

MOTION: Commissioner Carpenter moved to accept the minutes with the noted change. Commissioner Wellington seconded the motion and the motion passed unanimously.

VOTE:

AYE: Craig Spratling
Orson Tingey
Ken Wellington
John C. Carpenter
Ralph R. Sacrison

NAY: None

ABSENT: Thad Alger
Meghan Brown

ABSTENTIONS: None

III. COMMENTS BY THE GENERAL PUBLIC: NON-ACTION ITEM

There were no comments made by the general public at this time.

IV. AGENCY REPORT AND UPDATES:

A. BUREAU OF LAND MANAGEMENT ACTION ITEMS

- 1) 2010 Bailey Fire Closure, Indian Spring Allotment Public Consultation Letter and Proposed Modifications

Ken Miller depicted the area on a map and gave details of the allotment and stated that the area had been seeded by native species aerially. He gave an overview of the proposed actions and how they would affect the permittees.

There was discussion about fires in the area affecting the allotment and what would be affected by the closure.

- 2) BLM News Release Regarding Accelerating Fundamental Reforms to Wild Horse and Burro Management.

Mr. Miller distributed a hand out regarding an overview of the fundamental reforms announced in the press release by the BLM on February 24, 2011. He identified a few important action items including initiating a two year study by the National Academy of Sciences and reducing the number of horses being gathered in the two years from about 10,000 to about 7,600 being equivalent to what is being produced and not reducing aml numbers. He quoted some details of the document.

There was discussion regarding the study being done by the National Academy of Sciences and what type of information it would provide.

Commissioner Wellington expressed concern about the BLM reducing the numbers of horses that will be gathered when the assessments of the habitat determined the appropriate management levels and that is what the gathers have been based on.

There was discussion about the current data used to determine the current amls and in two years the same conclusions will be made by the new study and how the habitat will be affected during that time.

Commissioner Wellington stated in the Goshute area wild horses were destroying the springs and now NDOW has to repair the damage and a gather was done in the area but if the horses are kept at the same level, the wild horses will continue to damage the property which leads to the BLM not managing the public lands properly.

Mr. Miller continued outlining specific proposed changes contained in the press release.

Commissioner Sacrison indicated it seemed like the changes were to manufacture a crisis so in two years it would be considerably worse than now and asked about the difference in cost between fertility control and removals.

Mr. Miller was unsure but indicated he would provide that information at the next meeting.

There was discussion about the information provided in the handout and what the possible affects to the public lands could be.

Mr. Miller noted that the date for comment was today, March 30, 2011, but indicated comments by NRMAC or similar groups would be entertained.

There was more comment regarding what was included in the Fundamental Reform document and how it could affect the local agencies ability to continue the gathers.

Mr. Brown indicated twenty-two pages of comments administered by the County Commissioners were sent in today.

3) BLM Solicitation for proposals for Private-Public Partnerships to Establish Wild Horse Ecosanctuaries.

Mr. Miller provided a Q & A document and 9 out of 36 pages of the actual solicitation for proposal and stated the complete copy could be obtained on the website. He further added there are two different solicitations, one being private-public partnerships on private land and the other being private-public partnerships on public and private lands. He provided details of each solicitation.

Mr. Brown indicated Elko County has also commented on these proposals and are not objectionable to partnerships on private land where adoption is part of the proposal but is against

the use of public lands and aums for ecosanctuaries and can provide the Commissioners with a copy of the comments.

Commissioner Carpenter asked what is meant by the word ecosanctuary.

Mr. Miller stated he was unsure and was not in favor of the use of the word but could be described as a place to have long term holding for wild horses that would allow public access and viewing.

The order of the meeting was returned to this item by request from County Commissioner Dahl.

County Commissioner Dahl asked Mr. Miller if there is \$20 million set aside out of the wild horse budget to fund private-public partnerships for ecosanctuary proposals.

Mr. Miller referred back to the Request for Applications for Wild Horse Partnerships for Eco-Sanctuaries on a Combination of Public & Private Lands stating the award information from the document that referred to estimates of funding and indicated he was unsure if the funds were actually set aside or in anticipation of funds becoming available.

There was continued discussion regarding the possible funding that would be available from the BLM when proposing a public-private partnership for an ecosanctuary and how those funds would be awarded.

County Commissioner Dahl commented on wild horse gathers and what processes he feels need to happen to be able to manage the public lands in compliance with existing laws and regulations.

Commissioner Wellington asked if the number of wild horses to be gathered by the diamonds in July had been reduced in conformance with the new guidelines.

Mr. Miller indicated currently the gather is not going to be held due to some financial constraints.

Commissioner Wellington commented that the cancellation or delay of the gather could cause further problems in the area since during a recent visit to the area it was noted there were over 1,000 wild horses in excess of the aml.

Mr. Miller acknowledged Commissioner Wellington's concerns.

The order of the meeting was moved back to C. Forest Service Agency Report and Updates.

4) Cortez Hills Expansion Project Record of Decision and Plan of Operations
Amendment Approval.

Mr. Miller stated even though a large part of Cortez Hills is on Elko District BLM, it is managed out of the Battle Mountain District and they handled the decisions made on the project including supplements and amendments that were made due to court decisions. He gave some details contained within the record of decision and outlined some of the details of the challenges to the project by different groups.

**B. BUREAU OF LAND MANAGEMENT – OTHER CORRESPONDENCE AND
ITEMS OF DISCUSSION. NON-ACTION ITEM**

Commissioner Wellington indicated he was asked about access issues in the area of Secret Pass but added he would obtain further details and bring it back to see if he could get some information either from the BLM or the Forest Service.

County Commissioner Demar Dahl wanted to address the BLM regarding the ecosanctuary proposals so the meeting order was returned to item 3) of A. BLM Agency Report and Updates.

C. UNITED STATES FOREST SERVICE ACTION ITEMS

- 1) February 11, 2011, Proposed USFS Planning Rule Revision.

Gar Abbas stated the rule is a framework for the offices across the country to guide them in updating their Travel Management Plans. He indicated they had held live videoconference meetings the day before for input and had minimal attendance at the local office. He added that the Draft EIS was out and comments were being accepted through May 16, 2011.

County Commissioner Williams indicated at the videoconference there seemed to be a consensus that the local offices should have more control but it seemed to be contradictory to what is being done.

There was further discussion about the Proposed Planning Rule Revision and the comments made at the videoconference held the day before at the local Forest Service office.

There was also discussion about the scientific data used in the decisions contained in the Travel Management Plans being developed for Forest Service property in Elko County.

**D. UNITED STATES FOREST SERVICE – OTHER CORRESPONDENCE AND
ITEMS OF DISCUSSION. NON-ACTION ITEM**

Chairman Spratling changed the order of the meeting to item X. Correspondence Report & Other Items of Discussion A. UNR Cooperative Extension program budget dilemma.

**V. REVIEW AND DISCUSSION OF THE ELKO COUNTY PUBLIC LAND USE AND
NATURAL RESOURCE MANAGEMENT PLAN: ACTION ITEM**

- A. Review and comment concerning the DRAFT Ordinance Amendment addressing predator control within Title 12 of the Elko County Code

Mr. Brown indicated the item had been referred to the Wildlife Advisory Board and was approved as written. He read Directive 19-9 to be included in the Plan.

Commissioner Wellington gave an overview of the discussion that took place at the Wildlife Advisory Board and gave reasoning to support the language contained in the directive.

MOTION: Commissioner Carpenter moved to approve the draft Ordinance Amendment addressing predator control within Title 12 of the Elko County Code. Commissioner Wellington seconded the motion and the motion passed unanimously.

VOTE:

AYE: Craig Spratling
Orson Tingey
Ken Wellington
John C. Carpenter
Ralph R. Sacrison

NAY: None

ABSENT: Thad Alger
Meghan Brown

ABSTENTIONS: None

B. Review and minor change to Ordinance Amendment addressing Federal Land Management Mining Permitting process within Title 12 of the Elko County Code.
Approved by Elko County Board of Commissioners

Mr. Brown gave an overview of the change and indicated the item was approved by the Elko County Board of Commissioners and was on the agenda for informational purposes.

VI. REVIEW, UPDATE AND DISCUSSION OF USFS MOUNTAIN CITY, RUBY MOUNTAINS AND JARBIDGE RANGER DISTRICTS COMBINED TRAVEL MANAGEMENT PROJECT: ACTION ITEM

Mr. Brown indicated letters have been written to the Congressional delegation in Washington D.C. to solicit help to reevaluate the project and get away from the national agenda. He added after talking to Mr. Abbas the Final EIS is behind the original date but will probably not be completed until the middle to end of May which will allow the County some time to conduct field visits.

Commissioner Wellington asked if the County Commission has discussed what action Elko County is going to take if the requests for changes in the Plan do not happen.

Mr. Brown indicated that has been discussed and there are some initial thoughts, plans and ideas that are being formed. He provided information about the different processes that are still required to be done and when it would be beneficial for the County to provide comments.

VII. REPORT ON NEVADA ASSOCIATION OF COUNTIES (NACO) UPDATES AND NEWS: NON-ACTION ITEM

Mr. Brown indicated NACo sends out a report of all the information of upcoming legislation and meetings that could be of concern to the Commission and he has singled out items he felt would be of concern and listed them individually under the next item.

VIII. REVIEW AND DISCUSSION OF 2011 LEGISLATIVE SESSION-BILLS OF INTEREST: ACTION ITEMS

- A. **Assembly Bill 73:** Revises provisions governing the appropriation of water for a beneficial use. (to subcommittee) (Water Resources)

Mr. Brown indicated Staff has reviewed this several times and hasn't had any issues. He suggested NRMAC as a whole or members of the Commission as individuals should recommend to the County Commissioners to make comment on the bill. He gave a summary of the bill which would amend NRS 533 and explained how it may affect Elko County.

- B. **Assembly Bill 114:** Revises the amount of the fee for issuing and recording a certain permit for an existing water right for irrigational purposes.

Mr. Brown indicated it appears some of the application fees will almost double in response to the bill.

Commissioner Carpenter indicated currently if someone wants to change the point of diversion or place of use then they would have to pay the fee plus a per acre foot fee that could go into the thousands of dollars. He indicated he understood the bill was to remove the fees for the amount per acre feet and make it a flat fee to change the point of diversion or place of use only of an existing water right for irrigational purposes and after reading it he believes it is written wrong. He read a portion of the Legislative Counsel's Digest that indicated the bill was to reinstate the \$500 flat fee rather than a fee of \$250 plus an additional fee of \$3 for each acre-foot of water but in reading the bill the additional \$3 for each acre-foot is still included. He agreed to contact someone to verify the content of the bill.

- C. **Assembly Bill 115:** Revises provisions governing the appropriation of water for beneficial use. (to subcommittee) (Water Resources)

There was discussion about the changes the bill would cause and decided there would need to be further research to determine the affects it may have on Elko County.

- D. **Assembly Bill 322:** Revises provisions relating to wildlife. **(Dream Tag Program – Statutory Creation)**

Commissioner Wellington indicated this item will be reviewed at the next Advisory Board to Manage Wildlife meeting.

Commissioner Carpenter indicated the Bill has already been heard once and he questioned the language being proposed.

There was discussion about the proposed language and what affects the changes could have for Elko County and the Advisory Board to Manage Wildlife.

- E. **Senate Bill 49:** Provides that acceptance of a map that includes a county road by the Department of Transportation constitutes validation of the right-of-way by the State of Nevada, authorizes the board of county highway commissioners in certain counties to determine the width of certain right-of-ways and to open the rights-of-ways. RS 2477 Roads.

Mr. Brown indicated this bill is a direct repercussion of the Travel Management Plan in Nye County that tries to enhance RS 2477. He stated he isn't sure that it does much for litigation that is required for an RS 2477 road to be established but it does strengthen County and public funds being used on roads that are in the Forest Service or public lands. He further stated he didn't think it was going to accomplish what Nye County wanted it to but it will still be beneficial to everyone.

- F. **Senate Bill 68:** Requires the State Engineer to allow a city, county or other political subdivision to participate in developing and carrying out a plan or conduction a study related to the appropriation of water under certain circumstances. Requires the State Engineer to consider comments, analysis or other information made by a city, county or other political subdivision in developing, carrying out a plan or conducting a study.

Mr. Brown indicated most engineer studies still being used by the State Engineer are outdated and this bill requires the State Engineer to accept studies relating to the appropriation of water done by local entities.

- G. **Senate Bill 153:** Revises provisions governing the appropriation of water by municipalities.

Commissioner Carpenter indicated the cover sheet indicates on March 7, 2011, the bill was amended and passed as amended and could have already gone through the Senate.

Mr. Brown indicated this bill applied to the appropriation and acquisition of water and explained the current law and what the proposed bill would change.

- H. **Senate Concurrent Resolution 1:** Expresses support for the Pine Forest Wilderness Study Area working group.

Mr. Brown indicated he believes the resolution refers to the millions of acres that have warranted by the BLM as wilderness study areas (wsas) and the BLM stating after some time they would revert them back to public lands and they haven't been doing that. He added that the working group has been studying the areas and providing information that indicates they are not wilderness areas and should be reverted back to public lands.

Commissioner Carpenter added that they also recommended some areas be wilderness.

Mr. Brown asked the Commission if there was any action they wanted to take.

Commissioner Carpenter indicated he thought it was immaterial now since there has been a bill introduced in Congress to designate specific areas as wilderness.

There was discussion on the amount of land recommended to be taken out of the wilderness study areas and reverted back to public land and the amount of land recommended to be designated as wilderness.

- I. **Senate Joint Resolution 4:** Urges Congress to take certain actions regarding public lands.

There was discussion about the content of the resolution and the process the resolution would go through to be approved or denied.

There was further discussion about the Fiscal Note indicated on the cover page of the actions and what information is used to determine that note.

- J. **Senate Joint Resolution 5:** Expresses opposition to certain proposed actions regarding wild horses and burros and against any expansion of herd management area or population size.

There were some comments made about the item and the possibility that there had not been any action on the resolution due to conflicting interests.

IX. ELKO COUNTY ADVISORY BOARD TO MANAGE WILDLIFE / NDOW:
Commissioner Wellington / Other NON-ACTION ITEM

Commissioner Wellington indicated there is a meeting in two weeks.

X. CORRESPONDENCE REPORT AND OTHER ITEMS OF DISCUSSION:
NON-ACTION ITEMS

- A. University of Nevada Cooperative Extension program budget dilemma and its effects on the natural resources of Elko County.

Mrs. Jill Tingey gave a presentation about the Cooperative Extension program's function in the community and outlined the proposed reduction in budget and workforce for the Cooperative Extension program in our area and its effects on the natural resources of Elko County.

There was discussion on the particular number of positions that would be omitted statewide if the 72% budget cuts were implemented.

County Commissioner Williams indicated the County Commissioners have taken action on the item and suggested the action that NRMAC could take would be to resolve to agree with the County Commissioners.

Mr. Brown gave an explanation of the item being on the agenda for informational purposes only.

Mrs. Tingey gave an overview of the process the budget would go through before it would become finalized.

Commissioner Carpenter commented that there is a committee that is looking at the issue and there is an NRS that states the Cooperative Extension will be funded with a direct appropriation by the legislature by the general fund and the money should not have been in the college fund or budget.

Mr. Miller indicated the County Extension is invaluable to the BLM and the permittees they work with in helping facilitate, train and cause people to work together.

Chairman Spratling called a recess.

Upon reconvening the meeting, Chairman Spratling moved the order of the meeting back to item V. Review and Discussion of the Elko County Public Land Use and Natural Resource Management Plan.

B. Update on Southern Nevada Water Authority actions and their effects on Elko County.

Mr. Brown proposed the item be tabled to the next month's meeting.

XI. NATURAL RESOURCE MANAGEMENT ADVISORY COMMISSIONERS AND COUNTY STAFF COMMENTS: NON-ACTION ITEM

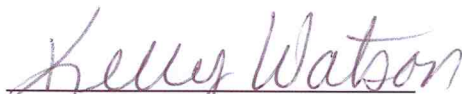
Commissioner Tingey updated NRMAC regarding the Wildlands Secretarial Order that there has been a lawsuit filed to stop the order and a House bill that has been presented and passed to prevent funding of the Secretarial Order. He added there are two other House bills pending that would prohibit funding for the Secretarial Order. He also gave an update on pending bills in Congress regarding Treasured Landscapes and the Antiquities Act.

Mr. Brown gave an update on the West Elko Shooting Range being patented in June and Senator Reid and Ensign submitted their omnibus bill on the atv/motorcycle track that was resubmitted a couple of weeks ago.

XII. ADJOURNMENT ACTION ITEM

Chairman Spratling adjourned the meeting at 8:42 p.m. as there was no further business.

Minutes Clerk,


Kelly Watson

Date Approved, May 25, 2011