

SENATE JOINT RESOLUTION NO. 4—COMMITTEE ON
NATURAL RESOURCES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON PUBLIC
LANDS' SUBCOMMITTEE ON WILDERNESS AND
WILDERNESS STUDY AREAS)

FEBRUARY 11, 2003

Referred to Committee on Natural Resources

SUMMARY—Urges Nevada Congressional Delegation and
Congress to take certain actions concerning
wilderness areas and wilderness study areas.
(BDR R-715)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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

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

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

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

12 WHEREAS, In conjunction with the provisions of the Wilderness
13 Act, the Bureau of Land Management of the Department of the



* S J R 4 R 1 *

1 Interior manages approximately 3.86 million acres of federal public
2 lands in Nevada identified as wilderness study areas; and

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

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

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

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

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

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

39 1. Encourage education at all levels of government and of all
40 affected parties to ensure that facts are accurately presented when
41 wilderness issues are debated and that the applicable laws are
42 properly interpreted when officials carry out legislation concerning
43 wilderness areas and wilderness study areas;



- 1 2. Require the development of accurate, consensus-based maps
2 for boundaries of wilderness areas and wilderness study areas using
3 technologies such as Geographic Information Systems;
- 4 3. Oppose the creation of buffer zones around wilderness areas
5 and instead support the requirement of clear and concise boundaries
6 based on recognizable features on the ground, including, without
7 limitation, roads and established drainage routes;
- 8 4. Support efforts to ensure that existing roads are not closed to
9 create wilderness areas;
- 10 5. Support the implementation of appropriate measures,
11 including, without limitation, the use of roads, to ensure that persons
12 who are elderly or have a disability have continued access to
13 wilderness areas;
- 14 6. Support the preservation of roads that do not appear on a
15 map and may not have been documented but that have historically
16 been used to allow persons access to private property;
- 17 7. For the purpose of allowing ranchers access to water
18 diversions located near wilderness areas or wilderness study areas,
19 support the use of "cherry-stem" roads, which are dead-end roads
20 that would geographically extend into wilderness areas but are
21 excluded from designation as parts of wilderness areas because the
22 boundaries of the wilderness areas are drawn around and just
23 beyond the edges of such roads;
- 24 8. Specifically outline and guarantee all preexisting rights of
25 ranchers concerning grazing permits, water permits and access to
26 land and water necessary for ranching via "cherry-stem" roads in
27 any legislation concerning wilderness areas and wilderness study
28 areas;
- 29 9. Support the use of appropriately managed grazing and
30 logging as integral tools for reducing potential fire danger in
31 wilderness areas and wilderness study areas;
- 32 10. Consider future population growth and urban expansion
33 when designating wilderness areas in Nevada, as Nevada has been
34 the state with the highest percentage population growth in recent
35 years and public lands in Nevada are increasingly impacted by
36 human activity and development;
- 37 11. Support the designation of the area of approximately 1,800
38 acres of land known as Marble Canyon, which is adjacent to the Mt.
39 Moriah Wilderness Area and which appears to have been
40 inadvertently excluded from the Nevada Wilderness Protection Act
41 of 1989, Public Law 101-195, as a wilderness area;
- 42 12. Support national and state legislation which explicitly
43 requires that when a decision is made in the public land use
44 planning process which will affect economic activity on public land,



1 consideration must be given as to the effects of the decision on
2 communities that are dependent on natural resources;

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

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

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

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

17 RESOLVED, That this resolution becomes effective upon
18 passage.

⑩



* S J R 4 R 1 *