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MOCK-UP

PROPOSED AMENDMENT TO
SENATE JOINT RESOLUTION NO. 4
FIRST REPRINT

PREPARED FOR ASSEMBLY NATURAL RESOURCES, AGRICULTURE, AND MINING
MAY 6, 2003

PREPARED BY THE RESEARCH DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~green bold double strikethrough~~ is language proposed to be deleted in this amendment and (5) *green bold dashed underlining* is deleted language in the original bill that is proposed to be retained in this amendment.

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, A reasonable amount of wilderness provides for a diverse spectrum of recreation opportunities in Nevada, is consistent with tourism, and provides a place for Nevadans to escape the pressures of urban growth; 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

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

5 WHEREAS, Until a wilderness study area is designated by Congress as
6 a wilderness area or released, the wilderness study area must be managed

This language is intended to recognize the value of wilderness, particularly for urban residents.

Original Exhibit on file at the Legislative
Council Bureau Research Library

ASSEMBLY NATURAL RES., AGRICULTURE & MINING
DATE: 5/7/03 ROOM: 3161 EXHIBIT E1-4
SUBMITTED BY: Linda Fissmann

PROPOSED AMENDMENT TO SJR4_R1

1 in a manner that does not impair its suitability for preservation as a
2 wilderness area; and

3 WHEREAS, Because ~~a considerable amount~~ *2 million acres* of federal
4 public land in Nevada has been designated as wilderness areas and
5 approximately 8.6 percent of the federal public land in Nevada that is
6 managed by the Bureau of Land Management has been identified as
7 wilderness study areas and because such designation or identification *is*
8 *believed to impose* ~~imposes~~ significant restrictions concerning the
9 management and use of such land, including land used for mining,
10 ranching and recreation, the Legislative Commission appointed a
11 subcommittee in 2001 to conduct an interim study of wilderness areas and
12 wilderness study areas in this state; and

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

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

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

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

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

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

41 3. Oppose the creation of buffer zones around wilderness areas and
42 instead support the requirement of clear and concise boundaries based on
43 recognizable features on the ground, including, without limitation, roads
44 and established drainage routes;

These are technical corrections to the measure.

This softens the statement that wilderness study areas impose significant restrictions.

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

This language allows for other appropriate vegetation management techniques beyond only grazing.

1 RESOLVED, That the Secretary of the Senate prepare and transmit a
2 copy of this resolution to the Vice President of the United States as the
3 presiding officer of the Senate, the Speaker of the House of
4 Representatives and each member of the Nevada Congressional
5 Delegation; and be it further
6 RESOLVED, That this resolution becomes effective upon passage.

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