

Conservation Fact Sheet Washoe County Lands Bill

The Washoe County Economic Development and Conservation Act would:

- Designate 7 areas as wilderness totaling 175,063 acres. These wilderness areas would be managed under the provisions in the 1964 Wilderness Act, as outlined in the legislation.
- Designate 3 areas as National Conservation Areas totaling 83,570 acres. These areas would be managed by the Bureau of Land Management in accordance with the bill language.
- Release 364,734 acres of BLM wilderness study areas for multi-use without designation. This would include all of the Wall Canyon, Fox Range and Pole Creek Wilderness Study Areas. The portions of Selenite, Skedaddle and Five Springs Wilderness Study Areas that are in Washoe County. Some of the Sheldon Contiguous, Massacre Rim, Buffalo Hills, Poodle Mountain, Twin Peaks and Dry Valley Rim Wilderness Study Areas.
- The wilderness language in the draft bill is the same as has been used in all other successful Nevada public land legislative efforts.

Wilderness Areas	
Macy	744 Acres
Bitner	21,859 Acres
Buffalo Hills	57,310 Acres
Twin Peaks	41,093 Acres
Burro Mountain	5,021 Acres
Dry Valley Rim	27,256 Acres
Granite Banjo	21,780 Acres

National Conservation Areas	
Buffalo Hills	22,908 Acres
Poodle Mountain	37,572 Acres
Dry Valley Rim	23,090 Acres

- Without legislation all 585,996 acres of the twelve Wilderness Study Areas, or portions within Washoe County will remain and be managed as wilderness study areas.
- Wilderness Study Areas were created to be studied to determine if they meet the requirements of Wilderness designations. The Bureau of Land Management did the study which was published in 1991, however no federal legislation has been brought forward to make those appropriate changes.
- This legislative effort allows Washoe County to settle the issues of Wilderness Study Areas once and for all.
- The BLM cannot change the designation of Wilderness Study Areas nor can they “release” any portion of a Wilderness Study Area. The only way such designations can change is through an act of Congress. This bill allows those changes to occur.
- Once the 364,734 acres of wilderness study areas have been released as a result of this legislation, they would be available for multi-use the same as the surrounding BLM lands.

The guidelines and policies for grazing in wilderness are as follows:

1. There shall be no curtailments of grazing in wilderness areas simply because an area is, or has been designated as wilderness, nor should wilderness designations be used as an excuse by administrators to slowly "phase out" grazing. Any adjustments in the numbers of livestock permitted to graze in wilderness areas should be made as a result of revisions in the normal grazing and land management planning and policy setting process, giving consideration to legal mandates, range condition, and the protection of the range resource from deterioration.
2. The maintenance of supporting facilities, existing in an area prior to its classification as wilderness (including fences, line cabins, water wells and lines, stock tanks, etc.), is permissible in wilderness. Where practical alternatives do not exist, maintenance or other activities may be accomplished through the occasional use of motorized equipment. This may include, for example, the use of backhoes to maintain stock ponds, pickup trucks for major fence repairs, or specialized equipment to repair stock watering facilities. Such occasional use of motorized equipment should be expressly authorized in the grazing permits for the area involved. The use of motorized equipment should be based on a rule of practical necessity and reasonableness.
3. The construction or new improvements or replacement of deteriorated facilities in wilderness is permissible if in accordance with these guidelines and management plans governing the area involved. However, the construction of new improvements should be primarily for the purpose of resource protection and the more effective management of these resources rather than to accommodate increased numbers of livestock.
4. The use of motorized equipment for emergency purposes such as rescuing injured persons, sick animals or the placement of feed in emergency situations is permissible. This privilege is to be exercised only in true emergencies, and should not be abused by permittees.

In summary, grazing management in wilderness should be that activities or facilities established prior to the date of an area's designation as wilderness will remain in place and may be replaced when necessary for the permittee to properly administer the grazing program. Meaning, if livestock grazing activities and facilities were established in an area at the time Congress determined that the area was suitable for wilderness and placed the specific area in the wilderness system, they will be allowed to continue. With respect to areas designated as wilderness prior to the date of this Act, these guidelines shall not be considered as a direction to reestablish uses where such uses have been discontinued.

Questions and Answers

How will these areas be managed for grazing?

Under the Bill, grazing within designated Wilderness Areas where established prior to the passage of the Washoe County bill shall continue to be permitted. Further, the legislation gives direction to the BLM on how grazing will be managed. These are called the Congressional Grazing Guidelines and they are cited in the legislation as House Report No. 101-405.

Can changes still be made to the Wilderness boundaries?

Yes, there is still an opportunity for ranchers and other stakeholders to help adjust boundaries to ensure access, even after the bill has been introduced.

What about wildfire and invasive weeds in Wilderness?

The legislation says: “Wildfire, Insect, and Disease Management.—In accordance with section 4(d)(1) of the Wilderness Act, the Secretary may take such measures in the wilderness areas as are necessary for the control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).”

Will I still be able to hunt in Wilderness?

The legislation says: “In accordance with section 4(d)(7) of the Wilderness Act, nothing in this Act affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas. In furtherance of the purposes and principles of the Wilderness Act, the Secretary may conduct anymanagement activities in the wilderness areas that are necessary to maintain or restore fish and wildlife populations and the habitats to support the populations...” Many hunters believe that their highest quality hunting experiences take place in wilderness.

What if I have a mining claim or lease in an area that is designated for Wilderness?

Once areas are designated as wilderness, they are subject to valid existing rights but the remainder of the area will be withdrawn from mineral leasing laws.

Why are there areas being considered that are not wilderness study areas?

There are 2 areas in the Washoe County proposal that are not currently Wilderness Study Areas, those are Burro Mountain and Granite-Banjo. These areas have both been designated as “Lands with Wilderness Characteristics”. This means that the areas do meet the qualification for wilderness and we felt it was appropriate and responsible to recommend the designation of Wilderness.

Can areas that aren't wilderness study areas be designated as Wilderness?

Yes, there are several examples of this in Nevada including in Clark County (Wee Thump Joshua Tree

Wilderness), Lincoln County (Big Rocks Wilderness), White Pine County (Becky Peak and Bristlecone Wilderness) and Lyon County (Wovoka Wilderness). Congress is the only entity that can make a qualitative and factual determination of what should and should not be designated as Wilderness.

Some of the areas proposed for Wilderness were recommended “non-suitable” by the BLM. Why are they being considered for Wilderness?

The BLM made their wilderness suitability recommendations in 1991 as part of the Wilderness Recommendations Final Environmental Impact Statement (EIS). These recommendations are over 30 years old and many things have changed since they were made. The current Washoe County legislative process gives everyone a chance to re-look at the issues and the original WSA boundaries. When BLM made their recommendations it was a onetime shot and those recommendations cannot be changed by the BLM. Only Congress can designate or release areas from wilderness study area status.

There is often confusion on “non-suitable” recommendations. As a part of the EIS effort in the 1991 Record of Decision by BLM, looked at all the wilderness study areas and weighed their wilderness values against other resource values and made recommendations on which wilderness study areas or portions of the wilderness study areas should be recommended to Congress as “suitable or non-suitable” for Wilderness designation. Some of these areas meet the requirements for Wilderness; however there were management concerns that lead them to ultimately designate the area as “non-suitable”. However, much time has gone by, and due to land transfers and acquisitions many of those management concerns have been alleviated and therefore changes to the final maps from Washoe County have reflected those changes.

During the process sponsored by Washoe County Commission over the period of time from 2015-2018, conservation was a topic that we wanted to include. After a many meetings and field trips, Washoe County has proposed that 7 areas (Macy, Bitner, Buffalo Hills, Twin Peaks, Burro Mountain, Dry Valley Rim and Granite Banjo) equaling 173,783 acres to be considered for wilderness. The compromise was to release of 3 Wilderness Study Areas (Wall Canyon, Fox Range and Pole Creek) and well as large portions of 5 Wilderness Study Areas (Sheldon Contiguous, Massacre Rim, Buffalo Hills, Poodle Mountain, Twin Peaks and Dry Valley Rim) as well as the small portions of 3 Wilderness Study Areas in Washoe County that primarily exist in California and Pershing County (Selenite Mountain, Skedaddle and Five Springs). The creation of National Conservation Areas was determined for Buffalo Hills, Poodle Mountain and Dry Valley Rim because they do not meet the qualifications and requirements to be wilderness but do rise to the need of a higher standard of protection than a full release to multi-use would offer.