

Library

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON NATURAL RESOURCES

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
March 9, 1981

The Senate Committee on Natural Resources was called to order by Chairman Norman D. Glaser at 1:30 P. M., Monday, March 9, 1981, in Room 323 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Norman D. Glaser, Chairman
Senator Wilbur Faiss, Vice Chairman
Senator James H. Bilbray
Senator Lawrence E. Jacobsen
Senator Joe Neal

COMMITTEE MEMBER ABSENT:

Senator Floyd R. Lamb

STAFF MEMBERS PRESENT:

Robert E. Erickson, Senior Research Analyst
Carolyn L. Freeland, Committee Secretary

Vice Chairman Faiss presided at the opening of the meeting. He briefly outlined the matters to be heard.

ASSEMBLY BILL NO. 27--Makes administrative changes regarding ap-
propriation of water.

Mr. William Newman, State Engineer, made comments on this bill, enumerating each page and line change and voicing support for them. Senator Bilbray asked Mr. Newman if this bill was requested by his department, and Mr. Newman replied part of it is, and the remainder is a joint effort by the sub-committee on water problems in his department.

There ensued a discussion involving commencement of work.

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Senator Neal said the bill abolishes the requirement of proof of commencement of work, and asked if, in effect, this does not extend the required time of the permit. Mr. Newman replied the proof of completion of work is the key factor. He said the bill would save a great deal of bookkeeping in his office. Mr. Newman pointed out a permit must be applied for prior to start of construction, as in a designated basin, a permit is necessary before a well is drilled or any water is diverted for use.

Senator Bilbray asked what the purpose is of asking for this bill. Mr. Newman answered there are a lot of abuses and it was difficult to establish if works of diversion had actually been started. The really key issue is to establish the works of diversion are completed.

Senator Neal said he recalled in the last Session the same chapter came up for consideration in which some of the language included is that which is now being deleted. Mr. Newman did not remember if they had asked for completion of work to be deleted. He said a filing of completion of work could not be done if the actual diversion is not completed.

Mr. Roland Westergard, Director of the Department of Conservation and Natural Resources, supports this legislation. It would save time and paperwork. He said the second significant amendment to the bill would allow an appeal to the State Engineer rather than to the courts, affording not only the state to protect the water resources but also to provide an administrative review short of litigation.

Senator Neal and Mr. Westergard engaged in a discussion regarding completion time.

Mrs. Diane Campbell, Nevada Miners and Prospectors Association, supports this bill, especially page 2, line 41.

The Chairman called for any further questions or testimony. The hearing on Assembly Bill No. 27 was concluded.

SENATE BILL NO. 241--Provides for temporary water permits for construction purposes, grants additional powers to political subdivisions and municipal corporations.

Mr. Newman said he opposes line 9 on page 1. He would like to use the word "may" instead of the word "shall," and stated there is

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more than one preferred use in a public basin. He would also remove the brackets on lines 8 and 9. He referred to page 2, lines 14 through 26, saying he believes his department already has that authority under NRS 533.380. He said he could support the language if the legislature feels it is necessary. Senator Neal asked if this is an agency bill and Mr. Russ McDonald, consultant for the state MX office, said it came from a sub-committee on the MX. Mr. Newman referred to page 2, line 17, saying the word "shall" should be changed to "may," as it does not take into consideration factors which should be addressed.

Mr. Steve Bradhurst of the state MX office, said Sections 2 through 8 were submitted to the committee as a package from his office. Mr. McDonald is a consultant to that office and was asked to carefully scrutinize the statutes in relation to the MX matter. Mr. Bradhurst explained the organization of the review teams, noting one is expressly assigned to state legislation in a reactive mode, as comments are submitted to it by the other review teams. He said additional legislative recommendations will be ready within the next month.

Mr. Bradhurst said Mr. McDonald would explain Sections 2 through 8 in detail. Mr. Bradhurst said he would recommend on page 3, line 16, to change the language to include a state agency, not just the Department of Conservation and Natural Resources. On page 3, line 23, he would recommend striking the work "county," and inserting the phrase "community facilities and services."

Senator Bilbray said Senator Ford wanted to know why county libraries had not been included in the list in Section 7. Mr. Bradhurst said it was probably overlooked, but not by design. He said a county library listing could be picked up in a general statement.

Mr. McDonald then presented a technical, detailed explanation of Sections 2 through 8. He said he conducted a thorough examination of the Nevada Revised Statutes over a period of almost a year to determine some kind of temporary legislation in regard to the MX matter which would accomplish two objectives; one, forestall a calling of a Special Session of the legislature; and, two, recommend temporary language which would give authority needed to state agencies and local governments to deal with problems inherent to the MX if the program is approved by the President and the Congress. He submitted his report to the legislative sub-committee on the MX project in December, 1980. He was not the recipient of the environmental impact statement regarding MX, and his research was based upon

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assumptions and thinking ahead of what might occur if the MX does materialize. Mr. McDonald referred to previous discussion regarding temporary water permits saying there was a judicial language difficulty. Therefore, he recommended deleting Section 1 from Senate Bill No. 241, and including the subject of Section 1 in some other water bill before the legislature by amendment.

Mr. McDonald stated this is a temporary bill, with the exceptions of Sections 2 and 3, which are permanent. He feels some action should be taken but he isn't certain if it should be done immediately. He suggested two ways to go: one, take the amendments suggested, adopt them, and after the Senate legislative procedure, have the bill re-referred to this committee and wait until the reports of the review teams are submitted, to see if they suggest further legislation. Second, take the bill to the Senate with amendments, and if it passes, send it to the Assembly. Mr. McDonald feels there should be a "lid" on the bill until such time as other opinions are received. Chairman Glaser felt it would be better to pass the bill over to the Assembly, have it held there, and then it would be just one step away from passage when the time is right.

Mr. McDonald then referred to Senator Bilbray's question regarding the absence of libraries on the list in Section 7. He doubts very much in actuality there will be the emergence of a county library in any one of the areas which might be selected for MX construction. He said it is a matter of funds from categorical grants. Senator Neal asked if such grants would preclude library districts from receiving federal funds. Mr. McDonald suggested including in the language "any other special districts included in NRS" and then it is there if it is needed.

Mr. McDonald said he could draw amendments along the lines suggested and return them to the Chairman. He recommended trying to pass the bill and getting it to the Assembly, which will receive the testimony of the review teams.

Senator Bilbray suggested the formation of a work group consisting of Mr. McDonald, Mr. Erickson, and a representative of the water department to work together to develop a draft. Mr. McDonald replied the amendments are not that involved, and said perhaps Mr. Newman and Mr. Westergard should respond to the committee with respect to Section 1.

Senator Neal said he could see no problem with amending out the entirety of Section 1.

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Mr. McDonald said the actual amendment would not be too involved; he would be agreeable, if the committee makes a decision, to draw up a draft and hand it to Mr. Erickson within a day or two.

Mr. Westergard feels there are some problems with the bill as it relates to the water section which have not been identified. He suggested the committee look at Assembly Bill No. 211 which is similar. He feels Mr. McDonald's recommendation be followed and the section referring to water resources be deleted. In addition, Mr. Westergard would like to be given the perogative to discuss an amendment to NRS 533 if it is deemed necessary.

Chairman Glaser said Mr. McDonald could bring his amendments back to the committee if he feels they would not be too extensive. Mr. McDonald suggested a wildlife amendment, which he had previously discussed; he also suggested a special districts package which would take care of library districts and similar districts, deleting the words "county facilities" and extending it as recommended by Mr. Bradhurst. He specifically asked the committee if it wished to grant the governing bodies of special districts the authority to accept monies or land from the federal government or its agencies up until July 1, 1983, if they relate to MX-impacted areas. This language would take care of immediate problems until the legislature can look at these problems at the next session; hopefully, there will not be a need to call a special session before then.

Senator Jacobsen asked Mr. McDonald if it would be his advice they "piecemeal" these resolutions directly to the Air Force or should they be summed up at the end of the session and handle them as a unit. Mr. McDonald replied it would be best to put all this type of legislation in one package and to eliminate the possibility of working at cross purposes. Mr. Bradhurst added one possible vehicle to submit the resolutions is by drafting them to a state policy statement; however, that would have to be done by May first.

Mr. McDonald feels some committee should look at the applications before they go forward. He feels Mr. Bradhurst's suggestion is a good one, in order to avoid conflicts. It is necessary to establish priorities in these resolutions.

Chairman Glaser suggested perhaps it would be wise to bring Senate Joint Resolution No. 16 back to committee and hold it with other MX bills under consideration, and then move forward with all of them at one time. Chairman Glaser asked Mr. Westergard if he feels it would be best to leave the water section of this bill out and handle it with Assembly Bill No. 211, the language of which is more conducive to proper administration. Mr. Westergard concurred.

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Mr. Glenn Miller, Sierra Club, stated he feels the bill should be rewritten and clarified. He referred to Section, 1, sub section 5 and said there are problems in that language which have been delineated. He submitted a statement for the record (Exhibit C).

Mr. Tom Polikalas, a registered lobbyist opposing MX, representing three sections of grass roots organization in the state, is opposed to Senate Bill No. 241, Section 1, specifically. Senator Neal asked him if that section should be deleted and the answer was in the affirmative, that it would make the bill more palatable.

Ms. Evelyn Summers, lobbying on her own behalf, addressed the issue of Native American water rights within the state. She said it could result in litigation. She objects on line 9, Section 1, to the word "shall" and also line 17, page 2, the word "shall." There was discussion of the Indian water rights within the state. Ms. Summers expressed a concern regarding the amount of water rights the Indians could have.

Senator Neal asked Mr. McDonald to explain the Winters Doctrine, referred to by Ms. Summers. There was a brief discussion on Indian water rights following the explanation.

The testimony on Senate Bill No. 241 was concluded as there was no further testimony.

ASSEMBLY JOINT RESOLUTION NO. 4--Requests Secretary of Interior to execute Washoe Project Contract and to release water from Stampede Reservoir for municipal and industrial uses.

Chairman Glaser reviewed the previous discussion and action regarding this bill. He said this water is badly needed in Washoe County for municipal and industrial uses. He is, therefore, bringing it to the attention of the committee again.

Senator Neal reiterated his opposition to the bill, saying he fears it would jeopardize the Indians' case in court. Senator Bilbray pointed out there had not been any particular opposition to this legislation. Chairman Glaser pointed out Mr. Westergard's previous testimony to the effect this bill would not impact Pyramid Lake. The Chairman asked Mr. McDonald if this bill would indeed negatively affect the water of Pyramid Lake and Mr. McDonald replied it would not, nor would it jeopardize the Indians' case in court. Mr. Newman said the taxpayers are the ones bearing the brunt of the lack of signing of the contract by the Secretary of the Interior, as the costs of building the Stampede Dam cannot be repaid until the contract is signed.

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Senator Bilbray made a motion to Do Pass
Assembly Joint Resolution No. 4 (Exhibit D).

Senator Jacobsen seconded the motion.

The motion carried unanimously. (Senator Lamb
was absent for the vote).

ASSEMBLY JOINT RESOLUTION NO. 7--Opposes designation of rivers in
Nevada pursuant to Wild and Scenic Rivers Act.

Mr. Shane Murphy, Acting Director, Carson River Conservation Fund,
presented a prepared statement which he read into the record
(Exhibit E). He supports this resolution. In addition, he en-
tered into the record a letter from Ken Brunges, Nevada Chairman,
Western River Guides Association (Exhibit F) supporting this resolu-
tion, and a Petition asking Assembly Joint Resolution No. 7 be de-
feated (Exhibit G).

There was considerable discussion involving existing property rights
along the rivers involved. Chairman Glaser asked Mr. Welden to
clarify the ways in which wild and scenic rivers may be designated.
Mr. Welden explained there are two ways: one by legislative action
of a state, and one by Congressional action.

Mr. Murphy extended an invitation to the members of the committee
to raft-ride the East Fork of the Carson River.

Ms. Diane Campbell, the Nevada Miners' and Prospectors' Association,
said she supports this bill and asked that it be passed.

There being no further testimony, the hearing on Assembly Joint
Resolution No. 7 was concluded. Chairman Glaser said the committee
would hold the bill in abeyance and reconsider it at a later date.

There being no further business, there was a committee work session
on Senate Joint Resolution No. 17.

The meeting was adjourned at 4:05 P. M.

Respectfully submitted by:


Carolyn L. Freeland, Secretary

APPROVED: 
Senator Norman D. Glaser, Chairman

DATE: March 17, 1981

SENATE AGENDA

COMMITTEE MEETINGS

EXHIBIT A

Committee on Natural Resources, Room 323.

Day Monday, Date March 9, Time 1:30 PM.

A. B. No. 27--Makes administrative changes regarding appropriation of water.

S. B. No. 241--Provides for temporary water permits for construction purposes, grants additional powers to political subdivisions and municipal corporations.

A. J. R. No. 4--Requests Secretary of Interior to execute Washoe Project Contract and to release water from Stampede Reservoir for municipal and industrial uses. (2nd hearing).

FINAL ACTION

A. J. R. No. 7--Opposes designation of rivers in Nevada pursuant to Wild and Scenic Rivers Act.

ATTENDANCE ROSTER FORM

COMMITTEE MEETINGS

SENATE COMMITTEE ON NATURAL RESOURCES

DATE: March 9, 1981

EXHIBIT B

PLEASE PRINT NAME	PLEASE PRINT ORGANIZATION & ADDRESS	PLEASE PRINT TELEPHONE
Shane Murphy	Carson River Conservation Fund	702-588-4074
Bill Newman	State Engineer	885-4380
Steve Bradhurst	State Mex Office	985-5960
Dennis Thompson	State Mex Office	229-1833
Roland J. Stephenson	Dept. of Env. & Nat. Res	885-4760
Glen C. Miller	Sierra Club P.O. 8096 Reno NV 89507	784-6911
EVERETT SUMMERS	3203 Sapp Reno NV 89509	886-9542
Tom Philkela	NOMX: 651 NEVADA ST. # 3. Reno	322-5762; 786-42
Deane Campbell	NMP Carson	273-2173



SIERRA CLUB

EXHIBIT C

Toiyabe Chapter - Nevada and Eastern California

March 9, 1981

SENATE BILL 241

Testimony of Glenn C. Miller, Representing the Toiyabe Chapter,
Sierra Club

My name is Glenn Miller. I am representing the Toiyabe Chapter of the Sierra Club, which covers Nevada and Eastern California. But I also wish to state that my background is in agriculture. I was born and raised on a wheat farm in northeastern Montana. I worked on that farm during summers of high school and college. My brother presently operates that farm. It is with deep regard for the limited land and water resource that I make the following comments and stress that MX is contrary to all basic land values.

My comments on SB 241 are restricted to Section 1, subsection 5, which deals with water permits for construction activities. I will read that subsection for your information.

There are two ways of interpreting subsection 5. It can be interpreted to mean that all water permits for construction within the existing water law shall be temporary, or that the state engineer shall grant all water requests for construction. The first interpretation is the more innocuous and can be clarified rather easily, since the misunderstanding that we felt is simply due to poor writing. In this interpretation, line 17 implies that temporary water permits shall be granted only after all current Nevada water law is followed, specifically, the new water withdrawal is from a basin that has water, it does not interfere with existing water rights and does not threaten to be detrimental to the public welfare. Normal application priorities are

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followed and procedural steps taken, including water protest hearings, if involved. The bill would simply state that any water application approved for construction would be temporary. If this connotation is the case, the bill should be rewritten to explicitly state that the amended law in no way alters the ability of the state engineer to perform his present duties to regulate water use in the State of Nevada. We are also concerned about the language regarding designated water basins. We think it highly unwise to in any way dilute the strong Nevada water law prohibiting mining of water. Any language diluting this law is unwise over the long haul.

The second way of reading the bill is much more alarming and in effect would abrogate the present Nevada water law when construction is involved and, completely remove the responsibility and power of the state engineer to regulate water in Nevada. Again, reading line 17 ". . . the state engineer shall issue a temporary permit for the quantity to be so used." It, in effect, would give as much water to the Air Force as they request for construction of MX regardless of the adverse impacts on the people of Nevada. It is our hope that this is not what the senate bill is meant to say, for if it did, all present and future water users would have no recourse if a conflict arose. In addition to the major impacts that could occur to the ranching and mining community, springs on which fish, deer, antelope, bighorn sheep and other wildlife depend could be eliminated. The Air Force then would be following state water law even though they would be in direct opposition to all previous law and custom. If this is the intent of the bill, and I underline the if, we would side with most Nevadans and be unalterably opposed to the legislation as a means by which a very few "grease the wheels" of MX and steal from Nevada its life's blood.

Some have suggested that the "shall" in line 17 be changed to "may". We oppose this as being equally unclear since it would then allow the state engineer

to give the Air Force permanent possession of the water.

Reiterating, depending how SB 241 is interpreted, it is either merely ambiguous, or is in direct opposition to existing state water law. If present water law is to be preserved, the bill should be rewritten to explicitly state that fact. If, however, subsection 5 was purposefully written to expedite the invasion of the Air Force, we urge the committee to firmly reject this bill.

One final note. This committee has major responsibility to insure that the many natural resources of Nevada are preserved and allocated for the highest and best use not only for this generation, but also for future generations. I have been concerned with environmental issues for the last dozen years and can unequivocally state that if deployed, MX would be the single most devastating project the West has yet seen. It will forever change the face of Nevada from one of pristine open spaces where ranching, mining and recreation co-exist on a multiple use basis to a massive military reservation, the likes of which the world has not yet seen. This Nevada country is phenomenally beautiful and has tremendous potential for energy production, agriculture, mining and recreation. This legislature has the power to keep MX out altogether, or, at the very least lessen the extent of the system. We hope upcoming generations will think of this legislature as one which was responsible for the future and not a group of individuals who responded to immediate, short lived financial gain.

A. J. R. 4

**ASSEMBLY JOINT RESOLUTION NO. 4—COMMITTEE ON
ECONOMIC DEVELOPMENT AND NATURAL RESOURCES**

JANUARY 22, 1981

—○—
Referred to Committee on Economic Development
and Natural Resources

SUMMARY—Requests Secretary of Interior to execute Washoe Project Contract and to release water from Stampede Reservoir for municipal and industrial uses. (BDR 108)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

—◆—
EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Requesting the Secretary of the Interior to execute the Washoe Project Contract and to release water from Stampede Reservoir for municipal and industrial uses within the Carson-Truckee Conservancy District.

- 1 **WHEREAS**, The Congress of the United States enacted the Washoe Proj-
2 ect Act (§ 1, 70 Stat. 775) which authorizes the Secretary of the Interior
3 to construct, operate and maintain the Stampede Reservoir and to furnish
4 water for beneficial uses; and
5 **WHEREAS**, The Washoe Project Contract provides for the release of
6 water from Stampede Reservoir for use within the Carson-Truckee Con-
7 servancy District; and
8 **WHEREAS**, The Definite Plan Report prepared by the United States
9 Department of the Interior for the Washoe Project allocates 57 percent
10 of the estimated yield of the Stampede Reservoir for municipal and
11 industrial uses within the Carson-Truckee Conservancy District; and
12 **WHEREAS**, The Congress of the United States expressed its intent to
13 authorize the release of water from Stampede Reservoir for municipal and
14 industrial uses by amending the federal reclamation laws (43 U.S.C. §§
15 421 et seq.) to allow the Secretary of the Interior to do so; and
16 **WHEREAS**, Water for municipal and industrial uses is needed because
17 of the increase in population of the cities of Reno and Sparks; now, there-
18 fore, be it
19 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
20 That the Nevada legislature requests the Secretary of the Interior to exe-
21 cute the Washoe Project Contract in accordance with the expressed intent
22 of the Congress of the United States and to release water from Stampede

- 1 Reservoir for municipal and industrial uses within the Carson-Truckee
- 2 Water Conservancy District; and be it further
- 3 **Resolved**, That copies of this resolution be immediately transmitted by
- 4 the legislative counsel to the Secretary of the Interior and to all members
- 5 of the Nevada congressional delegation; and be it further
- 6 **Resolved**, That this resolution shall become effective upon passage and
- 7 approval.

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RESOLVED, That copies of this resolution be immediately transmitted by the legislative counsel to the Secretary of the Interior and to all members of the Nevada congressional delegation; and be it further Resolved, That this resolution shall become effective upon passage and approval.

RESOLVED, That this resolution shall become effective upon passage and approval.

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RESOLVED, That this resolution shall become effective upon passage and approval.

RESOLVED, That this resolution shall become effective upon passage and approval.

Natural Resources Committee, 9 March, 1981.

Dear Committee Members:

EXHIBIT E

The following comments are addressed to the purposes of A.J.R.7 which opposes designation of any river in Nevada pursuant to the Wild and Scenic Rivers Act of 1968.

The rationale guiding A.J.R.7 indicates that designation of any river in Nevada as Wild and Scenic will be the harbinger of worse things to come and something leading to more federal interference within the state. I don't find this to be true and would like to offer an alternate view.

The designation of any river as wild, scenic, or recreational, does nothing but maintain the status quo of a river and it's riparian landscape within $\frac{1}{2}$ -mile on each side of the river. The Act preserves river corridors for future generations to enjoy while prohibiting the construction of dams, powerhouses, bridges and other developments considered as detrimental to the scenic beauty and quietude along rivers which are protected. The Wild and Scenic Rivers Act in no way alters the jurisdiction of any state or private party over the waters in any stream. The Act further states [Sec. 12 (b)] that jurisdiction of the state and the United States over the waters of any stream designated as wild, scenic or recreational shall be determined by established principles of law. As regards the water rights of the State of Nevada, I feel it would be nearly impossible for the Federal Government to usurp the use(s) of any water given the recent ALPINE decision. Additionally, any further questions regarding the rights of Nevada or of her citizens to water can be resolved by a simple stroke of Congress' pen should one of Nevada's rivers actually reach the point it is to be included under PL 90-542.

I should also note that the Heritage Conservation & Recreation Service study mentioned in A.J.R.7 was merely an academic exercise - I repeat, exercise, - to identify distinctive and notable rivers on a nationwide basis. Unfortunately, the authors of the current resolution view the recommendations of the Heritage Conservation & Recreation Service as a blight upon the good name of Nevada and not as an honor. The simple fact that five Nevada rivers - the North Fork Little Humboldt, the Marys River, the South Fork of the Owyhee, East Walker, and, East Fork Carson River - have been inventoried and noted by HCRS as having features compatible with those rivers already in the System has driven members of the State Assembly into armed camps and ready to defend themselves from further insult. The nationwide inventory poses no threat to the State of Nevada. For a river to be included in the national System, there are only two routes available: One, by the recommendation of a state governor for a river already included in a state Wild and Scenic system (Nevada has none) and, two, by an act of Congress. Given the political climate of Nevada and the return to State's Rights, neither possibility is very likely for any river within the boundaries of this state.

Given the above, I would like to address the future of the East Carson River.

In 1979 the US Forest Service released it's impact study (Watasheamu Dam Project and Water Resource Development - Resource & Management Impact Study Report, USDA, 1979) which called for the construction of Watasheamu. This study was one in a long line which called for the construction of a dam on the East Fork; more have followed and some are yet to come. Among other things, this study devoted considerable time to the history and lore of the East Fork. This report also indicates that the river is "distinctive and unique" to Nevada (and California) and noted its winter visitations by endangered birds of pray. It goes into some detail about fishing, hunting and other recreational opportunities available along the river corridor. Among them is river floating, in rafts and kayaks, by professional guides and well-equipped private individuals. It is of particular note to these individuals that the East Fork offers the only extended whitewater voyage on the eastern side of the Sierra. During 1980, over 2,000 people floated the river with commercial outfitters like myself and came to understand the great riparian beauty of the river as it glides through diverse vegetive zones while making its way to the Carson Valley.

I would like to think that my passengers will forever be able to enjoy the experience of floating this "forgotten" river canyon. Apparently, this is no so.

Passage of A.J.R.7 means the end to this dream. Not because it opposes the maintenance of a lovely and undisturbed river canyon, but because it will allow the area to become over-run, inundated, or otherwise destroyed in the years to come. Assembly approval of A.J.R.7 is an open invitation to the future development of the rivers in this state.

And, finally, I would like to ask: Do the Committee members know the rivers which they condemn? How many of you have enjoyed the solitude offered on the banks of these rivers? And how many have camped along these rivers with family or friends and shared the excitement of running untamed rapids? Before reaching your decision on the fate of Nevada's historic and singularly beautiful rivers, I extend an invitation to the members of this committee to travel the East Carson with me this spring. Not in the interests of Wild and Scenic designation, but for the purposes of preventing the passage of a resolution which will have disastrous consequences in the years ahead.

It is a shame to preclude the possibility of managing any river in Nevada as a recreational resource, whether it is Wild and Scenic or not. Myself and those persons listed below oppose the passage of A.J.R.7 for this reason.

Thank you for allowing me the opportunity to testify.

Shane Murphy

Shane Murphy, Acting Director,
Carson River Conservation Fund.

Robert Volpert, Thomas Foster and Charles Albright, Members.

Attached to this testimony:

petitions calling for the defeat of A.J.R.7 as regards the East Carson
letter from Ken Brunges, Nevada Chairman, Western River Guides Assocn, Inc.

February 27, 1981

The Nevada State Legislature
Carson City, Nevada

EXHIBIT F

Ladies and Gentlemen:

The Nevada members of the Western River Guides Association oppose AJR-7, "the Wild Rivers Prohibition Bill." We ask that you consider the reasons for our position which are explained below.

The State of Nevada should no more say that there should be no Wild Rivers in Nevada than it should say every river should be protected. Either extreme is absurd.

Each river system needs to be looked at both in the local context and within the overall scope of the state's needs. The demands of development must be weighed against the demands for riparian habitat, river recreation of various kinds, and the need to preserve some of Nevada's unique natural areas. Rivers need carefully planned, balanced management. Nevada should not by fiat eliminate one management option -Wild River status- that may be appropriate for portions of some of its rivers.

Even if every drop of water in Nevada happens to be appropriated this does not in itself conflict with the Wild and Scenic protection of rivers. This protection is a non-consumptive use of the water. The water might very well flow through a protected river until it reaches its final use destination.

We also want to point out that flowing rivers are important to a growing segment of the tourist industry in Nevada. There are thirty some businesses operating in the state that conduct river rafting trips. These businessmen may deserve and be entitled to have the river resources upon which their livelihoods depend receive at least a small amount of protection.

The WRGA members of Nevada hope that you will oppose AJR-7 because it is not sound management and is not in the best long-term interests of Nevada.

Sincerely,



Ken Brunges
Nevada Chairman
Western River Guides Assoc.

PETITION

WHEREAS, the State of Nevada opposes Wild and Scenic designation for any river in the state and therefore precludes any balance between man and nature, and,

WHEREAS, the Heritage Conservation & Recreation Service has identified the East Fork Carson River as possessing scenic, recreational and fishery values compatible with Wild and Scenic status, and,

WHEREAS, the Eastern Slope of the Sierra bounding the East Fork Carson River is unique to Nevada,

WE, THE UNDERSIGNED, request that NEVADA AJR-7 be defeated by the Nevada Legislature.

NAME

ADDRESS

Chris R. [unclear]	P.O. 4134, Stateline, NV., 89449
Janice Murphy	P.O. Box 11752 Zephyr Cove, NV. 89448
Richard E. [unclear]	PO Box 637 South Lake Tahoe, CA
Deri Rae	" "
Text: A. [unclear]	465 Wilson Ave Reno Nev. 89502
Sue Soule	3995 BOBOLINK CR RENO, NV. 89506
Harvey P. [unclear]	3995 BOBOLINK RENO, NV 89506
Mike Moore	2179 Olympic Valley Ca. 957
Vic [unclear]	
Paul Durbin	3250 BUNKER HILL LANE SPARK, NV 89431
Robin Chopin	Box 1375 Zephyr Cove, NV. 89448
A. Vannalano	11875 MISTLETOE RENO, NV 89506

NAME

ADDRESS

DAN & BONNIE FARRAR P.O. Box 3053 Sparks NV

JIM & CHERIE JANS 237 SMITHRIDGE RENO, NV

Marsha & Dave Mallory 980 Dean Drive Gardnerville NV 89411

Walter W. Kesteloot PO Box 705 Zephyr Cove, NV 89448

Dorbie Schramel 5315 Sun Valley Dr. #11 Sparks, NV. 89

Paula Wilkin 4180 Hookamona Dr. Reno, NV 895

Charles Albright 7500 Gladstone Dr Reno, NV. 8950

Lee Grant Snyper P.O. Box 5351 Incline Village, NV 894

MARK BROOKS P.O. Box 6062 Incline Village, NV. 8945

Louis E. Stout 13005 S. Hill Reno NV 89571

CARSON RIVER PETITION

EXHIBIT G/1

WHEREAS, the State of Nevada opposes wild and scenic designation for any river in the state and therefore precludes any balance between man and nature, and,

WHEREAS, the HERITAGE CONSERVATION AND RECREATION SERVICE has identified the East Fork of the Carson River as possessing scenic, recreational, and fishery values compatible with Wild and Scenic status, and,

WHEREAS, the eastern slope of the Sierra bounding the East Carson is unique to Nevada, we, the undersigned, request that Nevada AJR - 7 be defeated by the Nevada Legislature:

<u>NAME</u>	<u>ADDRESS</u>	<u>AGE</u>
Hain Hollies	Box 5581 S. Lake Tahoe, Calif 95129	27
Jean Vining	Box 5150 S. Lake Tahoe CA 95129	25
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Bygones	1014 England St. Huntington Beach CA 92648	21
Ray C. Lane	Box 3551 Stateline, Nev. 89449	24
Richard Howe	PO Box 1098 Z.C., Nev. 89448	26
Liz Walenta	P.O. 3551 Stateline NEV 89449	39
Laurie Brickley	P.O. Box 3551 Stateline, NV. 89449	21
Paul Schlange	PO 18184 SLT. 95706	26
Larry L. Jones	P.O. 11546 SLT 89448	27
Jack J. Jones	PO Box 1458 Zephyr Cove, Nev. 89448	28
LeRoy Messier	P.O. B 10787 Zephyr Cove, Nev	223
Frank L. [unclear]	P.O. Box 10371 Zephyr Cove Nev. 89448	33
[unclear]	[unclear]	20

G. Peter Kinner	Box 4945	STATLINE NV	89449	31
"	Box 11185	ZEPHYR COVE NV	89448	24
"	Box 4118	STATLINE, NV	89449	23
James M. Casao	Box 11983	STATLINE ZEPHYR COVE NV	89448	25
Fameia J. Carter	Box 10371	Zephyr Cove NV	89448	
Jim Rizzo	Box 4921	Stateline, NV	89449	
Nathan Brown	161	Zureslana	Atherton Cal	94025
N Milton	PO Box 2978	SLU	89449	
Patty Fishburn	Box 9574	SLT	95731	27
Mark Hart	Box 9574	SLT	95731	28
Kay Fullmer	Box 4146	Stateline NV	89449	26
Daryl Wild	Box 10125	Zephyr Cove Nev.	89448	
Shirley Knowlton	Box 4332	SLT CA	95729	
Chris Stephens	3313 Mansfield	Marysville, CA	95758	
Tracy Bidwell	P.O. Box 11334	ZEPHYR COVE, NV	89448	
John Naby	PO Box 6192	SO LAKE TAHOE CA.	95725	
Don Kane	6411 Rom Ridge Dr.	Loveland, Ohio	95740	
James Scott	Box 10645	S.L. TAHOE CAL,	95731	
Michele Surce	Box 3551	Stateline, Nev.	89449	23
Gay Shoups	Surce same as above			18
Clara Marshall	PO Box 3551	STATELINE NV.		22
Nida Lee	Box 46	Zephyr Cove NV	89448	29
Tom Mucca	120 Boulder Court	STATELINE	89449	30
Christophe May	Box 1288	Zephyr Cove Nev	89448	26