



NEVADA LEGISLATURE JOINT INTERIM STANDING COMMITTEE ON NATURAL RESOURCES

(Section 6 of [Assembly Bill 443](#), Chapter 392, *Statutes of Nevada 2021* at page 2505)

MINUTES

January 21, 2022

The first meeting of the Joint Interim Standing Committee on Natural Resources for the 2021–2022 Interim was held on Friday, January 21, 2022, at 9:30 a.m. Pursuant to *Nevada Revised Statutes* (NRS) [218A.820](#), there was no physical location for this meeting.

The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the Joint Interim Standing Committee's [meeting page](#). The audio or video recording may also be found at <https://www.leg.state.nv.us/Video/>. Copies of the audio or video record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) (publications@lcb.state.nv.us or 775/684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Howard Watts III, Chair
Senator Fabian Doñate, Vice Chair
Senator Pete Goicoechea
Senator Melanie Scheible
Assemblywoman Maggie Carlton
Assemblyman John C. Ellison
Assemblywoman Alexis Hansen
Assemblywoman Sarah Peters

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Jann Stinnesbeck, Senior Policy Analyst, Research Division
Rebecca Williams, Research Policy Assistant, Research Division
Allan Amburn, Senior Deputy Legislative Counsel, Legal Division
Kimbra Ellsworth, Senior Program Analyst, Fiscal Analysis Division
Justin Luna, Program Analyst, Fiscal Analysis Division

Items taken out of sequence during the meeting have been placed in agenda order.

AGENDA ITEM I—OPENING REMARKS

Chair Watts called the meeting to order. He welcomed members, presenters, and the public to the first meeting of the Joint Interim Standing Committee on Natural Resources for the 2021–2022 Interim.

Chair Watts:

First, before we start, I would like to note that I am joining this meeting from the ancestral homeland of the Nuwu or Southern Paiute people. Our members represent, and our state occupies, the unceded homelands of the Nuwu, Newe or Western Shoshone, Numu or Northern Paiute, and Wa She Shu or Washoe peoples, currently represented by 27 sovereign tribal nations located wholly or partially within the state's boundaries. I want to take a moment to honor their stewardship of the area's lands and waters from time immemorial to the present day, and intend to include their voices in this Committee's work and work with them to protect and restore these places for future generations.

With that, Mister Stinnesbeck, will you please call the roll.

Chair Watts:

Members, our agenda for today will include introductions; the appointment of members to our Subcommittee on Public Lands; a discussion of possible topics to study during the Interim; and presentations from the State Department of Conservation and Natural Resources (DCNR), and Nevada's Department of Wildlife (NDOW).

Chair Watts reviewed virtual meeting and testimony guidelines.

AGENDA ITEM II—PUBLIC COMMENT

Chair Watts:

We will begin our agenda with our first public comment period of the day. Please be sure to clearly state and spell your name and limit your comments to three minutes. With that, I would like to turn it over to our staff in Broadcast and Production Services (BPS) to see if we have anyone wishing to make public comment at this time, and please add our first caller to the meeting.

Broadcast and Production Services staff provided instructions to callers wishing to take their place in the queue.

Fred Voltz, Clark County Resident:

Yes, good morning. For the record, Fred Voltz.

We can likely agree that when a building's foundation has collapsed, it cannot be fixed.

The state Wildlife Commission and the county advisory boards (CABs) are regressive, duplicate anachronisms of 1922 state demographics, not 2022. Both bodies' actions fail to represent the values and objectives of most Nevadans toward the public's wildlife, per a recent NDOW-sponsored wildlife values study carefully conducted by Colorado State University researchers.

Despite a few tweaks by previous legislatures, the membership of both bodies reliably promotes only the interests of maximized wildlife killing. Wildlife killing contests wipe out entire populations of a target species in a given geographic area while posing a risk to public safety. A brutal 96-hour trap inspection requirement ranking 48th worst out of 50 states destroys nontarget species as well. A trophy bear hunt has negatively impacted a guesstimated small population. Deer hunts further deplete population numbers already precipitously declining year over year because of degraded habitat and serial drought. Subjective opinions, not sound science, drive these bad decisions. Let's remember 95 percent of Nevadans do not buy wildlife killing licenses, yet they are defiantly ignored when policies are made.

Most commission and board membership positions mandate the patronage purchase of a wildlife killing license ('pay to play'), in three out of the last four years as initial, imaginary proof of competency to serve. A recent analysis of the 17 CABs over a 3-year period proves that out of 27 commission meetings they are statutorily required to attend, 1 to 8 CABs actually attended 13 meetings. The high point of attendance was 12 CABs out of 17 on only 3 occasions.

Nevada spends over \$43 million of public funds per fiscal year for roughly 240 NDOW employees. With reform of its current institutional bias to maximizing wildlife killing license sales and wildlife killer convenience, opportunity, and success, NDOW already possesses the regulation-writing and day-to-day skills, not the funding, needed to protect all of our over 700 identified wildlife species from decimation and extinction. Two of your 14 BDR slots need to completely abolish the state wildlife commission and county advisory boards. Their inherent and intractable problems cannot be credibly glossed over any more than a collapsed building can be repaired.

I will ask these comments be added to the record verbatim, as well as the chart documenting the CAB problems ([Agenda Item II D-1](#)) ([Agenda Item II D-2](#)) ([Agenda Item II D-3](#)).

Thank you very much.

Chair Watts:

Thank you very much for your comments, Mister Voltz.

Broadcast and Production Services, can we move on to the next caller?

BPS:

Chair Watts, it seems that caller is unresponsive. With that, you have no more callers at this time.

Chair Watts:

Thank you. To the other caller: We will have another public comment period, so if you wish to wait you can give it a try then, or you can also submit your comments in writing.

Caron Tayloe, Washoe County resident, submitted written testimony ([Agenda Item II A](#)) for the record.

Catherine Smith, MD, Washoe County resident, submitted written testimony ([Agenda Item II B](#)) for the record.

Jana Wright, Clark County resident, submitted written testimony ([Agenda Item II C](#)) for the record.

AGENDA ITEM III—COMMITTEE MEMBER AND STAFF INTRODUCTIONS

Chair Watts:

We will move on to the next item on our agenda, which is Committee member and staff introductions. I would like to take a few minutes to allow everyone to introduce themselves. So members, we will start with you. We will keep it brief; if you can just please note the district you represent and your history with the natural resources or public lands committees. We will begin our introductions with our Vice Chair, Senator Doñate.

Vice Chair Doñate:

Thank you so much, Chair Watts, and good morning to the members. Senator Doñate representing Senate District 10, which is in the heart of Las Vegas; very happy to be here today. I served as a former chair of the Senate Natural Resources Committee in the 81st Legislative Session so I definitely have an interest in this subject. Of course, I am excited to talk about water and climate change, and the environment also. I am looking forward to working alongside all of you and continuing the conversations. Thank you so much.

Chair Watts:

Thank you. We will move on to Senator Goicoechea.

Senator Goicoechea:

Thank you, Mister Chair. Senator Pete Goicoechea, representing Senate District 19. It continues to be the largest Senate district in the state; predominantly rural Nevada, although I do get into the west side of the Las Vegas valley. I had the privilege of serving on the Public Lands Interim Committee as a County Commissioner twice before I was elected to the Legislature, and I believe I have been on the Committee on Natural Resources ever since. I am a third-generation rancher, natural resources are very near and dear to me. Thank you.

Chair Watts:

Thank you very much, Senator. I believe Senator Scheible has not joined us yet, so we will move on to Assemblywoman Carlton.

Assemblywoman Carlton:

Good morning, Mister Chairman, members of the Committee, and those watching—thank you very much. I am very grateful to be appointed to this Committee once again. I have served off and on on Natural Resources through my career in the Legislature—in the Senate and in the Assembly—and was actually on Natural Resources with Senator Rhoads who started this Committee a very long time ago, and was lucky enough to be the first southerner, the first Democrat, and the first woman to ever chair this Committee. So,

I really look forward to the work that is going to get done, there are still a lot of things to do, and I appreciate the opportunity to work with everyone.

Chair Watts:

Thank you very much. We will move on to Assemblyman Ellison.

Assemblyman Ellison:

Thanks, Mister Chair. John Ellison, Assembly District 33. I am like Mister Goicoechea; we come from a ranching background, and I have served on two different committees with Natural Resources, and I look forward to serving on this one. Thank you.

Chair Watts:

Thank you. Assemblywoman Hansen.

Assemblywoman Hansen:

Good morning, everyone, it is good to see everybody. I am honored to be able to represent Assembly District 32. I live in the Reno-Sparks area, have most of my life, and my family has been in Nevada—in Lincoln County, Eureka County—for five generations. I represent six counties, of course a large section of Washoe, and five other counties, and a lot of tribal lands, and I am honored to do so. I look forward to serving this Interim. I served on Natural Resources during the regular session in 2019, it was my first session. In 2021, I also served on Public Lands, and hope to be able to be a voice for my communities. Thank you for the opportunity to be here today.

Chair Watts:

Thank you very much. Assemblywoman Peters.

Assemblywoman Peters:

Thank you, Chair. I am Assemblywoman Sarah Peters, I represent Assembly District 24 in the north, which is the heart of Reno really. I was on the Natural Resources Committee my first session in 2019, and then during the interim I served on both the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System as the vice chair, and on the Committee to Conduct an Interim Study Concerning Wildfires during the 2019–2020 Interim. My day job, I spend a lot of time working in natural resources as an environmental engineer, and I am grateful to be here and participate in this interim conversation.

Chair Watts:

Thank you, Assemblywoman and welcome back to Natural Resources.

I am Howard Watts. It is my honor to serve with all of you and to chair this first Joint Interim Standing Committee on Natural Resources and help chart the course for our new revised interim structure. I represent District 15, which currently covers central east Las Vegas. I have served on the Assembly Committee on Natural Resources in both of my regular sessions, serving as chair of the Committee during the 81st Session. I also served on the Committee on Public Lands during the last interim, which as many of you are aware is kind of the precursor to this Committee.

Before we move forward, I would just like to give a few remarks. First of all, I am always impressed by the depth of experience, the diverse backgrounds, and geography of our members—not only at the Legislature as a whole but particularly of this Committee—and the way that experience can be brought to bear to inform the decisions that we are making on our natural resources. The work that we take on is more important than ever. The science is clear that the greenhouse effect is real, that human activity is causing it, and that our climate is changing as a result. Nevada is getting even hotter and drier, and that is putting our natural resources, our health, and our economy at risk.

We have got two decades of aridification along the Colorado River; it has resulted in the first ever shortage being declared on the river, reducing southern Nevada's water allocation by roughly seven billion gallons this year. In other parts of the state, we have seen that drying trend drop snowpack and reservoir levels, leaving our agriculture and our recreation high and dry. So many of us have either grown up here or spent a long time here and have seen the changes to our landscape firsthand, including in 2020 when the summer monsoons never arrived.

Reno and Las Vegas are the fastest warming cities in the nation, and Las Vegas has the most intense summer heat island effect of any United States city. We are breaking temperature records at an alarming pace. For people who work outside or live without affordable quality cooling, this is becoming downright dangerous.

Since the 1970s, the average number of fires over 1,000 acres each year has doubled in Nevada, and last August, several counties recorded their worst air quality ever due to wildfire smoke, and I know my colleagues in the north experienced that firsthand. For the first time ever, fires jumped across the Sierra crest, and it happened twice in one year, destroying homes, businesses, and critical wildlife habitat.

We are also struggling with air pollution, which leads to premature deaths and millions of dollars in increased healthcare costs, and pollution is concentrated in urban areas with high proportions of low income, Black, and Hispanic residents.

Other committees will be looking at how Nevada can lead our region, and our nation, in reducing emissions to avoid billions of dollars in projected increased damages as a result of these problems. Our Committee will, among other things, take a closer look at these impacts that are occurring and explore options to reduce the detrimental effects that we are seeing on Nevada's plants, animals, and people.

As Chair, I always strive to create an open, inclusive environment, and we will continue to do that in the interim and make ourselves open to diverse ideas—I think you will see that even throughout the rest of this agenda. I will continue to promote an environment of professionalism and fairness and expect all members and participants to treat each other with courtesy and respect.

I would like to now turn over our introductions to the nonpartisan Committee staff who will support us during the Interim. Joining us is our committee policy analyst, Jann Stinnesbeck, with the Research Division of LCB. Our research assistant, Beca Williams, also with the Research Division. We have our committee counsel, Allan Amburn, with the Legal Division of the LCB, who served as counsel to both the Senate and Assembly Committees on Natural Resources during the 81st Session. And our fiscal analysts, Kimbra Ellsworth and Justin Luna with the Fiscal Division of the LCB. Additionally, to support the work of our Subcommittee on Public Lands, we have Alysa Keller and Maria Aguayo with the Research Division joining us for this interim.

Last but not least, I would like to take a moment to recognize our excellent BPS staff who enable us and members of the public to participate in these meetings remotely and ensure that recordings of our meetings are available to everyone. Thank you, thank you, thank you for all that you do.

With that, we will move on to the next item on our agenda, which is the presentation of our committee brief. Our Policy Analyst, Mister Stinnesbeck, will present the brief. Please proceed whenever you are ready.

AGENDA ITEM IV—PRESENTATION OF COMMITTEE BRIEF

Jann Stinnesbeck:

Thank you, Chair. For the record, I am Jann Stinnesbeck with the Research Division of the LCB.

On the meeting page you will find the committee brief of the Joint Interim Standing Committee on Natural Resources for the 2021 Interim. The brief contains an overview of natural resource issues the Committee may consider, meeting dates, staff contacts, and other relevant information ([Agenda Item IV](#)).

As you know, [Assembly Bill 443](#) (2021) created the Joint Interim Standing Committee on Natural Resources and set its membership, duties, powers, and jurisdiction. Additionally, the bill replaced the Legislative Committee on Public Lands with the Subcommittee on Public Lands of the Joint Interim Standing Committee on Natural Resources. Per AB 443, the Committee may request up to 14 bill draft requests, of which at least four must be based on recommendations by the Subcommittee.

The Committee has jurisdiction over a wide range of natural resource issues. During past legislative sessions the Senate and the Assembly Committees on Natural Resources considered matters related to topics ranging from agriculture and animals, historic preservation, water, and wildfires. As such, during the 2021 Legislative Session, Natural Resources Committees received a total of 55 measures, of which 44 were passed into law. These measures addressed a diverse set of issues. Some bills from last session that come to mind are [Senate Bill 52](#), which created a dark sky program, and [AB 356](#), which made various changes relating to water conservation in southern Nevada. There were also various bills that addressed wildfire issues, such as [AB 89](#) and [AB 100](#) which, among other things, authorized public-private partnerships to combat wildfires. Further, the Committees processed bills related to water, agriculture, and protecting animals; for example, [AB 399](#), which provides certain protections to egg-laying hens.

The brief also lists a selection of relevant publications that deal with natural resource issues; for example, the last interim's final reports for the Legislative Committee on Public Lands and the Interim Study Concerning Wildfires are listed. Additionally, there is a list of relevant government agencies with a hyperlink to the *Directory of State and Local Government* for current contact information.

As for the meeting dates, currently the Committee has the following dates scheduled for future meetings: February 28, March 21, June 16, and August 22. The Subcommittee has meeting dates scheduled on April 15, May 23, and June 27.

Lastly, I just want to point out that, as nonpartisan staff, we can neither advocate for nor against anything that comes before this Committee. As the policy analyst, I look forward to

assisting the Committee on any issues related to the Committee. Additionally, I am available to provide members with information or assistance on a confidential basis on any topic.

That concludes my presentation. Thank you very much, Chair.

Chair Watts:

Thank you very much, Mister Stinnesbeck. Members, any questions for Mister Stinnesbeck about the committee brief?

Seeing none, thank you. We will move on to the next item on our agenda which is the appointment of members to the Subcommittee on Public Lands.

AGENDA ITEM V—APPOINTMENT OF MEMBERS TO THE SUBCOMMITTEE ON PUBLIC LANDS

Chair Watts:

As Mister Stinnesbeck noted, [AB 443](#) created a Subcommittee on Public Lands within our Joint Interim Standing Committee on Natural Resources. As Chair of that Committee, it is my responsibility to appoint the members of that Subcommittee. Four members must be selected from this Joint Interim Standing Committee, with two Assembly members and two Senators. Additionally, the Subcommittee has one member representing the governing body of a local political subdivision, and one member representing tribal governments in Nevada.

At this point, I would like to announce the appointment of the following members to serve on the Subcommittee this interim. I will chair the Subcommittee, with Senator Scheible serving as vice chair. Senator Goicoechea and Assemblywoman Carlton will also serve on the Subcommittee. Clark County Commissioner Justin Jones will be our local government representative, and the tribal representative will be appointed at a later date as we are waiting on the recommendation of the Inter-Tribal Council of Nevada.

We will move on to our next agenda item, which is a discussion of possible topics to study during the interim.

AGENDA ITEM VI—DISCUSSION OF POSSIBLE TOPICS TO STUDY DURING THE 2021–2022 INTERIM

Chair Watts:

Before we open up this discussion among members, I want to direct the Committee's and the public's attention to the Solicitation of Recommendations which is posted on the Committee's webpage and the meeting page ([Agenda Item VI A-1](#)) ([Agenda Item VI A-2](#)). As noted in the memo, the Committee will hold a work session at a later date to consider potential recommendations. All interested parties are encouraged to provide written recommendations by completing and submitting the form on our webpage. Please note the Committee staff must receive recommendations no later than Friday, June 24, 2022, in order to be considered. Those interested may also suggest issues that they would like to see our Committee study by contacting our Committee at NRInterim@lcb.state.nv.us.

I believe in my introductory remarks, I already made clear my interest in looking at the impacts of a changing climate on our state and its natural resources, and I am particularly interested in continuing to have our state lead the way in water conservation efforts. Do other members have any topics of interest that they would like to express to have the Committee study at this time?

Assemblywoman Hansen.

Assemblywoman Hansen:

Thank you, Chair. Two things: Could you please mention the public lands appointments again? I thought you said two Assembly members and I got Assemblywoman Carlton; did I get that wrong?

Chair Watts:

That is correct, and I will be serving as the chair of the Subcommittee.

Assemblywoman Hansen:

Okay, so it includes you then in the two count?

Chair Watts:

Correct.

Assemblywoman Hansen:

I do not know if this is the place to suggest this, and I am certainly glad Assemblywoman Carlton is involved. I was hoping that we would have a representative from the Assembly that maybe represented the rural districts on public lands. I know we have Senator Goicoechea for the Senate side but nobody on the Assembly side representing the rural districts. I just wanted to put that on the record.

As far as topics, and since there is not an Assembly member on public lands from the rurals, I really had planned to suggest this anyway, but it will be even more vital. I would like to see us study—and there are some great studies out there—between where ranching and wildlife interface, particularly with sage-grouse populations. The Smith Creek Ranch study that was done, there are some really excellent ranching communities in northeastern, northwestern Elko County that have some very healthy sage-grouse populations. This is perhaps a field trip to include visiting some of these communities. I really would like to see a lot more engagement with those that are living on the land being able to participate, via either town halls or tours. I know how much it impacted me as a freshman legislator when I was able to visit a mining operation, so I would also encourage us to include ranching and farming in some of the public land topics so we can understand the positive effects that a lot of these ranches and farms have as an additional benefit to wildlife; what they bring to the table in benefiting our wildlife populations in those regions.

So that would be my suggestion for now, thank you.

Chair Watts:

Thank you, Assemblywoman.

I would like to note a couple of things. First, it is our full intention to have the Subcommittee conduct remote meetings at locations across the state. This was, of course, how the Committee on Public Lands operated previously to go and get some of that hands-on experience across the state, so we are fully intending to do that. Additionally, we are planning those meetings to be adjacent to weekends to promote the opportunity for additional activities outside of the meeting itself in order to get some of that hands-on experience with ranching, mining, outdoor recreation, and other natural resource ventures. So that is certainly something that we have planned.

Also, I will just take a moment to say again: We have a lot of experience on this Committee. Everyone, of course, is welcome to attend those Subcommittee meetings whether they are a member or not. And I would just like to take a moment, I actually did not get a chance to give praise to Assemblywoman Carlton during the regular session. As noted in her introduction, she has been a trailblazer in the Legislature, a trailblazer in this Committee, and frankly was, I think, the leading force to ensure that we had this Subcommittee created so that we could continue to get out into the rural parts of Nevada, even as we restructured the interim. So, I am honored to have her in her final interim join us on this Committee. But I do appreciate your comments, and we will be sure to make sure that those voices are included. And any recommendations that you have please do share them with myself and Committee staff to make sure that we incorporate that into the agenda.

We will move on to Assemblywoman Peters.

Senator? Looks like you have something you want to get in there, so go ahead.

Senator Goicoechea:

Thank you, Mister Chair. I do not know the best way to notify you I have a question, but I am just kind of concerned. There are technically the six members serving on the Subcommittee but four of them are from this Committee; should we select alternates? Who is going to stand in, say, if I cannot attend a meeting, then would it be a Senator Doñate automatically? I think we need to address that as well.

Chair Watts:

Thank you for that, Senator Goicoechea, I will talk with staff. I believe the statute is silent on alternates for the Subcommittee, however the Committee itself does have alternates for members from each party and each house. So, I believe we can work something similarly if someone is unavailable, to have somebody from the same house and party to attend in their stead. Although you have a strong attendance record, Senator, I am expecting you to be at all three of those Subcommittee meetings.

Senator Goicoechea:

You never know. Thank you, Sir.

Chair Watts:

Thank you. Assemblywoman Peters now.

Assemblywoman Peters:

Thank you, Chair, for the opportunity to participate in sharing our hopes for this Committee at this point. I am hoping that we can continue to look at and review a potential process for the State of Nevada to assess impacts of decisions on environmental justice challenges in the state. I would also hope that we can—and you and I have had a couple conversations outside of committees, with me as chair of the Joint Interim Standing Committee on Health and Human Services—that we include discussions on environmental health risks due to climate change and the impacts that those are having on our communities.

Chair Watts:

Thank you very much for that, Assemblywoman. And yes, I look forward to potential collaborations to discuss the intersection of those environmental challenges and health challenges.

Vice Chair Doñate.

Vice Chair Doñate:

Thank you so much, Chair Watts. Building off the conversation from Assemblywoman Peters, I would love to see us conduct stakeholder meetings—perhaps an entire meeting from the interim Committee—dedicated to talking about water, specifically some of the findings that we have detailed from [AB 356](#) (2021). I think that part of it sets us up to conduct an interim study, or to at least look at issues of water, so I think that is definitely something we should prioritize during the interim.

I have also received constituent requests to look at food waste. I think that is something that we can definitely dig into, something that we did not really talk about during the last session, but we can always build on it. And, of course, recycling. All of this aligns with what you mentioned earlier today so thank you so much, and I look forward to talking about these issues.

Chair Watts:

Thank you very much, Vice Chair.

Nevada's Division of Environmental Protection (NDEP) is actually convening a stakeholder group that is working on waste reduction issues, and I look forward to having a presentation by representatives from that working group at some point during this interim.

Additionally, I appreciate you bringing up water issues. That does remind me—and I believe it is covered in the committee brief—that under AB 356, we are tasked with studying issues of water conservation during this interim. I do intend to have at least one full meeting dedicated to water and water conservation issues, and it will probably be incorporated to some degree in other meetings and presentations as well. So, thank you for that.

Any other feedback that members wish to share at this time? Thank you very much, members.

We will move on to the meat of our agenda for today. We do have two departments here to present to us; first up is going to be DCNR.

One thing I will say before we get started is that given that all members have a level of familiarity with the agencies and issues under this Committee's jurisdiction, I have asked for presentations to skip the introductory or "101" level and focus more on emerging issues, the status of relevant legislation and its implementation, and then, of course, to look at any of the climate impacts that these agencies are seeing. With that, welcome Director Crowell, please go ahead whenever you are ready. You can introduce yourself for the record and begin.

AGENDA ITEM VII—PRESENTATION ON NATURAL RESOURCES AND CONSERVATION ISSUES AND PAST LEGISLATION

Bradley Crowell, Director, DCNR:

Thank you, Chair Watts. Brad Crowell, Director, DCNR, for the record.

I am going to attempt to share my screen here for the PowerPoint presentation I have for you today ([Agenda Item VII](#)). I believe that is working; can everyone hear me and also see the presentation?

Chair Watts:

We can, thank you.

Bradley Crowell:

Great. I appreciate, Mister Chair, you having us here today and the opportunity to present. I am going to move through these first few slides rather quickly, at your request.

A. DEPARTMENT OVERVIEW

For those who maybe are not familiar or do not recall, DCNR is very wide-ranging jurisdictional department. We have 8 divisions, 4 programs, 16 boards and commissions, and a total of 37 grant loan programs and counting in terms of our financing mechanisms. You will see the full list of our boards and commissions here; they are active to different degrees, but we will point out—helpful for those who may not know—boards like the Board for Financing Water Projects. That is the board within NDEP that administers the federal clean water and drinking water state revolving loan funds to fund water projects infrastructure around the state and received a significant increase in funding through the federal infrastructure bill that was passed recently. That will help meet demand in a significant way.

I will also point out just one more of our boards and commissions, which is the State Environmental Commission (SEC). All of you, I am sure, are familiar with the SEC and I just point it out because it is our most active Commission and the workload is increasing, and it is probably going to be necessary here, in the very near term, to look at the staff and funding adequacy for that Commission to do all it needs to do in both an oversight capacity and in a proactive respect to look at our environmental laws and regulations.

I will just note this slide and move forward, but this is an overview of all the things that we see as our mission within the DCNR.

These next few slides are very short overviews of our eight divisions and four programs, which you can go through at your leisure and see some of the top line statistics and jurisdictional areas for our various divisions and programs within the Department. Note here

on this first slide, the Division of State Lands also serves as the division that helps with the majority of our work in Lake Tahoe. And our newest division, I just want to mention quickly, is our Division of Outdoor Recreation which is up-and-running, has doubled its staff recently from one to two, but we are continuing to grow and do lots even with that staff. And the new appointed Lieutenant Governor serves as the chair of the Division of Outdoor Recreation's Advisory Board.

These are our four programs. The Sagebrush Ecosystem Program and the Conserve Nevada program are two that I am going to highlight later in this presentation, so I will just put a placeholder in there that we will go over those two topics in a little bit more depth shortly. I will also say before I get into our legislative recap, many of the topics I am going to reference or talk about today are also going to be complemented by the presentation from my colleague Director Wasley at NDOW. We work very closely together, there is much overlap in our mission space, and obviously that is why you have us here co-presenting today.

B. 2021 LEGISLATIVE RECAP

During the 2021 Legislature, for policy bills the Department had 19 bills introduced, 13 of those made their way through the process and were passed. We had a number of bills that we requested from an interim committee or did in concert with an interim committee, of which 9 were introduced and 7 were passed. And then more broadly, in the context of all the legislation that the Legislature passed in the last session, there were 27 various policy bills with some level of impact on DCNR agencies and operations. We are working to incorporate and get all of those off the ground as appropriate, consistent with the timelines for implementation outlined in the legislation.

Some of the new issues that we started to address in the last session but obviously we need to address much more—and this was mentioned by some of the Committee members earlier in this discussion—is looking at the impact on historically underserved communities in the context of climate change, environmental protection, and public health. This is a long-known need but an emerging area of policy in terms of how to best address and manage those issues that we look forward to working with the Committee on to find ways in which Nevada can address these issues and their impacts on those communities, specifically in the interim and in the next Legislative Session.

During the last session, there were also some critically important issues that were not fully addressed. Some key ones were water conservation and planning; legislation related to off-highway vehicles; enhancing our sage-grouse protection program; and any significant policies to achieve the greenhouse gas reduction targets set for the state. Much more, obviously, needs to be done on that going forward. As many of you likely saw recently, the NDEP issued its annual greenhouse gas inventory, and we are on target to come up short of our 2025 goal and significantly short of our 2030 goal if we continue to operate only under current policies. That will need to be looked at if we want to get to our targets. I will just note that that work needs to begin now because it takes some amount of runway in order to get policies in place and then see the emissions reductions that will come from those policies.

C. 2021 LEGISLATIVE ISSUES ADDRESSED

I am going to go over a few of our specific legislative items that were passed in the last session, some of which were mentioned before and are incorporated in the committee brief. Legislation focused on protecting Nevada's lands and waters, including the four bills you see

before you: improving our ability to manage spills and releases from petroleum tanks; looking at the extent of perfluoroalkyl and polyfluoroalkyl substances (PFAS) pollution in the state and how to address it; enhancing our program for protecting our waters from diffuse sources of pollution—so think agricultural runoff, urban runoff, the impact on streams from wildfire scars, things of that nature.

We are also in the process of implementing a bill related to preventing “bad actors” in the mining industry in Nevada. This was Assemblywoman Peters’ legislation that we appreciate her advancing and have been working with the mining industry to implement. We are well into the process now and working with LCB, which I know is very much overwhelming, getting these things drafted and out the door so we are working on that.

Swamp cedars—a topic that this Committee addressed during the last interim. We are working with our federal partners to find ways to better protect that population of swamp cedars out in eastern and northeastern Nevada. We can talk more about that, or any of these topics, as we go forward.

Catastrophic wildfires—a couple different bills were passed. I will say that they are very helpful bills but managing for wildfire—specifically, preventing it and then rehabbing afterwards—is going to take a significantly greater investment of money, time, and resources if we are going to get ahead of this issue. There is significant money in the federal infrastructure bill that was passed recently, but we need to make sure Nevada is getting its fair share; that money that can come directly to the state, that we are both applying for it and ready to receive it and put those dollars on the ground. I have some concern that the amount of dollars out there is going to overwhelm our ability to actually get them on the ground with the current resources we have. But given the high proportion of federal land in Nevada, it is going to be, as always, a matter of working closely with our partners to be strategic about where those dollars and those projects go.

Climate change—we are making progress every day on addressing climate change in Nevada. One of the key bills that was passed this last session is allowing the NDEP to have better, more granular, state-specific data to inventory our greenhouse gas emissions, so we know what kind of progress we are making and where we need to do better, so that is going to be very helpful.

One small but important bill to address climate change and air pollution in general was the closing of the classic car loophole that Chair Watts sponsored. It will make sure that vehicles who have a classic car registration are truly classic cars that are not driven on a daily basis as commuter cars that pollute and are used for going more than 5,000 miles in a single year.

Sustainable recreation and tourism is a big economic opportunity for Nevada and ties into many of the things I just talked about. One program that we have got set up from the last session is the voluntary dark skies program, and that is also mentioned in your committee brief.

D. 2021 DEPARTMENT HIGHLIGHTS AND SUCCESSES

Some of our other highlights and successes that are not directly related to legislation passed in previous sessions are here on this sheet. One significant regulatory mechanism that we were able to get across the finish line recently was Nevada becoming a Clean Cars state, which is basically setting up regulations so that there is more availability of low- and zero-emissions vehicles available to Nevadan consumers. We became the 14th—and

subsequently there has been a 15th state—that have adopted these standards, and it will help us keep on the leading edge of addressing climate pollution from transportation, which is the largest source of greenhouse gas pollution in Nevada.

Continuing to implement the Volkswagen settlement money to limit pollution from diesel vehicles, specifically Diesel Emissions Reduction Act (DERA) grants, which is a United States Environmental Protection Agency (EPA) program called the DERA Program. We are using these programs to do everything from electric school buses to electrifying ground equipment at Harry Reid International Airport in Las Vegas. That has been a very successful program that we continue to move forward on.

Protecting Nevada's natural resources—something we do every day, we do it in close coordination with NDOW. One of the two successes we have had recently is a very good Shared Stewardship agreement with our federal partners to help guide the investments that we are making on our landscapes, to do so in a strategic and coordinated way. Then the partnership between the Nevada Division of Forestry and NV Energy to help prevent wildfires in high-risk areas—that has been a success for the most part and certainly with bringing new resources to bear in critical fire areas.

I mentioned previously the importance of responsible outdoor recreation. This is a focus for everything we are doing, both in Lake Tahoe—such as the improvements that have been made at Spooner Lake state park and along the Tahoe East Shore Trail—as well as looking more broadly at recreation planning and infrastructure and tourism statewide. Again, our Division of Outdoor Recreation is getting up-and-running, and we will be focusing on doing more of this and integrating it into all the work that we do going forward.

Protecting Nevada's water resources—this is an area that has some highlights and successes but also very large challenges. We are in the process of updating the State Water Plan; unfortunately, the State Water Plan is something that has not been updated since 1999 when the Bureau of Water Planning was eliminated due to budget cuts, so this is integral to have back as part of our water conservation and planning efforts. As the driest state in the nation, I think this is an essential thing to have that we need to build on going forward. And then also continuing to improve and work with our interagency partners on drought planning and response. Even when we get one good, wet winter interspersed with others it does not mean we are necessarily out of a drought in Nevada. Particularly with the impacts of climate change, we need to be doing a constant effort to plan for and respond to drought, so that is a topic for discussion, I hope, during this Committee's Subcommittee on Public Lands.

E. CHALLENGES AND OPPORTUNITIES

As I mentioned before, some of our challenges and opportunities are: More work needs to be done if we are going to meet our greenhouse gas reduction targets that we have set for Nevada.

More on water planning and drought response.

Wildfire is going to continue to be a huge and ever-present issue.

With the clean energy economy surging forward, Nevada has a unique opportunity to play a role in providing the critical minerals, particularly lithium, needed for electric vehicle (EV) batteries. I am a firm believer that we can do sustainable mining for lithium that can then be mitigated through healthy recycling of EV batteries, of which many companies are setting

up shop in Nevada. If you look at it as a circular economy, we have lithium extraction, we have EV battery manufacturing, we have EV battery recycling in the state, and that is something that is unique to Nevada; not many other places can claim to have all three elements of that clean energy circular economy.

We are continuing to work to secure American Rescue Plan Act (ARPA) funds as appropriate for our agency needs. We had significant budget cuts from the last session, and we are looking to repair those, not just back to baseline but also to move forward so we can meet these emerging challenges and opportunities and the needs of our constituents. That will be complemented through additional funding through the federal infrastructure bill, that I have mentioned before, and any other new federal money that comes our way. We are going to be aggressively seeking all formula and competitive money that is available and applicable to the Department.

F. NEVADA CONSERVATION AND RECREATION FUND—CONSERVE NEVADA

I am going to talk briefly about the Conserve Nevada program, and then I am going to talk about sage-grouse, then I will wrap it up. If you need me to go faster, Chair, just interrupt and let me know.

The Conserve Nevada program is the new brand name for what others have referred to in the past as the Q1 Program or the Nevada Conservation Bond Program. The original Q1 Conservation Bond Program was approved by voters in 2001, and it was very successful. It put a whole lot of projects on the ground, and we were able to reauthorize that with an additional \$200 million in bond authorization during the 2019 Legislature, and then rolled \$17.5 million that was remaining from the previous program into the new program. Getting that program up-and-running has been a priority for the Department, of which we have made significant progress, including hiring a program manager who will oversee the direct grants under that program—as articulated in the legislation—and also set up the regulations discovering the competitive grant process so any eligible entity can compete for those funds.

You will see here some quick stats on the success of the prior “Q1 Program” that we are continuing as Conserve Nevada. Hundreds of projects all across the state, in every county, and we look to build on that and are in the process of developing an interactive map where you can see what all these projects are, quite easily going to them. We will have that rolled out soon, hopefully.

Moving forward with Conserve Nevada for the current biennium, we were approved for \$20 million in bond sales, \$15 million of which was targeted for the first year of the biennium and \$5 million for the second. The first tranche of \$15 million of those bonds were sold and we are in the process of making the direct allocations, as you can see below. It lists all the direct allocations that will result from that \$15 million being sold in December, and then we are on the cusp of finalizing regulations to have the competitive grant program up-and-running here in the near-term as well.

To help guide that competitive grant program and make stakeholders and interested parties aware of the program, we are going to be holding multiple stakeholder meetings here in the near-term to solicit input and provide information on that program. When we announce those stakeholder meetings, we will share those with you so you can make sure they get to your constituents directly from you as well, if you would like.

G. SAGEBRUSH ECOSYSTEM UPDATE

Our Sagebrush Ecosystem Program—this is the program that manages our sage-grouse program in Nevada. It has been a very successful program in helping mitigate human disturbances on our land, from things like mining activity or other things that happen in sage-grouse habitat. This program helps offset those disturbances by protecting other key sage-grouse habitats, and it has been very successful in the sense of getting credits developed, projects done, holding together a Sagebrush Ecosystem Council that has a diverse representation on it from all impacted entities, and has been ably chaired by J. J. Goicoechea for some time now. It has been very unique in Nevada, in the context of what other states have done with their sage-grouse programs or efforts. Our Council and our Nevada Conservation Credit System (CCS) are unique in how they operate and how well they hold together the diverse set of stakeholders that care about managing our sagebrush ecosystem, which is about two-thirds of the State of Nevada.

You will see here—and I am sure Director Wasley will double down on a lot of this—is our priority habitat, general habitat, and other habitat for sage-grouse. As I had mentioned previously, it is about two-thirds of our state, and the way I like to have people think about this map is: If we fail in our efforts to protect the sagebrush habitat and the sage-grouse and the species needs to be listed, you are looking at all of those colored areas as having significant restrictions on what can happen there. That is going to be a major issue for our economic wellbeing in Nevada, so the better we can manage our habitat and our wildlife here in Nevada and have a healthy sagebrush population and avoid listing, the better off we all are going to be. I will say that some of it is out of our control; even the best system for managing human disturbances is not able to outpace many of the other impacts that are happening right now, such as wildfire and invasive species; predators; the impact of too many wild horses and burros that is sustainable for the land; overgrazing; I will throw drought in there as well. We will continue to do everything we can through the sage-grouse program to mitigate human disturbances but the more we are able to do on wildfire mitigation and managing invasive species—which includes but goes above and beyond just our sage-grouse focus—the better off we are going to be. Focusing on those things is going to be critically important in the years ahead.

H. CONSERVATION CREDIT SYSTEM

A bit of background on the CCS that you can read at your leisure but, basically, this is a market driven system based on scientifically established credits. What drives this tool is the science, and while it is complicated, it has been very well received by those who use it—either those who are purchasing credits to offset disturbances, or those, like ranchers, who are creating credits to protect habitat that are made available to other entities who have a planned disturbance or permitted disturbance.

A little bit of background on our projects right now: We have got more than 20 credit projects that have been done with 32,000 credits, conserving 65,000 acres. The curve is continuing to bend up at a rapid pace and we are going to continue to press on that.

I. MOVING FORWARD

Moving forward, we do have some challenges. Every federal administration that has come through—starting with the Obama administration, the Trump administration, the Biden administration—has had a little bit of a different focus on how to manage the sage-grouse issue in the West. We are trying to be good partners in that effort and preserve what is working successfully in Nevada and guard against any efforts from the federal

government that would undermine the successes we had, and instead focusing on the things that are going to help enhance our efforts to date. That is going to be an ongoing dialogue with our federal partners, primarily the Bureau of Land Management (BLM) and the U.S. Forest Service.

With that, I hope it was helpful and not too fast or quick an overview. I am happy to answer questions now or after Director Wasley's presentation. Again, I appreciate the opportunity to present to the Committee.

Chair Watts:

Thank you very much for the presentation, Director Crowell. I think you were just right in terms of pace and information included.

One thing I just want to note before we open it up to members for questions is that, as the Director mentioned, there are many divisions, programs, and activities within the Department. We will probably be going into greater depth on some of those issues and having presentations directly from divisions within the Department, so I do not want that to stifle any questions but just want to provide that. Of course, for example, as we get looking to water issues, we are going to have the Division of Water Resources, NDEP will be here at some point as well, certainly, and probably others as well. Also saying that, for the benefit of the Director, there may be some things that we may follow up in greater depth on in future meetings.

With that, I believe the first hand raised that I saw was Assemblyman Ellison.

Assemblyman Ellison:

Thank you, Mister Chair. I have a couple of questions, and one is on page 13. I am looking at some of the symbols on the map, it says *Program Highlight*, and the one that is in the green that looks like a house—I am not sure what that represents.

Bradley Crowell:

Assemblyman Ellison, this is the slide that says *Q1 Program Highlights* at the top, is that correct?

Assemblyman Ellison:

Yes.

Bradley Crowell:

Great. I know Deputy Jim Lawrence is on the line and maybe he can chime in here quickly—he is very familiar with the program—and explain what the legend is associated with those projects listed on that map.

Assemblyman Ellison:

And then I have one other follow up afterwards if I may, Mister Chairman.

Chair Watts:

That is fine. Go ahead, Mister Lawrence.

Jim Lawrence, Deputy Director, DCNR:

Thank you. Good morning, everybody. For the record, Jim Lawrence, Deputy Director, DCNR.

Through you, Chair Watts, to Assemblyman Ellison: The one that looks like a house, that is actually supposed to be a tent to represent campground and recreational facility improvements the Q1 program—just like the Conserve Nevada program—has called out specifically for our state park system.

Assemblyman Ellison:

Okay, thank you. The other question I have is on page 17, and I am sure that Mister Crowell can answer this. There are a lot of programs going up in the north where the sage-grouse habitat is and if you look there are ranchers, there is private industry, there are private individuals, and tribal that are doing a lot of projects up in there for the habitat for sage-grouse to keep it from unlisted. The federal government says it was not to be listed because it was not a native species but the state of it is, all the studies and all the work that has been done up there—and you said that you wanted to list this, the sage hen?

Bradley Crowell:

No, we are trying to avoid a listing because of the impact that would have on operations exactly as you described in those parts of Nevada.

Assemblyman Ellison:

Okay, thank you. I just wanted to clarify that, and I appreciate that.

Thank you, Mister Chair.

Chair Watts:

Thank you, Assemblyman. I believe next we have Assemblywoman Peters.

Assemblywoman Peters:

Thank you, Chair. I have a couple of questions, some of which are not directly related to what was presented and maybe require a follow-up and are more comment related at this point, but others are questions.

My first one is: The SEC, it looks like they have a vacancy from the State Board of Health. I think at this point, it is really important to have somebody from the State Board of Health on that Commission because of what we are looking at health-wise in the wake of climate change and environmental justice challenges that are coming before those regulatory bodies that address specific environmental health risk concerns. So, I guess my question there is: Is there a timeline for someone to be appointed to that position?

Bradley Crowell:

Thank you. I will answer really quickly for you, thank you for the question, Assemblywoman Peters. Brad Crowell, for the record.

We have identified someone to fill that spot from the Department of Health and Human Services (DHHS). I believe where we are right now is that they will be able to attend the next SEC meeting.

Assemblywoman Peters:

They will be formally appointed at that time?

Bradley Crowell:

Right.

Assemblywoman Peters:

Perfect. My next comment was going to be, we should maybe consider having somebody from the Division of Public and Behavioral Health on that Commission as well, but it sounds like DHHS has probably proposed that.

Bradley Crowell:

Yes.

Assemblywoman Peters:

I will table that for asking them on.

Bradley Crowell:

I am forgetting the name but will get it to you. I will look it up and get it to you.

Assemblywoman Peters:

Awesome, thank you. My last question for you—I have a follow up, Chair Watts, but it will be for after we have the presentation from the Department of Wildlife as well, but for both Departments, if I may. But my last question for Director Crowell: Is there a place where the public can go to see all of those conservation and recreation projects being implemented under the conservation bond program and what their status is?

Bradley Crowell:

Thank you for the question, Assemblywoman Peters. Yes, we have a beta site now that is going to provide that opportunity. I may look to Deputy Director Lawrence to give a better update on where that stands in terms of public rollout.

Mister Lawrence, if you are still available to give an update, please go ahead.

Jim Lawrence:

Thank you. For the record, Jim Lawrence, Deputy Director, DCNR.

We are very close. As Director Crowell said, we have a beta version. I have to give a lot of props to Brandon Bishop, our new Conserve Nevada Program Manager. He really dove in and started doing all of the research to map all of those projects that were implemented over the last ten years. As you can imagine, that was quite the task.

We have got it just about ready to roll out to the public. We just have to do the mundane things like do a final search for grammatical errors, typos, and things like that. Then it is ready to launch. We are quite excited about that.

Assemblywoman Peters:

That is good to hear. Your map on the presentation was what got me to wonder if you had that available for the public because I am sure there are folks who would like to be involved in some of those projects who do not know they exist yet. I am looking forward to that resource being available.

Chair Watts:

Thank you. We will move on to Assemblywoman Hansen.

Assemblywoman Hansen:

Good to see you, Mister Crowell.

I have a few questions and a comment on the sage hen map. I noticed there were some hot spots, but the map was 2015 and, to go off of what Assemblyman Ellison said, there have been some very encouraging efforts made in some of those areas. So I was just curious, do we have a more current map than the one that was in the presentation at 2015?

Bradley Crowell:

Again, I look to Deputy Director Lawrence to answer why we are using the 2015 map, but it is probably not going to look too different in terms of the scope of the issue.

Deputy Director Lawrence, would you like to answer that more specifically?

Jim Lawrence:

Absolutely, thank you. Again, for the record, Jim Lawrence, Deputy Director, DCNR.

That is the 2015 map that was adopted by our Sagebrush Ecosystem Council, put into the state plan, and then was adopted in the federal plans as well. It is the one that is being used by the federal agencies so that is the legally fresh one, so to speak. But, with that being said, we do update that map on a regular three-to-five-year basis. We do believe that it is extremely critical that we account for changes in the landscape. So built into our state plan is a three-to-five-year adaptive management cycle where we work with the Department of Wildlife, as well as contract work with U.S. Geological Survey. Then we update the map based on conditions.

I know the part of northeastern Nevada that is being referenced and I totally agree, there is wonderful work that has been done up there. The map might not change; it still will probably be priority habitat because it is still great habitat for the bird. The question then becomes in the land use plans; what does that mean? So, we have built our CCS to basically not be a hard regulatory stick, but to have that encouragement to do the good landowner work, such as being done in northeastern Nevada.

Assemblywoman Hansen:

Thank you for that. Also—we will not go into the sage-grouse too much—but as part of studying and the data, which hopefully, as we go forward, that we do take being on the ground. I am up in that area a lot, and I am seeing sage-grouse a lot. So that is why the map to me stood out as being, you guys are saying it is not really going to change much but when you are on the ground up there—and even some parts of central Nevada—I am seeing sage-grouse on a regular basis. Now, what are those numbers?

I hope that we also reference historical data, from when settlers, journals from some of those that came into Nevada, from the first white men that came into Nevada, notes, explorers like Fremont. What, historically, was our baseline? Are we being realistic in what our numbers should be? That is always my question when we are talking wildlife: What are the historical numbers, when we are getting concerned about what they are now?

Another thing, Director Crowell, a lot in your presentation was made about climate. We all love clean water, we all want clean air, we all care about our wildlife, but I do hope that as part of our time here in natural resources, or even in public lands—we throw out climate an awful lot. It certainly has legitimate concerns, but I do hope that if we are going to make claims—whoever is making the claim about climate, and some of these are very sweeping, Domsday-esque sorts of narratives—I hope that we are going to spend time, if those things are going to be said, that we are going to back it up. Now, we say there is science, but we know there is science that argues it both ways. As we talked about the classic car loophole and that legislation from the last session, when we deal with this subject, we have to address hypocrisy as well. If we are really serious about climate, when I spoke with lobbyists that represented Patagonia, Ikea, and Levi about the classic car bill, they have plants in China. So, if we are going to go after Nevadans who have cars that are older than 25 years and throw out some smog, we are not getting to the problem. If we are really concerned about climate, then we better address it. Even though we are a state of 50, we better address it; that it is a global issue. The United States is a good player. I am on board; let us go after the pollution that is happening in China, and how they do not have to play by the same rules that we do, but we let those manufacturers bring their products here. And their products have been the result of very bad environmental injustices in China that pollute the whole world. I just need to put that on the record.

As we talk about water and climate, I hope we address this as well: Where is ancient Lake Lahonton? Twelve thousand years ago there was not a carbon footprint, there was not a car in Nevada, and it was in three states, 900 feet deep, covered 8,500 square miles. So, as we talk about climate—and we do need to be responsible for what we do as citizens now—but we also have to recognize that climate change is cyclical, there have been droughts, there have been ice ages, and so I hope we talk about all of that as we talk about living in the most arid state in the nation. This is no surprise. Nevada is the most arid state in the nation, and with it come some unique problems that we are going to address.

Sorry, that was a lot of statement, but I think since we have opened up natural resources interim meeting with a lot of talk about climate, a lot of environmental injustices, I just feel we need to look at the whole picture.

Thank you for the opportunity, Chair, and thank you, Director Crowell, for being here.

Chair Watts:

Director, would you like to respond to that?

Bradley Crowell:

Sure, and I will be brief. Assemblywoman Hansen, it is good to see you again. I appreciate your comments and sentiments.

Let me start with sage-grouse. In terms of specific population numbers, I am certain that Director Wasley can delve into that more but let me put one thing in context for you on that: Our CCS, which helps offset disturbances from new mining activity, has helped protect 65,000 acres of high-quality sage-grouse habitat that use that program. It has been a great success. But when we have a fire that burns 500,000 acres—even up to 1 million acres—that is inclusive of sage-grouse habitat, that is what we are up against. Even the best systems to offset disturbances from new mining activity are being dwarfed by things like fire, and drought, invasives, predators, et cetera. That is what we need to keep in context about what is within our control and not within our control. This is for the wellbeing of Nevada in the decades ahead. We have to come up with Nevada-centered solutions for this problem so that we do not get a heavy-handed one from the federal government.

On climate change, I take your comments seriously. At the same time, we can only control what we can control here in Nevada within our own jurisdiction, and in that context, I am very focused on identifying and promoting climate solutions that are going to work for Nevada, not ones that are more suited to the Northeast and a more urbanized area, et cetera. We need to find ways to manage the health and wellbeing of our natural resources here that works best for us. We have more federal land here in Nevada than anywhere else, lots of open space, and so whether you want to associate with climate or not, wildfires are becoming more intense, droughts are becoming longer, et cetera. If we are not managing for those things while also limiting the increase of pollution, then we are not doing our part for Nevada or for our country. So, I hope to work with you on Nevada-specific solutions going forward.

Chair Watts:

Thank you for that, Director.

I would just say another thing, which is that I appreciate the Department is providing an overview of all the legislation that affects it, and some of that legislation is more under the purview of the Joint Standing Interim Committee on Growth and Infrastructure. As I noted in my introductory remarks, a lot of the work on addressing emissions from energy production, transportation, et cetera tends to be focused on that side.

What I will say, though, is that there may be debates around some of the modelling—and you can never attribute a specific wildfire, a specific drought, or a specific level of intensity directly to our changing climate—but the science is practically universal that there is a greenhouse effect, that there are certain chemicals that cause it, and that human activity is releasing those chemicals. Yes, we do have climate cycles, but we are influencing those cycles, and I do not want to debate ice ages and the level of Lake Lahontan while Rye Patch and Lake Mead are drying up and putting peoples' livelihoods at risk.

That is where I am coming from, but our focus is not on the issue of how Nevada and the nation can lead by example in addressing what is indeed a global problem with emissions. Our focus in this Committee is the fact that—again, for people who live on the landscape—we are seeing those impacts and there is no sign that they are going to let up anytime soon. We need to prepare for how our ranching, our agriculture, our water use, and

our wildlife are going to adapt if some of these trends continue or generally get worse as some of the modelling has tended to show.

Senator Goicoechea, I believe you had your hand raised.

Senator Goicoechea:

Thank you, Mister Chair.

Mister Crowell, Brad, you have 16 boards and commissions under you, and I get a lot of questions from time to time from these boards and commissions on how they replace their members. I would like to ask you, if you could—you or Jim—whether they are statutorily, are they supposed to be reappointed by, say, the conservation district? Do they nominate the members and then they are appointed by the governor? Could you put a list together how these members are appointed for a future meeting? That seems to be one of the big questions, just following along lines with Assemblywoman Peters. There is a vacancy, how is it filled?

Bradley Crowell:

Thank you for the question.

Each of those 16 boards and commissions are going to likely have different criteria for who can be appointed, what their skill set is, what the term of the appointment is, whether it is an advisory body, a regulatory body, et cetera, and some of them are much more active and “important” than others. I will be happy to have DCNR staff put together a list for each of those boards and commissions about what the parameters are for the membership and highlight any vacancies, particularly any long-term vacancies. Quite honestly, it would be probably a helpful exercise for us to do as well, and we are happy to do that and provide it for the Committee for future reference of discussion.

Senator Goicoechea:

Thank you, Mister Crowell, it would make my life a whole lot easier.

Chair Watts:

Thank you. Members, any additional questions?

Seeing none then, Director Crowell, I had one more thing that I would like to ask, and you did mention this at a few different points in your presentation around some of the federal funds. Of course, there have been some flexible funds around the ARPA that there is quite a bit of interest around. I want to actually focus a little bit more on the infrastructure act that has been passed and the various pools of funding. I do not expect you to discuss every pool that exists right now, but as you noted, there are both competitive grants and formula funding available for different types of projects. I was wondering if there is anything that you can provide—I suppose at a high level—around that, particularly when it comes to projects that have a matching requirement. And how you are starting to think about that. Of course, the Nevada State Infrastructure Bank has preliminarily carved out a pool of funds to help pull down some of those matching dollars, but I was wondering if you could—again, in broad strokes—speak about what things look like. How you feel about being able to pull down the often small amount of matching dollars at the state level in order to harness everything that would be available from the feds.

Bradley Crowell:

Thank you, Chair Watts, I appreciate the question. It is a very timely one and I am not going to have a perfect answer for you because this is very much still in motion. I actually am testifying to you today from Washington, D.C., where I met with high-level folks from the U.S. Department of Interior and the U.S. Department of Agriculture (USDA) yesterday to talk about this very subject and how we are going to coordinate our efforts to make sure that there is efficacy between what the feds are doing and how the states are implementing those dollars.

I will say for Nevada, particularly the jurisdictional space of DCNR, the greatest opportunities are going to be within the competitive grant dollars that the infrastructure bill set out. There are still efforts underway by the federal agencies themselves to sort out what was in the legislation in terms of pluss-ing up existing programs, but that may have slightly different or more lenient rules, establishing new competitive grant programs, and so we are following that closely so that when it is finalized, we know what money is available and how to avail ourselves of it.

The match will be an issue, both for the state as well as for other eligible entities—nonprofits and things like that, other stakeholders—and I have heard a lot from people about their concern about being able to find the match to use these funds. My hope is that the Nevada State Infrastructure Bank can provide some of that assistance, but I think that when we have a full picture of what is available and what Nevada's needs are, we are going to have to find some other solutions to make sure we can bring that money in by identified matching funds.

Chair Watts:

Thank you very much for that, that is exactly what I was hoping for. We look forward to continuing to get updates as you and others in the state gather them. I think being able to get a picture of what that is will be important, and I encourage all members to think about how we can seed some of those opportunities. In some cases, excess of 90 percent of a project can be funded by the federal government but we are going to need to be able to put something up in order to make those projects happen, while fulfilling our all of our existing responsibilities as a state.

Vice Chair Doñate, I believe you have a—

Bradley Crowell:

Chair Watts, just really quickly, at a future meeting we could probably come and give a quick brief on those opportunities. They should be much more readily available and understandable by then, so we are happy to do that if it is helpful.

Chair Watts:

Wonderful, thank you. Of course, that would be something of interest to the Interim Finance Committee (IFC) as well moving forward.

Vice Chair Doñate, I believe you had a question.

Vice Chair Doñate:

Thank you so much, Chair Watts. Really quickly, Director Crowell, and thank you so much for the presentation. Can you provide any feedback or updates on what happened after the passage of [Senate Joint Resolution \(SJR\) 10](#) (2021)? That was the one to protect Sunrise Mountain last session. Has there been any movement on that from the federal side in the conversations you have had, to protecting that, or making any movements on it? I just wanted to see if you can provide the Committee any updates on it.

Bradley Crowell:

Thank you for the question, Vice Chair Doñate. I am not familiar with that one, it is not on our list of legislation that the Department has a role in. Maybe we missed something that I can quickly go back and look at.

Deputy Director Lawrence, if that is familiar to you, or even Director Wasley, please feel free to go forward. Maybe you are using a different term and I am just misremembering.

Vice Chair Doñate:

I was just asking, with your conversations with the federal representatives, if that has come up in terms of what we could use ARPA funding for or if there was any movement beyond the bill when we passed the resolution. That was pretty much my question, my inquiry.

Chair Watts:

I think just to clarify that, Director, there was a resolution passed in encouraging the greater protection and recognition of Sunrise Mountain, Rainbow Gardens, I believe as a national monument. So, I think the question was: Has there been any additional movement or discussion on that since the session?

Bradley Crowell:

I am with you. Thank you, I apologize. The latest I have heard on this—and this is, again, not directly, at this point, within the scope of the Department—but U.S. Representative Dina Titus (D-Nevada) is advancing federal legislation to establish that national monument. United States Representative Barbara Lee (D-California) has expressed her support for it as well, and the way I am looking and thinking about it from one perspective is: If that monument is established, how does that change the formula for things like the America the Beautiful goal of protecting 30 percent of our lands and waters by 2030? If that monument is established in Nevada that could go a long way to helping meet that goal, depending on what the criteria set for it is. It is a federal issue right now; we are monitoring it and if we are asked to be a cooperating agency in any way, in evaluating or establishing it as directed by U.S. Congress, we are happy to do that, but right now there is not a direct role for the Department.

Chair Watts:

Thank you for that, Director. Just to clarify, for the benefit of all the members, that is the proposed Avi Kwa Ame National Monument at the southern tip of the state. It was mentioned in, I believe, [Assembly Joint Resolution \(AJR\) 3](#), which expressed the state's support for permanently conserving a portion of our state's lands and waters.

Members, any other questions for the Director or the Department at this time?

Seeing none, thank you very much for the presentation, Director Crowell. We look forward to continuing the conversation with you and your divisions over the course of the interim.

With that, we will move onto our second presentation for the day. We will have a presentation from NDOW.

Director Wasley, you can introduce yourself and proceed whenever you are ready.

AGENDA ITEM VIII—PRESENTATION ON WILDLIFE ISSUES AND PAST LEGISLATION

Tony Wasley, Director, NDOW:

Thank you, Chair Watts, Committee members, thank you for the opportunity. I am Tony Wasley, Director of NDOW.

I just want to say that we are very grateful for this opportunity. When presented with the opportunity from our perspective it is not just yes, it is heck yeah. Despite being the seventh largest state in the country, the state wildlife agency in Nevada is among the seven smallest. But although we are small, lean, we are incredibly passionate, productive, and professional.

What I am going to try to accomplish in this presentation is to try to go a mile wide and an inch deep on a whole lot of things. I will descend a little bit on a few topics but then let you, Mister Chair, and Committee members determine which of those areas maybe you would like a little deeper explanation on and then we can take a little deeper dive in those areas. I am going to start with a PowerPoint presentation ([Agenda Item VIII A-1](#)). I will have a short video in the middle of that, and then we will wrap up with the PowerPoint presentation and hopefully have some time for questions.

I will just have four basic parts here and with your guidance, Chair, will have a very brief agency overview. Will provide an update on recently passed legislation, talk a little bit about wildlife status—primarily through a video—and then talk about some challenges and opportunities.

A. OVERVIEW

Tony Wasley:

Just by way of agency overview, kind of a refresher, the agency's mission: to protect, conserve, manage, and restore wildlife and its habitat for the aesthetic, scientific, educational, recreational, and economic benefits to citizens of Nevada and the United States, and to promote the safety of persons using vessels on the waters of Nevada.

Under the Director's office we have seven unique divisions: Data and Technology Services, Conservation Education Division, Law Enforcement Division, Game Division, Fisheries Division, Wildlife Diversity Division, and the Habitat Division. Approximately 250 active employees, including 9 commissioners; 120 buildings; 34 radio sites—mountaintop repeaters; 12 wildlife management areas consisting of 143,000 acres; 8 major facilities, regional offices, and other offices; 7 unique divisions, as I mentioned; 4 fish hatcheries; administered across 3 administrative regions as the map to the left there depicts.

B. UPDATE ON RECENTLY PASSED LEGISLATION

Tony Wasley:

I will start with the update on recently passed legislation. I am just going to work through this slide from left to right, top row, middle row, bottom row. We heard from Director Crowell about the conservation bond program, Conserve Nevada. The deadline to expend that first \$2.5 million for NDOW is this calendar year, the majority of which is directed towards repairing the dam at Cave Lake.

[Assembly Bill 307](#) (2021) and [AB 211](#) (2021) are cost recovery programs. Assembly Bill 307 was passed back in the 2011 Session, it pertains to cost recovery related to renewable energy projects. There are 147 active project applications at the present time. Of those 147, 93 are solar, 39 transmission projects that include both power and others such as natural gas pipelines, 13 geothermal projects, 4 wind projects, and 11 other projects, such as hydro power or energy storage facilities. There are 9 cancelled or inactive project applications, and 4 amendments. It is interesting that we have received approximately 20 percent of our total number of applications to the program just in the last year alone. We have seen a large increase in the number of applications for projects in northern Nevada, with the majority of those being solar or transmission line projects. The bulk of projects proposed still occur in Clark and Nye Counties, with 50 percent of all project applications located just in those two counties.

[Assembly Bill 211](#) is the cost recovery, related to urban development. This passed in the 2021 Session. It is technical review-like comment on certain housing developments, it is an urban development review program. Nevada's Department of Wildlife staff have been meeting with industry representatives to discuss the new legislation in preparation for regulation development, and we will move forward with the development of that regulation early this year.

The predator fee program, which is the \$3 fee that is assessed to each and every application for a big game tag generates approximately \$800,000 annually. There is a small \$14,000 fee that goes directly to the State Department of Agriculture (NDA) to assist in their administration of predator control activities. Those predator projects, as we refer to them, are included in an annual plan, there is also an annual report. Those documents are approved by the Nevada Board of Wildlife Commissioners and those projects fall into three types of expenditures: (1) management of predatory wildlife; (2) research, or studying of lethal control techniques, the efficacy of various methods; and (3) protection of sensitive or priority species.

Coyote contests—this has been in front of both the Legislature, as well as the Wildlife Commission. Most recently, the Wildlife Commission was presented with some draft language, they held five meetings. It is, I think, a very important distinction: These contests are not surrounding predator removal or predator control but simply dealing with the contest. The language that the Commission considered most recently, and held five meetings on, contained some language that would limit entry fees, promotion of contests, and offering of prize money or rewards. The Commission ultimately voted to take no action in a split vote.

At a previous session back in 2017, you all approved a license simplification program for NDOW. At that time, there was in excess of 25 different license types for people wishing to

hunt, fish, or trap. That was simplified to a much more streamlined structure, to 7 licenses. Also, what occurred, at that same time, was the Department secured a new license vendor, looking at the increased purchases as well as the cost savings and efficiencies combined from the license simplification. The new vendor the first three years generated an additional \$10 million approximately for NDOW. As we look at the last four-year growth, as a result of that simplification and in partnership with that new vendor, we have seen nearly a 55 percent increase in hunting license sales and just over a 55 percent increase in fishing license sales—again, this over the last four-year period—and an increase of just over 5 percent in boat registrations.

In the 2019 Session, you all provided authority to the Department to pursue the purchase of a building, a new office, in Las Vegas. We will share some additional materials for any of you that have a desire to learn a little bit more about that. I will speak to that here in a second, but we have about a four-minute video tour of that facility that is museum-like as an interpretive experience.

Also from the 2019 Session—tribal engagement. There was clear direction provided to executive branch agencies on that tribal engagement. We have a tribal liaison. I think one of the highlights, in terms of partnerships with tribes, the Department would highlight is that the Pyramid Lake Paiute Tribe bighorn sheep reintroduction. We will also share a video of that event and then the video that I will show here shortly, there are some highlights from that.

I am now moving down to the bottom row. Tag transfers—the most recent couple past sessions there has been quite a bit of discussion about eligibility, opportunity for individuals to transfer tags, share tags, provide tags to nonprofits. That authority was created and provided to the Commission to develop regulation and administer that program. It did not turn out as originally intended. We are continuing to work on that, working with the Commission so that the tag transfer bill that was readdressed in 2021 after some recognized language deficiencies that came out of the 2019 Session, that authority has been clarified and renewed and a regulation has been drafted. That regulation would allow an individual to transfer his or her tag to a qualified organization for use by a person who has a disability or life-threatening condition. That will be heard by the Commission in March for a workshop.

The falconry bill, [SB 125](#) (2021)—the Department has been meeting with stakeholders and is in the process of drafting a regulation. That was simply creating the allowance for falconers to have golden eagles in their possession. In most instances, it would be for rehab purposes and allowing the recovery of those individual animals before they be released back out onto the landscape.

Nevada's Department of Wildlife's cleanup bill from 2021 was [SB 406](#), and it revised provisions governing the Wildlife Trust Fund and authorized the tag to be in an electronic format. It also updated the residency requirement to be eligible for a senior license, which is a reduced cost. The Commission will hear the regulation on the e-tags—those electronic big game tags—for the very first time next week at the Commission meeting. Just to add, the Department has participated in every IFC meeting this year for donation approvals. We continue to get significant donations from industry partners and nongovernmental organizations (NGOs) towards our conservation efforts and activities.

The last is urban wildlife. This is an item the agency has come before you on multiple occasions looking for assistance, capacity, general fund contribution toward the urban wildlife challenge. We have been able to create positions, create programs, educational

programs, outreach efforts, and just last year—the calendar year last year—the agency received in excess of 1,000 calls just dealing with bears and numbers that exceeded that for each coyotes and birds. So that has been put to great use and is of great value, so thank you for that.

I wanted to highlight a couple recent acquisitions. One is the transfer of the Carson Lake and Pasture; it has been 30 years in the making. The U.S. Bureau of Reclamation finally completed that transfer this past year. The agency is working with partners—Truckee-Carson Irrigation District, as well as the Greenhead Duck Club—to ensure that their use of those areas is minimally disrupted and in concert with their wishes and desires. We are also developing a management plan at the present time.

Also, the Licking Ranch. This is a property just north of Battle Mountain. Having this in-state ownership is consistent with the wishes of the current owner, supported by Lander County, supported by the grazing permittee who uses that land for their operation. It has a broad support.

I also wanted to point out [NRS 361.055](#), which requires NDOW to continue to pay taxes. Our agency does not have the same exemption, so oftentimes one of the counters to public ownership is the lack of tax revenue, and I just wanted to point out that NDOW continues to pay taxes on any lands administered by the Department and in-state ownership.

C. VIDEO OF RECENT PROJECTS/WILDLIFE STATUS

Tony Wasley:

Now I would like to try to see if I can segue to this video ([Agenda Item VIII A-2](#)). It has music but I am going to probably mute that and provide just a brief narration as I do that.

Now this is also something that we will share with the Committee members and, as indicated, there is not a voice-over narration, there is just music. But I will speak to some of the sites in this and try to provide some explanations as we go through this.

This will highlight division by division some key projects and some updates, just a quick overview.

We will start with the Game Division. We continue to do a significant amount of capture work; we are trying to understand disease transmission and occurrence in our bighorn sheep population, as well as their habitat usage. We are also using GPS collar technology on mule deer to better understand habitat connectivity, corridor use, animal condition. We also have collars now on moose in Nevada, and we are also monitoring elk. The overwhelming majority of the collar work is to understand habitat use, corridors, and wildlife health.

These are some highlights from the bighorn sheep release in the Pyramid Lake ancestral tribal lands. Sheep had been extricated from those lands for decades. Some of our mule deer capture work allows us to assess body condition to determine the health of those animals, which is the single best indicator of the health of the habitat, as well as any potential pathogen issues or disease issues that these animals could be experiencing.

Most of this work is accomplished in coordination with and in partnership with a number of NGOs. They purchase collars which are in the neighborhood of \$3,000 to \$5,000 for GPS collar technology and data downloads. They provide assistance on site with the handling of

animals, capturing animals, releasing animals. We are able to use their time and financial contribution as match to garner federal funds.

Senator Scheible joined the meeting.

This is demonstrating the benefits of some of the wildlife overpasses that were built in northeastern Nevada, some on Highway 93 north of Wells, on I-80, through partnership with Nevada's Department of Transportation (NDOT). Really appreciate our relationship with NDOT, their willingness to provide significant engineering, financial assistance, and partnership in the placement of, this is an underpass. These animals take two to three years to really learn how to use those facilities.

Next, just some highlights from our Fisheries Division. This is drone footage of Cave Lake. As indicated, we are doing some repair work on the dam. This is a fish salvage operation. Rather than just draw that down and let those fish suffer, the agency went in and conducted a capture, removed those fish from Cave Lake, placed them in a truck, and hauled them the short distance down to Comins Lake. Just a little trivial fact, Cave Lake does have the state record for brown trout and although we did not see any new state records, we certainly saw some beautiful fish like this brown trout that is now presumably still swimming around in Comins Lake.

This is Rye Patch, a unique fishery in the northwest part of the state, one of the few areas in the state where we have a walleye fishery. The agency is able to purchase large volumes of walleye fry, which are hardly visible here. Those are released into this reservoir and many of them grow to adulthood and provide a recreational fishery in this body of water.

I heard Director Crowell say that Nevada is the driest state in the country, and we are frequently reminded of that in the fisheries arena, probably more sensitive to it than many others with the ebbs and flows of waters.

This is in Desert Shores down in Las Vegas, which operates as a safe harbor for recovery efforts of a listed species.

This is Third Creek in Incline where we are capturing naturalized trout from the lake, milking those fish for eggs, and seem to be used to populate our hatcheries with those eggs for rearing. The agency raises and releases approximately 1 million fish a year that then at the end provide, again, that recreational opportunity. Clearly not all the efforts and contributions in the fisheries arena are for recreational aspirations; I would say the overwhelming majority are recovery efforts and habitat maintenance.

The Wildlife Diversity Division. This a bald eagle, eaglet, only a couple months old, was blown out of the nest early in the pandemic and our staff specialist, Wildlife Diversity, Joe Barnes has some climbing experience and was able to return that bird to its nest. Unfortunately, one of the nest mates did not survive but that one did.

A couple of Great Horned Owls that were at the Desert Research Institute. Many of you may have seen either in social media or the news.

This is Hobart Lake. Our Law Enforcement Division, our game wardens, our Category I Peace Officers with broad jurisdictional authority from the waterways to the mountains essentially. As I like to say, kind of the highway patrol of the waterways and the back roads. One of the things that is clearly under our mission and our statutory charge is the safe operation of vessels and public safety on water, growing challenges, more and more people

on the water, more personal watercraft, they conduct a significant number of rescues as well. This is highlighting Game Warden Sean Flynn, who received the Silver Lifesaving Medal from the U.S. Coast Guard. That was a U.S. Coast Guard Admiral providing that medal. That is a medal that has been given out fewer times than the congressional Medal of Honor. Game Warden Flynn saved the life of a young girl trapped in an overturned boat at Lake Mead.

Conservation Education Division—as the name implies, a lot of education, interacts significantly with youth. This is a kids free fishing day, love to see those smiles and the engagement with our state's youth. Fishing clinic, obviously indoors. The Conservation Education Division also has most of the urban wildlife responsibilities, public education. We do a lot of fly-tying classes and Trout in the Classroom where kids follow the development of fish from egg to releasable fish, and they take those fish out and release them. A great educational opportunity and helps foster a sense of stewardship for Nevada's wildlife resources. Some footage of the Maison T. Ortiz Youth Outdoor Skills Camp that is conducted in partnership with our NGO community.

Data and Technology Services has had some interesting challenges, COVID-related challenges: trying to meet the needs of customers; maintain essential business functions; keep offices open; continue to register vessels; provide assistance to individuals who may not have computer access at home, or simply may need assistance in transferring vessels. I previously referenced our law enforcement as kind of the highway patrol of the water; our license staff is kind of the Department of Motor Vehicles equivalent as it pertains to boats.

Habitat Division is, as the name suggests, a lot of focus on critical habitat needs, mule deer, sagebrush. I will take advantage of the opportunity to do a little bit of a deeper dive on some of the sagebrush sage-grouse issues. We do a tremendous amount of seeding; this is a drill seeding post-fire trying to get some native components back in there, trying to retain the soil, trying to get some forage in there for a whole host of species, whether it is kangaroo rats, mule deer, or pronghorn antelope. Everything that we have—all 895 species—under our jurisdictional authority need some habitat, whether it be shelter or food. This is an aerial seeding operation conducted with a fixed wing aircraft. It is loading up the seed and into the hopper. This aircraft will fly over the burned area with some unique mechanical machinery that is fixed under the wing, and it will distribute that seed. If you watch that device right there, as this aircraft is over the fire, you will begin to see distribution of that seed. This is part of the reason that legislatively creating opportunity for the Department to accept donations in emergency situations was so critical.

This is the other part of that, with the unprecedented drought and challenges trying to get water to wildlife became particularly challenging in the south. As the Chair mentioned, the absence of some of that monsoonal moisture really exacerbated this problem. The agency has over 1,700 water developments to provide water to wildlife. Those devices are filled by rainwater so when the rain does not come, those animals have some significant challenges meeting their hydration needs, and we have had to be creative and learn quite a bit again through partnership with our NGO community. This is a state-owned aircraft; we use these orange pumpkins, use a staging area with a pool where you just saw this aircraft dip that. It is placed into another portable holding area that you cannot dive to, and then you can see the pump and the blue hose there, and so that water will be pumped into those large brown tanks that were on the left side to hold that water so it will be made available.

That concludes just that quick overview of several key projects that have a direct nexus to some of the items that you have assisted with. I am going to stop sharing and queue that PowerPoint back up.

D. CHALLENGES AND OPPORTUNITIES

Tony Wasley:

I want to highlight few of the challenges, and some of those challenges were already spoken to earlier in Director Crowell's presentation. They were demonstrated through some of that video, but they are not independent of one another. We talk about wildfire and invasives, climate change, wild horses and burros, and we could talk about any one of those challenges, but the fact of the matter is they are all interrelated. Most of you are intimately aware of the challenge of cheatgrass and what it does to the fire cycle; we see fires that are burning more frequently, we see fires that are larger in size and encroaching into a shrinking remnant of sagebrush. As the climate warms, or as we experience drought—whether temporary or permanent, or short-term or long-term—it exacerbates that wildfire and invasive species relationship.

Another item that exacerbates that is the presence of wild horses and burros. Nevada's current wild horse and burro population is estimated to be 53,741, which is 375 percent above appropriate management level. We are documenting significant impacts to habitat, soil, competition, and are looking for partnership and opportunity to bring solutions to it, but it is unprecedented, and it is exacerbated by drought, and it is not unrelated to wildfire and invasive species. We have fires that that burned 23 years ago back in the 1990s that have millions of dollars invested in rehab. That success is now being jeopardized due to the horse use and the numbers of horses in those reseeding efforts.

I would like to point out that fun fact in the lower left-hand corner of the screen, that NDOW and over 15 conservation partners have been able to successfully rehabilitate 475,000 acres of wildfire impacted habitat in Nevada, just between 2017 and 2021, while contributing approximately \$9.873 million. This equates to an area of over 742 square miles, or larger than Douglas County at 738 square miles.

So, opportunities ahead.

Sage-grouse conservation—we talked a lot about sage-grouse during Director Crowell's presentation. Currently, the BLM has begun a Land Use Plan effort to revisit some of the past land use planning efforts to determine where we are headed. Since 1998, NDOW has funded over \$33 million on rehabilitation and restoration of sagebrush habitat. Nevada's Department of Wildlife maintains a sage-grouse lek database. A *lek* is simply the area where the males go to strut, dance, and the females come to pick out their lucky mate. Nevada's Department of Wildlife maintains a lek database with just under 2,000 leks in Nevada, and there has been over 36,000 surveys of those leks dating back to 1950. We spent \$2.5 million in sage-grouse research projects over the last 5 years to determine effects of wildfire; effects of transmission lines; treatment effectiveness—that is habitat manipulation effectiveness; effects of predation—specifically, the effects of common raven predation; and the effects of wild horses, along with information gained on habitat selection and population performance. Nevada's Department of Wildlife has spent nearly \$250,000 on noise research pertaining to sage-grouse since 2019 and has plans to invest an additional \$400,000 over the next four years. We currently have sound-level data collected at 45 different strutting grounds and plan to include up to 100 leks in our ongoing research. We have staff that are plugged in and participating on the Range-wide Interagency Sage-Grouse Conservation Team, the Western Association of Fish and Wildlife Agencies Sage-Grouse Conservation Assessment Team, and the Sagebrush Executive Oversight Committee, as well as the national Sagebrush Conservation Strategy Team, and the Sage and Columbian Sharp-Tailed Grouse Technical Teams.

Approximately 25 percent of the sage-grouse priority habitat management area, which was the area reflected in red on the map that elicited so much discussion, approximately 25 percent of that priority habitat has been lost due to fire since 2000. That is 2.8 million of 11.4 million acres of that habitat type. We talk about it as it relates to sage-grouse; sage-grouse are 1 of over 350 species in that system. There are a number of other species that are garnering additional attention for conservation need, namely pygmy rabbits as one. There have been 570 mine plans authorized within priority sage-grouse habitat, which is another challenge, and is part of the reason that we are so grateful that the Sagebrush Ecosystem Council is administering a mitigation program for industry partners, which is allowing NDOW to try to focus more on some of those rehab and research efforts for the species and in the landscape.

I wanted to speak to the [Nevada Habitat Conservation Framework Executive Order](#). Two key pieces in there: one is a sagebrush conservation plan, as well as a connectivity plan. Wildlife corridors garnered a lot of attention in the last administration through [Secretarial Order 3362](#); that momentum and energy has been maintained into the current presidential administration. The U.S. Department of the Interior is continuing to put emphasis and resources towards the identification and protection of connectivity corridors. In the governor's Nevada Habitat Conservation Framework Executive Order, a connectivity plan was specifically called out. It will be developed in partnership with NDOT.

Also, I would be remiss if I did not bring up the notion of One Health; One Health is a growing construct. I was previously under the impression that the pandemic was the genesis of it. The more I looked, the more I learned that not only has the Centers for Disease Control and Prevention had a One Health initiative and One Health website dating back to 2006, but the concept in medicine is hundreds of years old, and with indigenous peoples is probably thousands of years old. The concept is a multi-sector approach that includes human health, ecosystem health, and animal health. Seventy-five percent of all emerging pathogens are animal, or from animals, or are zoonotic in nature, and 60 percent of those are from wildlife species. So, the better that we can integrate human health, environmental health, and animal health, the more effective and proactive we can be.

The last item I wanted to speak to quickly was [Recovering America's Wildlife Act](#), also known as RAWA. This is a bipartisan legislation in Congress, passed out of the House Natural Resources Committee two days ago. A strong bipartisan bill that would create some significant opportunity for us in Nevada, would bring a dedicated and sustained \$24 million-a-year to NDOW towards the implementation of our State Wildlife Action Plan that contains 256 of the 895 species we manage, and 22 habitats. Those species include bighorn sheep, mule deer, sage-grouse, pygmy rabbit, Lahontan cutthroat trout, and could be a game changer for us. Of course, to be able to receive that money, spend that money, would require legislative approval at some point so we will keep our fingers crossed and keep watching that.

For the deeper dive items, we will share these eight items. There is a 12-minute video from a Commission meeting pertaining to the coyote contest item, I provided an overview and introduction on that. The 5-minute video on the Las Vegas building video tour, some more habitat seeding video, just 2 minutes. The Pyramid Lake sheep reintroduction, a 10-minute video that tells a heartwarming story about returning bighorn sheep to those ancestral lands. Some additional information on RAWA, a preview of our new webpage. Number seven, a presentation to the Commission on license simplification showing those cost savings and the increased license sales, and then lastly, just an article that the agency put out during the pandemic that was *Silver Linings from the Pandemic*. It includes the

acknowledgement of several personnel and programs in the Department that were highlighted during that time period.

And with that, just a quick introduction of our team. I wanted to introduce our two Deputy Directors: Jack Robb is Deputy Director over Resources, and Bonnie Long, who is the Deputy Director over Administrative Services, HR, and Fiscal Services.

Thank you again for the opportunity, and I certainly stand for any questions, Mister Chair, thank you.

Chair Watts:

Wonderful, thank you very much, Director Wasley, for your presentation.

We will open it up to any members that have questions for the Department.

Assemblyman Ellison, do you have a question or is your hand raised from last time?

Assemblyman Ellison:

No, Sir, I have two questions if I may.

Chair Watts:

Go for it.

Assemblyman Ellison:

The first one I have is the current size of our deer herd. Right now, it looks like our deer herd is depleting across the state; can you give me an update on that? And then the other thing I have after that is on the predator control.

Tony Wasley:

Absolutely, thank you for the question, Assemblyman Ellison.

Our deer herd, you are right, is declining. It is at arguably the lowest level that it has been in modern times. This is another issue, an item that is not independent of climate change and drought. Through our research, through some of our recent captures, assessment of body condition—which is primarily done through fat accumulation on these animals, whether it is rump fat, or xiphoid process fat, or kidney fat—many of those measures of animal health are indicating that we have some habitat-related issues. Certainly, in some areas we have higher rates of predation and when populations are depressed, high rates of predation can be more impactful.

I would point out, and I listened with interest when Assemblywoman Hansen talked about that historical perspective as it pertains to sage-grouse: Historically, Nevada did not have abundant mule deer. Historically, there were very few mule deer in Nevada. When mule deer first started to arrive in Nevada shortly after the turn of the century, it was noteworthy, it was newsworthy, it showed up in papers. Miners in the historic mining camps were fed mule deer that were brought in via railcar from adjacent states. Mule deer had to be trained in, trucked in, to feed the masses in those mining camps.

Now, that is not a justification to either ignore the needs or to allow populations to shrink or dwindle, and that is why we recently launched the mule deer restoration initiative. Our Game Division Administrator, Mike Scott, who is an avid mule deer fan, hunter, supporter, and 35-year plus employee of the agency has made it his personal mission to direct resources towards the recovery of mule deer. Much of that work that we are doing through our Habitat Division is addressing those needs. We are assessing animal health, and much of the effort through the Sagebrush Ecosystem Council to offset those impacts of industry should also spill over to assist in what is largely, and probably, our most iconic and most desirable big game species, and historically has been our most economically important big game species. So, I appreciate the question.

Assemblyman Ellison:

The other question I have, Mister Chair, is the predator fee. We have got that \$3 predator fee; how much actually out of that \$3 is going into predator control? Because it seems like the predators are more on the rise in some areas, mostly up in the higher mountain areas. Can you answer that?

Tony Wasley:

Absolutely. As indicated, that \$3 fee generates approximately \$800,000 a year. Of that \$800,000, it is statutorily mandated that at least 80 percent of that be spent in lethal control measures. I believe that we are seeing an expansion in both distribution and density of mountain lions. As we have increased prey distribution, namely through wild horses and elk, we see more lions in more places. Where historically they may have followed migratory mule deer, now they are able to stay in an area as deer come and go and switch prey. We have a number of projects focused on better understanding that relationship to be able to focus those management activities in the most effective means possible and receive the biggest bang for our bucks.

Assemblyman Ellison:

Okay, but are we actually having people on the ground doing something with the lions and the coyotes? I mean, we have ranchers out there that are being impacted by the predators, and if we do not control it now then it will move on to the livestock industry.

Chair Watts:

I am just going to step in here briefly, Director.

Thank you for that follow-up comment, Assemblyman Ellison. I think that Director Wasley has already addressed the question. Previous legislation explicitly directed 80 percent of the predator control fee towards direct lethal removal. I understand your frustration, I have followed a little bit of the legislative history. I know that when the predator control fee was first introduced it was billed as being able to generate revenue to save our falling deer herds. I know that when legislation was also brought to put in the 80 percent mandate, it was around concern about how it was used and continuing declines in the deer herd. I appreciate the concern that you have there.

I think I would just ask a clarifying question to the Director, which is: Would you say that the primary issue affecting deer is essentially increased competition for habitat due to impacts of development, wildfire, invasive species, and the fact that they are competing for habitat with humans, livestock, wild horses, and other game species?

Tony Wasley:

Thank you for the question.

My elevator speech as it pertains to that question is that predator control can allow a population to respond more quickly to favorable habitat conditions. If you do not have favorable habitat conditions, or if you are at carrying capacity because of compromised habitat conditions—whether it be drought, fire, horses, competition—all the predator control in the world will not result in the desired benefit. The key piece of receiving benefits from predator control is demonstrating that you are below carrying capacity, in which case that predator control can allow that population to respond more quickly to favorable conditions.

Chair Watts:

Thank you for that, Director. It seems like that is the focus, that we need to make sure that we have the carrying capacity on the land and have the flexibility to focus on that as a first priority before moving on to other issues.

Assemblywoman Carlton.

Assemblywoman Carlton:

Thank you, Mister Chairman, very much.

My question ties into one of your original screens with all the boxes on it when we were talking about [AB 211](#) (2021) and being able to do the analysis on new housing development and the effect on wildlife.

And then urban wildlife—I remember very distinctly in the Senate when I brought up coyotes in southern Nevada, got a couple of chuckles from some folks, but we still do have those problems. They are still there; we just had a mountain lion problem very, very recently. I am concerned that we have housing being proposed on the far east side of the valley, and it sounds like the regulations for AB 211 will probably not be in place, and those guidelines will not be in place for this new housing. It is up in the hills; it is where a golf course used to be and we know what happens at night on golf courses, we know what kind of animals come in, especially out of the hills in the far east side of the valley. I am just concerned, I want more information on where we think we are going to be with AB 211 in the future, and how are we going to deal with these interfaces with the mountain lions, coyotes, whatever we have?

The more we build out, the more we are going to have impacts and being someone who had a constituent that had a coyote stick its head through the dog door, when it happens to families in your district, they do not forget about it. It is something that comes up often so if you could just elaborate on that, that would be helpful.

Tony Wasley:

Absolutely, thank you for the question.

I think that the main difference as we view the role of our agency as it pertains to [AB 211](#) is we are talking about design features, we are talking about mitigating. It is a proactive addressing of the potential impacts to wildlife before they occur, or what kind of mitigative measures, or planning, should be considered when looking for a development. Then the reactive aspect on the back end is how animals respond once that development occurs. So,

the roles and responsibilities under AB 211 versus the agency's roles and responsibilities on urban wildlife. I think one is early on the front end as a cost recovery measure to highlight the potential impacts to wildlife and fulfil our mission and our role in providing that guidance to try to avoid those impacts. The other, the urban wildlife piece, is how those animals—and particularly coyotes in Las Vegas, where you create these oases of small mammals, or house pets, or other things—attract and draw these animals in after the fact.

I do not initially see a really natural nexus between AB 211, and its intent and our role in that relative to urban wildlife calls, issues, and challenges. However, perhaps if we were to anticipate some of that, maybe we could incorporate that at the outset and maybe have some landscape features or other things that would dissuade or discourage those coyotes, or perhaps lions. But where you are exactly right, Assemblywoman, where we saw that lion this week, it was not out on the edge, out on the hills, it was in a very populated area and it was an animal that we had handled before. It had been ear-tagged and relocated back out to the hinterlands and found its way back in, presumably to find easier, more abundant prey in the form of cats and dogs.

Assemblywoman Carlton:

Thank you very much, Mister Chairman.

Chair Watts:

Thank you. Next, we will go to Assemblywoman Hansen.

Assemblywoman Hansen:

Thank you, Chair.

Thank you, Director Wasley. I really enjoyed the video and the time and effort put into it, really well done. It brought to mind a couple of things I would like to address, particularly, two areas. Very quickly though, seeing the video of the bighorn sheep being released into the Pyramid Lake tribal lands was such a highlight and reminder of what a great accomplishment. Thank you for documenting that and so glad to see that happening. Also, it reminded me of a tour I took to the fisheries there at Pyramid Lake that the tribes run and the work that they do. That is a great field trip that I highly recommend, whether we do it officially or just individually on your own; visiting any of the fisheries, that one in particular at Pyramid Lake really had a significant impact on how I could understand the great work they are doing there. I just wanted to get that on the record.

As far as when you talked about sage hen, and we talked about their numbers, thank you for clarifying on the map that red area, that 25 percent has been lost due to fire. So, I hope that we will, as we have more meetings, address the fire issue, which we all know is a big concern for habitat and a lot of other things. But, particularly, maybe that we could involve those who live on the land that are impacted greatly by the fires, as well as wildlife, to find out what ranching is having to do, how they can help mitigate with maybe—I think we have loosened up and allow more grazing, but I think we need to have a discussion as we talk about fires to also do so with grazing in the picture.

I have a question about the federal protection of ravens and that impact. You talked a little bit about the ravens and sage hen, so my question is: I find it interesting we have federal protection on a raven, but at the expense of another animal. So, what are the efforts, how

do you work with the feds on that issue? Is there an exchange, and are you in support of us trying to get around that federal protection of the ravens, if it is critical to sage hen?

Tony Wasley:

Thank you for the question, Assemblywoman.

We are engaged heavily, and let me just, a little quick background: Because ravens are migratory, they are protected under the federal Migratory Bird Treaty Act. So, they do not fall under the purview of the state, and in order for us to remove those ravens, it needs to be under authority provided to the state by a federal permit. That federal permit is issued by the U.S. Fish and Wildlife Service Office of Migratory Birds, and the numbers in that permit for removal have to be studied and analyzed through the National Environmental Policy Act (NEPA). There has been a NEPA analysis conducted and performed by one federal agency and USDA Wildlife Services, and the population estimates have been increased, updated, that would suggest that there could be more ravens safely removed from that population without any adverse impacts to the population and provide the state increased availability to remove those ravens.

It is a permitting process; I can tell you that at present time, NDOW has an application into the U.S. Fish and Wildlife Service Office of Migratory Birds asking to increase our ability to remove those ravens from the landscape, but again, it is a three-tier process, the way that we look at ravens and the potential impacts of ravens. Number one, it is a habitat issue; do those nesting birds have enough habitat to conceal their nests high? We look at the condition of the habitat. Number two is subsidies; those ravens depend on food, whether it is roadkill, whether it is a dump station, or dump site, or boneyard, they depend on those subsidies. Is there anything being done to limit the availability of subsidies? Then three is removal of those ravens. But if we are not addressing the habitat for nesting cover, and we are not addressing subsidies, then there is less likelihood that the federal permitting entities will see value in us just increasing that permit to go kill more without addressing the ultimate cause, not just an approximate solution.

We are in support of it to the extent that we have significantly increased our ask, but we realize that is not the ultimate, that is not the end, but it is a much needed band-aid to ensure that those animals exist on the landscape as long as possible, as abundantly as possible, to allow us the opportunity to address subsidies and habitat along the way.

Assemblywoman Hansen:

Great, thank you so much for clarifying what is a very complicated interplay with the feds and the state. I know it is not an easy job so thank you for that.

Tony Wasley:

Thank you.

Chair Watts:

Thank you and, Director, if at any point you can share, perhaps, some additional information on the research around subsidies and potential approaches that are used to try and reduce those, I think that would be interesting. It may potentially inform future considerations.

We will move on to Assemblywoman Peters.

Assemblywoman Peters:

Thank you, Chair. As a side note: It is very complicated, Assemblywoman Hansen, it is what I built a career on.

My question for Director Wasley is about the reseeding efforts and habitat restoration programs. I am curious if you have been working with the University of Nevada, Reno (UNR), who has been putting in a lot of effort on science around increasing the efficacy of those efforts, particularly the light broadcast seeding piece during drought seasons. I know that this is extra complicated in certain times because we like to see reseeding and vegetation reestablished within a certain time frame, but when we are in those drought cycles, that time frame can be right in the middle of some of our worst drought periods. So, I am just curious how you have been working with UNR or other stakeholders doing research in that?

And then, Chair, if I may I have one follow-up question for both of the directors who have presented today.

Chair Watts:

Perfect.

Tony Wasley:

I think that is an excellent question, and please know that perhaps 20, 30 years ago our approach was that more is better with respect to seed and post-fire revegetation efforts. We would spend every spare dollar that we could to procure seed, and throw it everywhere, and cast it out there, and do a rain dance, and hope and pray, and we were lucky if we could get 25 percent of the fire covered in terms of seed, and then we were lucky if we had 25 percent success in that seeding.

Our strategies and approaches have changed significantly. It has been informed by the science; we work with the USDA Rocky Mountain Research Station, and we work with UNR, we work with U.S. Fish and Wildlife Service. We work with many stakeholders, producers on the landscape, and we are working in partnership with those partners I just mentioned in trying to develop means by which to produce our own native seed—to increase the availability, to increase the success. We use predictability models looking at what was on the landscape before the fire to inform the predictability of where we will have the most success. Where do we have the deepest soils? Where do we have the most soil moisture? Where can we get site-selected seeds for species that will be most successful? It is a far cry from where we started; we probably still have a little ways to go, but at this point we are working with federal partners, state partners, and industry partners.

One of the greatest partnerships that we have right now is with the Nevada mining industry. Where they have private lands on which we can do things that we cannot presently do on federal lands because of a lack of NEPA, but one item in particular is a chemical fallowing agent. We can administer indaziflam, Rejuvra™, which is a chemical—you referenced a small biological window in which to get the seed back on the ground. What happens is, if you do not get that seed in, historically, if you did not get that seed sown and grown in a short period of time, there was a high likelihood that cheatgrass would invade, and then you lose that window, that biological window goes away. Now there are chemicals that we can apply to the soil that will extend that biological window to two or three years. So, we find ourselves in this boom-bust scenario where you might have a million acres of fire and there

is no way, you cannot get all the seed, you have just a couple of months to try to get the seed on, if it is seed that needs to be flown on top of snow you have these really narrow biological windows and temporal windows in which that all has to happen. But, through our partnership with the Nevada mining industry, their willingness to make available some of their private lands to apply a chemical that is demonstrated as safe—indaziflam—but has not yet been analyzed by the public land management agencies, we are making huge headway and increasing that biological window two to three times. Then also being more strategic on the landscape—looking at those north slopes, looking at those deeper soils, looking at those pockets that had serviceberry and bitterbrush before the fire and going back into those areas more strategically instead of just throwing and hoping.

Great question.

Assemblywoman Peters:

It has been really interesting to watch the science blossom. We are using light detection and ranging (lidar) data to identify these areas, from historic lidar to post-fire lidar. It has really been interesting, but I know there are a lot of folks invested in this area. I want to make sure that we are not duplicating those efforts and we are working together on them. There is even some interest from tribal partners who, on tribal land, want to be a partner in establishing native seed programs. I hope that continues, that those partnerships continue to happen.

If I may with my follow up question, Chair. We have one department and one division that work almost exclusively with wildlife; we have your NDOW, and we also have the Division of Natural Heritage. I am curious if you—you and Director Crowell—could go into what the difference between those two entities are, how their regulatory authority is different, and why we have these two separate agencies.

Tony Wasley:

If I may, Chair, I will start and if it provides any comfort at all, please know that the Division Administrator for our Division of Wildlife Diversity was previously the Division Administrator for the Nevada Heritage Program, and so she brought with her those relationships and that knowledge and that awareness.

There are many state wildlife agencies under which heritage programs exist. There are some heritage programs that exist under NGOs; for example, The Nature Conservancy administers heritage programs in some states, and so we do have a high degree of overlap in those areas that fall under our jurisdictional authority, which are primarily the animals. The area that they have much broader knowledge, authority, and awareness that we do not pertains to plants—sensitive species, tracking those plant species. I would certainly let Director Crowell expound on that but just lastly, just to say that we have strong and positive relationships and partnerships with the Nevada natural heritage program under DCNR.

Bradley Crowell:

If I may add, Assemblywoman Peters. Brad Crowell, DCNR Director, for the record.

Director Wasley pretty much covered it but that is the difference: it is now a Division of Natural Heritage within DCNR. Their focus is on flora and primarily sensitive and endangered flora plants in Nevada. They also do their best to inventory and look at insects

as well, where there is some overlapping jurisdiction, and some focus is needed between the two agencies. But they do work very well together, and they do lots of counts together—bat surveys, things like that. It is a good partnership but that is the difference, and I cannot tell you historically why Nevada set it up the way they did, but it is how it is now.

Assemblywoman Peters:

I have one more follow up question, just to reiterate a piece.

Chair Watts:

Go ahead.

Assemblywoman Peters:

Thank you. What is the regulatory function for the Division of Natural Heritage?

Bradley Crowell:

They are mostly focused on collecting and managing data for sensitive ecosystems—plants, primarily—and if the State of Nevada were to consider listing a plant on the state endangered list, it would be a recommendation from the Division of Natural Heritage, through Nevada’s Division of Forestry, which has regulatory authority to list the species. So, they are the scientific underpinning for what would be a Division of Forestry regulatory mechanism to list a new species.

Assemblywoman Peters:

Thank you.

Chair Watts:

Thank you. Senator Goicoechea.

Senator Goicoechea:

Thank you, Mister Chair. Mister Wasley, if you could touch on it at least, I can understand the lion in Las Vegas and the need for Wildlife to move in and remove that animal. Typically, when you get a coyote call like was referenced by Assemblywoman Carlton—a coyote sticking its head through the dog door or actually taking a pet off the doorstep, and it happens all the time—what is your relationship between Wildlife? I will go to the USDA agency, Animal Damage Control. In the past, I have had constituents call me from southern Nevada that have an issue, a coyote came and took the pet out of the yard, and it did not fare well. I have reached out to Animal Damage and they do sometimes go down and remove those animals, but could you just talk on that a little bit—the relationship between Wildlife and Animal Damage Control and how you hand them off?

Tony Wasley:

Absolutely, thank you for the question, Senator.

The entity that the Senator is asking about is a federal entity formerly known as Animal Damage Control, presently known as Wildlife Services. They are under the

USDA Animal and Plant Health Inspection Services, Wildlife Services. They have capacity, expertise, and skills that NDOW and many state wildlife agencies do not readily have available. As we have some of these urban wildlife challenges, we will often rely upon their skill sets and know-how. In most instances, we are billed, we are invoiced, and pay for their time and expertise to go in and surgically or strategically address those challenges.

I will share that there was an issue here a year-and-a-half or so ago. There was a firefighting crew on their way from Oregon to Arizona to fight a fire and they stopped somewhere in the Lake Mead National Recreation Area and threw their bed rolls on the ground. During the night one of the firefighters was approached and bit in the face by a coyote. It turned out there were multiple coyotes in the area that were being fed either directly or indirectly by raiding trash cans, and we had a significant issue with a local density of animals that were unafraid of humans. So, we reached out to Wildlife Services who came in and spent a few nights in there and did a very professional, strategic, and surgical removal of that localized density. We simply do not have the know-how, the ability, nor the equipment to perform those kinds of activities.

Each and every instance is unique unto itself. We look at the offending animal, perhaps the age, gender, is it a one-time occurrence? Was that animal being fed? Was it encouraged? We do not jump quickly to let us just kill it and get out of there. We look at, again, at the ultimate cause, not just some approximate solution. But Wildlife Services is a very valued partner and has a unique and necessary skill set.

Thank you, Senator.

Senator Goicoechea:

If I may just follow up on that, Chairman Watts. If there is an issue or a problem in a neighborhood, or you have an issue with, say, a predator working your neighborhood—I am just going to make clean as I can—then typically that constituent would reach out to you, to NDOW, and then you would, in fact, relay that on to Wildlife Services?

Tony Wasley:

Yes, that is correct. I am sure every state has a different model. Presently, in the State of Nevada—and I believe Wildlife Services prefers it this way—understanding that those animals are under the statutory charge, they are part of Nevada's public trust, and they would much rather do that under the direction of the State of Nevada than unilaterally. They will, in some instances, if they are contacted directly, turn those calls or individuals over to us, or direct those individuals back to us. We work with our law enforcement, with our wildlife health staff, as pertinent, as relevant, determine the best course of action, and if the best course of action is to reach back out to Wildlife Services, ask for their assistance, and have them invoice us accordingly, then that is what we do.

Senator Goicoechea:

Thank you. Thank you, Mister Chair.

I just wanted to make sure people knew how to access it. I know they still actively work with their geese populations at the airport and other places. So, thank you so much; thank you, Mister Chair.

Chair Watts:

Thank you, Senator. Members, any other questions for the Director and the Department?

Seeing none, I do have one.

Director Wasley, you spoke a little bit about the ongoing implementation of the recent legislation—I believe it is [AB 211](#)—around housing developments and wildlife impacts. Could you speak at a little broader level around, both at the federal level and at the state level, the involvement and consultation with the Department to determine the potential wildlife impacts related to various permitting decisions?

Tony Wasley:

Excellent. Thank you, Chair, I appreciate that. This is something that is not widely or well understood in terms of the specific roles and responsibilities of state wildlife agencies as it pertains to NEPA. The state wildlife agencies in all states are the entities that oversee that public trust responsibility to wildlife. Wildlife is viewed as belonging to the citizens of the state and as such, those state legislatures in power direct the executive branch agencies to represent that public trust. As such, the federal government is required, through NEPA, to solicit specific input from those state wildlife agencies pertaining to any project that is conducted on federal land or with federal funds. Any federal nexus requires that NEPA analysis, and through that NEPA analysis, state wildlife agencies, in representing the public's trust in those species, is valued, is considered a valuable partner, a cooperating agency, and is essential input to those analyses.

When those activities occur on private lands, it is vastly different unless a body like you all take steps or measures as you have, for example, with [AB 211](#). Or, in other instances, like through the Sagebrush Ecosystem Council, where sometimes that land ownership is no longer, you are not exempt from some of those requirements if the state adopts and enacts certain provisions or requirements.

I do not know if that gets to your question, or if there is more that I can try to answer there I would be happy to, Chair.

Chair Watts:

Thank you, that gets us quite a bit of the way there.

The other piece is that while many decisions are under the purview of the federal government, the state does have regulatory authority over another public trust that we have, which is water. Allocation of water rights. We have a role in the permitting of mine activities, various air and water quality discharges. I was wondering if you could speak to the extent to which the Department is included—either by statute or by practice—in some of those decisions. I believe the Department does have a seat on the SEC but if you could speak to that a little bit I think that would be helpful.

Tony Wasley:

Thank you for the question.

That is a little bit more of a challenging one to answer. You are correct that, by statute, the director of the state wildlife agency has a seat on the SEC, so I have served in that role for

nearly nine years now. It has always been incredibly informative to get some insight into a lot of the activities in NDEP.

I do not see a specific role or responsibility as it pertains to air within NDOW. Water, there is a little bit more of a role and responsibility because of the management of aquatic organisms. We do, as an agency, have significant data on water quality parameters—temperature, turbidity, flows—and we also have some data on contaminants in organisms. Not too long ago, we were challenged with the issue where NDOW provided a permit for somebody to harvest fish from a certain body of water and those fish had a certain level of mercury. Depending on whether you looked at the EPA or DHHS—who had different thresholds—it was kind of a conundrum in terms of jurisdictional authorities, where the NDA had authority of exportation of foods, NDOW had authority for the take permit but did not have any authority over food, the NDEP—in coordination with EPA—had concerns over consumption, but the DHHS had to give their opinion to the NDA, which then wrote a letter in support to NDOW, it was all brought to our attention by NDEP. So, there are definitely some overlapping areas of jurisdiction and authority that sometimes create some challenges, but I think we are all essentially on the same page and it is just figuring out how to work through that process under our given authorities to get to the best end.

Chair Watts:

Thank you, Director, I appreciate that.

I think even that example is just helpful to understand some of the ways that sometimes, even if we eventually reach coordination, sometimes there are a lot of steps because of the different responsibilities or jurisdictions that different bodies have. I think it is just something, that we will probably see some other instances where some things fall into an area where they straddle multiple lines. Also just want to make sure that, given our scarce water resources, the permitting decisions that can impact spring flow or other things that would have a direct impact on wildlife, that we are making sure we get information and analysis incorporated on the front end of those decision-making processes. So, thank you for that.

Assemblywoman Hansen, did you have an additional question?

Assemblywoman Hansen:

Yes, this discussion brought to mind something. I wanted to ask Director Crowell and Director Wasley perhaps if they heard of this report, or seen it, back from Secretary Udall in the 1960s about a lot of the study and mapping—almost 1,000 years of mapping—from tree rings and different methods on the Colorado River and Lake Mead. Since we are, of course, going to talk about water, and Rye Patch was mentioned, and that is in my district, and it was overflowing two years ago and then here we are with a different situation. Just curious that report had shown on the Colorado River, and now it is Lake Mead, that in the course of this 1,000 years there were sometimes several instances of 50 years' worth of drought, a drought period that lasted over several centuries in different periods. I was just curious if some of your studies include that report. I actually have a copy of it, it might be for the edification of the Committee and for the Chair, I could share that. But just curious if you are familiar with it, because that is a pretty intensive of amount of time to have on something as vital as the Colorado River. Just curious if you are aware of that.

Tony Wasley:

I am not familiar.

Bradley Crowell:

I am vaguely familiar with it. There have been multiple reports by multiple Udalls, in fact, over time. Brad Udall in Colorado is, right now, someone who looks at the Colorado River very closely.

Just for clarification, in terms of managing the state's water resources: Within the purview of the Department it falls within the Office of the State Engineer, who has purview for all ground and service water in the state, with the exception of the Colorado River. That is managed by the Colorado River Commission and the Southern Nevada Water Authority. As everyone, I think, here knows, 90 percent of the population of Nevada is served by the Colorado River and in Clark County, there is some ground and surface water in addition to the Colorado that is used as well. But whether you call it climate change or look at historical records or not, we are the driest, most arid state in the nation. When there are instances of drought, it strains those resources even more, but what is in contemporary times right now really straining our water resources is population growth and lack of efficiency in the agricultural sector. We have done great things on conservation by our municipal water providers, like the Southern Nevada Water Authority helping get rid of nonfunctional turf, return flows, things like that to help sustain water delivery for homes and businesses as we grow as a state.

Agriculture in Nevada is caught in a tough spot because there is no incentive right now under Nevada statutes for agricultural water right holders to implement water saving and efficiency efforts because if they use less water under our bedrock water laws, they then are subject to use-it-or-lose-it and beneficial use laws in Nevada. So, you do not want to punish them for being better at conserving water. This is something that we tried to move last session and I hope we discuss it this interim with this Committee and really make progress on next session. We have got to provide some incentives for agricultural producers to conserve water without being penalized for doing so and help them cover the cost of implementing those technologies. Agriculture represents over 50 percent of our total water use in the state, so we really need to pay attention to it but do so in a fair, balanced way.

Chair Watts:

Thank you very much for that, Director, I appreciate that. Thank you, Assemblywoman, for the question.

I think that you hit the nail on the head in terms of figuring out how to make this work and also how to fund some of those initiatives as well. As we know, the agricultural industry has been struggling quite a bit and needs assistance in making some of those upgrades, as well as a legal framework to do so.

I appreciate the distinction about the management of most of the state's water resources and the Colorado River, which is navigated via compact between seven states, which has oversight by the federal government, and also involves treaties with the nation of Mexico. Some of the latest research by Brad Udall shows potentially devastating declines to the river system and Lake Mead levels within the next five to ten years. Those are things that we are hoping to address through strong conservation policy and providing the support that is needed to conserve here in Nevada and across the region.

Members, any other questions?

Seeing none, thank you again both to Director Crowell and Director Wasley for your presentations to the Committee today. We will look forward to following up with you if anything else comes up and particularly to DCNR, I look forward to hearing from some of your divisions throughout the remainder of the interim.

AGENDA ITEM IX—PUBLIC COMMENT

Chair Watts:

We have now arrived at the last item on our agenda for today, which is our second public comment period. Our BPS staff will indicate to you when it is your turn to speak. Please remember to clearly state and spell your name and limit your comments to three minutes.

We will turn it over to our staff in BPS to see if we have any callers in the queue for public comment.

Russell Kuhlman, Executive Director, Nevada Wildlife Federation:

Hello, for the record, Russell Kuhlman. I am the Executive Director for the Nevada Wildlife Federation.

Last year, our state took great strides in protecting our sagebrush ecosystem and wildlife corridors. Governor Sisolak signed the Nevada Habitat Conservation Framework Executive Order and [AB 211](#) that Director Wasley mentioned in his presentation, and NDOW has also implemented the U.S. Department of the Interior's [Secretarial Order 3362](#) into their action plan, which focuses on conserving, enhancing, restoring, and improving the condition of priority big game winter range and migration corridor habitat.

As these orders and laws take effect, I would like to ask this Committee to focus on identifying funding sources for these issues, especially wildlife crossings and solutions that better consider wildlife and habitat impact on the front end of state permitting decisions. Thank you.

Chair Watts:

Thank you for your comments, Mister Kuhlman. I will just take a brief moment to note that is yet another area where there is a dedicated pool of infrastructure funding. Just for all members' awareness, another thing to add to the list to look out for and see how we can utilize and maximize that.

Broadcast and Production Services, can we go on to the next caller?

Fred Voltz, Clark County Resident:

Yes, good afternoon. Again, for the record, Fred Voltz.

It was more than a little concerning in listening to a number of comments, questions, and presentations today that finding wildlife species to blame for human-caused problems needs to be highlighted.

The issue of over 450,000 head of cattle statewide per the USDA, mostly on publicly-owned land and leased from taxpayers at ridiculously low rates from the BLM, has a far greater

impact than 53,000 wild horses and burros in Nevada on scarce water and natural forage and overly optimistic cattle carrying capacities. Skirting the issue by failing to forthrightly assess the impact of cattle does a huge disservice to all Nevadans, including rural counties. Scant resources are being applied toward humane birth control methods, if the guesstimated numbers are even accurate. A large number of wild horses have been brutally rounded up, expensively imprisoned in substandard conditions for committing no crime than originally existing through human neglect and are often sold off for slaughter elsewhere. Why is the state not working with the feds to stop the ongoing carnage?

Similarly, please do not demonize apex predators for doing what comes naturally when the number of deer killed in approved annual hunts by humans far exceeds the predator inflicted death toll. Why do we have human deer hunts when the deer population is not even given a chance to recover from drought and poor habitat? A week from today, on the agenda of the Wildlife Commission—with the endorsement of NDOW—is another annual deer hunt. How is this good stewardship of Nevada's wildlife assets? Is it just about NDOW selling more licenses?

Each wildlife species has a place in the ecosystem, be they predators or not. Humans did not create the ecosystem and should not try to play God with it as they foolishly claim to manage the incredibly powerful forces of nature. Killing is not conservation, it is permanent destruction. Engaging in programs that have an end goal of keeping a steady supply of wildlife available for recreational killing cannot be ignored.

Regarding urban wildlife interfaces, it seems one of the solutions is for county health departments to work with state agencies in encouraging the human population not to leave food outside for wildlife and to protect their domestic pets from peril. Pets cannot be left outside, even in a fenced yard, without risk to their safety.

Thank you, and I would ask that these comments be added verbatim to the record ([Agenda Item IX B-1](#)) ([Agenda Item IX B-2](#)) ([Agenda Item IX B-3](#)).

Chair Watts:

Thank you, Mister Voltz. Broadcast and Production Services, can we go on to the next caller?

BPS:

Chair Watts, the public line is open and working; however, there are no more callers at this time.

Carl Erquiaga, Nevada Field Representative, Theodore Roosevelt Conservation Partnership, submitted written testimony ([Agenda Item IX A](#)) for the record.

Donald Molde, Washoe County resident, submitted written testimony ([Agenda Item IX C](#)) for the record.

Chair Watts:

Thank you very much.

Members, that concludes our meeting for today. The next meeting of our Joint Interim Standing Committee will be on Monday, February 28.

AGENDA ITEM X—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:41 p.m.

Respectfully submitted,

Rebecca Williams

Research Policy Assistant

Jann Stinnesbeck

Senior Policy Analyst

APPROVED BY:

Assemblyman Howard Watts III, Chair

Date: _____

MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item II A	Caron Tayloe, Washoe County resident	Public Comment
Agenda Item II B	Catherine Smith, MD, Washoe County resident	Public Comment
Agenda Item II C	Jana Wright, Clark County resident	Public Comment
Agenda Item II D-1	Fred Voltz, Clark County resident	Public Comment
Agenda Item II D-2	Fred Voltz, Clark County resident	Public Comment
Agenda Item II D-3	Fred Voltz, Clark County resident	Public Comment
Agenda Item IV	Jann Stinnesbeck, Senior Policy Analyst, Research Division, Legislative Counsel Bureau	Committee Brief
Agenda Item VI A-1	Assemblyman Howards Watts, III, Chair, Joint Interim Standing Committee on Natural Resources	Solicitation of Recommendations Memorandum
Agenda Item VI A-2	Assemblyman Howards Watts, III, Chair, Joint Interim Standing Committee on Natural Resources	Solicitation of Recommendations Form
Agenda Item VII	Bradley Crowell, Director, State Department of Conservation and Natural Resources	Microsoft PowerPoint Presentation
Agenda Item VIII A-1	Tony Wasley, Director, Nevada's Department of Wildlife (NDOW)	Microsoft PowerPoint Presentation
Agenda Item VIII A-2	Tony Wasley, Director, NDOW	Link to NDOW projects video

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
<u>Agenda Item IX A</u>	Carl Erquiaga, Nevada Field Representative, Theodore Roosevelt Conservation Partnership	Public Comment
<u>Agenda Item IX B-1</u>	Fred Voltz, Clark County resident	Public Comment
<u>Agenda Item IX B-2</u>	Fred Voltz, Clark County resident	Public Comment
<u>Agenda Item IX B-3</u>	Fred Voltz, Clark County resident	Public Comment
<u>Agenda Item IX C</u>	Donald Molde, Washoe County resident	Public Comment

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