actions concerning wilderness areas and wilderness study
areas.

1 WHEREAS, The provisions of 16 U.S.C. §§ 1131 et seq.,
2 commonly referred to as the Wilderness Act, establish the National
3 Wilderness Preservation System, which consists of areas of federal
4 public land that are designated by Congress as wilderness areas; and

5 WHEREAS, Congress has designated approximately 1.7 million
6 acres of certain federal public lands in Nevada as wilderness areas;
7 and

8 WHEREAS, If an area of federal public land is designated as a
9 wilderness area, it must be managed in a manner that preserves the
10 wilderness character of the area and ensures that the area remains
11 unimpaired for future use and enjoyment as a wilderness area; and

12 WHEREAS, In conjunction with the provisions of the Wilderness
13 Act, the Bureau of Land Management of the Department of the



1 Interior manages approximately 5 million acres of federal public
2 lands in Nevada identified as wilderness study areas; and

3 WHEREAS, Until a wilderness study area is designated by
4 Congress as a wilderness area or released, the wilderness study area
5 must be managed in a manner that does not impair its suitability for
6 preservation as a wilderness area; and

7 WHEREAS, Because a considerable amount of federal public
8 land in Nevada has been designated as wilderness areas or identified
9 as wilderness study areas and because such designation or
10 identification imposes significant restrictions concerning the
11 management and use of such land, including land used for mining,
12 ranching and recreation, the Legislative Commission appointed a
13 subcommittee in 2001 to conduct an interim study of wilderness
14 areas and wilderness study areas in this state; and

15 WHEREAS, During the 2001-2002 legislative interim, the
16 subcommittee met several times throughout this state and facilitated
17 important and wide-ranging discussions among many agencies,
18 organizations and persons with diverse interests, perspectives and
19 expertise concerning wilderness areas and wilderness study areas;
20 and

21 WHEREAS, The subcommittee received a great deal of valuable
22 input from those agencies, organizations and persons, including
23 many valuable recommendations for the Nevada Congressional
24 Delegation and Congress to consider in addressing the issues
25 concerning wilderness areas and wilderness study areas in a
26 responsible, reasonable and fair manner; now, therefore, be it

27 RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF
28 NEVADA, JOINTLY, That the members of the Nevada Legislature
29 urge the Nevada Congressional Delegation to work with all
30 interested Nevadans, land managers, affected parties, local
31 governments, special interest organizations and members of the
32 American public in a spirit of cooperation and mutual respect to
33 address issues concerning the designation of wilderness areas in
34 Nevada; and be it further

35 RESOLVED, That the members of the Nevada Legislature urge
36 Congress to:

37 1. Encourage education at all levels of government and of all
38 affected parties to ensure that facts are accurately presented when
39 wilderness issues are debated and that the applicable laws are
40 properly interpreted when officials carry out legislation concerning
41 wilderness areas and wilderness study areas;

42 2. Require the development of accurate, consensus-based maps
43 for boundaries of wilderness areas and wilderness study areas using
44 technologies such as Geographic Information Systems;



- 1 3. Oppose the creation of buffer zones around wilderness areas
2 and instead support the requirement of clear and concise boundaries
3 based on recognizable features on the ground, including, without
4 limitation, roads and established drainage routes;
- 5 4. Support efforts to ensure that existing roads are not closed to
6 create wilderness areas;
- 7 5. Support the implementation of appropriate measures,
8 including, without limitation, the use of roads, to ensure that persons
9 who are elderly or have a disability have continued access to
10 wilderness areas;
- 11 6. Support the preservation of roads that do not appear on a
12 map and may not have been documented but that have historically
13 been used to allow persons access to private property;
- 14 7. For the purpose of allowing ranchers access to water
15 diversions located near wilderness areas or wilderness study areas,
16 support the use of "cherry-stem" roads, which are dead-end roads
17 that would geographically extend into wilderness areas but are
18 excluded from designation as parts of wilderness areas because the
19 boundaries of the wilderness areas are drawn around and just
20 beyond the edges of such roads;
- 21 8. Specifically outline and guarantee all preexisting rights of
22 ranchers concerning grazing permits, water permits and access to
23 land and water necessary for ranching via "cherry-stem" roads in
24 any legislation concerning wilderness areas and wilderness study
25 areas;
- 26 9. Support the use of appropriately managed grazing and
27 logging as integral tools for reducing potential fire danger in
28 wilderness areas and wilderness study areas;
- 29 10. Consider future population growth and urban expansion
30 when designating wilderness areas in Nevada, as Nevada has been
31 the state with the highest percentage population growth in recent
32 years and public lands in Nevada are increasingly impacted by
33 human activity and development;
- 34 11. Support the designation of the area of approximately 1,800
35 acres of land known as Marble Canyon, which is adjacent to the Mt.
36 Moriah Wilderness Area and which appears to have been
37 inadvertently excluded from the Nevada Wilderness Protection Act
38 of 1989, Public Law 101-195, as a wilderness area;
- 39 12. Support national and state legislation which explicitly
40 requires that when a decision is made in the public land use
41 planning process which will affect economic activity on public land,
42 consideration must be given as to the effects of the decision on
43 communities that are dependent on natural resources;
- 44 13. Hold extensive hearings in Washington, D.C., and in
45 Nevada before making any changes to the designation of wilderness



1 areas in Nevada or the identification of wilderness study areas in
2 Nevada or any other changes concerning public lands in Nevada;

3 14. Use a collaborative process when designating a wilderness
4 study area as a wilderness area; and

5 15. Support precise specification of the activities that are
6 authorized within wilderness areas and wilderness study areas; and
7 be it further

8 RESOLVED, That the Secretary of the Senate prepare and
9 transmit a copy of this resolution to the Vice President of the United
10 States as the presiding officer of the Senate, the Speaker of the
11 House of Representatives and each member of the Nevada
12 Congressional Delegation; and be it further

13 RESOLVED, That this resolution becomes effective upon
14 passage.

