

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

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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.

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

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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, A reasonable amount of wilderness area in this state  
13 provides for a diverse spectrum of recreational opportunities in



1 Nevada, promotes tourism and provides a place for Nevadans to  
2 escape the pressures of urban growth; and

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

7 WHEREAS, Until a wilderness study area is designated by  
8 Congress as a wilderness area or released, the wilderness study area  
9 must be managed in a manner that does not impair its suitability for  
10 preservation as a wilderness area; and

11 WHEREAS, Because approximately 2 million acres of federal  
12 public land in Nevada have been designated as wilderness areas and  
13 approximately 8.6 percent of the federal public land in Nevada that  
14 is managed by the Bureau of Land Management has been identified  
15 as wilderness study areas and because such designation or  
16 identification is believed to impose significant restrictions  
17 concerning the management and use of such land, including land  
18 used for mining, ranching and recreation, the Legislative  
19 Commission appointed a subcommittee in 2001 to conduct an  
20 interim study of wilderness areas and wilderness study areas in this  
21 state; and

22 WHEREAS, During the 2001-2002 legislative interim, the  
23 subcommittee met several times throughout this state and facilitated  
24 important and wide-ranging discussions among many agencies,  
25 organizations and persons with diverse interests, perspectives and  
26 expertise concerning wilderness areas and wilderness study areas;  
27 and

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

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

42 RESOLVED, That the members of the Nevada Legislature urge  
43 Congress to:

44 1. Encourage education at all levels of government and of all  
45 affected parties to ensure that facts are accurately presented when



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



1 12. Support national and state legislation which explicitly  
2 requires that when a decision is made in the public land use  
3 planning process which will affect economic activity on public land,  
4 consideration must be given as to the effects of the decision on  
5 communities that are dependent on natural resources;

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

10 14. Use a collaborative process when designating a wilderness  
11 study area as a wilderness area; and

12 15. Support precise specification of the activities that are  
13 authorized within wilderness areas and wilderness study areas; and  
14 be it further

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

20 RESOLVED, That this resolution becomes effective upon  
21 passage.

