

**MINUTES OF THE
SENATE COMMITTEE ON NATURAL RESOURCES**

**Seventy-sixth Session
February 16, 2011**

The Senate Committee on Natural Resources was called to order by Chair Mark A. Manendo at 3:34 p.m. on Wednesday, February 16, 2011, in Room 2144 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Mark A. Manendo, Chair
Senator David R. Parks, Vice Chair
Senator John J. Lee
Senator Dean A. Rhoads
Senator Michael Roberson

STAFF MEMBERS PRESENT:

Michelle Van Geel, Policy Analyst
Charity Fowler, Counsel
Sandra Hudgens, Committee Secretary
Jodene Poley, Committee Secretary

OTHERS PRESENT:

Andrew List, Executive Director, The Nevada Fire Safe Council
Scout Holaday, Pahrnagat Valley Future Farmers of America
Jason Thatcher, Pahrnagat Valley Future Farmers of America
Catelyn Sanders, Pahrnagat Valley Future Farmers of America
William Prince, Pahrnagat Valley Future Farmers of America

CHAIR MANENDO:

Today we have an overview of the Legislative Committee on Public Lands (LCPL) presented by Senator Rhoads.

SENATOR DEAN A. RHOADS (Rural Nevada Senatorial District; Chair, Legislative Committee on Public Lands):

I have served as the Chair for LCPL for nearly 25 years. The LCPL is a permanent committee of the Nevada Legislature whose duties are set forth in chapter 218E of *Nevada Revised Statutes*. Created in 1983, LCPL is responsible for monitoring policies and laws affecting the 61 million acres of federally managed lands in Nevada. The committee offers us an opportunity to discuss a wide range of public-land issues with federal, state and local officials, representatives of special-interest organizations and members of the public. The LCPL monitors issues ranging from grazing, mining and recreation to wild horses, endangered species and wildlife. The LCPL is also required to review the programs and activities of the state engineer, along with regional and local water authorities throughout the State.

In order to reach the people most affected by federal land-management issues, LCPL has a tradition of holding as many meetings as possible in rural cities and towns. This past interim, budget constraints limited LCPL to three meetings. Representatives from LCPL also traveled to Washington, D.C., to meet with Nevada's Congressional Delegation and federal agencies such as the Bureau of Land Management (BLM) and the United States Forest Service. Due to the budget restrictions on out-of-state travel, the representatives paid their own travel expenses.

At its final meeting, the members voted to request ten bill draft requests (BDRs) for consideration by the 2011 Nevada Legislature. I have provided you a listing of these BDRs ([Exhibit C](#)) which cover grazing and rangeland health protection, sage grouse, revenue sharing from activities on federal land, off-highway vehicles and water. In addition, the members voted to send letters to the Nevada Congressional Delegation in opposition to the agreement between El Paso Corporation and the Western Watersheds Project, opposition to federal legislation redefining navigable waters and reconsideration of hot-weather grazing restrictions. Letters were also sent to BLM supporting Carson City's application for Southern Nevada Public Lands Management Act funds and supporting Lincoln County's proposed biomass demonstration project. The LCPL's final report "Bulletin No. 11-13", ([Exhibit D](#)) contains policy statements on a wide range of public-lands issues that affect Nevada.

The next two years will be critical for public-land issues. This Committee has to place more emphasis on these public-land and water matters as the competition for water and land space increases.

CHAIR MANENDO:

Next on the agenda is a presentation from The Nevada Fire Safe Council.

ANDREW LIST (Executive Director, The Nevada Fire Safe Council):

I would like to address some of The Nevada Fire Safe Council's (NVFSC) accomplishments for 2010. For those of you who are new to our program, NVFSC was formed in 2001. The NVFSC have a staff who work with a group of 4,000 volunteers on an annual basis. We work with communities that are in high or moderate risk of catastrophic loss due to wildfire. The NVFSC has a total of 132 chapters encompassing both urban and rural areas. In 2010, NVFSC was involved in fire-suppression projects covering over 3,800 acres. Those projects include thinning, mowing, timber operations, seeding and herbicide spraying. I have provided the Committee with a handout, "Working to Make Communities Fire Safe," ([Exhibit E](#)) listing these projects. The NVFSC also works with the public in creating community biomass piles. The largest impediment in defensible space projects is what to do with the removed organic material. A community biomass pile is set up on a vacant lot. During a defined time period, homeowners may dump the material on the lot, free of charge. The NVFSC will organize the removal of the piles. The material is then ground and utilized for various purposes.

The NVFSC continues to administer its defensible-space rebate program, through federal grants. Any resident of the Lake Tahoe Basin who has an inspection of their property done by their fire protection district is eligible for the rebate. Once a resident implements the recommendations in the inspection, the program rebates to the resident one-half of the cost of the work.

The question you may ask is, "Why are we using public money to get people to do something they should already do?" The answer is that you are investing money in presuppression. If you have a community that is fire safe, you will need fewer firefighters to protect that community. Those firefighters can then be redeployed to the fire front. Studies show that protected communities have fires which are shorter in duration, cost less to suppress and do less ecosystem and economic damage.

Senate Committee on Natural Resources
February 16, 2011
Page 4

CHAIR MANENDO:

Typically, how much does a person receive from the rebate program?

MR. LIST:

The average rebate is \$803.58.

SENATOR LEE:

Does NVFSC include timber infected with bark beetles in the fire-suppression program?

MR. LIST:

If a tree is marked as a fire hazard, we will remove it. If the dead tree is not within the allowed fire zone, we will not remove it.

CHAIR MANENDO:

What do you do with the dead trees when they are removed?

MR. LIST:

We hire contractors to remove the dead material. The material may be turned into biomass fuel, pulp or firewood. If the dead trees are deep in a forest, it is not cost-effective to remove the material. Those materials are usually piled and burned.

CHAIR MANENDO:

We have a presentation by the Pahrnagat Valley Future Farmers of America.

SCOUT HOLADAY (Pahrnagat Valley Future Farmers of America):

Today we would like to talk to you about National Conservation Areas (NCAs). We have a PowerPoint presentation ([Exhibit F](#)) to show to you. What is a "National Conservation Area?" It is an area set aside with specific rules and regulations made particularly for that area. For instance, there are two areas in Nevada designated as NCAs, Red Rock Canyon and Black Rock Desert.

JASON THATCHER (Pahrnagat Valley Future Farmers of America):

The proposed NCA we are discussing is located approximately 130 miles north of Las Vegas and 60 miles south of Ely. The area covers roughly 600,000 acres. The proposal to designate this land as an NCA will affect ranchers, outdoor enthusiasts, hunters and campers. The proposal will also affect the BLM because they will have jurisdiction over law enforcement.

CATELYN SANDERS (Pahranagat Valley Future Farmers of America):

Ranchers will play a large role in the decision to designate this property as an NCA. There are 13 grazing permit holders within this area. Ranchers consider it their right to graze the land. The federal government considers it a privilege. If the land is designated as an NCA, federal authorities would police the area. In researching this information, we have been informed that BLM works closely with local law enforcement, so the need for a federal marshal may not be necessary. If the property is designated as an NCA, ranchers will no longer have a voice in how the land will be utilized.

MS. HOLADAY:

Of the 13 grazing permit holders, 2 are for the proposal and 11 are against it. Protection from industrialization is important. Livestock is grazed in that area to keep the animals from railroads, highways and homes. The use of the land will remain the same. As the law is written now, ranchers will still be able to use the land. It should help ranchers by protecting them from industrialization.

WILLIAM PRINCE (Pahranagat Valley Future Farmers of America):

If the NCA is passed, private landowners will take on the "grandfather rule." That rule allows that you get to keep doing what you have been doing on your land.

MS. SANDERS:

It is important to remember that the NCA does not encompass private landowners' property—it only borders it. If the NCA designates a species as endangered in the area, access to the roadways could close. Private landowners may lose access to their roads and routes.

MR. THATCHER:

Outdoor enthusiasts will continue to enjoy the land once it is designated as an NCA. Conflicts between grazing permit holders will be reduced because they will be under one management rather than separate agencies.

MR. PRINCE:

If the property is an NCA, legislation could change without the approval or input of the grazing permit holders or the public. Politicians in Washington, D.C., may not understand the needs of our State.

Senate Committee on Natural Resources
February 16, 2011
Page 6

CHAIR MANENDO:

Seeing no further business before the Committee, we will adjourn the meeting
at 4:20 p.m.

RESPECTFULLY SUBMITTED:

Jodene Poley,
Committee Secretary

APPROVED BY:

Senator Mark A. Manendo, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Natural Resources

Date: February 16, 2011

Time of Meeting: 3:30 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Roster
	C	Senator Rhoads	Status of BDR Requests
	D	Senator Rhoads	LCPL Bulletin 11-13
	E	Andrew List	Presentation by Nevada Fire Safe Council
	F	Pahranagat Valley FFA	PowerPoint Presentation