

## Closing in on Critical Mass?

Here we are, another year almost in the books with 2019 bringing its own unique set of challenges. We started off the year by ushering in the first Democratic Governor of Nevada this millennium while watching the proceedings of the Nevada legislature heavily sway against the conservative principles valued by those residing over a vast majority of the State.

Though tremendously lopsided, the Nevada Lands Council was able to secure a proclamation from the Nevada State Assembly on May 31, 2019 encouraging Congress to support legislation transferring the title of certain public lands from the federal government to the State of Nevada.

Further, members of the Nevada Lands Council have remained vigilant in their efforts to promote federal land transfers in order to secure the health, sustainability, and accessibility of Nevada public land. More on their efforts have been included in this newsletter.

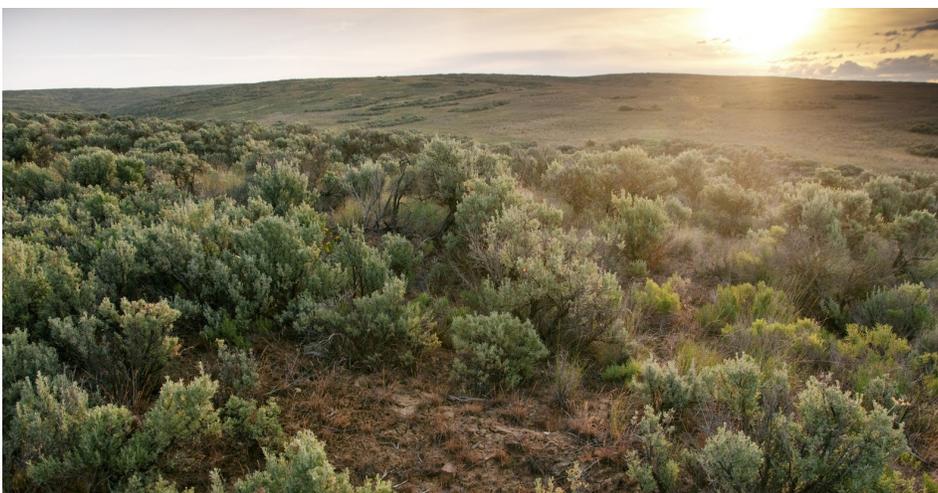
As we rush headlong into 2020, there are a multitude of events and issues on the horizon that could very well change the overall landscape of the Western United States...both literally and figuratively.

For these reasons, the Nevada Lands Council Board has determined that, although federal land transfer efforts will remain the primary objective as it pertains to our mission, we must and will engage in those issues that pose a negative threat to our traditional and western way of life. In addition to ensuring our lands remain healthy, sustainable, and accessible, we further commit to the certainty of our independence, *Continue on page 4*



**“The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”**

*10th Amendment to the U.S. Constitution. Passed: September 25, 1789, Ratified December 5, 1791*



The Sun Fades on the Sagebrush Sea...

## In This Issue

- Closing in on Critical Mass?
- On the Road Again
- Equal Access to Justice Act
- Nevada State Assembly Proclamation

# On the Road Again...

From across the street to across the country (and everywhere in between), the Nevada Lands Council leadership have spent many miles on the road and in the air meeting with various stakeholders and policy makers in an effort to create awareness and drum up support for NLC initiatives.

## UTAH

In July, NLC President, Rex Steninger and Director, Demar Dahl met with legislators in the *Beehive State* to discuss the relevance of the Utah Legal Analysis prepared for the Utah Commission for the Stewardship of Public Lands in 2015, and specifically whether pursuing legal action was still a viable option for Western states interested in managing or gaining title to select parcels of federal public land. Eventually, this led to more meetings in September where the idea of a coalition of Western States was entertained to lend credence to such a lawsuit if it were pursued. Stakeholders are still ironing out the appropriate course of action should a coalition be established.

## CPAC 2019

In September, NLC Director, Demar Dahl was invited by former Nevada Attorney General, Adam Laxalt, to be a guest panelist at the CPAC West conference in Reno, NV. Dahl and his fellow panelists discussed the various issues associated with public vs. private land as well as federal mandates that can affect personal property rights. Overall the discussion was well received by those in attendance and gave rise to more questions regarding the relationship between federal authority and personal liberties.



## WASHINGTON D.C.

The NLC made several trips to Washington D.C. this year. The first was in February where NLC President Rex Steninger and Director Demar Dahl attended the National Association of Counties (NACO) legislative conference. Here they met with William F. Crozer, Special Assistant to the President and Deputy Director of Intergovernmental Affairs at the White House, to discuss land management issues facing the West. In September, NLC President, Rex Steninger and met with the DOI's Principle Director of External and Inter- governmental Affairs, Tim Williams, where they discussed localized solutions to federal land management in an effort to ensure sustained multiple use access for the future.

## The Equal Access to Justice Act

Yet another issue the West faces in regards to western land management is the abuses of the Equal Access to Justice Act (EAJA). The EAJA is a great example of a good idea that went bad. Written to allow those with limited resources to take action when government agencies overstep their authority. Today, well-funded environmental groups have learned to take advantage of the weaknesses of the act to swamp federal agencies with frivolous lawsuits. It is estimated that the federal government (you and I) pay an estimated \$40 million a year to extremist environmental groups to file lawsuits against the federal government not to mention the \$80 million that is spent to defend those lawsuits - In other words, the American taxpayer shells out \$120 million a year to fund erroneous lawsuits that at best constrain progress and at worst contribute to the demise of the western landscape.

NLC leaders have already confronted U.S. Congressional delegates regarding these injustices and provided several solutions that will re-establish the intent of the bill to its original purpose.



In September, NLC President Rex Steninger, met with the DOI's Principle Director of External and Intergovernmental Affairs, Tim Williams in Washington D.C.



## PROCLAMATION

**WHEREAS**, The federal government controls and manages about 87 percent of all the land within the State of Nevada comprising over 59 million acres and representing the highest percentage of federally controlled land in any single state and second only to Alaska in total acreage federally controlled; and

**WHEREAS**, The paucity of state and private land within the State of Nevada constrains the diversity and size of the state's economy, and

**WHEREAS**, In all states east of Colorado, the federal government controls just 4 percent of the land; and

**WHEREAS**, In the states of Alaska and the 11 western states the federal government controls over 630 million acres of public lands, which is greater landmass than the states of California, Florida, New York, and Texas combined; and

**WHEREAS**, A July 2014 report prepared by the Nevada Land Management Task Force pursuant to Assembly Bill 227 of the 77th Legislative Session of 2013 concluded that the State of Nevada could generate significant net revenue if afforded the opportunity to manage an expanded state land portfolio; and

**WHEREAS**, The Nevada Land Management Task Force concluded in the report that a congressional transfer to the State of Nevada of certain federally administered land should be accomplished in phases; and

**WHEREAS**, Certain lands controlled by the federal government should not be transferred to the State of Nevada due to their special purpose or importance for national conservation, defense, or sovereignty policies including congressionally designated lands as National Conservation Areas or wilderness, lands administered by the United States Department of Defense, U.S. Department of Energy, U.S. Department of the Interior's Bureau of Indian Affairs, and Bureau of Land Management's designated Areas of Critical Environmental Concern protecting the desert tortoise, U.S. Fish and Wildlife Service, or National Park Service; now, therefore, be it

**PROCLAIMED**, that the U.S. Congress is encouraged to enact, and the Congressional Delegation representing Nevada is encouraged to support, legislation transferring title of certain public lands currently under the control and management of the federal government not to exceed 7.2 million acres and to include lands already designated for disposal by the federal agencies, to the State of Nevada as concluded by the July 2014 report of the Nevada Land Management Task force. All transferred lands shall be managed for : (a) improved public access; (b) multiple use; (c) wildlife habitat and range conservation; (d) ongoing net revenue generation; and (e) environmental health, function, productivity and sustainability.

**DATED** this 31st day of May, 2019

//SIGNED//

John C. Ellison

Co-Deputy Minority Leader- North  
Nevada State Assembly

Continued from page 1.

security, and constitutional rights.

More so than ever, the basic principles that have fostered our nation and strengthened our Republic for two and a half centuries are being attacked by a historically illiterate mob that will stop at nothing to dismantle the most fruitful, equitable, and benevolent civilization that has ever existed in favor of an abstract concept that has, thus far, only led to impoverishment, injustice, and evil. This too, affects the West.

As we draw closer to the 2020 Presidential election, we will no doubt see the polarity of our nation continue to grow stronger with factions on both sides vying for national control. Thus far, the NLC has had a great relationship with the current administration with White House representatives not only willing to offer up their time, but receptive to our concerns. Although we expect their energies to be focused on re-election this year, we are confident that great strides can be made within the next 4 years should President Trump remain at the helm.

And therein lies the problem—Nevadans and Westerners as a whole are sweating every four years wondering whether or not their access to the land, their livelihoods, or their rights will be threatened during the next presidential cycle. There is a simple solution, one that will not only reduce the above mentioned anxiety but will help to curtail the contention that has divided the nation within this millennium. The solution is this, TRANSFER CONTROL TO THE STATES... not just it's federal lands, but those political powers that are not exclusively granted to the federal government by the U.S. Constitution. It's time we carry out the proceedings of government as they were originally intended!

**Save the West for All Americans!!**

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President's Day  
Rally in February!**