

MINUTES

ENVIRONMENT AND PUBLIC RESOURCES COMMITTEE
April 28, 1977

Members Present: Chairman Moody
Mr. Coulter
Mr. Kissam
Mr. Ross
Mr. Chaney
Mr. Polish
Mr. Serpa
Mr. Rhoads
Mr. Jeffrey

Guests Present: Matthew Feiertag, Environmental Protection Service
Glen Griffith, Nevada Fish and Game Department
Dick Heikka, W.C.O.G.
Tom Young, Sierra Pacific Power Company
Bob Stewart, Governor's Office
W. H. Winn, Nevada Mining Association
Senator Carl Dodge
Evelyn and Louis Polish

The meeting was called to order by Chairman Moody. The first item on the Agenda was S.J.R. 26. Chairman Moody called on Senator Carl Dodge for testimony in behalf of S.J.R. 26.

SENATE JOINT RESOLUTION 26 - Memorializes Congress to contract with Nevada to administer federal lands.

Senator Dodge testified that he attended a National Conference of State Legislatures in February and they spent some time with Senator Laxalt. The Senator told them that in the State of Wyoming the Department of Interior had, by contract, agreed that Wyoming could manage their surface coal mining operations, including all environmental considerations, etc. He thought it might be a way whereby Nevada, even though we might not get title to some of the public lands, might contractually be able to administer them. He thought this might set a precedent. He indicated that if we would pass a resolution out of this Legislature asking for a review of that possibility, it would be helpful to him. The language is what was suggested by Senator Laxalt's office. The key language is on Line 15 of Page 2. He feels that this would be a helpful thing in the future if we could get more of these contractual arrangements with the Federal Government.

Mr. Rhoads mentioned a letter from President Carter to the Governor to this effect, and he asked to see the letter if it ever becomes available.

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Testimony was concluded on S.J.R. 26.

Chairman Moody called for testimony in favor of S.B. 401 and S.J.R. 23.

SENATE BILL 401 - Authorizes capture of wild horses and burros by means of aircraft and motor vehicles.

SENATE JOINT RESOLUTION 23 - Urges United States Bureau of Land Management and Department of the Interior to take prompt action to reduce the number of wild horses and burros on public lands.

Assemblyman Rhoads testified that the year the Wild Horse Act was passed in 1971 there was approximately 10-12,000 wild horses in Nevada. At that time the bill said that the number of wild horses should be either that number or the optimum number, which could be less than 10,000. Since that time they have grown to a number of 36,000 or more and are increasing 20 percent per year. They are now drinking a lot of water and consuming a lot of forage and the BLM and the Forest Service has dug their feet in trying to reduce the population, and at the same time, laws are necessary in Congress to get the job done, and this is just a resolution to urge Congress and the BLM to reduce the numbers and make a management program that would be fair to all, as there has to be some kind of control.

Glen Griffith, of the Nevada Fish and Game Department, testified that the department supports very strongly the intent of S.J.R. 23, particularly that part which transfers title to the people who obtain the horses. The Organic Act does allow for the use of aircraft for the roundup of horses, which is the only economically feasible way to do the job. They are having a conflict now between the horses and an endangered species of California Bighorn Sheep in North Washoe County, and they are going to lose it due to the great numbers of horses, and they have a great amount of money involved. There is a confrontation between burros and Desert Bighorn in Southern Nevada. Many national organizations and hunting clubs are in favor of the intent of this resolution. Any range impactor that is infinitely increasing on a finite resource is just not an acceptable way to manage any public lands.

There were questions from the committee asking if there were a possibility of a hunting season on horses, and if there were an economic value for the horsemeat. Mr. Griffith answered that the Fish and Game Department could not have a season on horses as they are not game animals, but there is an economic value on the meat if the title can be transferred to someone and there is an economical way of rounding up the excess horses. There are packing plants for horsemeat to be used for pet food. There is also the question of humanity and public feeling. The Federal Government has jurisdiction over all the wild horses and burros now and would have to transfer title.

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The hearing was concluded on S.J.R. 23 and S.B. 401.

Chairman Moody called for testimony on S.J.R. 18.

SENATE JOINT RESOLUTION 18 - Memorializes President of the United States to appoint mineral affairs adviser to White House staff.
No testimony was presented on S.J.R. 18.

The committee held a general discussion regarding the testimony which was presented on April 26, 1977, at the hearing on S.B. 266. Dick Heikka and Bob Stewart entered into the discussion regarding the proposed amendments from that hearing. Mr. Heikka and Mr. Stewart said there were some misconceptions regarding the property that has not been included within the red line area and which some members of the committee feel should be included. Mr. Heikka said Mr. Park had a building under construction. The TRPA ordinances required in connection with this site, which is zoned commercial with the exception of a 150 foot strip across the front, required that he provide 50 percent open space, under agency standards, and he elected to include a certain area as open space. The area that is set aside for the Park Hotel is expressly a part that was zoned commercial but was excluded from the red line in the belief that it would create one more casino site. This would not have to be included to protect the other area in dispute. Mr. Moody felt that the owner has been paying taxes and yet is not allowed to use his property as he sees fit. Mr. Stewart and Mr. Heikka said he could use it for anything other than gaming. Mr. Moody said that Senator Sheerin said that it had been an oversight in leaving this area out of the red line area. Mr. Heikka answered that this was not correct. They feel that another casino would overtax the facilities for housing for the workers and there is no more room for them up there. Mr. Moody referred to the testimony that California has built 6,000 motel rooms in the past six years on the California side. Mr. Heikka said this is not true. He said there have been closer to 1,500 rooms on the California side and 2,500 on the Nevada side. There has been more development on the California side in homes. They say that California has been putting more pressure on the environment than Nevada. Mr. Heikka said there is not enough water and sewer capacity to support another casino. There is still room for expansion within the red line. The bill as now drafted in Nevada removes the ability of California to pursue a separate transportation plan. It vests transportation solely with TRPA. It would be a decision of the bi-state agency. They have already adopted a transportation plan for a loop road around that State Line core. It was decided by the committee to have the proposed amendments drawn up by the bill drafter so they can be studied and decided on at a meeting on Saturday afternoon. This would also include an amendment proposing putting the dual majority back the way it was.

Chairman Moody called for action on the four bills which were heard this date.

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Mr. Serpa moved that the committee give a Do Pass recommendation on S.J.R. 26, was seconded by Mr. Polish, and the motion was carried unanimously.

Mr. Serpa moved that the committee give a Do Pass recommendation on S.B. 401, was seconded by Mr. Rhoads, and the motion was carried with a vote of 8 to 1, with Mr. Coulter voting no.

Mr. Serpa moved that the committee give a Do Pass recommendation on S.J.R. 23, was seconded by Mr. Rhoads and the motion was carried unanimously.

Mr. Polish moved that the committee give a Do Pass recommendation on S.J.R. 18, was seconded by Mr. Serpa, and the motion was carried with a vote of 7 to 2, with Mr. Ross and Mr. Coulter voting no.

Mr. Rhoads commented that it is too bad that legislation with the importance of S.B. 266 is not handled earlier in the session so that more time can be spent on studying the important aspects and a more intelligent decision could be made.

The meeting was adjourned by Chairman Moody.

Respectfully submitted,



Ruth Olguin
Assembly Attache