

Senate Joint Resolution No. 4—Committee on
Natural Resources

FILE NUMBER.....

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

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

WHEREAS, Congress has designated approximately 2 million
acres of certain federal public lands in Nevada as wilderness areas;
and

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

WHEREAS, A reasonable amount of wilderness area in this state
provides for a diverse spectrum of recreational opportunities in
Nevada, promotes tourism and provides a place for Nevadans to
escape the pressures of urban growth; and

WHEREAS, In conjunction with the provisions of the Wilderness
Act, the Bureau of Land Management of the Department of the
Interior manages approximately 3.86 million acres of federal public
lands in Nevada identified as wilderness study areas; and

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

WHEREAS, Because approximately 2 million acres of federal
public land in Nevada have been designated as wilderness areas and
approximately 8.6 percent of the federal public land in Nevada that
is managed by the Bureau of Land Management has been identified
as wilderness study areas and because such designation or
identification is believed to impose significant restrictions
concerning the management and use of such land, including land
used for mining, ranching and recreation, the Legislative
Commission appointed a subcommittee in 2001 to conduct an
interim study of wilderness areas and wilderness study areas in this
state; and

WHEREAS, During the 2001-2002 legislative interim, the
subcommittee met several times throughout this state and facilitated
important and wide-ranging discussions among many agencies,
organizations and persons with diverse interests, perspectives and

expertise concerning wilderness areas and wilderness study areas; and

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

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

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

1. Encourage education at all levels of government and of all affected parties to ensure that facts are accurately presented when wilderness issues are debated and that the applicable laws are properly interpreted when officials carry out legislation concerning wilderness areas and wilderness study areas;
2. Require the development of accurate, consensus-based maps for boundaries of wilderness areas and wilderness study areas using technologies such as Geographic Information Systems;
3. Oppose the creation of buffer zones around wilderness areas and instead support the requirement of clear and concise boundaries based on recognizable features on the ground, including, without limitation, roads and established drainage routes;
4. Support efforts to ensure that existing roads are not closed to create wilderness areas;
5. Support the implementation of appropriate measures, including, without limitation, the use of roads, to ensure that persons who are elderly or have a disability have continued access to wilderness areas;
6. Support the preservation of roads that do not appear on a map and may not have been documented but that have historically been used to allow persons access to private property;
7. For the purpose of allowing ranchers access to water diversions located near wilderness areas or wilderness study areas, support the use of "cherry-stem" roads, which are dead-end roads that would geographically extend into wilderness areas but are excluded from designation as parts of wilderness areas because the boundaries of the wilderness areas are drawn around and just beyond the edges of such roads;

8. Specifically outline and guarantee all preexisting rights of ranchers concerning grazing permits, water permits and access to land and water necessary for ranching via "cherry-stem" roads in any legislation concerning wilderness areas and wilderness study areas;

9. Support the use of appropriately managed techniques for managing vegetation, including, without limitation, grazing, and the use of appropriately managed logging as integral tools for reducing potential fire danger in wilderness areas and wilderness study areas;

10. Consider future population growth and urban expansion when designating wilderness areas in Nevada, as Nevada has been the state with the highest percentage population growth in recent years and public lands in Nevada are increasingly impacted by human activity and development;

11. Support the designation of the area of approximately 1,800 acres of land known as Marble Canyon, which is adjacent to the Mt. Moriah Wilderness Area and which appears to have been inadvertently excluded from the Nevada Wilderness Protection Act of 1989, Public Law 101-195, as a wilderness area;

12. Support national and state legislation which explicitly requires that when a decision is made in the public land use planning process which will affect economic activity on public land, consideration must be given as to the effects of the decision on communities that are dependent on natural resources;

13. Hold extensive hearings in Washington, D.C., and in Nevada before making any changes to the designation of wilderness areas in Nevada or the identification of wilderness study areas in Nevada or any other changes concerning public lands in Nevada;

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

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

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

RESOLVED, That this resolution becomes effective upon passage.