

Land Use/Property Rights

Data Centers:

182

Because of our strong support for continued productivity of agricultural lands including federally-managed lands for traditional uses, we are concerned over efforts to convert agricultural lands to uses such as data centers.

If data centers are established in rural areas:

- We support data centers paying for their utility use directly and we oppose the data center power grid costs being passed on to individual consumers in any way;
- We support a ban on industrial water-cooling systems that require massive amounts of water to be used to cool;
- We support waterless cooling systems for data centers; and,
- We oppose data center activities that will taint water in any way. This includes dumping waste in ways that will impact the quality of water that is needed for agricultural and drinking uses.
- We oppose tax rebates and incentives to be granted to data center facilities.

Agricultural Practices – Right-To-Farm:

183

Nevada Farm Bureau supports adoption of local right-to-farm ordinances designed to encourage agriculture and protect the existing rights of farmers and ranchers. We should be able to produce without unreasonable restrictions, regulations or undue liability and nuisance suits when carrying out normal production practices. We believe the Nevada Board of Agriculture should continue to serve a role in helping to make sure proper farming practices are being used.

Productive and/or potentially productive agricultural lands should be identified in all county general plans and all properties within one mile should be notified upon purchase that agricultural practices include dust, noise, odor, spraying and machinery operation at all hours and seasons.

We encourage cooperation between farmers/ranchers and the non-agricultural public in resolving conflicts that occur over agricultural practices like burning or that involve concerns of dust, odors, etc.

Necessary agricultural practices should be considered in weighing agricultural/urban disputes.

We urge every county, through its duly elected board of commissioners, to develop and implement an ordinance(s) similar to the position that other Nevada counties have taken to protect agriculture.

Agricultural Preservation:

184

We support establishment of a program to purchase or transfer development rights on agricultural lands and irrigation water rights to preserve agriculture while at the same time permitting current owners a return on their investment.

Condemnation Of Private Property:**185**

Farm Bureau opposes condemnation or use of eminent domain of private property for access to federal lands.

Nevada Farm Bureau is opposed to the taking of private property including water rights for the benefit of a private business for “Public Purposes”. We oppose the taking of property to benefit a private business entity.

Consolidate Checkerboard Lands:**186**

Nevada Farm Bureau encourages the consolidation of checkerboard land to make it more reasonable for the public lands and private land owners to manage and develop the land as they wish.

Easements:**187**

For easements to be granted, there must be a written description or an indication on the survey maps that there is a new or additional easement.

Elected Officials Private Property Responsibilities:**188**

Nevada Farm Bureau recommends that all elected officials seek means to continue/protect all private property rights within their jurisdiction.

With the increased pressure from the federal government and local governments to encroach on private property rights, we request that the Attorney General’s office, of the state of Nevada, vigorously defend the property rights of the state of Nevada and its citizens from the federal government and local governments.

Federal Lands Conversion to Private Property:**189**

We favor retention and strengthening of the principles of the Desert Entry Act and Carey Act to provide for the disposal of federal lands into private ownership.

Nevada Farm Bureau should monitor Federal Lands Resource Management Plan amendments to promote suitable lands for agriculture to be classified for disposal.

We support a streamlined environmental assessment system. Nevada Farm Bureau will send letters in support to encourage state and federal officials to improve policies for improved opportunities for use of the laws for disposal of federal lands for agricultural use.

Federal Land Transfers:**190**

The State of Nevada should acquire federally managed lands.

When lands removed from federal control are determined to be available for sale to private ownership, adjoining landowners with a pertinent right attached to the land, if they meet the bid levels, should be provided with the right of first refusal for purchase.

Under FLPMA, federal land use management plans must be consistent to local land use and water plans. We believe that lands which continue to be managed by federal agencies should continue in this manner and lands acquired by the State of Nevada should also be operated in a like fashion.

Fence Out State:**191**

Nevada Farm Bureau supports the Nevada Revised Statutes as a fence out state. We encourage federal agencies to follow the Nevada statute to eliminate further burden on livestock permittees.

Government Acquisition:**192**

We are opposed to the increased state and federal government and foreign ownership of land and water rights through acquisition of private property.

When government agencies acquire private lands, they should be required to return comparable lands to private ownership. There shall be no net loss of tax base of the county affected.

We believe the percentage of Nevada land in private property should be substantially increased to establish vigorous local economies and that counties should not be subject to loss of tax base when tribes acquire property under Trust Status.

Tribes should be required to meet the same standards, and pay all the same fees and taxes applicable to other developers.

We are opposed to the perpetual federal funding for purchases of private land, converting it to public purposes.

In the case of overallocated water basins, Nevada Farm Bureau supports the purchase and compensation of water rights for retirement of those water rights.

Government Actions Impacting Private Property:**193**

With the strong foundation of many laws and our U.S. Constitution requiring full due process of law before federal or state agencies can take possession of private property, we believe that it is important for local governments and other levels of government as well to enforce laws which require due process and the right of a grand jury judgment before any private property can be seized or civil rights violated.

We believe that all federal agencies should honor private property rights and that no agency should be able to take private property without due process.

National Monuments:**194**

Because of the abuse of the 1906 Antiquities Act, which destroys the multiple use concept, we support the repeal of the 1906 Antiquities Act, and/or revocation of presidential authority to set aside more than 640 acres without the approval of the affected counties, and of Congress.

Natural Resource Surveys:**195**

No state or federal agency (or their representatives) should be permitted to do stream surveys or carry out other activities on private lands without the permission of the private landowner.

Property Tax Mitigation Requirements:**196**

We support mitigation plans to be developed and accepted by County Commissioners when private property is removed from local property tax rolls and acquired by non-property tax paying entities.

Trespass Laws:**197**

Nevada Farm Bureau supports legislation allowing trespass prosecution on improved sites (i.e. hay fields, irrigated crops, yards, irrigated pasture, vineyards, etc.) regardless of whether or not such sites are posted.

Changes should be made to NRS 207 to make it simpler and more easily understood for notification of trespass.

We seek increased criminal prosecution for trespass, increasing penalties to gross misdemeanor levels.

We support protection from surveys being conducted on private property without permission by the property owner.

Trespass Laws – Jurisdiction Over Sovereign State Lands:**198**

Nevada Farm Bureau supports the approved Jurisdictional Determination (dated December 30, 2014) by the Army Corps of Engineers that changes the classification of Segment 8 (Carson Desert 16050203) to the status of a non-navigable waterway. With this change, the adjacent landowners are now under the rights outlined in NRS 503.240, pertaining to trespass, hunting and fishing without the private property owners' permission.

We also desire clarification by the Nevada Division of State Lands, owner of the riverbed, as to what is meant by "Ordinary High-Water Mark," "Normal High Water Mark" and per NAC 322.080 what is the "Mean High Water Mark Line." Are these synonymous with the United States Geologic Survey (USGS) stream flow data?

We also support the education of involved entities (Sheriffs, District Attorneys, the Nevada Department of Wildlife, Nevada Division of State Lands, landowners and public users) as to the reclassification and the ramifications.

County Farm Bureaus should continue to be active in the process of promoting private property rights as they relate to local zoning issues.