



NEVADA LEGISLATURE JOINT INTERIM STANDING COMMITTEE ON NATURAL RESOURCES

(Nevada Revised Statutes [NRS] 218E.320)

DRAFT MINUTES

April 5, 2024

The third meeting of the Joint Interim Standing Committee on Natural Resources for the 2023–2024 Interim was held on Friday, April 5, 2024, at 9 a.m. in Room 4401, Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 4100, Legislative Building, 401 South Carson Street, Carson City, Nevada.

The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the 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 IN LAS VEGAS:

Senator Julie Pazina, Chair
Senator Pete Goicoechea
Senator Melanie Scheible
Assemblywoman Shannon Bilbray-Axelrod

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Assemblywoman Natha C. Anderson, Vice Chair
Assemblyman Rich DeLong
Assemblyman Bert Gurr
Assemblywoman Selena La Rue Hatch

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Jann Stinnesbeck, Principal Policy Analyst, Research Division
Becky Peratt, Senior Policy Analyst, Research Division
Lisa Creamer, Senior Research Policy Assistant, Research Division
Erin Sturdivant, Senior Principal Deputy Legislative Counsel, Legal Division
Jeffrey Chronister, Deputy Legislative Counsel, Legal Division
Adam Drost, Principal Program Analyst, Fiscal Analysis Division

*Items taken out of sequence during the meeting have been placed in agenda order.
[Indicate a summary of comments.]*

AGENDA ITEM I—OPENING REMARKS

Chair Pazina:

Good morning. I would like to call this meeting to order and welcome you to the third meeting of the Joint Interim Standing Committee on Natural Resources of the 2023-2024 Interim.

[Chair Pazina asked the Secretary to call the roll. Roll call is reflected in Committee Members Present.]

Our agenda today includes presentations on outdoor recreation in Nevada as well as various presentations related to wildlife and natural resource management.

[Chair Pazina noted the public can receive electronic notifications of the Committee's agendas, minutes, and final report by signing up on the Nevada Legislature's website. She also discussed meeting guidelines for Committee members, presenters, and those providing public comment.]

AGENDA ITEM II—PUBLIC COMMENT

Chair Pazina:

Let us start our first public comment section.

Chris Giunchigliani, Former Assemblywoman and Clark County Commissioner:

I am speaking on Item XIII. The Wildlife Commission (Board of Wildlife Commissioners) has been a "plumb" Governor's appointment rather than a Commission created to work on behalf of and giving guidance to the Department. The appointments, whether by a Democratic or Republican Governor, are the same—a political thank you or support for those who see wildlife only as a sport for hunters. It is long overdue to make the Commission more responsive in its membership to what its mission is. You could change it from all Governor appointed to a mix of legislative leadership and the Governor, or a consent vote, or anything that might help; but it ignores the real issue. Nevada's Department of Wildlife (NDOW) manages 900 different species of fish, birds, mammals, amphibians, reptiles, and their habitats in the Silver State. The Wildlife's mission is:

To protect, conserve, manage and restore wildlife and its habitat for the aesthetic, scientific, educational, recreational, and economic benefits to citizens of Nevada in the United States, and to promote the safety of persons using vessels on the waters of Nevada.

I submit the makeup of seats should both reflect the mission statement and include diversity of our State. In fact, all of Nevada's commissions should reflect gender, diversity, and tribal representation. The Commission should be made up of people that are in biology, botany, conservation, basin management, ornithologists, water, forestry, land use, and habitat. There are women and minorities that could fill any of these roles. It has been overtly controlled by ranchers, farmers, guides, and hunters. Their voice should be heard, so include one, but they do not really contribute to the mission of the Department. They represent those who make money from wildlife. Currently, there are five sportsmen, one rancher, one farmer, one conservationist, one public member. All are white and only

one woman. None are Black, Hispanic, Asian, Middle Eastern, and none that I am aware of represent Native Americans on whose land we hunt, fish, and recreate. In addition to the composition of the Commission, the NRS should be reviewed and pared down. It is a hodgepodge of duties that really should not be in statute; many are managerial in nature. Our State's natural resources and lands and animals should not be ruled by a nondiverse group nor by political paybacks. You need scientists and people with expertise. I urge you to at least change the makeup to be more reflective of Nevada and its unique and beautiful landscape, with all that live amongst it.

Pat Cummings, President, Fraternity of the Desert Bighorn:

The desert bighorn sheep are Nevada's State animal. The desert bighorn sheep are the iconic symbol of Nevada. The Fraternity of the Desert Bighorn was organized in 1964 and is considered the world's first wild sheep conservation organization. Since inception, the fraternity has worked closely with NDOW to enhance water availability for desert bighorn sheep and at least 67 other terrestrial and avian species in many of the mountain ranges in the southern two-thirds of the State. The Fraternity of the Desert Bighorn asserts that the Board of Wildlife Commissioners has history of and continues to effectively represent Nevadans across all 17 counties in establishing policy, setting regulations, approving project funding, and listening and considering public comment and interests on wildlife, wildlife habitat, and boating related matters. The Fraternity strongly recommends retaining the structure and background categories of the Board of Wildlife Commissioners. The Fraternity of the Desert Bighorn recognizes the Commission has, and remains, well-versed in myriad issues and matters throughout the rural, suburban, and urban areas of this great State.

Matt Blackburn, Private Citizen:

I will just keep it short and sweet and say "ditto" to what Pat just said.

Ron Stoker, Wildlife and Habitat Improvement of Nevada:

We are also a nonprofit conservation organization like the Fraternity of the Desert Bighorn. Our volunteers have made over a million dollars this last year to support wildlife, and we like to say "ditto" to the fraternities.

Rose Wolterbeek, Sierra Club Toiyabe Chapter:

Thank you Chair Pazina and Members of the Interim Resources Committee for caring about outdoor recreation and conservation. We at the Sierra Club have been working on expanding access to outdoor recreation by encouraging public transportation options while still being mindful of the biggest threat to Nevada in our public lands—the climate crisis. Other states have started to look at a transit to trail's program that would support sustainable access to outdoor recreation, especially for those who might not have viable transportation to visit green spaces while simultaneously looking to lower air pollution and greenhouse gas emissions. As a lifelong hiker, cyclist, and Nordic skier, I know firsthand that Nevada has incredible pristine land right out our back door. I believe that everyone should have access to the great outdoors, just like I have for decades in Northern Nevada and the Lake Tahoe region. With all of the outdoor recreation at our fingertips in Nevada, the Chapter also thinks Nevada would be a prime candidate for such a program. I encourage the Committee to look into what bringing a transit to trails program would look like in our State this interim session. And I do offer the support of the Sierra Club Toiyabe Chapter on this adventure. Truly yours and thank you again for the opportunity to speak to you this morning. (Agenda Item II A)

Bari Levinson, Member, Sierra Club Toiyabe Chapter:

I would like to address Item XII—the makeup of the Board of Wildlife Commissioners. The Commission currently has nine members, and this is required to have five sportsmen, one rancher, one farmer, one conservationist, and one member of the public. The sportsmen include hunters, fishermen, or trappers, so seven of the nine members support the interests of sportsmen, ranchers, and farmers. Only two members may primarily be in support of the interests of wildlife. Based on a 2018 survey of Nevadans done by the University of Colorado, 22 percent of Nevadans believe that animals should be used and managed for human benefit, while 44 percent believe that wildlife are a part of our social network and that we should live in harmony, so twice as many of us believe that animals should not just be subjected to the whims of humans. All Nevadans are charged with being good stewards of wildlife, and presently, the Commission does not accurately represent all Nevadans. We want to ensure both urban and rural community members are adequately represented, and having seven of the nine commissioners representing interests that often conflict with wildlife interest does not ensure representation of Nevadans geographically or ideologically.

One of the most egregious policies of the current Commission is the refusal to ban wildlife killing contests in which animals are killed in large numbers for monetary or trophy awards. These contests cannot even be considered hunting. Many hunters are opposed to them as well and feel that they give hunters a bad name. Ten other states have banned or limited them, yet our Commission has refused to pass this ban despite three petitions to do so. Due to these factors, Sierra Club supports a change in the composition of the Wildlife Commission to better reflect the values of the people of our State. We would suggest reducing the number of sportsmen on the Commission and the addition of other members more representative of our diverse population. Thank you for the opportunity to speak on this important topic. (Agenda Item II B)

Russell Coleman, Executive Director, Nevada Wildlife Federation:

When Americans started to notice the decline of our wildlife populations in the 20th century, conservation giants like Theodore Roosevelt, Aldo Leopold, and John Muir came to the conclusion that using the best available science was the necessary tool for wildlife management. Well, no one group can claim to be 100 percent responsible for the playbook that led to the successful return of these animals, just like no one person can claim they won the Super Bowl. The sporting community has been the captain of these efforts. Today, the wildlife conservation playbook is called the North American Model of Wildlife Conservation. One of the most important tenants of the North American Model states that science is the proper tool for a discharge of wildlife policy. Simply put, that means that trained wildlife biologists should make decisions based on facts, professional experience, and the commitment to shared underlying principles. Personally, having a bachelor's degree in wildlife science, the first rule I learned is leave your personal opinion and bias out of wildlife management. As a hunter for over 25 years, I am not here today to say that hunters should be the only ones to hold the keys to Nevada's wildlife. What I will say here today is that wildlife management decisions must be made using science, experience, and facts and not left to the whims of personal bias or public opinions. The sporting community has shown their competency, dedication, and trust in the North American Model of Wildlife Conservation, which has led past, current, and future generations from all backgrounds to have access to wildlife, and suggesting that they have not contradicts the fact that Nevada is home to the Sheldon National Wildlife Refuge—a refuge responsible for the recovery of the American antelope. It rejects the idea of the Desert National Wildlife Refuge—a refuge created to protect the best remaining sheep habitat in the country. In addition, suggesting the Board of Wildlife Commissioners needs to be reformed goes against the fact that Nevada

has the largest wild sheep population in the Lower 48, the country's only population of Himalayan snowcock—in the Ruby Mountains—and more recently, our State's first stable population of moose, and the first wolf sighting in northeast Nevada in over 100 years. This model works. Efforts to limit or remove the community from its leadership position of wildlife management in Nevada solely because a small section of the public does not agree with our ideals is similar to removing the captain of a championship sports team and replacing them with the most popular fan in the bleachers; neither is done based on facts and both would have disastrous results.

Joel Blakeslee, Southern Nevada Coalition for Wildlife; Member, Board of Directors, Coalition for Nevada's Wildlife; and Policy Director, Nevada Trappers Association:

I am speaking for the Southern Nevada Coalition for Wildlife. I am also on the Board of Directors for the Coalition for Nevada's Wildlife and the Nevada Trappers Association Policy Director. Basically, what I would like to say is there is a lot of talk about how hunters do not represent the general public. We are probably the most diverse group of people in this State. There are members in every race, religion, cultural group, Democrats, Republicans, Independents, men, women, and children. We represent the general public, and to have the idea that somehow, we are a small group of people—we are not. We are Nevada. We are everybody.

Bryce Pollock, Nevada Chapter of Backcountry Hunters and Anglers:

I want to shine some perspective and hope to help you better understand the diversity of hunters and anglers in Nevada. Last year, there were 156,385 license holders. We affectionately refer to these license holders as “season ticket holders” to the Nevada outdoors. For perspective, this is twice as many people as the season ticket holders to the Las Vegas Raiders, Golden Knights, and Aviators combined. Nevada hunters and anglers make up a diverse group that is three times larger than the Culinary Workers Union.

You may hear that Board of Wildlife Commissioners lacks diversity by representing hunters and anglers, but it is important to remember that the Commission is diverse by representing this group. When a commission represents hunters and anglers, it represents citizens of all ages, ethnicities, rural, urban, and all walks of life. License holders in Nevada range from 12 years of age to 80 years of age. The current Board of Wildlife Commissioners has a good diversity in representing this group with Commissioners’ backgrounds ranging from the construction trades to professional legal careers and everything in between. You cannot refute the track record of hunters and anglers in restoring and improving the overall health of Nevada's wildlife. Representation from groups unwilling to follow the best available science and rather, emotion or public opinion, would be dangerous and irresponsible. As hunters and anglers with millions of dollars invested and thousands of hours volunteered, we want to know that our resources are not going in vain by the management of groups without institutional knowledge.

Christina Erling, Vice President of Government Affairs, North America, Barrick Gold Corporation:

Barrick is the operator of Nevada Gold Mines. We have been proud partners with the State of Nevada since the mid-1980s. In 2023 alone, Nevada Gold Mines’ economic contributions to the State were more than \$3.5 billion by way of taxes, paid goods and services purchased in Nevada, personnel costs, and social investments. We have stood with the State in the ups and downs of the Great Recession, and we stepped up to fill budget gaps during the Coronavirus Disease of 2019 (COVID-19) pandemic. We have been proud to

work with Governors, Legislators, and State agencies on matters of great importance, making changes in lockstep with the State to ensure the gold standard for stewardship of our air, land, and water; and for the economy of the State. Nevada Gold Mines employs more than 7,000 people across the State with the contractor base more than 3,500. Among those thousands are countless engineers, environmental scientists, outdoors people, hydrologists, and habitat and wildlife biologists, just to name a few. In reviewing this Committee's agenda, this Committee will not hear from those people; instead, you will hear a lot of very loud, well-intentioned advocates fueled by money provided by those who prioritize their extreme ideologies over the actual Nevada-based users of the State's public land. This simply is not how we, as a company, are used to doing business. We are used to serious interactions with the professionals you employ—Nevada's Division of Environmental Protection (NDEP), , State Department of Conservation and Natural Resources (DCNR), and Nevada's Division of Minerals (NDOM). It is to the State's great credit that session after session, the Legislature has been able to reject the fringe ideas presented by an increasingly vocal minority. I hope that today's agenda is an outlier and not a reflection that this is going to change. And as always, Nevada, gold mines and the rest of Nevada's mining industry are here as a resource and a partner for the entire State.

Alison Anderson, Community and Government Relations Manager, i-80 Gold Corp:

I am in support of Nevada's current regulatory environment. i-80 is a Nevada-based mining company. Our corporate office is in Reno with operating sites all the way from Golconda to Eureka. We are not a huge operation, but we employ about 115 people to do our work, and we are hoping to grow significantly over the next few years. Today's agenda is concerning to our company. It gives a platform to those who frequently use their time making intentionally harmful proposals, often with the stated goal of ending hard rock mining in this State, and it is dangerous to send the signal to our Nevada miners. Nevada has a long-held gold standard in the United States for both environmental regulation and mineral development. Nevada's system ensures mine operators can protect the safety of the natural resources in our care as well as the safety of our employees. Miners are a firm believer in the multiple use doctrine. The State of Nevada is 70 million acres of land, and that staggering size allows for the industrial users—like miners and ranchers—to conduct life sustaining business while ensuring more than enough space for people across the State to enjoy the scenic, cultural, and amazing qualities of Nevada's rugged landscape. This multiple use balance has been key to the State's success in becoming a hard rock mining destination and a recreational destination—a place to take in the “ah” of our natural resources and a place to meet the career demands of hardworking Nevadans. However, we must give credit where credit is due. The Nevada Legislature has done a good job rejecting the proposals from fringe elements and out-of-state based efforts to topple the multiple use balance. At i-80, we are confident you will continue to do so, and we will remain your partner in providing information to help you make thoughtful decisions about natural resources in our State.

Cathy Smith, Private Citizen:

I am speaking today regarding the Board of Wildlife Commissioners—Item XII. These Commissioners basically serve as liaisons between the public and the Department to make decisions regarding the social aspects of wildlife management. The Department presents the biological science while the Commission makes decisions on that data. After taking the social concerns into account—decisions to have a hunt, weapons used, seasons, et cetera—due to the strong bias of the majority of the nine members, decisions can be reliably predicted to favor hunters and trappers. Even more importantly, by having such a myopic view, they are not only limiting participation in meetings because of futility, but they are preventing the Department from branching out to new potential funding sources. There

are many options that are not pursued because of the capture of an Agency that virtually excludes the non-hunting public. With the current requirements, there is a very biased assumption that consumptive users are more knowledgeable about wildlife than non-consumptive users. This idea is antiquated and inaccurate. In close, please study this Commission more thoroughly; being more inclusive with multiple perspectives will better align this Commission with the attitudes of all Nevadans.

Greg Smith, Private Citizen:

I am here to speak in favor of the current situation. I would like to clarify something that you heard from a prior speaker. There are nine members on the Board, five of which—I am going to quote this from the website, if you do not mind—are members “who during at least three of the four years immediately preceding their appointment held a resident license to fish [or] hunt, or both, in Nevada.” That is the only qualification. I am not a fisherman, but I buy a fishing license to support wildlife. Everyone could, or should, do that. I would question how those folks are supporting wildlife by not buying a hunting or fishing license. Further, I would like to state that the funding source for the Department of Wildlife is 95 percent—and I will quote here again from their website—“user-derived funds.” That can mean a lot of things, and it does. It comes from sportsmen's groups, donations, auctions, matching federal funding, and Pittman-Robertson funding. These are all related to sportsmen's groups. That is their only funding, so they deserve to have more representation on the Wildlife Commission, if you ask me. It is just my opinion, but it makes sense that if they pay for something, they should have a voice in what they are doing.

Tina Mudd, Resource Manager, Granite Construction:

I am testifying on Item X. Granite is both a construction company and an aggregate mining company that employs more than 500 people in Nevada. Granite is proud to build Nevada's critical infrastructure in line with our main core values; one of which is sustainability. On that note, Granite is supportive of NDOM and the Commission on Mineral Resources (CMR) who is responsible for assisting and oversight of the exploration and production of minerals in Nevada. It is critical to safe and environmentally sound exploration and production to retain members that are educated and aware of the complexities of the activities required to keep Nevada at the forefront of the nation's sustainable resource extraction. The industry has worked tirelessly with various commissions, regulatory bureaus, and universities to develop regulations that are at the forefront of balancing the resource needs of the nation and the environmental protection of our great State in which we all live and enjoy.

Unidentified Member of the Public:

I would like to make a comment about the review of NDOW. Currently, NDOW is undemocratic, inept, and uneducated. The members of NDOW demonstrate their contempt and cruelty toward Nevada wildlife, and this is a clearly a one-sided, corrupt State agency. As one of the first 1,000 veterinarians licensed in the State of Nevada, their frankly depraved agenda of animal cruelty is unacceptable. Multiple attempts to speak with members of the Board and stop horrific animal cruelty, such as the killing contests, are met with a bunch of uneducated, self-absorbed special interest minority members pontificating about their life experiences, which are not relevant or informed. This State agency regularly colludes with local law enforcement to harass citizens who speak up about obvious animal cruelty. This should be very disconcerting to you that citizens are being harassed by local law enforcement and game wardens in residential areas. There is no poaching, yet targeted harassment and civil rights violations of people—of communities—wanting to coexist with local wildlife and oppose the cruelty that is NDOW. As a Nevadan, I own guns, ammo, and a boat which provide revenue to NDOW. Nevada's wildlife belongs to all of Nevada residents.

And the Legislature has to look at the scam of an agency and conduct a thorough investigation. This must be done by an independent commission and not NDOW or their cronies utilized in the past, such as Professor Sedinger at the University of Nevada, Reno (UNR). This has to be an independent review. Ninety-seven percent—or the vast majority—of Nevadans want change. Nevada’s Department of Wildlife represents 3 percent of Nevadans. I am uniquely qualified to point out animal cruelty as a veterinarian. This Agency is beyond despicable and unacceptable to our wildlife. I am sure most people listening have companion animals, and this vile and unacceptable cruelty to wildlife has to stop. It is time to evolve, educate, and to do better.

Chair Pazina:

[Chair Pazina reminded those providing testimony to maintain decorum.]

I am going to move on to our next agenda item.

AGENDA ITEM III—APPROVAL OF THE MINUTES FOR THE MEETING ON FEBRUARY 29, 2024

Chair Pazina:

Item III is the approval of minutes for the meeting on February 29, 2024. Committee members, you should have all received the minutes and had time to review them. Are there any questions or concerns from the Committee? Seeing no comments, do I have a motion to approve the minutes of February 29, 2024?

SENATOR GOICOECHEA MOVED TO APPROVE THE MINUTES OF THE MEETING HELD ON FEBRUARY 29, 2024.

ASSEMBLYWOMAN BILBRAY-AXELROD SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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

Chair Pazina:

We planned to make an appointment of members to the Subcommittee on Public Lands, and we received a nomination for an appointment from the Inter-Tribal Council of Nevada (Agenda Item IV). We planned to proceed with that, and this morning we found out that the very qualified candidate they had selected to serve as the tribal representative withdrew his name. So, we are going to hold that until the May meeting where we will then make an appointment of a member to the Subcommittee on Public Lands to represent our tribal community. With that said, we are going to move on to Item V on the agenda.

AGENDA ITEM V—PRESENTATIONS ON OUTDOOR RECREATION IN NEVADA

A. NEVADA'S DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS

[This sub-agenda item was not heard.]

[Brenda Scolari, Director, Department of Tourism and Cultural Affairs submitted a document for the record (Agenda Item V A).]

B. DIVISION OF OUTDOOR RECREATION, STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Chair Pazina:

We are going to hear from Denise Beronio, the Administrator of the Division of Outdoor Recreation; and she is joining us in Las Vegas.

Denise Beronio, Administrator, Division of Outdoor Recreation (NDOR), State Department of Conservation and Natural Resources (DCNR):

I would like to share with you the impacts of outdoor recreation across the State of Nevada (Agenda Item V B). The mission of the NDOR is: "To advance and promote sustainable world-class, outdoor recreation opportunities throughout the State [Nevada]." When coming up with a unique way to brand our Division, we decided to incorporate Governor Lombardo's catchphrase and came up with our own new motto which is, "Play the Nevada Way," which really exudes the lifestyle of almost 60 percent of the residents in our State.

Who is NDOR? We are a small team of five, but we pack a really big punch. Each team member has an outdoor recreation specialty that brings a unique perspective on how we assist with Outdoor Recreation (OREC) management and implementation across the State. The Nevada Division of Outdoor Recreation works tirelessly to be the liaison between planning, outdoor infrastructure, the public, and funding. We are a collaborative partner with counties and communities to create cohesive planning for outdoor recreation that has positive exponential impacts on people and businesses who are drawn to Nevada for its outdoor recreation opportunities. The Nevada Off-Highway Vehicle (OHV) Program has been housed under NDOR at the discretion of the DCNR Director until recently. Although the position of the OHV Program Manager has become vacant, NDOR has jumped in as the interim management team until new personnel can be hired. We also have a new Geographic Information System (GIS) Mapping Analyst position that oversees the daily administration of the Nevada Trail Finder website. The GIS Mapping Analyst is now a temporary part of NDOR, and, as a team member, we also want to create a new position for her that would require increasing our budget to accommodate this invaluable team member. She has been such an incredible resource for the State and federal agencies to coordinate mapping efforts, trail and asset management, as well as specialty and drone operations. The Nevada Trail Finder website is a planning tool to assist users in finding their next trail journey. Whether it be on a bike, a hike, an OHV, or a kayak; Nevada Trail finder is a one-stop shop for Statewide trails, and it is also an asset management tool for all land managers across the State. We work every week to communicate with State Parks, the Bureau of Land Management (BLM), the U.S. Forest Service (USFS), the National Park Service, and counties and agencies to collaborate on removing social trails, adding in legitimate trails, and providing mapping to assets such as bathrooms, parking, and trash receptacles.

The messaging that is at the very forefront of every outdoor recreation effort that NDOR participates in is conservation and stewardship. This is actually one of the benefits of outdoor recreation. As you know, with outdoor recreation, the responsibility of promoting and educating the public about conservation and stewardship is at the forefront. Nevada is the seventh largest state in the nation in sheer land mass with 110,000 square miles and 70 million acres of land of which 80 percent is public land. Therefore, it was really our duty to make sure preservation leads the narrative in outdoor recreation endeavors. The Nevada Outdoor Education and Recreation grant—also known as the NOER grant—provides funding for the next two biennia, at \$250,000 per year, for educational programs for youth K through 12. In addition to that, we promote education through conservation and stewardship at that level and promote benefits of mental and physical health that can be gained from spending time outside. The continued growth of outdoor recreation is driving folks to Nevada for a quality of life they may not find in other states. Outdoor recreation is growing rapidly and is a driver for creating economic vitality to communities and increasing the need for OREC-related businesses across the State.

In an effort to help promote quality of life through outdoor recreation for residents of Nevada, NDOR has been working with several counties and cities to create outdoor recreation strategic plans. We have strived to help communities elevate their specialized areas of outdoor recreation and take it to the next level of planning. Both White Pine and Douglas Counties have implemented strategic plans to incorporate walkable, safe trails and connectivity to safer routes for schools and amenities that may otherwise require motorized transportation. Additionally, we have encouraged counties to engage in a shared stewardship agreement similar to the State's Shared Stewardship Agreement. For reference, the Nevada Shared Stewardship Agreement commits states and federal agencies to expand our working relationships and jointly set priorities and implement projects at an appropriate scale, co-manage risk, and to also share resources. We have shared this concept with communities to show them better ways to be efficient with their efforts while sharing funding and their own resources. This has been such a huge success at the State level, so NDOR wants to expand this concept to other agencies planning outdoor recreational developments.

One of NDOR's main functions is to connect the dots between projects, planning, and funding. The mini shared stewardship agreement that we have proposed is a great guideline to do that. One of the funding sources we have utilized to assist with infrastructure and planning are the monies from the U.S. Economic Development Administration (EDA) grants that we have received through Travel Nevada. They have assisted with grants for the Tahoe Meadows Project up on Mount Rose; the initial funding for the [Nevada] Outdoor Recreation Infrastructure grant, also known as the NORI grant; and funding to develop an economic impact study on outdoor recreation for the entire State. We have also been working with UNR to develop a degree path in outdoor recreation management and leadership. Two programs are currently underway to be launched in the fall for a minor degree and a certification in outdoor recreation. To round that effort out, last week, we were able to submit an earmark request for \$3 million to Senator Rosen's and Senator Cortez Masto's offices in an event to hopefully take that funding to the next degree/level. Another opportunity that we provide to rural communities is the Outdoor Recreation Roundtable Toolkit. This is another level to help communities build an economic vitality around outdoor recreation, but the focus is on rural areas. Nevada, I am proud to say, is number one in the nation for our use of that Recreation Toolkit.

This map shows all the areas across the State that NDOR and the OHV Program gave funding to implement outdoor recreation in every single county. We have awarded almost 70 grants across the State for projects including the NORI grant, which awarded

\$616,000, including two projects that created this great collaboration effort of assets and connectivity between the City of Ely and the Ely Shoshone Tribe. The NOER grant has completed its first round of grant awards for a total of \$250,000 and covered all 17 counties. The OHV Program awarded 30 grants in the last year, about \$2.2 million, for projects like the \$600,000 staging area in Tonopah, and that included parking, bathrooms, and shade structures. This sounds like a lot of outdoor recreation.

Circling back to educating the public on conservation and stewardship. How do we get out the message to not over love our outdoor recreation spaces? Outdoor recreation, according to the [U.S.] Bureau of Economic Analysis, is now a \$1.1 trillion industry. The pandemic gave people a new lease on life in the outdoors, and that is here to stay. These are pictures of “before and after” in Zephyr Cove last Fourth of July. Clearly, the messaging and joint efforts between agencies needs to be much stronger so we can avoid that kind of a scene. The NDOR works on a regular basis with different departments and nongovernmental organizations (NGOs) all over the State to figure out ways to have better messaging and preserve quality of life for our residents and wildlife as well as preservation of cultural and historic areas. The NDOR team sits on many boards and participates in collaborative efforts to find ways to push out shared ideas, promotions, and educational series and curriculum to schools to foster ideas around stewardship with outdoor recreation. We work with the Tahoe Destination Stewardship Program, Travel Nevada, the USFS, Nevada’s Division of Forestry (NDF) , State Parks, and the National Park Service, among others, to elevate messaging about needs, safety, and joint stewardship through our social media channels, quarterly newsletters, or by participating in events with other agencies where it makes sense. We are also engaged in strategic planning efforts for both the BLM and USFS and their outdoor recreation strategic plans.

The NDOR has many priorities, but these are a few of the highlighted areas. Through the development of the Outdoor Education and Recreation Grant created with Assembly Bill 164 (2023), the Legislature also created an Outdoor Education Advisory Working Group. Thank you, Chair Pazina, for serving on that. The Working Group is strategizing to find ways to incorporate outdoor recreation into the curriculum requirements for public schools to promote physical activity, mental well-being, and outdoor learning spaces for teachers to also utilize. There are numerous projects that we continue with the Shared Stewardship Agreement, such as a summit that I attended in Clark County for different ways to promote outdoor recreation outside of the Lake Mead area. The Statewide Comprehensive Outdoor Recreation Plan—also known as the SCORP—is starting in Phase 2 for the second SCORP. We continue to work with the National Park Service and State Parks to develop the next SCORP for our State that is required in accordance with the Land and Water Conservation Fund. The newest Trail Finder project that we are working on is building an OREC business and asset profile for every city and county in the State that will provide a list of services on our free website to allow users to discover ways to find their needs in every location. We recently finished the Request for Proposal (RFP) for the economic impact analysis to be completed. We are in the committee review stages this week for two bids that we received, and we hope to have a hired contractor by June to complete the study within the next eight to ten months to share with the State. The NDOR is currently also working with our public information officers (PIOs) to promote and build a website. We are on DCNR’s website—currently as a landing page—and were awarded money in the last budget to create our own website, so that is up and coming as well.

Chair Pazina:

This was really interesting. I am always fascinated by outdoor education and outdoor recreation. There is such a great tie-in with Travel Nevada. I was disappointed that

Director Scolari could not be here alongside you because you both worked together so well. Looking at the state we are in for tourism—it was a really challenging time, obviously, during the pandemic. Having such beautiful outdoor parks and recreation—just so much going on. I think it helped our State from that perspective.

Assemblywoman Bilbray-Axelrod:

The Dark Skies Initiative—could you talk about that briefly?

Ms. Beronio:

The Dark Skies Initiative is still at the forefront. I know that was kind of a focus at the last hearing, so I did not bring that up, but we are still working on that. We have recently had some *Nevada Administrative Code* (NAC) request changes to take the International Starry Sky designation out of the requirement for State designation and put that on our plates to make it easier for communities to request a Starry Sky designation in Nevada. Maybe they will not have the international designation, and it is a laborious and costly process to do the Starry Skies designation on an international level. We are getting that changed, hopefully in this next legislative session, to make it easier to create Starry Sky designated areas in the State.

Senator Goicoechea:

I realize this is not really yours, but the OHV Commission—I would like numbers, especially with the huge influx of side-by-sides. They are very comfortable. Everybody in the world has one now. The registration of those—we all know they register them when they buy them because that is the only way you can get the title. I would like to see what percentage of them are renewed the following year or following three years. I think you will see there is a huge hole out in rural Nevada. I know it is an enforcement issue, but we are going to have to catch up on that. You have \$2.2 million that you talked about in grants; it should be three times that or more. That is the only way we are really going to catch up. They have to have a sticker or tag on them. I would like to see numbers on that and if it is increasing; we have been promised forever. There is an increase because there are a lot of new ones, but we are not following up.

Ms. Beronio:

Actually, I agree with you. One of the bill draft requests (BDR) concepts that was proposed recently by Nikhil, who is the former Program Manager—and hopefully it will go forward—was to create a three-year registration sticker to help alleviate and mitigate the challenge that you are referring to. We are working to streamline the processes. Elizabeth Johnson, who is our Deputy Administrator for NDOR, has jumped in and done a great job at starting to oversee the grant program for OHV. We are going to be streamlining processes and hopefully hiring one additional person to the OHV Program. It has been a one-man show for five years—for the most part. That has created challenges, so streamlining that process and getting in a second employee will help with that.

Chair Pazina:

We also have Director Settelmeyer at the table, and I think he wanted to take a crack at answering that question as well.

James Settelmeyer, Director, DCNR:

We will get that answer to the Committee and to you, Senator Goicoechea, on the number of renewals. We will probably have to reach back and ask Nikhil to help out with some of that data. He used to be the former head of the OHV Commission. However, he regionalized an opportunity to take an advancement and is now with Forestry. In that respect, we will try to fill that position as soon as possible. We will get the numbers that were issued and also the issue of number of renewals. I think, last year, you guys did pass the concept of a three-year permit. There has been an additional desire from the OHV Commission and the industry in the past to have a discussion, potentially about letting the registration for those be [done] online or at the dealerships to make it easier for people to acquire—some type of a discussion with that. I know we have always had discussions of that with the Department of Motor Vehicles (DMV) as well trying to be involved. We will try to get those numbers to you as soon as possible on that. But as you know, Senator Goicoechea, if somebody keeps it completely on their property, they do not have to register it.

Senator Goicoechea:

Yes, clearly, if it is a vehicle used in agriculture, it does not have to be registered. But that is not what is happening out there. You know it and I do, but I appreciate that. I am looking forward to the numbers, Director Settelmeyer. I think we will all be surprised at how big a hole there is out there. I know it is there; you do too. They register them when they get them to get their title, and that is it.

Vice Chair Anderson:

You mentioned the UNR Outdoor Recreation Degree program. I was wondering if there has been any discussion at all with any of our community colleges to have an AA in that since there are more community colleges available in the rural areas, or if it is only through the UNR Outdoor Recreation Degree program.

Ms. Beronio:

Yes, the initial outreach is with UNR because the original degree program was housed at Sierra Nevada University in Incline Village, and when UNR acquired that college campus, the degree was going to be removed. We jumped in to try and save some aspect of that program. It was a major under environmental sciences. The goal would be to expand it to the University of Nevada, Las Vegas (UNLV) with a different degree opportunity—maybe in guiding and hospitality through business management—and then expand that to all of the colleges. I would love to see some sort of AA degree in outdoor recreation and more certifications. We have zero-degree opportunities in the entire State for outdoor recreation, but every surrounding State to us does have outdoor recreation degrees. This was, we felt, a historical opportunity to close that gap and the workforce gap as well, which we know is a challenge.

AGENDA ITEM VI—PRESENTATION ON MANAGEMENT OF WILDLIFE AND MINERAL RESOURCES IN OTHER STATES

Chair Pazina:

That brings us to Item VI on our agenda—a presentation on management of wildlife and mineral resources. First up, we are going to have a presentation from Jennifer Schultz, Program Principal in the Environment Energy and Transportation Program with the National Conference of State Legislators (NCSL).

Jennnifer Schultz, Program Principal, Environment, Energy and Transportation Program, NCSL:

I have been with NCSL for over ten years based in our Denver office, but I am joining you today from Vermont where I now live. For those of you who are not familiar, NCSL is a trusted bipartisan organization, serving legislators and staff for nearly 50 years. Our constituents number 7,386 legislators and 30,000 staff. We promote policy innovation, create opportunities for lawmakers to share knowledge, and ensure state legislatures have a strong cohesive voice in the federal system.

I will turn now to the topic of the day (Agenda Item VI A-1). Western state wildlife commissions is first. This slide shows the name and statutory authority for wildlife commissions in 11 western States. These will be my focus today. For some context though, almost every state has a wildlife commission, the four that do not are Minnesota, New York, Connecticut, and Rhode Island; but all of the others do.

The commissions range in size from 5 to 11 voting members. Arizona and California have 5. There is a large group at 7. As you can see, Nevada and Washington have 9, and Colorado has 11. In all of these states, members are appointed by the Governor. In Arizona, Nevada, and Utah, the Governor receives nominations for appointments from a separate nominating committee or advisory board. Senate confirmation is required in 10 out of 11—Nevada being the state where it is not, from my interpretation. Term lengths range from three to six years among these states, and three of the states have term limits. In Colorado and Idaho, members are prevented from serving more than two terms; and in Utah, there is a limit of one term.

Here are common selection criteria that Governors must, or are encouraged to, consider when making appointments to wildlife commissions. I will start with knowledge. All states require some level of understanding of the subject matter. The laws do not specify any degree being required. Several states require only general knowledge. For example, Idaho law states that no person will be appointed a member of the commission without being well informed upon, and interested in, the subject of wildlife conservation and restoration. Others are more detailed. Oregon passed a bill last year that adds a requirement that members understand the roles of federally recognized Indian tribes and the relationships they have with lands, water, and natural resources that the commission governs. That is the language. Utah requires that at least one member of the board represent each of four listed areas of expertise, which are wildlife management or biology; habitat management; business, including knowledge of private land issues; and economics. Those are a few examples. Experience is a big factor in many states.

Membership on Colorado's Commission is largely based on occupation and hobbies. Three members must be sportspersons, 1 an outfitter who has obtained a hunting or fishing license for at least the prior three years, 3 members must be actively involved in production agriculture, and another 3 members must be regular outdoor enthusiasts and utilize park resources. One of those must represent a nonprofit that advocates for these issues. The remaining 2 members, to get to 11, are appointed from the public at-large.

Nevada also lists particular experience required, as I am sure the Committee is aware. Political party—five states have limits on the number of members from the same political party—Arizona, Colorado, Idaho, New Mexico, and Wyoming. It varies by state, of course. Arizona—no more than three out of five can be from the same party. In Colorado, the language is there cannot be a difference of more than one person between the parties. In Idaho, no more than four out of seven can be from the same party. The same in

New Mexico and Wyoming—not more than 75 percent from the same party. On the other hand, Montana's Governor must make appointments without regard to political affiliation and solely for the wise management of fish, wildlife, and related recreational resources of the State. Related to this, Idaho and Washington do not allow members to hold any other elective or appointive office at the state, county, or municipal level. Idaho is the only state of the 11 that specifically requires commissioners to be citizens of the United States. Members must also be residents of the State, as in many others, and residents of the region from which the person is appointed. This goes hand-in-hand with geographical diversity on the categories that I created, as many states ensure this by appointing members from specific counties or regions. In Idaho, Montana, Oregon, and Wyoming, this is the dominant structure for selecting members. The number of regions or districts is equal to the total number of members, and one member must be appointed from each. In Oregon, it is two members for some regions. Here are a few other examples of that. In Arizona, no two members may be residents of the same county. Colorado requires at least four members from west of the Continental Divide, and Washington ensures an even split on either side of the Cascade Mountains, and that no two members may be from the same county. I also noted other criteria as I was looking through these statutes—criminal history and conflict of interest. Nevada is the only state of the 11 that lists criminal history as selection criteria, and California and New Mexico are the only 2 that mention a conflict of interest anywhere.

Moving on to meeting requirements—this chart summarizes them. Colorado, Montana, and Utah do not put any number on it. As often as necessary, or whatever is sufficient. California commissioners must get together at least eight times per year, and it goes down from there—six in Oregon, five in Idaho, four in Arizona and Washington, and at least one per year in New Mexico and Wyoming. Nevada is the only state in the West with a maximum number of meetings in statute, at nine. Most commissions can meet anywhere except Colorado where two per year must be held west of the Continental Divide and Oregon where at least one per year is held in each congressional district. My final category—quorum—is generally a majority of members or not specified.

I thought you might be interested in recent state legislation. At least six western states have considered changes to wildlife commissions since 2020. I included one to two examples from each of those states. A few highlights—Montana added two members in 2021, going from five to seven, and moved from selection criteria around legislative districts to administrative regions. Legislation was pocket vetoed in New Mexico last year; House Bill 184 (2023) would have allowed the Legislative Council to appoint members and made it more difficult for members to be removed. A commissioner could not be removed except for incompetence, neglect of duty, or malfeasance in office. I mentioned the Oregon bill at the start of my presentation that added those knowledge areas. Last year, Washington considered creating a nominating committee—like the other states have done—and increasing compensation for members. That concludes my review of western state wildlife commissions.

I was also asked to speak about mineral resource commissions. I was not able to go very in-depth on this topic, but hopefully the next two slides will serve as an introduction to your discussions. I found at least seven western states with a mining board or commission. Those are California, Colorado, Nevada, New Mexico, Utah, Oregon, and Wyoming. The structure of the first four are on this slide, and then the other three are on the next slide. Some of the same themes as with the wildlife commissions—there is a range of 5 to 11 members. Seven is the most popular. Most of the members are appointed by the Governor and confirmed by the Senate, but not all. In Colorado and New Mexico, the Governor appoints five out of seven and two out of seven, respectively. The others are

made members by virtue of holding a certain position. Nevada commissioners are not confirmed by the Senate, based on my reading of the law. Term length is universally four years for all of these, and meetings are held four times per year, or not specified, with the exception of Colorado where meetings occur every month.

Here is a look at those last three in alphabetical order. I did submit a handout to staff (Agenda Item VI A-2). All of the statutory language and details are found in there for your reference.

Chair Pazina:

The reason we wanted to ask for your expertise, and to have NCSL present, was because we felt it was important with so many passionate views to have a nonpartisan presentation sharing what other states around the country, especially in the West, have been doing regarding both of these commissions. Do we have any questions from the Committee?

Assemblyman DeLong:

I do have a question regarding mineral commissions. Did you do any research with regards to what the duties or scope of jurisdiction for each of the commissions was, because in looking at these, some of these commissions have very different scopes than Nevada. Did you look at that at all?

Ms. Schultz:

That is not information that I pulled on my first go through, but I would be happy to do a more thorough review of those and share information offline.

Chair Pazina:

If you would not mind sharing that with the Committee as a whole, we would love to receive that information. Do we have any other questions? [There were none.]

AGENDA ITEM VII—PRESENTATION ON THE COMMISSION ON MINERAL RESOURCES

Chair Pazina:

That brings us to our next item on the agenda, which is Item VII—the presentation from the CMR. We will hear directly from commissions and their corresponding State agencies. First, we are going to hear from Robert Ghiglieri, Administrator of NDOM, joining us in Las Vegas as well as Commissioners Bob Felder and Stephanie Hallinan from the CMR who will be joining us in Carson City.

Robert Ghiglieri, Administrator, NDOM:

In coordination with a few Commission members in Carson City, we will be reviewing the request by the Joint Interim Standing Committee (JISC) on Natural Resources to review the CMR (Agenda Item VII A-1). The items requested from the JISC on Natural Resources to review the Commission are listed on this page. There was no request made to discuss the NDOM and the numerous aspects of the programs that the Agency manages. It is hard enough to review the request on the CMR, let alone activities and programs under the purview of NDOM in 15 minutes, so we have provided supplemental material for you to review (Agenda Item VII A-2) and (Agenda Item VII A-3) along with the initial request.

First, the powers and duties of the Commission—these are outlined in NRS 513.063. They are: to keep themselves informed and interested in the entire field of legislation administration charged to NDOM; to report to the Governor, the Mining Oversight and Accountability Commission (MOAC) and the Legislature on all matters deemed pertinent to the Division and concerning any specific matters previously requested by the Governor or MOAC; advise and make recommendations to the Governor, MOAC, and the Legislature concerning the policy of this State relating to minerals; to formulate the administrative policies of the Division; and to adopt regulations necessary to carry out the duties of the Commission and the Division. Every industry within the State has a State agency representing them in one aspect or another, and we are representing the minerals industry. The Commission has the ability to make recommendations to the Governor, MOAC, and the Legislature, but if they recommend any statute change, it would require a BDR and approval from the Legislature and Governor.

All meetings are public, and any NAC changes would require the proper procedures, including multiple opportunities for public comment and input. As noted on the previous slide, the Commission is required to formulate and adopt the regulations to carry out the duties of the Division. Below are the NRS associated with the Commission and NDOM. First, I want to make this clear. We do not permit mining in Nevada. We provide data and statistics on mining, but we do not permit mining. *Nevada Revised Statutes* [Chapter] 513 establishes a Commission, NDOM, and the Abandoned Mine Lands (AML) Program where we have been identifying and securing historic abandoned mines in the hazards since 1989, which has resulted in one of the largest and best hard rock AML physical safety programs in the nation. We have received two national awards for projects completed in the last five years. It also establishes our mineral education program. *Nevada Revised Statutes* 517 requires the Division to maintain a standard set of mining claim forms and work with the counties to standardize the forms with their needs. This is definitely the oldest statute that we have any coordination with, considering it was put in place in 1897. *Nevada Revised Statutes* 519A creates the Reclamation Performance Bond Pool Program and gives industry an opportunity to bond with NDOM, up to \$3 million per participant, before any work is completed on the ground and implements a premium to manage our Bond Pool. Our Bond Pool program is relatively small compared to \$3.3 billion in mining reclamation bonds held between the BLM and NDEP right now. *Nevada Revised Statutes* 522 gives the Division the regulatory authority to permit oil and gas drilling within the State with the focus of the drill well integrity in respect to human and wildlife, health and safety, and protections of freshwater aquifers. *Nevada Revised Statutes* 534 gives the same authority but for geothermal drilling, and all permits are shared with NDOW, DWR, and NDEP before any approval. *Nevada Revised Statutes* 534B is our most recent regulation. This gives NDOM regulatory authority to permit exploration activities on dissolved mineral resources—also known as “lithium brine resources”—drilling and testing up to five acre-feet per project of water before we are requiring a water right and converting to a water well driller at DWR. All projects—all production—is with NDEP. We are only exploration, and all surface disturbance on federal lands is with the BLM or the USFS.

The composition, qualifications, background of the Commission—under NRS 513.023, the Commissions are all Governor appointed with seven members. Two of them are familiar with large-scale mining. One person is familiar with the production of oil and gas. One person is familiar with the exploration of minerals. One person is familiar with the situation unique to small-scale mining and prospecting. One is familiar with geothermal, and one member is to represent the general public. The terms are within four years. It is important to have this variety of commissioners cover all the aspects of the minerals industry, including fluid minerals. Each commissioner has a unique background with

different education experiences covering all facets of the minerals industry, including environmental and reclamation.

The appointment process for a commissioner—upon the end of the term or resignation, the Commission will notify the Governor's office. At that point in time, they will put that opportunity on the Governor's Office website for Chairs and Commissions. Any member of the public that meets the requirements of the vacant commissioner is eligible to apply. Then the Governor will review the list of candidates and use their discretion to appoint the candidate.

Robert Felder, Commissioner, CMR:

The Commission leadership is defined by statute and our commissioners represent a significant amount of experience for the Division to call upon. In particular, one of the things that is most important that we do is to regulate oil and gas and fluid minerals well designs—Rob mentioned this, but I think it is worth mentioning twice—ensuring the safety and isolation of the aquifers in the groundwater of Nevada. We also provide guidance on current mining and exploration trends that assists the Agency with budgeting based on how much claim fee revenue we think we are going to receive year after year. That is quite variable. As we know, mining is quite cyclic, so we have to do forward looking on that. Rob mentioned the members and their expertise. We do have seven commissioners. You have supplemental materials with their biographies (Agenda Item VII A-2)—again, a broad range of educational background, engineering, metallurgy, business, geoscience, and in particular worth mentioning expertise in environmental regulations and reclamation. One of our large-scale mining commissioners, Stephanie who is sitting next to me is the Environmental Superintendent for a large mining company. We have a wide range of expertise, including on the environmental side.

Our meetings, voting rules, and quorum are also defined by statute. We are required to meet every four months. We usually meet at least four times a year, and often more than that because of special meetings that come up every now and then. We meet in various urban and rural locations across the State. All of our meetings are open to the public and meet the Public [Open] Meeting Law.

Mr. Ghiglieri:

I am going to go into a brief CMR history. This request was made to talk about the legislative history for NDOM, and that ended up with me creating a 20-something page report (Agenda Item VII A-3) on the legislative history. We will not go through that in detail. I will try to do the best I can to summarize that in a short period of time.

The roots of the Division—the Commission can be tracked to 1943 when the Legislature established the Advisory Mining Board. Then, as now, its members are trained, experienced, and qualified in the operations of the mining industry in the State; completely conversant with its problems; and are appointed by the Governor. The purpose of the Board was to study the ways and means of furthering the mining industry of the State, further explore and develop the oil and gas industry, report results of such studies to the Governor, report its recommendations for the Legislature deemed necessary to further the mining industry of the State, and call upon the Bureau of Mines and Geology and its analytical laboratory in furthering the objectives and purpose of this legislative act.

In 1953, an Act for the prohibition of the waste of oil and gas within the State of Nevada created the Nevada Oil and Gas Conservation Commission and developed NRS [Chapter] 522. Due to the lack of funding and permanent staff at the Advisory Mining Board, in 1977, the Legislature determined that the best representation of the minerals industry was needed. It was then combined with the Oil and Gas Commission and the Advisory Mining Board to create the Oil, Gas and Mining Board to serve in an advisory capacity for the newly created Division of Minerals within DCNR. This addition of minerals into DCNR was done at the same time that NDEP was taken from Health and Human Services to DCNR. The Act also established a department level of energy within the Division of Colorado Water [River] Resources and a Division of Water Planning.

In 1983, AB 335 changed regulatory authority for energy and minerals, and the Division left DCNR and created the Department of Minerals supervised by the CMR with all the authority and duties as they are today. In 1993, again, sweeping departmental changes happened with the creation of Business and Industries (Department of Business and Industry). A lot of State agencies were merged underneath that Department. This only lasted six years when the Legislature recognized the importance of mining, oil, gas, and geothermal within the State and moved the Division for the last time as it became a standalone agency consisting of the CMR and NDOM. I am going to hand it back off to Stephanie now in Carson City.

Stephanie Hallinan, Commissioner, CMR:

I am going to go ahead and read through the mission that the Commission of Mineral Resources has on their site. The purpose behind it is:

To encourage and assist in the responsible exploration for and production of minerals, oil, gas, and geothermal energy which are economically beneficial to the State, to provide for public safety by identifying, ranking and securing dangerous conditions at mines that are no longer operating, and collecting and disseminating information on exploration, production and related topics.

The reason I bring that up and wanted to clearly read the mission statement is NDOM has a wealth of information on their website—if you have not had a chance to look at it—for the education and information for the great State of Nevada regarding all of those industries. They have done a tremendous job on that. Being part of the Commission, as has been stated by both Rob and Bob, we have our quarterly Commission meetings and we do additional meetings as needed. We definitely have the industry experience to help make the decisions and provide the guidance necessary. Another topic to reiterate about, with NRS 513, is advising and making recommendations to the Governor, Mining Oversight and Accountability Commission, and the Legislature concerning the policies for the State relating to minerals for the Commission. That it is for the exploration, production of, and the interactions of our Commission and the Division—meet the intent of NRS 513.

I will touch briefly upon the funding sources for the Commission. The average revenue and expenditures for both Fiscal Years (FYs) 2022 and 2023—the revenue was \$3,424,521. There are no general funds that support this Commission. The funding is solely through the NRS that you see listed below there on the slide. The \$10 per mining claim on federal land filing fees that are paid to the counties is partly what funds that along with the \$20 per acre disturbance for any new mining or exploration plan of operations on federal lands and any of the annual fees associated with that. Then the oil and gas drilling permit and production fees, geothermal drilling permit, annual well fees, and the dissolved minerals drilling permit fees. A small portion for the Medallions Royalties—maybe up to \$300 per year based on when they mint a new Medallion with the State of Nevada logo on it—so there is also that

little part that comes in. There are some portions and partners that come through federal, state, and local government partners.

And now, to briefly talk about the expenses related to the Commission—the per diem expenses for FY 2022 were around \$1,711, and the stipend expenses for the Commission in 2022 were \$2,560. In 2023, the per diems reduced to about \$306, and that was mostly due to the fact that we had a lot of virtual meetings and not everybody travels to make the actual meetings themselves. While each member of our Commission is entitled to receive a salary of not more than \$80—as fixed by the Commission—for each day while engaged in the business of the Commission, many of us just appreciate making this service as part of our caring for the State of Nevada and our industries.

Mr. Ghiglieri:

I am going to review recent actions that were requested. The most recent action, or change, in statute done by the CMR was the creation of NRS 534B. This is dissolved mineral resource regulation. This was due to the fact that there were instances where there were different claim holders of a locatable mineral—which lithium is—in areas, yet they did not have water rights. They did not legally have the ability to drill, test, and explore for the lithium within the brine, yet there were other people that had all the water rights within that valley. This was the medium between them to try to allow for exploration to determine if there is a resource. And then, at that point in time, they have to go through DWR in the permitting to acquire water rights within the State. This was not a unanimous support by industry either; there were opposite sides on both sides of the party. We found this was the best guidance at that point in time for the exploration within the State of Nevada.

The next one was NRS 522. Hydraulic fracturing regulations were requested by Governor Sandoval and, at that time of placement, these regulations were the second most stringent in the United States. In total, only seven hydraulic fracturing permits have been received by NDOM since then. Two of them expired before drilling happened. Five wells were drilled, and all five wells are plugged. The Division and the efforts by the Commission and the coordination with NDOM is relevant. When Executive Order 2003 [2023-003] was enacted, all the regulations underneath NDOM had been reviewed and updated within the prior eight years. It took a lot of hard work to define anything that needed to be updated to streamline the regulations within NDOM.

The Division also does a lot of collaboration and support with other partner agencies. We work closely together with the Nevada Bureau of Mines and Geology on reports and publications. Currently, we are working with them to fund a project to look at lithium resources and potentials in the State of Nevada. That report should be coming out mid this year. We work with local and State museums. We built a minerals display in the Las Vegas Valley Museum. We have done one in the Reno Discovery Museum, and we are currently building one for the Nevada State Museum. The one in the State Museum right now is updating the plate tectonics display, which I think was put in place when plate tectonics was a new theory. The Governor's Office of Economic Development (GOED) and other agencies at the Prospectors and Developers Association of Canada—we coordinate with them—DCNR, and their NDEP AML program. We secured a lot of the historic abandoned mines for the Tonopah Historic Mining Park. We have done work with our Abandoned Mines Lands Program on the Fourth Ward School. We are working at the University of Nevada, and we bought multiple supplies for Great Basin College to help develop their resources there. Under the guidance, too, for NDOM—as mentioned earlier by Stephanie—the NDOM's open data site, which is now used by industry; public; academia; news; research; journalists; state, federal, and local governments; and many more. This is a new website that has

drastically changed the way for people to view, download, comprehend mining, geothermal, oil, gas, multiple land issues, multiple use for land issues, energy right of ways, educational materials, and much more data. All of this is free, does not require special software to use, and is downloadable. The education provided by the Division is focused on factual mineral production, employment, taxes, mining, claim law, trends, and most often the information to assist in identifying the correct agency for permitting. Again, we do not permit mining, but we often help guide companies to the right agencies for their permitting needs. This also includes informing companies that are new to the State to focus efforts on tribal and community engagement early in the permitting process. While performing classroom presentations, the vast majority of the education focuses on rocks, minerals, geology, geologic timescale, fossils, mineral uses, and most importantly, the Abandoned Mine Land Program. Our "Stay Out and Stay Alive!" campaign is always a focus for the Division of Minerals and any education opportunity we do. It is not just with the Nevada classrooms. At a national level, we advocate for the passage of the Abandoned Mine Lands Good Samaritan Law and fully funding the new National Hard Rock AML Program. As I mentioned earlier, there are State agencies covering all aspects of industries in Nevada. Nevada's Department of Wildlife is here today, which manages the wildlife for all of Nevada, and NDOR. The Division of Forestry encourages proper forest management; the [Department of] Health and Human Services and countless programs have covered different health care industries; the [Nevada] Gaming Control Board; the [State] Department of Agriculture; and many more. Nearly every State agency has an educational aspect incorporated into their goals, and we provide the minerals education and factual data within the State of Nevada.

Chair Pazina:

I believe we have a question from Assemblywoman La Rue Hatch.

Assemblywoman La Rue Hatch:

I appreciated that you mentioned environmental concerns. I think that many of us in the room today are very interested in that topic, and I also appreciated that you brought up your mission statement. I want to tie those together a little bit. In reading your mission statement, I do not see anything explicitly that says "environmental" or "conservation" or anything like that. I wondered if you could speak to where that comes into your mission and what is informing that work that you are doing.

Mr. Ghiglieri:

What we like to show in the mission statement—the key word there is "responsible." You look at the history of the mining industry in the past 160 years in the State of Nevada. What happened in the 1800s and early 1900s, even into the 1960s, 1970s, and 1980s is not what is happening today. What we mean by "responsible"—we mean by any company that goes by any regulation and needs to engage with the environmental regulations that are now put into place. The 1872 Mining Law, what it does is allow the ability for a person to locate and have the exclusive rights to minerals on federal lands if it is open. That does not allow them to mine. You still need to go through all the National Environmental Policy Act (NEPA) process, any environmental process within the State of Nevada, and be a responsible operation within the State of Nevada which meets all those goals.

Assemblyman DeLong:

As all the presenters know, I served on the Commission for 16 years and was Chair for the latter half of that, so I have a pretty good understanding of how the Commission and the Division work. I thought it would be useful to provide a little more information with regard to the education side on how the workshops, and the work that the Division does on education fits into the curricula required at the schools.

Mr. Ghiglieri:

The Division of Minerals works and does a lot of classroom presentations. I believe last year; we did over a couple hundred throughout mainly Las Vegas and Washoe County. One of the things we do as well is we coordinate with the Nevada Mining Association and an earth science teachers' workshop where we actually provide materials to these teachers to get a professional development credit. It is put together through the curriculum standards to meet those curriculums so they can do education opportunities within their classes. They are going to these workshops being provided. We provide them with a rock and a mineral box—12 of each—that they get to bring back to each classroom, and we often provide them extra, so they have multiple sets and then have geologic geology type presentations that they are able to bring back to their class and meet the core standards of the Nevada curriculum.

Assemblyman Gurr:

I was interested in your comments on your funding sources. That is all from the mining industry itself? That is how you fund the entire Division? Are they annual fees?

Mr. Ghiglieri:

The main aspect of our funding is that \$10 claim fee. Any person that files a claim within the State of Nevada on federal land has to pay two fees: one to the BLM, which is roughly about \$165 plus a couple extra fees on top of that; and one to the county. The county [fee] is anywhere from about \$12 to \$15; ten of those dollars are directly dedicated to our agency, and it is an annual fee. The rest of those fees are sometimes on a hit or miss basis like the \$20 disturbance; it is any time there is a new disturbance, so that is not annual. It is hard to predict a new mine operation going in, so it is hard to predict those. The last one is federal funding. We get federal funding as well from partners like the BLM. Funding from that program is directed through the BLM mining claim fees back to us, so that is actually an opportunity. The mining industry is completely paying for the agency that we represent.

Assemblyman Gurr:

That was my whole point behind it—that the mining industry is funding itself for this Commission.

Chair Pazina:

[Chair Pazina asked the Committee whether there were additional questions. There were none.]

We are going to move into Item VIII.

AGENDA ITEM VIII—PRESENTATION ON THE BOARD OF WILDLIFE COMMISSIONERS

Chair Pazina:

We are going to have a presentation on the Board of Wildlife Commissioners. We will have Director Alan Jenne and NDOW presenting on the Wildlife Commission. I believe that joining Director Jenne in Las Vegas are Chair Tommy Caviglia and Commissioner Alana Wise. In Carson City, we have Vice Chair Shane Rogers and Commissioner Paul Young.

Tommy Caviglia, Chair, Board of Wildlife Commissioners:

We are going to do brief introductions of the commissioners in attendance to give you background on a portion of us. I am in my second term on the Wildlife Commission. I am a lifelong Nevadan, being raised in Ely, attending college at UNR, graduating with a civil engineering degree, and thereafter moving to Las Vegas where I have lived for the last 20 years. I own a heavy civil construction company down here in Southern Nevada. Separately, I am also a licensed subguide, and I have held that guiding license consistently for almost 20 years. I am also a lifetime member of a number of wildlife and habitat related NGOs and actively volunteer on projects associated with them. It was this volunteer work that created the relationships that ultimately led to my seat on the Wildlife Commission.

Alana Wise, Commissioner, Board of Wildlife Commissioners:

I hold a public seat on the Wildlife Commission. A little bit about myself—I am the owner and Chief Executive Officer (CEO) of a wildlife consulting firm that specializes in assisting construction, development and research projects throughout Nevada and the West. I also have a nonprofit associated with getting children into Science, Technology, Engineering, and Mathematics (STEM) and the trades. I have grown up in Nevada—was not born, but definitely raised, and I have been here throughout my life. I have a bachelor's degree in biology.

Shane Rogers, Vice Chair, Board of Wildlife Commissioners:

I am a 45-year resident of Las Vegas, and I have been volunteering for wildlife conservation throughout Nevada for the past 35 years. I have served on the Board of Directors for the Fraternity of the Desert Bighorn. I have also served as a Treasurer for Fraternity of the Desert Bighorn, as well as a Member of the Board of Trustees for the Fraternity's endowment. In my professional life, I have been in the banking and financial services industry for the past 30 years, serving in a number of different senior executive and leadership roles. It has been my business experience along with my conservation work that has allowed me to add value to my role as a Commissioner for the betterment of wildlife for all Nevadans.

Paul Young, Commissioner, Board of Wildlife Commissioners:

A brief background of myself—I grew up in Reno, went to Reno High and UNR, and went to law school in San Diego; came back, worked as a Deputy Attorney General under Attorney General Catherine Cortez Masto—when she was there—was at the Washoe County District Attorney's (DA's) Office for a brief stint, and I work in the government affairs sector. As to more of a personal background and wildlife background—grew up in Reno, north Nevada, enjoyed fishing Ruby Marshes, obviously have a lot of opportunities in Northern Nevada to get out in the wild and camp; and was on the Board of Nevada Bighorns Unlimited for

several years. Through that—did a lot of water development, fundraising, habitat restoration, and now I am on the Wildlife Commission.

Mike Scott, Deputy Director of Resources, NDOW:

I am the Deputy Director of Resources for NDOW.

Jordan Goshert, Deputy Director of Administrative Services, NDOW:

I am a Deputy Director of Administrative Services for NDOW.

Alan Jenne, Director, NDOW:

I have over 30 years with the Agency, and we will walk through this presentation (Agenda Item VIII). We supplied some very wordy slides so that you have the bulk of the information at your fingertips. As committed through NRS, I serve as Secretary of the Wildlife Commission. I am a nonvoting member; I wanted to disclose that.

Walking through the Table of Contents—I want to give you an overview of what we are going to talk about today—the Wildlife Commission. Without the context of NDOW, we would be missing an integral piece, so I want to walk through that. Then I will walk through the NRS that guide the Wildlife Commission. Then I will present on the legislative history and recent accomplishments.

When you look at the mission of NDOW, it remains:

To protect, conserve, manage and restore wildlife and its habitat for the aesthetic, scientific, educational, recreational, and economic benefits to the citizens of Nevada and the United States, and to promote the safety of persons using vessels on waters in Nevada.

This is a unique scenario that many people do not understand; we also have responsibility for boating safety. We often joke that we are DMV of the sea—or Nevada's waters.

Looking at our Agency, we have a very broad statutory charge that has been referenced in some of the public comment received earlier. We do have responsibility for all Nevada's 900 wildlife species. We do have Category 1 peace officers who have the responsibility to patrol on public waters but also have the rights to enforce all Nevada's laws. Nevada is the seventh largest State, yet we are one of the five smallest wildlife agencies in the nation. This is quite complex when you consider that 85 percent of Nevada is public land, and that means that most of the time, in order to speak to wildlife issues in the State, we have to comment on projects on federal lands. That means that most years we are reviewing and commenting on over 600 NEPA projects across the State. Our unique funding model—in comparison to other State agencies, we are predominantly self-funded—user derived fees. The [State] General Fund commits about 2 percent of our funding for the Agency. The other 98 percent is derived from license and tag fees as well as federal grant systems, such as sportfish and wildlife restoration programs. It is really important—those funds—in order to gain access to them, we need match. That means nonfederal State funds that we can take advantage of a 3 to 1 match of those.

Moving into to the Wildlife Commission—we wanted to give you an overview of NRS that guide them. It was mentioned earlier today that there are nine commissioners: one conservation; one farming; one ranching; one general public; and five members who, during at least the last three or four years immediately preceding their appointment, held a resident license [to fish or hunt, or both, in Nevada]. Currently, that makeup is two from Clark County; one from Washoe County; one from Lyon; and one from Humboldt. The statutes that describe the Wildlife Commission can be found in NRS Title 45, Chapter 501. As you saw in the introductions, while the description of who they represent is one thing, the backgrounds and the occupations of those individuals are quite variable.

Other qualifications spelled out in NRS 501.171 is that, basically, they have to have a clean wildlife history as far as no wildlife crimes in the past ten years, no more than three commissioners can come from the same county whose population is greater than 700,000, which in Nevada that means one county—Clark County. There can be no more than two members from the same county whose population is 100,000, but less than 700,000. That generally means Washoe County. Then no more than one member may be from the same county whose population is less than 100,000. The Wildlife Commission leadership annually selects a chair and a vice chair, and a person shall not serve more than two consecutive terms as chair.

When you look at the Wildlife Commission's duties and meetings—there was an overview earlier of the Western States. You have some of this information, but I will repeat that there are no more than nine meetings. Typically, that is seven. In legislative years, we do throw on another meeting to discuss legislative bills. As mentioned earlier, five members constitutes a quorum. The compensation for commissioners is \$80 a day plus per diem, and the duties spelled out in NRS 501.181 are to consider the protection, propagation, restoration, transplanting, introduction, and management of wildlife in this State; the promotion of the safety of persons using vessels; and promotion and uniformity of laws relating to policies. Additionally, adopting regulations for wildlife management, boating safety, and adopt regulations specific to hunting, trapping, and fishing.

When you consider the public process, this is what it looks like. The Wildlife Commission, as the central body, takes biological recommendations from NDOW. Those are then vetted through county advisory boards (CABs). There are 17 across the State. Each county has its own CAB. Those members are appointed by county commissioners, and they are one of the input processes. Each county has the opportunity to host public meetings in association with every Wildlife Commission meeting, so there is a public input process in each county, and there is a general public process that is provided not only at those CAB meetings, but also at the Wildlife Commission meeting itself. The Commission then takes that input in the consideration and development of policy and regulations and then basically creates NAC or policy that guides the Department.

Looking at the counts or the Wildlife Commission's legislative history—important dates—there are a lot here, and there are a lot more. I am not going to go through every one of these, but I think it is important for you to pull out the important pieces. When you think about the history of wildlife commissions across the United States, many of them were timed similarly. It was a time when the nation was trying to deal with getting exploitation of wildlife resources under control, so you saw this movement towards conservation.

In 1877, the first mention of a commissioner was a fish commissioner, and they were trying to get more food on the table for the citizens of the State. Probably the most significant date on this list is 1937. That was when the Pittman-Robertson Federal Aid and Wildlife Restoration Act passed with a key Senator—Key Pittman from the State of Nevada. That

legislation passed. That basically generated that federal funding source that I talk about when I say we are looking to get a State match to get \$3 of federal funds—those are Pittman-Robertson funds. Since 1939, Nevada has received \$297,857,386. Nationally—the significance of that bill and what that has done for conservation within the United States is—I will summarize and say—over \$27 billion. It is a pretty significant Act that really changed the management of wildlife in the United States, and it has been the funding model for wildlife agencies across the United States. It also is one of the things that shaped the shape and form of the Wildlife Commission because it was derived from a user-based system where tags and license fees at the State level could then be used to match this federal funding.

You look at 1947—association to that is you started to see the implementation, both in 1943 and 1947, of Nevada then building regulation, process, and structure to actually receive those Pittman-Robertson funds. Looking at 1969, there has been a discussion as to the membership of the Wildlife Commission. Prior to that, there were 17 commissioners, one from each county. In 1969, that was reduced to 9. In 1989, the Wildlife Commission was then expanded from 7 to 9 with 2 additional sportsmen representation. It is important to look at the notable mentions. The Wildlife Commission has received Commission of the Year from Western Association of Fish and Wildlife Agencies (WAFWA) in 1984, 2003, and 2016. A significant piece is that Tiffany East, in 2020, was our first female Chairwoman. One of the things that is pertinent—in this discussion of funding models—is there has been an effort to try to contemplate a more comprehensive funding system for wildlife in the United States. It started with a blue-ribbon panel and has moved on to an Act called, “Recovering America's Wildlife Act.” Notably, Nevada's Wildlife Commission was the first commission that endorsed that process.

Moving on to recent accomplishments—I have laid out a few. When most people think of, and when you are a part of, the Wildlife Commission—the majority of the tasks they do are based on regulation of harvest. It is a very important component of wildlife management that you have scientifically justified, well-regulated harvest of animals. When you look at it as the majority of their work—it is actually generating 98 percent of the funding for the Agency through the harvest of 11 percent of the species of this State. Looking at the diversity of things that they deal with, you can look at Commission General Regulation (CGR) 506, which was a permit of possession. This was derived out of Senate Bill 125 (2021). Common occurrences are that they go through the fishing regulations to simplify and get more people outdoors. Most recently, as reflected by Minerals, we went through an executive order NAC simplification and cleanup, but we had actually gone through that process within the last two years before that even came out, so it was a rather simple process.

Additionally, the Wildlife Commission is dedicated and has a commitment to fair chase within the harvest—the legal harvest and well-regulated harvest of animals. They have addressed things like trail camera restrictions, sighting and caliber restrictions, and revised provisions around commercial collection of reptiles, which for a while, was a little bit out of control. Additionally, they have evaluated and commented on habitat fragmentation and anthropogenic impacts through things such as comments on the military bases—expansions that you all are familiar with, both here in Nellis and up north with Fallon. They have also provided comment on land transfers such as the Winecup Gamble land transfer in Elko County, and they are well aware of, and viewed and toured, energy development sites. We seem to be the nation's leader in solar development down here in Clark County. You are only too aware of it.

Additionally, the Wildlife Commission supports and funds protection of habitats and conservation easements. Recent examples are the Pole Canyon Conservation Easement in the East Humboldt Range and a Sage Grouse Conservation Easement in Desert Creek near Smith Valley. We recently acquired a ranch called the "Licking Ranch," and established a new wildlife management area (WMA) called the Argenta WMA—it is near Battle Mountain, Nevada—and also property that we purchased near Cave Lake in Ely. I would like to add that the Wildlife Commission annually evaluates and approves funding of nearly \$2 million that is coming through the Wildlife Heritage Program (Heritage) process as well as the duck and upland fees. Those projects, collectively, are great sources of nonfederal match. Each of those projects, in those \$2 million annually, can go towards matching; that is access to \$6 million in grants.

I wanted to give a good overview of what the Wildlife Commission does—their background, what they do—and I hope I have achieved that and given you some thoughts of the bigger issues they also consider.

Mr. Caviglia:

To add to what Director Jenne presented, I would like to note the current Wildlife Commission consists of nine individuals from across the State, all with varying perspectives, backgrounds, expertise, and life experiences that, when combined, become extremely valuable through the overall Wildlife Commission decision-making process. One other item I would like to note is that I believe for the most part, the public perception of the Wildlife Commission is that we solely focus on hunting and fishing regulations and quotas. However, the major component that I personally believe is often overlooked is the focus both the Wildlife Commission and especially the Department places on wildlife habitats, specifically, habitat restoration for all species across the State. One of those programs that the Wildlife Commission oversees is the distribution of the Heritage Grant Program. This program has infused millions of dollars into habitat improvement projects throughout the State that not only help game species but ultimately help all 895 species throughout the State. Another major issue across the West for all species is future land use. The Department continues to keep us informed of the various land use issues and associated potential wildlife and habitat impacts. Over the years, if deemed warranted, the Wildlife Commission has taken formal position statements on these issues.

Chair Pazina:

Do we have any questions?

Senator Goicoechea:

I am old enough to remember back—pre '69—when those commissioners were appointed by local government. I had a legal hunting and fishing license at that point; I was old enough. Be careful what you ask for with the change. I look back at those people who were in White Pine County and Eureka County who served as wildlife commissioners and were county appointees. They had their heart in the right place when it came to wildlife and habitat, so be careful what you ask for when you are looking for change because sometimes it goes down the wrong path. I think we were better served in the 1960s when people were sitting on those wildlife commissions. They truly had wildlife and the habitat—not that the present Wildlife Commission does not—and there was not near the argument with being appointed by a local government. Just a comment.

Assemblywoman La Rue Hatch:

I noticed in public comment, and also in this presentation, that the term, “science backed policy” was used several times, which I appreciated. I wondered if you could speak to the source of that science. Are there biologists or environmental geographers on the Wildlife Commission, or if there are not any scientists with that expertise on the Commission, are there staff that are informing the Commission? Where is that science coming into the process?

Mr. Jenne:

Yes. I think Commissioner Wise, in her introduction, did display her background as having a degree in wildlife management or biology. The Agency of 260-ish employees, there are a very significant portion that are trained wildlife biologists, everything from a bachelor's on up to a Ph.D. There is a lot of wildlife and fishery science and habitat knowledge that goes into these decisions, and that information is supplied to the Wildlife Commission as relevant topics come up that overlap—not only in quotas but also in reintroduction into aquatic invasive species management and dealing with that. There is a high degree of training and also a very long tenure of experience in managing those species that is brought to bear and supplied to the Wildlife Commission in those opportunities.

Assemblyman DeLong:

As it relates to funding mechanisms, you mentioned that with the Pittman-Robertson funds, the State has to come up with basically a 25 percent match to get 75 percent of the dollars for the total budget. What is the composition of the match the State provides? Is it all dollars, or is there something else that is used to come up with that match number?

Mr. Jenne:

When we talk about those matching dollars—the match that is applied to those federal grants—there are typically three major grants that we deal with. One is the Pittman-Robertson, which is called, “Wildlife Restoration.” There is a Sport Fish Restoration and a boating excise tax that are also available. When we are generating the \$3, or trying to get the dollar, the \$3 can come in donations. There are multiple NGOs that have been mentioned here today that provide monetary donations to the Department, but then there are also the in-kind, and that is the volunteer. Some of the Commissioners here mentioned their time doing volunteer [work]. Two of the best examples we have in this State are water development, a program of about \$1.2 million that has developed over 1,700 water developments across the State—artificial water developments—which is how that \$1.2 million budget is solely carried. There is not a State dollar that goes into that. It is all in-kind match and donations from sportsmen's organizations. The other one is our Hunter Education Program. We have an army of hunter education instructors that are spread across the State to do hunter education, and we use their volunteer time to match to get the access to those federal dollars.

Assemblyman DeLong:

Just a comment to characterize what you said. We are seeing a number of nonprofit organizations—501(c)(3)s—that are actually volunteering their time and effort on the ground, and that gets counted. Is that what is happening?

Mr. Jenne:

Yes. That is the time, the mileage, and in some cases, the equipment rental that those volunteer groups provide, which gives us a match to get access to the \$3.

Assemblyman Gurr:

Early on, you touch briefly on the CABs. I spent many years on one in Elko County. I would like you to explain how they get appointed, how many members there are, and how the process really works because on the ground in person is where people with problems can come and talk to local representatives.

Mr. Jenne:

When we talk about these CABs, as each county has them established, there are constraints within NRS that explain what the membership can look like. A board with a population less than 700,000 consist of three to five members. It depends on the county as to what they look like. Those that are 700,000 or more can have five to seven members, which is Clark County, singularly. Those are, as I mentioned, appointed by the county commission. As a vacancy comes open, the county commission has the opportunity to select and fill that seat. As I mentioned, those meetings are held in conjunction, and before, the Wildlife Commission meetings, so those are the public input processes at the county for citizens and the public to come forward on agenda items that are being considered at the next Wildlife Commission meeting to provide input, which is then brought forward to the Wildlife Commission and given that opportunity called out; the Wildlife Commission asks specifically for each county's input into the Commission's agenda.

Assemblyman Gurr:

[My question] has nothing to do with the CABs, although a quick comment would be that if people on the ground in the county would show up to those meetings and have their input, it would make a huge impact on what goes forward to the Wildlife Commission. My other follow-up is with your habitat programs. I do not think you have explained those enough to what is going on. We have had serious habitat loss over the last 40 years. Eastern Nevada—especially Northeastern Nevada—has had multiple huge range fires. It is amazing we still have populations. I know the Department has been working hard. Maybe you could explain how you have gone about trying to restore the loss of habitat we have had in Northeastern Nevada.

Mr. Jenne:

As the past Habitat Division Administrator for the Department of Wildlife, there is nothing I love more than to talk about habitat. One of the biggest threats, one of the biggest conversions, probably one of the most significant environmental issues that is going on in the West, and especially in Nevada, is the loss and conversion of sagebrush. In Nevada alone, we have either lost or converted 50 percent of the sagebrush in the State. That is mostly due to cheatgrass and the wildfire cycle. As you mentioned, we have seen years that are over a million acres lost. We are fighting to try to make up for that. I look at numbers that go back—I did a consolidation of numbers back in 2018, and we have put together over \$35 million worth of effort to try to stay in front of that or reverse that trend. We are still losing. That is small in comparison to what the BLM does, but as a small agency, I can look at our accomplishments in habitat restoration and in meadow restoration. Since 2017, we have affected over 644,000 acres of restoration across the landscape in Nevada. When you contemplate a million acres burning, it is tough in one year, but we are doing our part and

the Wildlife Commission is funding that through the Heritage [Grant] Program and other funding sources along with the NGOs to try to reverse that trend. It is the biggest thing driving population level consequence in the State. All sagebrush obligates and dependents that occupy that space are all seeing trends. You can look at mule deer numbers. You can look at sage grouse numbers. You can look at the pigmy rabbit. The trend in those populations can be very well attributed to the loss of that habitat—that 50 percent loss or conversion.

Chair Pazina:

Can you please share with us what notifications are posted for the general public to know when these Wildlife Commission meetings are happening and if people can attend—not just in person, but also via zoom to make public comment that way as well.

Mr. Jenne:

I will speak to the process that the Department follows, which is the Open Meeting Law (OML). We follow the timelines. Probably the biggest thing we have in contemplation in preparing for a Wildlife Commission meeting is, absolutely, making sure that the posting of the meeting agenda and those regulations that are being considered are all within the compliance of the OML. Beyond that, as you saw, we can have up to nine meetings a year. We typically have seven of those in urban locations; that means Reno or Las Vegas. Those are open as far as virtual attendance. The other two go to rurals—it is a matter of whether or not the facility that we are using to host that meeting has the accommodations and the bandwidth to carry a virtual attendance. We have been in places while we shop around, and we try to find those accommodations. We have been caught in a situation where we thought we had the Internet coverage, and then got there and ended up in a sporadic opportunity to broadcast. It affected the meeting because we are very committed to trying to get that through. At times, when we end up in locations that do not have it—as it is not available—you must attend to speak. At a minimum of seven meetings per year, there is virtual attendance availability.

Mr. Caviglia:

The one other item I would like to note [is] it has been the policy of the Wildlife Commission—at our meetings—that whenever it is an action item, we take public comment after the initial discussion on every action item. At your meeting today, you have public comment at the beginning and at the end. We allow public comment after every single action item. Compared to most public meetings I have been to, we are very liberal in the amount of public comment we have; the public does get the opportunity to speak to our process, massively.

Mr. Jenne:

One more item that I would also add is a commitment by the Wildlife Commission. They do not workshop and adopt in the same meeting. They will workshop a regulation at one meeting and then at the next meeting, adopt.

Chair Pazina:

Do we have any further questions? [There were none.]

AGENDA ITEM IX—DISCUSSION ON MINING AND MINERAL RESOURCES MANAGEMENT IN NEVADA

That takes us to Item IX on our agenda—a discussion on mining and mineral resource management in Nevada.

Today we will hear from Nikki Bailey-Lundahl, the Vice President of External Affairs, joining us in Carson City along with Kyle Davis from Pinyon Public Affairs.

Nikki Bailey-Lundahl, Vice President of External Affairs, Nevada Mining Association:

Established in 1913, the Nevada Mining Association is the premier trade organization for the entire modern mining industry. At the core of the Association are miners, but also included are the professionals and companies that comprise the entire industry from exploration and discovery, through construction and operation, to closure and reclamation. Nevada's mining industry can be found in every county in this State, whether it is a mining operation or vendor who supplies goods and services. In many Nevada counties, mining is the major industry, the biggest employer, the largest taxpayer, the most philanthropic. In total, the mining industry contributes \$4.6 billion to the State's gross domestic product (GDP) and directly employs more than 15,000 Nevadans in good paying jobs with strong benefits. Most importantly, it produces the metals and minerals necessary for Nevada's homes, cars, and devices. Now and in the future, of the 20 elements currently produced in Nevada, the federal government has designated 4 as being critically important to meet the country's goals for clean energy production.

Nevada mining is the most strictly regulated industry in this State, and a network of federal and State agencies oversee every aspect of the mining process. Operating on less than 1 percent of Nevada's land mass, the industry is subject to the rules and regulations of the BLM, the USFS, the U.S. Fish and Wildlife Service (USFWS), the U.S. Mine Safety and Health Administration, NDOW, NDEP, DWR, and others. The Nevada Division of Minerals—NDOM for short—is an important part of that regulatory network. As the Administrator explained earlier, NDOM has a critical role in the exploration process and the oversight of fluid minerals, such as geothermal and brine-based lithium, yet the Agency does not receive a single dime in General Fund dollars. In addition to the oversight of certain mining operations, the Commission on Mineral Resources (CMR)—and by extension, NDOM—provides critical services to the mining industry and to Nevada in general. *Nevada Revised Statutes* 513.073 requires CMR and NDOM to encourage and assist in the exploration for minerals in Nevada. Thus, the Agency provides an important first point of contact for any person or company who wants to explore for minerals in the State. The Division of Minerals staff explain the rules governing exploration and provide access to important scientific data. As the Administrator explained, NDOM offers an open-ended website that draws from mining-related public records, including those held by BLM and the USFS, and provides a compilation that is not available anywhere else. It is important to the industry, but it is also important to Nevadans as a trustworthy source of mining information. *Nevada Revised Statutes* 513.063 requires CMR and NDOM to advise the Governor and the Legislature on mineral policy. This requirement means that you have a neutral source for information, best practices, and recommendations. The Nevada Mining Association will always offer its perspective and is willing to share mining-related information, but the statutes require CMR and NDOM to collect huge amounts of data and share it with you, so that you have a trustworthy and accurate information from which to make decisions that are critical to Nevada's future.

The Commission on Mineral Resources and NDOM are critical elements of Nevada's mining regulatory system. One of which is the most robust in the world. Other states and countries look to Nevada as a model for balancing economic productivity with environmental sensibility. Without this important Agency, the system would have significant gaps. The Nevada Mining Association might not always agree with NDOM, but we do not have any recommendations for changes in their structure at this time.

Kyle Davis, Pinyon Public Affairs, Representing the Nevada Mining Association:

As you just heard from Ms. Bailey-Lundahl, the Nevada Mining Association is the premier traders' organization for the entire mining industry. I have the privilege of handling the environmental affairs for the industry. As I am sure many of you are aware, there are a host of laws and regulations governing the mining industry on the federal, state, and local levels. I would like to walk you through a brief description of the laws and regulations that mine operators are responsible for complying with. The average mine takes seven to ten years to permit before a single shovel of dirt is moved. Many mines take more time than this; very few take less. The most recent project in Nevada to receive a record of decision from the BLM took over 12 years, and that is before construction has even commenced. Most of the time to develop a mine is spent in permitting, the construction phase generally only takes about one to two years. This entire process from discovery to opening is governed by State and federal law. Once the mine is opened, all operations are governed by State and federal law. Finally, the process for mine closure and reclamation is governed by State and federal law. You can start to see why mining in Nevada is the most regulated industrial process in this State.

What does all of this look like? All of the different parts of the mine development process are governed by different government agencies. The filing of claims and exploration for minerals is governed by NDOM and the BLM or the USFS. Once a potentially economic deposit is identified, environmental review is commenced through NEPA. This process allows for vigorous public involvement along with involvement from other cooperating agencies, which can include State and local governments. Through this process, potential impacts to Nevada's air, land, water, and wildlife are identified and plans are developed to avoid, minimize, and mitigate these impacts. One example of this is the Conservation Credit System through the Nevada Sagebrush Ecosystem Program. This is a sophisticated State-based program that accurately accounts for the impacts of sagebrush habitat and prescribes appropriate mitigation strategies. The NEPA process also requires community engagement and government-to-government consultation between the federal agencies and local tribes. There is also a process to account for potential cultural resources. All in all, the mine permitting process allows for significant public involvement; significant analysis of potential environmental impacts; and significant procedures to avoid, minimize, or mitigate these impacts. After all of these procedures have been completed, including any legal challenges, a mine may commence construction. As I mentioned before, the construction phase is much shorter than the permitting phase. During this process, and throughout the life of the mine, an operator must obtain permits from NDEP for any potential impacts to air, land, or water. Any violations of the terms of these permits are punished by penalties that range from fines to shutting down entire operations. Luckily, this rarely happens as mine operators in Nevada take great care to ensure that they are operating within the terms of their permits. If the plan of operation for a mine changes, the operator must go through all of the same processes that I already outlined, complete with robust public involvement.

At the end of a mine life, every operator must have a plan for closure that must be completed before a single shovel of dirt is moved on the site. This plan must ensure a productive post-mine use for all land on a mine site and must be approved by NDEP. The

State and/or the federal agencies hold bonding to ensure that this reclamation takes place in the event of a default by a mine operator. The State currently holds over \$3.5 billion in bonding to ensure this. All in all, the regulatory structure for mining is extensive, robust, and comprehensive. Nevada has the highest standards for mining reclamation and of regulation of any jurisdiction in the country and the world. This is done through a number of regulatory agencies including NDEP, NDOM, DWR, the Sagebrush Ecosystem Program, the BLM, the USFS, the USFWS and many, many others. Other jurisdictions look to Nevada as the gold standard for how to regulate mining rights. Nevada miners are proud of their record of producing the minerals necessary for our daily lives in an environmentally responsible manner.

Chair Pazina:

Do we have any questions?

Vice Chair Anderson:

As you mentioned—so many regulatory bodies. Are there any that are also done at the county level, or are they all at the State and federal level based upon how large some of these are? Are any of our counties ever involved in these discussions as well?

Mr. Davis:

Most of the regulations do exist at the State and federal level, but to the extent that a mine operation is located on private land within a county, then there would be local government involvement—potential special use permits or other things like that. Obviously, all mine operations very much want to work with those local governments to make sure that the operations—even if it is not required by law or regulation—that they are doing things in a way that is benefiting the local community.

Vice Chair Anderson:

Keeping with the county idea, how has the mining industry helped different counties across our State? I am thinking in particular of our schools—what a surprise for that. But how often does the mining industry, in particular, go to help our schools in different ways of teaching and/or helping with other organizations such as the Boys and Girls Club?

Ms. Bailey-Lundahl:

I can compile that information and give that to everyone on the Committee. We work with NDOM for teacher workshops. Our taxes go directly to fund education within the State, and we have a variety of different programs within each one of the counties of the State through Boys and Girls Clubs and other avenues to help with education.

Mr. Davis:

I would also note, and my colleague here noted, the philanthropic efforts of the mining industry. If you look at every level of education in Nevada, from pre-K all the way through our university system, you will see dollars from the Nevada mining industry that goes into helping many, many programs in those areas.

Assemblywoman Bilbray-Axelrod:

I was curious—what is the status with Nevada Superfund sites? How many do we currently have? What is going on with those, and where are they?

Mr. Davis:

There is, to my knowledge—and I looked this up a few days ago—one Superfund site in Nevada. It is the Carson River area, and that is historic from the mining area of the Comstock back in the 1800s. Certainly, modern mining practices have many safeguards built in so that a situation like that does not happen again. The only site that we have is from historic practices back in the 1800s.

Assemblywoman La Rue Hatch:

My question is along the lines of reclamation. I think you mentioned that a mine cannot open unless there is a plan for it to close. I wondered if you could speak to either the regulations or the standard practice for what it has to be returned to. Does it have to be exactly as it was before the mine was open? Does it mean that someone has to be able to use it—like they could put up a parking lot—and then it is good? What does the reclamation process look like?

Mr. Davis:

I do not have the regulation in front of me, so I could not tell you exactly all of the different pieces of this. This is all outlined in regulation with the Bureau of Mining Regulation and Reclamation where they outline the entire process of what a reclamation plan must include. The standard is a productive post-mine use. In some cases that is revegetating the area and making it look very similar to the way it was before. What we are seeing a lot lately is the idea that because a lot of our mine sites already have energy transmission going to them for operating the site, we are seeing this as a very attractive place for renewable energy development after the mine is closed. That is one example of something that could be done in a reclamation plan to where that would be a productive post-mine use even if it does not look exactly like it did prior to mining starting.

Assemblywoman La Rue Hatch:

I think that helps shed a little bit of light on there. When you use the word “productive,” is there a definition? Could it be economically productive, or does it have to be productive for the environment? Is it up to interpretation? How is that word being interpreted?

Mr. Davis:

Without having the regulation directly in front of me, I do not want to answer with complete certainty. My understanding is this is the word that exists in the regulation, and it is something that is enforced in that process. Realistically, it is probably a question that is better for the Bureau to answer rather than me.

Chair Pazina:

Do we have any further questions? [There were none.]

I would ask, Mr. Davis that, if you have an opportunity to take a look at that regulation later and connect with the Bureau, maybe they could get back to us afterwards, or you could follow up with the Committee.

Mr. Davis:

I would be happy to.

Assemblyman DeLong:

Chair, a quick point along that. If we are going to get information to the Committee, I think it would be advisable, since most mining in Nevada occurs on public land, that we get 43 C.F.R. § 3809 included in that package because that drives a lot of what that post-mining land use looks like.

Mr. Davis:

Yes, absolutely.

Chair Pazina:

I am not seeing any further questions.

AGENDA ITEM X—DISCUSSION ON CONCERNS REGARDING THE COMMISSION ON MINERAL RESOURCES AND THE DIVISION OF MINERALS

Chair Pazina:

We are going to move to Item X. It is a discussion regarding concerns with CMR and NDOM. We will be hearing from John Hadder, the Executive Director of the Great Basin Resource Watch, and Fermina Stevens, Executive Director of the Western Shoshone Defense Project.

John Hadder, Executive Director, Great Basin Resource Watch:

We are speaking on behalf of our organizations. Great Basin Resource Watch, Western Shoshone Defense Project, the Center for Biological Diversity, and the Progressive Leadership Alliance in Nevada (PLAN) all compiled this composition (Agenda Item X A-1). We represent a broad constituency across rural and urban Nevada, including directly affected peoples.

The critical part is who is affected by mining. Mining affects Nevada significantly in many ways, changing communities, land, and the water systems for indefinite periods of time. We all know some of the benefits of mining. We just heard about that. Some of the things that all Nevadans have to grapple with—water is a big part of it. Many of you heard a bill was introduced last session to deal with this issue of mining pit lakes—the amount of water that would end up in those mining pit lakes, and how they would affect lands around Nevada for indefinite periods of time to do their drawing.

Another area in which water is affected significantly is in the dewatering process, which is required to keep mining operations dry. As you can see in this map, it shows how far-reaching the dewatering effects are, including many, many miles away from where the groundwater pumping is occurring—often, recovery times on the order of decades to hundreds of years to recover.

Fermina Stevens, Executive Director, Western Shoshone Defense Project:

If we are going to protect the future of Nevada, we need to look at all angles and effects of mineral extraction. Negative effects, including those to the natural and spiritual landscapes are significant to the Shoshone people. For instance, the White Cliffs at Mount Tenabo is significant because this place that used to be a place of prayer is no longer used due to the damage and degradation that mineral extraction has caused.

As our elder, now ancestor, Joyce McDade stated, "How can we pray to our creator when the place is being blown up?" This place of prayer has been ruined. It is damaged; it cannot be reversed. It is forever.

Other communities are also directly affected, such as our friends, neighbors, and the ranchers near Mount Hope—near central Nevada. They also have significant concerns. Their concerns of toxic dust, drainage, toxic smoke, traffic, noise, and the lack of water has the potential to damage their livelihood. This warrants recognition. As you now know, the negative effects are real. They are significant, and they must be taken into consideration if we want our great State of Nevada to remain healthy for all living things to thrive.

Mr. Hadder:

Our first point on the composition of CMR—it is necessary that Nevada have oversight bodies to deliberate on policies and regulations needed to ensure the safe and least damaging operation of mines. The Commission on Mineral Resources is one of these oversight bodies with responsibilities that involve technical aspects of mining but also mineral policies, which affects all Nevadans in some way or another, most of whom derive no income from the mineral industry. The Commission on Mineral Resources needs to be able to discuss, in a just way, regarding policy and regulations without conflict of interest. The CMR does address technical aspects of mining, so we agree that some representation on the Commission with mining background or people connected to the mineral industry is useful and needed. At the same time, the CMR can always call on staff at NDOM to clarify technical aspects. We currently view the composition of the Commission as unbalanced, with virtually all members whose income is either directly or indirectly connected to the mineral industry. We have the following recommendation.

Ms. Stevens:

Our recommendations are that: CMR should have representation from directly affected communities; the majority of seats on the Commission are not held by people who derive their income directly or indirectly from the mineral industry; there be at least two Indigenous seats—the most affected peoples; two seats for the non-Indigenous affected community people; up to three mineral derived income seats with technical expertise; and appointments are to be made in the same manner as the Mining Oversight and Accountability Commission (NRS 514A.040).

Mr. Hadder:

Our second perspective—CMR and NDOM should not advocate on behalf of the mineral industry. *Nevada Revised Statutes* 513.073 explicitly states that the duty of NDOM, and by extension CMR, as an oversight body, is to promote and facilitate mineral exploration. The Division of Minerals is a regulatory agency on well drilling, oil and gas, dissolved minerals, and to some extent, reclamation. A fundamental regulatory principle requires the Agency that is regulating a business or activity should also not be advocating on its behalf of that

business or activity. We feel like this violates neutrality, and that is needed in the Agency, so our second recommendation is that NRS 513.073, be amended to remove the following duty: "Encourage and assist the exploration for and production of oil and gas, geothermal energy and minerals within the State." I will note that "assist" may be useful for the industry to understand, but it is really the encouragement part that we are concerned about as a conflict of interest.

Our third point is related to public education. The Division of Minerals has an educational component, as you have heard today. The duty seems to align with the directive to promote mineral exploration as outlined in NRS 513.043. The phrase, "educate persons engaging in those enterprises and benefit those enterprises" would seem to require tailoring educational materials for the mineral industry and to benefit the minerals industry. We find this to be unacceptable, which results in educational information that, in our view, lacks balance. The Division of Minerals has an entire web page dedicated to general mining education under the title, "All About Mining" that includes resources for educators as you have already heard about today. In this regard, it is very important the information provide the full scope of consequences of mining. In reviewing the educational materials, it is clear that the damaging effects of mining are not completely represented; some perspectives are not present at all.

For example, acid mine drainage. This is a severe problem at mine sites, including in Nevada. Surprisingly enough, for example, the Phoenix Mine, which is shown here, has an acid mine drainage situation, which will go on indefinitely and require intergenerational management. These kinds of issues are not well addressed in the education program.

Also, the fact that there are severely affected pit lakes in Nevada as a result of mining—and we do not know when they are actually going to get cleaned up even though most of them are probably not as bad as this one for sure. These are some of the effects. Also, there are Indigenous perspectives that seem to be missing.

Ms. Stevens:

It is also important in these changing times that we find balance in educating the public in all aspects of mineral extraction. The protection of natural laws—land, air, water, and sun—is important because, as stated by Carrie Dann, when these are gone, we are "walking towards a spiritual death." This is true for all of humanity.

In the words of Joe Kennedy, "Had there been meaningful consultation and valuation of Indigenous perspectives on these projects we would not see losses of biodiversity, cultural landscapes, water and air pollution that we see today." As an Indigenous peoples, we have knowledge and understanding that some do not comprehend, but if you open your minds and listen, you will recognize that we are not the problem; we are the solution to many of the extremes we are witnessing today. An entire group of people's culture, traditions, and spirituality is in jeopardy due to damages caused by mineral extraction, and this is not shared in any of the public information. Yes, the reality is difficult to address, but together we must find and maintain balance. As lawmakers in a state where mineral extraction is expected to increase, it is time to acknowledge, protect, and respect God's given laws, land, air, water, and sun so all beings can live healthily into the future.

Mr. Hadder:

If NDOM is to provide information on educational materials on the mineral industry, then it must provide the full range of consequences, good and bad. This is another reason to have a more balanced representation on CMR.

To remedy this, we have two options we thought of. One is that, when we look at NRS 513.073, Section 2, which is the “collect and disseminate” clause in NRS—completely eliminate that. If we did that, NDOM would have no educational responsibility. This means that much of the information that it does gather, this noneducational—just informative—will have to be housed elsewhere. Option B—would be to rephrase Section 2 to say, “Collect and disseminate throughout the State information regarding all aspects and consequences of mineral exploration and extraction” In this way, it puts an emphasis on the need to seek out all sources of information. This option would allow NDOM to consider much of its information gathering, as it has been doing, but also require the Division to represent all consequences and damages done and reaching out to people and entities in addition to the Nevada Mining Association, UNR mining faculty, U.S. Geological Survey (USGS), et cetera. This will be needed to fulfill this charge. We think that the Commissioners and Divisions have been operating under the NRS the way they are supposed to. We are not criticizing what they have been doing, in the sense, but we think that NRS needs to change so that the responsibilities change.

Chair Pazina:

We have a question.

Assemblyman DeLong:

I have a couple of questions on two different topics they have presented on. First, as it relates to the education—we heard from NDOM that the curricula they develop and present in the schools meets the core curricula that is required for K through 12 education, so I guess you are suggesting they put other things into that. Have you reached out to the Division to suggest what might go into that?

Mr. Hadder:

Not necessarily suggesting they put other things into—I think there are components of the curriculum that are being met. The question is, “How is it being presented?” We have not, at this point, had a discussion with NDOM. We are happy to do that, but we feel as though if the NRS is changed in such a way that helps to reinforce the Division to seek out alternative points of view. I think that would be helpful. They have a lot of resources at their disposal to do so, and a lot of affected peoples do not.

Assemblyman DeLong:

Just to follow up on that—I think reaching out to NDOM probably would be the most effective way rather than trying to get the Legislature to revise a statute to try and change the curricula. As it relates to the CMR composition itself, your presentation implies the Commission should not be advocating for the mining industry. Are you suggesting that all commissions that the State has, whether it be a commission related to gaming, or to energy, or to wildlife should not be advocating for those industries; or are you singling out mining?

Mr. Hadder:

Essentially, our point is that if we have an agency that supposedly has a regulatory duty, then it should not be advocating for it, so that would not just apply to the mineral industry in my view, and the Commission sort of follows from that.

Assemblyman DeLong:

I would love to see your proposals for all the other commissions.

Mr. Hadder:

There are plenty of people you can talk to about that.

Assemblywoman Bilbray-Axelrod:

Are there still communities where it is recommended to be on bottled water? I know that near Yerington that was an issue a few years back. I am curious if we had other communities that were still suffering.

Ms. Stevens:

I believe the community of McDermitt is currently on water restrictions and their water table is lowering quite severely.

Assemblywoman La Rue Hatch:

Looking at the recommendations for the changes to CMR, and looking at Recommendation —adding seats for two Indigenous representatives—I wondered if you could speak to what extent is the Commission currently working with Indigenous communities, and to what extent is that voice currently being represented on that Commission?

Ms. Stevens:

To my knowledge, I do not know that they reach out at all. I could be wrong, but I have not heard of that happening.

Mr. Hadder:

Certainly, there is no representation on CMR itself. There are no Indigenous voices on the Commission. That is a key aspect—they be in a place of decision-making and policy making.

Vice Chair Anderson:

Is there anybody from the CMR that could possibly also answer that question?

Chair Pazina:

Is someone from the CMR present who could answer that for us?

Robert Felder, Previously Identified:

I am not aware of recent interactions with Native Americans and Indigenous people—does not mean it does not happen. I would like to ask Rob. Although he is not on the CMR, he is very aware of the communications that have gone on.

Robert Ghiglieri, Previously Identified:

With the CMR, there has been minimal interaction recently, due to the fact that we do not regulate mining in any aspect. The most recent interactions, directly, were when we were developing the hydraulic fracturing regulations, and those were direct interactions because of the locality during that time of putting those regulations in and the locations that the wells were being proposed to be hydraulic fractured, so there was tribal engagement during that time. Commission meetings are public meetings open for public comment and always open for tribal to give, come, and present to us. Like I said earlier in my presentation (Agenda Item VII A-1), it is a part of the Biden-Harris Administration, and all mining moving forward, that there is early engagement and tribal communication with any mining operation. We continue to advocate for that any time when there is a new company that spends the time to sit down with NDOM or CMR. We advocate early and often to communicate with tribal and local communities first, as well as with the State and federal land managers.

Chair Pazina:

I would ask that our tribal members who have come forward, if you have the opportunity to have those conversations, please do. I think that is so important.

Assemblyman Gurr:

This is a question for Mr. Hadder. Last session, you were talking about pit lakes. It seems to me you have a pretty good familiarity with large-scale mining, and in that capacity, have you ever applied for the CMR?

Mr. Hadder:

No, I have not. I would assume that it might be seen as a conflict of interest in some ways with the communities that we work with because of the fact that the Commission has a role of promoting the industry. We try to enter into communities as a nonpartisan public interest group, so I assume there could be complications along those lines. So, I never did. I also assume that I would not get appointed.

Ms. Stevens:

I think it is really important at this time that we look at and listen to indigenous perspectives at all levels because our world, and our habitat, and our environment is changing due to climate change. For whatever reason, it is happening. We have knowledge that you do not find in books, so I think it is important if we are going to maintain balance, like I said earlier, and if we are going to protect those things that are the most important that live in the environment, then it is important to listen and have those discussions. I know it is hard, but it is necessary.

Assemblyman DeLong:

The group that is presenting right now is advocating for a change in the composition of the CMR. I think they are actually advocating for something bigger than that, and that is a change in the policy of the State relative to a specific industry, and that really is the job of the Legislature to decide what is the policy of the State toward mining. I think that is the discussion that needs to happen first, if it needs to happen at all, before we start talking about changing the composition of the Commission. Chair, if this goes anywhere, is the State going to be promoting the mining industry, just like many other industries, or are we going to select out one industry to not support anymore. I think that is the operative issue in front of this interim Committee.

Chair Pazina:

Thank you for your comments because this is an interim Committee of the Nevada Legislature, and these are obviously issues that we are deliberating on it. I think it is important that we receive all perspectives.

Are there any other questions from the Committee? [There were none.] That concludes Item X on the agenda.

[Mr. Hadder and Ms. Stevens submitted written testimony (Agenda Item X A-2) for the record.]

[Mr. Hadder submitted a letter (Agenda Item A-3) for the record.]

AGENDA ITEM XI—DISCUSSION ON HUNTING AND WILDLIFE MANAGEMENT IN NEVADA

Chair Pazina:

We are going to get started on Item XI, which is a discussion on hunting and wildlife management in Nevada. We have two presentations under this item. First, we will hear from Larry Johnson and Kyle Davis, representing the Coalition for Nevada's Wildlife.

A. COALITION FOR NEVADA'S WILDLIFE

Kyle Davis, Previously Identified, Coalition for Nevada's Wildlife:

I am primarily here to provide technical assistance, so I will turn things over to Larry to introduce himself and go through our presentation (Agenda Item XI A).

Larry Johnson, President, Coalition for Nevada's Wildlife:

While our wildlife resources belong to all of the public, it is the sportsmen of the State who fund and provide the great majority of the protection and enhancement. While sportsmen provide over 95 percent of the budget for wildlife management, we are only represented by approximately 56 percent of the Wildlife Commission positions. The other positions are held by the general public, conservation, ranching, and farming. Other State boards are exclusively their own special interest. For example, agriculture significantly affects wildlife; however, we have no representation on their Board. We are nearly a \$1 billion economic driver to the State each year, but we have no representation on the Board of Tourism (Commission on Tourism). Similarly, mining has great impacts to wildlife, but we have no seat on the Commission for Natural [Mineral] Resources, nor do we want these positions.

The Wildlife Commission is the most democratic, diverse Board in the State because they represent sportsmen with our representatives that come from all walks of life, all ethnicity, all religions, rural-urban dwellers, and all age groups from kids to the elderly.

Sportsmen are not content to just support our wildlife with our license tags and special excise taxes. Private sportsman organizations have donated tens of millions of dollars and have provided tens of thousands of volunteer man hours in a great partnership with NDOW. We have restored wildlife populations that were nearly, or entirely, extirpated during settlement of the State. This graphic shows the original range, the range reduced by settlement, and the current ranges of bighorn sheep due to the reintroduction efforts that are the most ambitious efforts in the country. From near extirpation levels, we now have more bighorns than any other State other than Alaska. We also have more elk, antelope, and mountain lions than any time in recorded history; increasing bear populations; and a new moose population—and on and on.

This slide shows, in yellow, the range of antelope that have been restored to the State in the last 40 to 50 years. On the right, shows the range of Rocky Mountain elk that have been spread across the State, both from pioneering and these efforts.

[Mr. Johnson shared a video, without audio, of California bighorn sheep being released into the wild.]

This is pretty exciting. This was two weeks ago on top of the Montana Mountains. We are releasing California bighorn sheep into this mountain range. They were caught the day before in the Sheep Creek Range. One sportsman's organization wrote a check to completely cover the costs of this capture and release.

Our volunteer man hours building year-round water developments—guzzlers expand viable habitat for all forms of wildlife, from bugs to bats, to birds, to big game in the driest State in the Union. Nevada's Department of Wildlife tracks and uses these man hours as a State match for federal funding, also sportsmen's dollars—Pittman-Robinson funds—to completely fund two full-time water development crews—one north, one south in the State, including all salaries, construction, equipment, and materials for water development. As you see, everything uses this; that is a spectacular picture of those bighorn rams in the upper left and in the lower right is a pair of ringtail cats. How many of us have seen these little rare nocturnal animals that frequent these water developments? It is absolutely amazing.

We finance major habitat improvement projects, such as wildfire restoration, with donations and proceeds from special big game tags inspired by sportsmen and passed by the Legislature. Heritage Tags, Silver State Tags, and Dream Tags have raised millions of dollars each for these purposes. As always, the genesis lobbying for passage and the continued support comes from the sportsman community.

As you see, just with the Dream Tag, they have funded over 60 projects and raised over \$4 million and have expended, I believe with federal funds—a \$30 million contribution. These are examples of the projects funded by the specialty game tags.

No other state has the level of sportsman involvement, private funding, and volunteerism that Nevada does. The Nevada Department of Wildlife is an almost entirely user-funded Agency with us that provide the lion's share of funding, holding a slim majority on the Wildlife Commission. I would ask our detractors, "How much funding or volunteer man hours have they invested in Nevada's wildlife?" All we really ask for is the scientific management of our wildlife resources, and we are talking about biological science. We are

not talking about emotion-based decisions of wildlife management. We have more than earned our level of representation.

Assemblywoman Bilbray-Axelrod:

We had the opportunity to meet recently, and your stewardship for the State of Nevada is, honestly, unparalleled. It took me a while to sort of wrap my head around the fact that sportsmen can be stewards—as someone who does not hunt myself. I appreciate what you have done. My former colleague, Greg Smith—I do not know if he is still there—but learning about his hunt for the wild goat was quite amazing.

Mr. Johnson:

Hunters are the ultimate wildlife conservationists in this State. We put our money and our sweat equity where our mouth is on this subject.

Assemblywoman La Rue Hatch:

Thank you for presenting all this information, especially on the conservation efforts, which I think are very important. I noticed on your slide, and it was mentioned in previous presentations as well, the phrase that it is “the most democratic and diverse Board in the State.” I wondered, and you may not be able to answer this—maybe we will have someone from the Commission come up—but could you speak to the racial and gender makeup of the current Commission right now as it reflects that diversity?

Mr. Johnson:

Yes. My comment was those representatives represent the most diverse group in the State. As one of the leaders of sportsmen in the State, I want the most qualified people. I am a Native American. I could care less about the gender, the religion, the political affiliation, any of the diversity issues on a commission. I want the most qualified people, and that is what our Commission is selected from.

Mr. Davis:

One note that I would make on this subject, because it is obviously coming from previous presentations and has been a topic of discussion—certainly in our view, the role of the statute and what I think is the role for most boards and commissions in this State, the role of the statute is to set the qualifications of the members of individual boards and commissions. In terms of determining who ought to serve in these roles and making whatever balance that appointing authority might want to see on that board or commission—that is really up to that appointing authority because the statute does set forth those qualifications. But ultimately, at least in the case of the Wildlife Commission and the CMR, which we have discussed today, that appointment comes from the Governor. The Governor has that ability to shape that board or commission based upon what he or she might want to see—is the makeup of those boards.

Mr. Johnson:

I think the history of this Commission shows that, for example, Ms. Tina Nappe, who was a Sierra Club executive and served on our Wildlife Commission for extended periods—and honorably—was one of our strongest supporters. I believe you have correspondence in your record from Ms. Tiffany East who served as Chair of the Wildlife Commission—extremely talented and competent individual. I go back to my earlier comments that when we are

talking about management of our natural resources, I want to see the most qualified people available appointed to that, and certainly through the selection process, our Governors have done that.

Chair Pazina:

Is someone from the Commission available who could also respond to that question?

Kailey Musso, NDOW:

I did not know if we had Commissioners still in Carson City, so I came up since our ones down here left. Currently, there is one female on the Commission. I do not have data on the racial background. I can supply that for you, if requested. I would like to add that it depends on applicants that get submitted [apply] for those positions. I have actively tried to recruit females to apply for Commission seats in the past, but as you are aware, \$80 a day plus a significant time commitment, and the materials provided to the Commission they need to study before Commission meetings is a significant time commitment for applicants. I do not know if that is part of what is going into the decision to not apply. I do not want you to think we are not trying.

Shane Rogers, Previously Identified:

Ms. Musso summed it up from a specific diversity aspect, but I think a lot of the things that get missed sometimes from a diversity standpoint is—and I think it was touched on earlier by Chair Caviglia in his presentation—the fact that we are one Board; however, we are nine individuals, and that diversity comes from a diversity of backgrounds of industry and experience, both on the business and the conservation side of things. I think other than race, gender, color, creed, there is a tremendous amount of diversity in that existing Board as it sits.

Chair Pazina:

Mr. Young, I noticed you there as well. Do you have anything to add?

Paul Young, Previously Identified:

Ditto.

Senator Scheible:

Since we are talking about different kinds of diversity, does anybody have an idea of the age diversity? Do we have young people serving on the Board? Do we have people in different phases of life who serve on the Board right now?

Mr. Young:

As to the age, I think we range from the late thirties to late fifties. I am guessing. Maybe Kailey has the hard numbers, but that would be the range of age.

Senator Scheible:

That is okay. I would not expect us to ask people their age before we appoint them to a board. I was looking for a general idea and that helps me get a picture.

Chair Pazina:

Any more questions from the Committee? [There were none.] We are going to stay on Agenda Item XI.

Next, we will hear from Henry Krenka, President of the Nevada Outfitters and Guides Association.

B. NEVADA OUTFITTERS AND GUIDES ASSOCIATION

Henry Krenka, President, Nevada Outfitters and Guides Association:

These are issues of concern of the guiding industry: our predators; habitat; and management are the main ones, and I would like to address these issues briefly. Not only does predator control help manage wildlife population, but it also keeps predators from overpopulating and helps to avoid outbreaks of disease such as rabies. Controlled management of the predator results in less diseases. Management of predators also has an impact on wildlife. Myself, I have witnessed ten coyotes take down a 300-pound calf right in in our hay meadow. If this can happen while being witnessed, can you imagine what they are doing to the wildlife, out in the forest, and the wilderness areas?

Loss of habitat occurs [from] overgrazing and wildfires. Overgrazing and wildfires—in public grants—are the result of poor management by government agencies. Management of the wildlife has been damaged due to the lack of support from the Wildlife Commission. They do not have the best intentions when it comes to managing wildlife. They do not support the public and sportsmen when issues regarding wildlife are brought to them. The Nevada Outfitters and Guides Association, guides, and other outfitters, sportsmen in Nevada, and the county wildlife advisory board members have attended meetings and felt that their concerns are ignored. I would like to say that I agree with everything Mr. Johnson said in his presentation.

Chair Pazina:

Do we have any questions?

Assemblywoman La Rue Hatch:

I would like clarification. If there is a lack of support, or there is an issue with the Commission, what is the proposal to address that?

Mr. Krenka:

In the past—I have been president for 15 years, and I have been going to county deals, and I have been going to the Legislature and the State wildlife deals. It depends. I believe right now we have good representation. We have a good Director. I think things are going to change for the better. But what bothers me—we get a new Governor in there and he is going to appoint a different Director, and everything can go totally the opposite way. I feel that we need to have more people on the Board that are from the outlying areas to spend more time out in the field. That is where you learn what is going on—as you are actually out there in the field with them. The Outfitters—I am not saying we know what is best, but we are out there almost year-round. We see what is going on, and when we come to these meetings, and we tell commissioners what we see, and personally, they just look at me and go on to the next agenda. I have attended workshops, and like I say, this is in the past, but I am supposed to have three workshops. The one they gave me was three minutes at the

podium, and that was it. No questions, no nothing. Once you are up there, you cannot go back up again.

Chair Pazina:

Do we have any more questions for Mr. Krenka? [There were none.]

With that I will close Item XI, and move us into Item XII, which is a discussion on the composition of the Board of Wildlife Commissioners and Commission on Mineral Resources.

AGENDA ITEM XII—DISCUSSION ON THE COMPOSITION OF THE BOARD OF WILDLIFE COMMISSIONERS AND THE COMMISSION ON MINERAL RESOURCES

Chair Pazina:

For our next presentation, we will hear from Mr. Patrick Donnelly, the Great Basin Director for the Center for Biological Diversity, and Laura Martin, Executive Director of the Progressive Leadership Alliance of Nevada (PLAN).

Patrick Donnelly, Great Basin Director, Center for Biological Diversity:

We are going to talk about equity and justice in the composition of the natural resource boards and commissions (Agenda Item XII). I will start by saying there are a whole lot of policies we could come up here and debate about wildlife and mining that are concerning. But this presentation is meant to focus strictly on the composition of these boards and commissions, and how more representation within those boards and commissions could lead to better policy.

I will not belabor this slide too much, because I think we have heard about it quite a bit today. The Wildlife Commission and its composition is established statutorily, and it is heavily slanted toward hunting, ranching, and farming, which are uses of wildlife that typically revolve around killing wildlife, and the geographic representation limits the overall number of commissioners to three from Clark County. The CMR is composed of members of industry, and you will note it is almost exclusively formed by members of industry except for one member to represent the general public, and the person appointed in that position right now also comes from industry.

I will focus on what that all means in relationship to the population of Nevada. With regard to the Wildlife Commission and geography, Nevada's total population is 3.2 million people, and Clark County has 72 percent of those people. And yet, the Wildlife Commission limits the amount of people in Clark County to 33 percent of the Commission. This means that a huge amount of Nevadans are underrepresented on the Wildlife Commission. You can look at these comparative numbers for the other categories. You can see that Washoe County is actually overrepresented on the Wildlife Commission, and the remaining counties—the rural counties—are vastly overrepresented on the Commission, comprising 45 percent of Commission seats with only 12 percent of the population. This puts Clark County residents at a distinct disadvantage as to having their interests represented on the Wildlife Commission.

We can also see these disparities in terms of how people interact with wildlife, hunting, and fishing. License holders comprise about 3 to 4 percent of Nevada, people employed in farming or ranching compose less than 1 percent of Nevadans, and yet hunting and fishing license holders comprise 56 percent of the Wildlife Commission seats, and farming and ranching get 22 percent of Commission seats. This is vastly overrepresenting the interests of those sectors on the Wildlife Commission relative to people who do not hunt and do not farm. We do not exactly have a metric for people who are conservationists in the State of Nevada. That is not really a metric we have. But I did look at a recent poll from Colorado College to get a proxy for people who support conservation, and that is people who support the 30x30 Initiative, protecting 30 percent of lands and waters by 2030. That was 79 percent of Nevadans who support conservation of lands. Allowing that is a very rough proxy for the number of conservation supporters in the State. The conservation interest on the Wildlife Commission is just 11 percent of members. That is one member. We might haggle over the number 79 percent, but we can see there is a disparity between the general support for conservation across the State in a non-extractive manner and the 11 percent representation on the Commission.

Laura Martin, Executive Director, PLAN:

I like to say I have the most diverse Board in the State. I am happy to be part of this presentation with my dear colleague, Patrick, because I grew up on the front range of the Rocky Mountains in Colorado Springs. Pikes Peak was my 14,000-foot compass in my neighborhood. I am also 1 of 13 kids, so I spent a lot of time in nature because that is free—spent a lot of time camping, fishing, and hunting in the mountains. Moving to Nevada in 2007—it was just so different the way people engage with nature, engage with wilderness, and also, frankly, are educated about it. It was a required part of my curriculum as a public school student, and not just to lobby for mining, but also to understand the history and the role we play in the future of having access to our wild lands.

Everybody knows Nevada is very diverse in ethnicity. We get that information from the census, and we know our business partners use that information to advocate for businesses to move here to talk about how diverse our State is. We can look at these numbers; we can read them ourselves. We have close to one-third of our population identifying as Latinx, AAPI, Black Nevadans, Native Americans—and of course White. We do not track the racial and ethnic makeup of these boards, but if we want to think about the wide range of diversity, maybe we should, as well as the diversity of age, physical ability, and gender. We have already pointed out that some of these boards only have one woman on them or two women on them. I heard someone say it is hard to recruit women. I would not want to be on those boards either. I want to make sure I am part of a commission and/or board that is about the education and the survival of our wildlife, of our wild lands, and not necessarily about the lobbying and the preservation of these industries that extract wealth from our State.

Why we say representation matters—as our State continues to grow, we know that we are still a small government State that relies on a lot of volunteer or low-paid boards and commissions to, basically, effectively move policy and maintain a lot of industry. We need to make sure that we are showing that Nevada is for everybody, not just the close-knit, good old boy people who have always done it, and then they recruit their friends when it is time to retire. How are we tapping into students in the different colleges, or teachers, or professors, or retired parks managers? How are we ensuring that if we are going to use the science, our science is part of this, and being sure that we are looking at racial and ethnic diversity, gender diversity, geographic representation—there are wild lions right outside this window, past the cemetery—and also a diversity of interest in our natural resources. It is

okay, the world is not going to end if somebody on this Commission does not think that our public lands are just to make us money. It is okay if we think about the ecosystems and the preservations of our State as well. A lot of these commissions are heavily dominated by industry, and it almost feels like—especially with NDOM—that it is a State-funded lobbying firm. We have to consider—is that what we are using our very limited State resources on—funding a State agency that is lobbying for a multibillion dollar—probably a trillion dollars now—industry? The current structure of these boards and commissions—they disenfranchise a lot of frontline and Indigenous communities, and unfortunately, as the planet continues to heat up, the front line is also moving. Right now, the Grant Sawyer Building is in a heat island. That is also the front line of the way that our world is changing, and making sure that people who sit on the boards and commissions reflect not only the people that live in rural counties, not only people who like to hunt and fish, but also people who just love this State and see it as an education, a way to educate people, and a way for people to deepen their love of this State. The Progressive Leadership Alliance Network is very intentional about who is on our Board. And I do think the Commission should be very intentional about who they choose for their boards and why. I am proud to do this with Patrick who is a fearless advocate for all of this work. I am sure there are people grumbling behind us and on the phone to hearing his name, but that is good. That is the work that needs to be done because our public lands are worth it.

Mr. Donnelly:

I will add one more thing, and that is, we are not making specific recommendations for allocations of seats here. This is a complex topic that will take more debate than can be had in one day in this room. We do recommend that you put forward a BDR, or multiple BDRs, to change the compositions of these commissions, and that we have a robust debate about that during session where it would have the time it needs. Clearly, Indigenous representation is quite important, and the other types of representation we have been talking about here. We did not make specific recommendations in this talk because it does require quite a bit of input and debate.

Chair Pazina:

Assemblyman DeLong has a question.

Assemblyman DeLong:

I was going to ask a question, but you actually did not make any recommendations, so I will just have something to say. First off, you implied that NDOM is funded by the State. It is not; it is funded by fees from industry, whether it is mining claims or permit fees. There are no State funds that go to supporting that Division or the Commission. I appreciate all the information you provided about the various demographics of the State. It is interesting to have that information. I am going to reiterate my previous statement before the lunch break; this is a policy discussion that we are having about what commissions should be charged with, and that is for the Legislators to decide. Discussing what the composition of the boards are at this point is premature. If you really want to have a policy discussion about these commissions, it should be, "What is the policy that the commissions or the divisions are promoting?" That is set by the Legislature.

Chair Pazina:

Again, I think the reason that these interim committees are so important is because it allows us to bring these discussions out and to have opposing voices, share their passionate thoughts toward policy and legislative action prior to the start of the next legislative session. I appreciate everyone's involvement and engagement here today.

Assemblywoman La Rue Hatch:

I seem to have led right into your presentation on demographics with the previous presentation. I appreciate you bringing that racial breakdown. I am going to have to disagree with my colleague about our discussion today. We are the Legislature, and we are discussing policy in the Legislature right now. With that, I feel like it has been brought up, and I would love to throw it to you, as the presenters—what do you think the role of these commissions should be, and what do we need to do to make sure it aligns with that vision?

Ms. Martin:

I do think if this is a policy discussion, the question is, "Who gets to decide the policy?" Is there gatekeeping or is there an intention to ensure that policy is directed by the most diverse voices possible?

Mr. Donnelly:

The CMR plays a variety of roles, but they are regulatory. They regulate mining exploration, oil and gas, and geothermal. It is a regulatory agency and, certainly, the Wildlife Commission and NDOW are regulatory, and so, clearly, the role of these commissions is to regulate and to oversee the regulators. By its nature, they should not be dominated by the regulatees. They should have independence, such that they are performing an independent oversight role on the regulators. Ultimately, I think it is appropriate that these commissions are overseeing the regulatory agencies, but as such, they need to have independence from the regulated industries.

Assemblyman Gurr:

I was going to say ditto to everything Assemblyman DeLong said, but after the last comment, I will throw a question out. Yeah, the industry is being regulated by the regulatees, but what would you do with the doctor's commission? What would you do with the attorney's commission? What would you do with the [Nevada] Real Estate Commission? I spent six years on there, and we regulated the people who were the regulatees. We oversaw what they did, and that is exactly the role of the Commission today. I think they are doing a good job.

Mr. Donnelly:

I would say, I am not so sure the real estate industry is benefiting Nevadans right now, so perhaps there should be independent oversight of the realty industry as well.

Chair Pazina:

Thank you all for your passionate comments. I would remind everyone whether we are Members, whether we are testifying—all of us have passionate beliefs and to respect all of us here today.

Senator Goicoechea:

Demographics are fine, and it is great to talk about the 2 million people that are living right here. I guarantee you, when I left home this morning, I got far more wildlife on that little piece of desert I have in Northern Nevada than there are here in this Valley. So again, demographics—it is fine to talk about population, but in any of these commissions, you have to bring a level of expertise. I do take exception when you say only half a percent of farmers and ranchers are engaged. I would like to see your matrix on how much wildlife resides their whole life on some of those private holdings, those ranches and farms. They live there. And yet you are saying no, that is only a half a percent, so they should not have any say in the process. The guides and outfitters, the sportsmen, these are people that are engaged. You have to have a certain level of expertise on any commission, whether it be the real estate board, or whether it be the CMR, or the Wildlife Commission—just population will not cut it.

Ms. Martin:

I appreciate you saying this. Also, it is an honor to sit in front of you. I know this is your final legislative process. Thank you for all that you have done for our State. It is a little bit of a pinch to hear when we are talking about, "How can we be more diverse with gender, race, ability, veteran status," and the automatic assumption is, "We need expertise," as if those people cannot be experts as well. I know the Chair has done a good job of holding people accountable for how they talk about each other, but also, we have heard people from the Mining Association use words like people are "hysterical," "radical," "loud," as if those are not very gendered and racist language to describe the people on the left. I do think there are experts where you live in the rural parts of the State. Again, I am from Colorado Springs. I know farmers, ranchers—all of that. We are not saying "no" to you, but how are those farmers and ranchers mentoring more people who may want to be involved in these boards and commissions, and broadening the scope of who can apply and who wants to be part of it?

Senator Goicoechea:

Touché.

Chair Pazina:

Before we call on Senator Scheible, I would like to say it is so important to sometimes disagree without being disagreeable. I really appreciate the conversation just now between Ms. Martin and Senator Goicoechea.

Senator Scheible:

I think this actually is an interesting way to think about the Wildlife Commission as a regulatory agency because what it does not have in common with regulating the legal industry, or real estate industry, or the mining industry is that you cannot tell wildlife what to do. This is really a proxy for regulating ranchers, farmers, recreationalists, hunters, and anglers and fishers because we cannot directly control the wildlife that lives within our State borders and where they live, and how they live, and what they do. We are a little bit better at doing that with human beings, but even still, it is a challenge. What I am interested to understand is—you have done a great job of elucidating how we bring balance because we do have representation from those industries that I just mentioned that are, by nature, being regulated. Is there an equivalent business model for a person or a group, and it is you all, but help me get there. Is there a business model for, if a rancher is a business that is

interested in utilizing the environment for one particular purpose and utilizing resources in one way to produce the food that we all eat—that we need in order to survive. Is there an equivalent on the other side, is there an industry that depends on the land being undisturbed, and depends on the land being hospitable for a while, and depends on the land being natural and wild, or do we have to have a human intervention to say, “This is just a value that we have because of its inherent value?”

Mr. Donnelly:

I would say ecotourism is a huge part of the State's economy and some of that is hunting and fishing, but a lot of it is not hunting and fishing. That is definitely an industry that benefits from the management of wildlife that contributes to the State's economy. I think we could probably describe several others; however, I would also say that the proper management of wildlife and habitat is part of conserving biodiversity. Biodiversity gives us clean air to breathe, clean water to drink, and puts food on our plates. Without biodiversity, we ourselves are at risk of extinction. Managing the wildlife of the State—not for the benefit of extractive use, but for the whole benefit of functional ecosystems and preservation of biodiversity—is essential for all of us. We could probably come up with metrics for the ways that contributes to the State economy, but I would say there are also values other than the economic benefit of wildlife and ecosystems.

Assemblyman DeLong:

I wanted to respond to Mr. Donnelly's comment that the commissions regulate their respective divisions or departments. They actually have a mission that is broader than that for wildlife. It is for conserving wildlife, improving habitat, et cetera. For NDOM, it is promoting mineral education, and promoting the industry. It is not just a regulatory responsibility, and that is one reason you need to have a broad set of expertise on those commissions.

Assemblywoman La Rue Hatch:

We are having this discussion about regulation and who should be overseeing these industries, and who should be making sure that all these regulations are being followed? Are there other commissions or other entities that are overseeing these two areas, or are these the only regulatory bodies that are overseeing these areas?

Ms. Martin:

Are you asking who regulates the commissions?

Assemblywoman La Rue Hatch:

No, apologies, I am asking for the mining industry. Outside of the Commission, is there another entity that is regulating them? As my colleague alluded, they are not just regulatory agencies, they do other things. If they are not regulating, is there someone else that is overseeing them as a regulatory body?

Ms. Martin:

I would say the different federal agencies like the BLM—in other states, the USFS. Hopefully, I am answering your question.

Mr. Donnelly:

Certainly, with mining, NDEP has a significant regulatory role, and they are governed by the State Environmental Commission (SEC). We have not talked about the SEC here today, but that is a whole different discussion. They do have a regulatory role as well. The CMR regulates specific elements of extractive industry in oil and gas, geothermal, and mining exploration, but not actually mine permitting.

Chair Pazina:

Any other questions that I may have missed? [There were none.] We will officially close Item XII.

AGENDA ITEM XIII—DISCUSSION ON SENATE BILL 88 (2023) AND RATIONALE BEHIND STUDYING NATURAL RESOURCE MANAGEMENT AGENCIES AND COMMISSIONS

That moves us to Item XIII—discussion on SB 88 from the 2023 Session and rationale behind studying natural resource agencies and commissions. This is our last presentation. We are going to hear from Dr. Michelle Lute, Co-Executive Director of Wildlife for All, and Mr. Fred Voltz, a member of the Nevada Wildlife Alliance.

Michelle Lute, Ph.D., Co-Executive Director, Wildlife for All:

I am going to give you perspective on the national context of state wildlife management and finish by describing policy changes that various states are considering to improve wildlife conservation (Agenda Item XIII). What I want to talk to you about today is informed by a growing body of wildlife conservationists, commissioners, researchers, legislators, and advocates from across the country, including hunters and anglers. In response to increasing calls for reform from these diverse sectors, Wildlife for All was formed, and a national coalition organized. We are collectively working to close the gap between American democratic values and preferences for wildlife conservation versus current state policies focused solely on hunting, angling, and trapping. The central thesis of this presentation is that we are living in a time of unprecedented crisis, namely climate change and biodiversity loss, and trying to address these modern challenges with a system that has not been updated since the 1930s. That system is state wildlife management. The problems with the system, sometimes referred to as the North American Model of Wildlife Conservation—or Wildlife Management—are the same in every state, more or less. First of all, its origins are rooted in late 19th century thinking. It is a system that was developed in large part by hunters like Teddy Roosevelt, primarily for the benefit of hunters. Since it has not evolved much since its inception, decision-making continues to be dominated by hunters, anglers, and trappers who can constitute a shrinking minority of the American public. Therefore, it prioritizes the production of harvestable surpluses of a handful of game and sportfish species over a diversity of other species in need of conservation. By doing so, it further disenfranchises the many diverse stewards of land and wildlife across the State, and all the states in North America. The resulting system is out of step with modern science, norms of democratic governance, public trust principles, and changing public values.

A 2018 survey comparing American values regarding wildlife with those from almost 20 years prior revealed a shift towards mutualistic views whereby people value wild animals for their intrinsic value and as members of a broad community. Yet current policies do not reflect these values.

I have only had time to very briefly introduce the problems with the current system. I would like to spend the rest of my time on solutions and share with you policy reforms that are being considered in various states. In this fourth one that we often include—a recommendation for defining “wildlife conservation”—I will not have time to talk to you [about it] today, but I can follow up later if you are interested in hearing more about that.

One of our first recommendations is to revise outdated statutes. We recommend that legislators look at the mandates for wildlife management in their state statutes to see if there is a need to be updated to prioritize the protection of all species and ecosystems and recognize both the ecological and intrinsic value of all species and align with public trust principles. Again, given the constraints, I am moving quickly, and I can follow up with detailed examples of these recommendations as well as more background on the details of the public trust principles.

Another recommendation is to democratize governance of wildlife management. Some states are considering measures to do so. These include abolishing wildlife boards or making them advisory only. Another recommendation is to make boards representative by revising statutory barriers to serving, some of what has already been talked about today, as well as balancing geographic and proportional representation and ensuring legislative confirmation hearings happen and are serious opportunities for legislators and the public to assess candidates on important policy matters and their qualifications based on science. Another recommendation is reviewing rules related to public input to ensure they allow meaningful participation, including remote meeting attendance. The last one under this category is creating nomination committees that are well-qualified and tasked with providing well-qualified recommendations to the Governor to fulfill vacancies.

Diversifying current funding—I think this is where the rubber meets the road for a lot of folks. State wildlife management prioritizes game management and consumptive users, largely due to historical funding structures, but only an average of 35 percent of funding comes from hunting, fishing, and trapping licenses. Additionally, federal grants from the Pittman-Robertson and Dingell-Johnson Acts provide 23 percent of funding, 73 percent of which comes from non-hunting and fishing sources. I want to repeat that and let that sink in, because I think there have been other statistics today that ignore the fact that 73 percent—the vast majority of these federal excise taxes—are not coming from hunting sources. They are coming from the purchase of guns, handguns, and ammo that is not used for hunting but is used for home defense or the shooting sports that are not related to hunting. This is according to a 2021 report from Southwick Associates, as well as a number of other statistics [that are] federally available. Most state wildlife agencies get little or no general fund appropriations, which reduces public accountability and is at odds with the public trust principle that everyone benefits from wildlife and should bear in the cost of protecting it. Many states are looking at options for new sources of funding for wildlife. We recommend that any new funding source not be tied to any use that could skew policy to favor particular user groups or interests.

I will conclude by saying we talk a lot about crisis—the climate crisis, the biodiversity crisis—and it can be overwhelming, but I think with crisis comes opportunity. Faced with the prospect of losing revenue sources, as well as relevance to the general public, states like Nevada face a choice. They can embrace a new paradigm, which includes a more comprehensive mission, a broader constituency, and more diversified funding streams, and by doing so, everybody wins.

Fred Voltz, Nevada Wildlife Alliance:

I would like to amplify some of the things that Dr. Lute has had to say on a national level and make them very Nevada-specific. We need the study that was the subject of SB 88 in the last legislative session to identify all the policy issues that need to have an open and complete discussion. We have not done that, and the Legislature, because it is 120 days, or even the Sunset Subcommittee, cannot do that in a thorough way. I want to go over, quickly, a list of open issues that need further discussion on an impartial basis about Wildlife Commission operations and how NDOW operates. We heard earlier from public comment that the USFWS reported that a total of 63 percent of Nevadans are mutualists, meaning they support coexisting with nature, or pluralists, and they believe killing wildlife based on the situational context and purpose is important. Only 22 percent responded that they want to exploit and manage wildlife exclusively for human benefit, and 15 percent of the State's population really did not care one way or another. So, effectively, and unfortunately, the Wildlife Commission and NDOW are textbook examples of regulatory capture. This is where the people buying NDOW licenses control and skew the entire system for the exclusive benefit of licensees. By contrast, this bias is not tolerated in the Nevada Gaming Commission or the Gaming Control Board where incumbent Commission and Board members cannot be actively connected to the industry they are regulating. Also, in public comment there was a statement made, which is very accurate, that there are few tangible qualifications for being a wildlife commissioner except that a majority must have purchased an NDOW license. However, buying a license does not indicate any level of scientific knowledge or training to meaningfully, and impartially, shepherd the State's wildlife and suggests an inherent conflict of interest in votes taken. Such pay to play procedures eliminate qualified candidates who do not have the ability to pay.

Regarding the CABs—interesting subject—it is a good day when 6 out of the 15 CABs show up at a Wildlife Commission meeting, even though they have a statutory obligation to do so. The Wildlife Commission keeps funding these operations when they do not meet locally and do not attend the Commission meetings. Two counties do not even have CABs. The CAB membership has no qualification requirement except buying a license, which is more pay to play, and there is only one position—just like on the Wildlife Commission—at a CAB that can be from the general public, even if they have the qualifications and the experience.

The Executive Director mentioned how they make an attempt to make the Wildlife Commission meetings open to the public. Well, at least two meetings a year are held in places typically that have no access. The reason they claim they need to go there—with 50 people in tow, housing them, and keeping them for three days or so—is that they have to see the locals and engage with them. Well, the locals do not show up at these meetings. Moreover, the problem with the locations is they could have NDOW staff go out and videotape any facilities they need to see. They will not do that either.

I would like to get into funding in two ways, again, specific to Nevada. There is, most definitely, general taxpayer support for wildlife, and it consists of the BLM, the USFS, USFWS, and the National Park Service—collectively spending \$19 billion in FY '25 for their operations. Over 80 percent of Nevada's total land area [is] operated by these four agencies whose funding comes from all federal taxpayers; not hunters, trappers, or fishermen. Thus, the general non-licensee public makes significant financial contributions to the maintenance and perpetuation of the public's wildlife and habitat. Nevada's pro rata share of this public funding far eclipses NDOW's \$66 million annual budget since our State has 9.25 percent of the 608 million acres that the federal government manages nationwide. Additionally, we spoke about the Recovering America's Wildlife Act briefly and earlier, but there is another funding source that we have not tapped into that goes way beyond the four wildlife species

that NDOW licensees choose to target, and that is the question of a severance fee. When licensees of NDOW convert public property to private use without paying any compensation to the public treasury, that is a very inequitable situation. We have a severance fee structure in place for mining and other natural resource extraction activities on public land, and it needs to happen with the public's wildlife, which is public property and to be held in trust for current and future generations.

The minimal fees paid to NDOW for licenses and tags do not begin to represent the lost value to the public when wildlife is permanently destroyed by licensees causing disruptions to the ecosystem. Also, the unilateral appointment of commissioners by the Nevada Governor contains no advice and consent function. You saw in the support materials that 10 of 11 western states typically have their State Senate overseeing these appointments to 200—in Nevada's case—boards and commissions. We have no such mechanism in Nevada, and that is really bad governance in the same way that we have Judiciary, Legislative, and Executive branches of government, and they are all supposed to balance each other out so that no one of them has any sort of unfair advantage. We have had unqualified appointees, and we need an oversight function.

Finally, I would say that, going forward—the study that was vetoed by the Governor claiming that we did not need legislation to have a study needs to be conducted in a workshop-style format where these complex issues can have multiple comments, and not just a comment period at the beginning and the end. Also, if there is any sort of dispute between the Governor's legal counsel and the LCB's legal counsel about the need for legislation to conduct the study, it would be wise to ask the Attorney General for a formal opinion as a good way of resolving how to proceed or what is the best way without violating any legalities. That is, it.

Vice Chair Anderson:

What I was going to bring up—you just brought up—and that has to do with the lack of confirmation. We do not have legislative oversight of those confirmations. I was looking through a document that was actually presented in 2022. It is a 70-page document of all the different commissions that are required by NRS. None of them require legislative approval of who, exactly, would be on there. I wanted to verify in both Dr. Lute's information and then also in the last presentation as well, that you believe there should, in fact, be legislative confirmation hearings for who should serve on these boards, or is that just one area that you are advocating for? Number one. And then number two, I struggle with this subject, not with the actual conversation happening at Natural Resources, but I am struggling with this happening during Natural Resources' items because it does feel a little bit more like a Government Affairs issue since there are so many different commissions and so many different boards that are required by NRS. I want to put that out there as well. I wanted to confirm that you are, in fact, advocating for the Legislature to have oversight of the Executive Branch appointments when it comes to these boards.

Mr. Voltz:

Not necessarily. It could be a citizens' board. There might be other construct because the Legislature is not full time, as we know, and you have a lot of other things to do. There is probably no interest, particularly in having yet another accountability to add on to all of that. A citizens' committee might be the way to go. We need to have the conversation as a State because it is just a bad governance process that we have. And you are right, maybe Government Affairs is the appropriate place for that. That is what the study should bring out. It should say we need to refer these issues one place; we need to refer these other

issues other places. Until we have the in depth, just passing a bill that says, "Okay, we are going to add a couple of wildlife commissioners, or we are going to do one other little adjustment around the edges," does not really get at the root problem that the current construct of the Wildlife Commission is undemocratic. It is unrepresentative. It is unfair. Take all the "uns" you want and put them together. It is not operating for most of the population in this State who do not buy the licenses. That is the core problem we need to get to and come up with solutions for.

Vice Chair Anderson:

I do not want us though to start bashing departments, and I understand the frustration that is present from more than a few entities, it appears. I do not believe that this language is being brought forward to try to bash that department or the people that work in it. But it does feel that way a little bit, so think we need to stick to the issue of, "Are the commissions working as they should?" And from your belief and from the study that we are trying to get through—or trying to do a little bit more in depth—the answer would be "no." How do we fix it? I would ask that we try to show a little bit more respect to the departments and the work they do. I understand the frustrations coming through, but our employees are overworked, and I wish that we would start treating people with a little bit more dignity for the work that they do put in.

Dr. Lute:

I would like to emphasize that we are critiquing a system that is protecting the status quo and is not evolving to meet the needs of everybody. I invite collaboration, and I appreciate what you are saying, and would like to emphasize there is no personal indictment of anyone. I have been a state wildlife biologist for the State of New Mexico, so I understand those pressures. I am also the daughter of multiple generations of farmers in the Midwest, so I understand those pressures. Having those conversations with our multiple different hats and identities is really important, and that is why I think we need to keep this conversation going.

Mr. Voltz:

I do not disagree with your comments about keeping things civil. I think we have done that. I also think that when people who are outside of the status quo are trying to seek change, and they are basically completely ignored and dismissively treated, that is a problem for the hardworking bureaucrats of our State that they need to address. They need to treat the people they are supposed to be serving with respect and hear them out and actually implement things that make sense. Unfortunately, in my 14 years of attending the Wildlife Commission, that has been in short supply.

Assemblyman DeLong:

I wanted to follow up on my colleague's comment about having legislative oversight on appointments to commissions. If we have 200 commissions in the State, just assume that there are 5 members on each commission. That is 1,000 members. Let us say they are on four-year cycles, so every two years you are going to see 500. That means the Senate would have 500 confirmation hearings in a 120-day session and trying to get through 1,200 bills—just not realistic to have that happen. Just to put that on the record.

I do have a question regarding the funding discussion that occurred earlier. The State currently does get funds from the Pittman-Robertson fund. I am not going to argue your point on what percentage are shooters versus hunters. Is it your suggestion that because, let us say, 70 percent of those funds are from shooters not hunters, that the State should not accept that money?

Dr. Lute:

No, that is not my suggestion, whatsoever. I think it is an important clarification on the context around who pays for conservation.

Assemblyman DeLong:

As a follow-on to that, is it your position or your suggestion that NDOW and the Wildlife Commission should be solely funded out of the State General Fund to have the most, "democratic distribution of funding sources?"

Dr. Lute:

I think more funding from the General Fund could help with accountability and funding an underfunded agency is very important. The State Wildlife Agency's work benefits everybody, so I think there needs to be a more equitable distribution of funding streams. We can talk about more creative ways of finding funding that does not come from an already strapped budget, for instance. That is where I think the continued conversations and creative thinking need to happen. There have been various suggestions around broadening the kinds of gear that gets taxed and, of course, taxes are not always very popular; the outdoor industry has pushed back against that. I think there are voluntary ways. Another creative idea is to look towards animal shelters and how they fund with voluntary funds. Folks that go to PetSmart round up at the checkout, and that becomes the biggest funding for all kinds of animal shelters, including municipal animal shelters across the country. So, those voluntary donations could help fund conservation. That is just one particular creative idea that might not work in Nevada, but there are definitely very diverse folks who are interested in conservation, wildlife, and the ecosystem services that we all benefit from, who are willing to help pay and expand these fund streams.

Assemblyman Gurr:

I think volunteer funding already exists in the State of Nevada. We heard the Department talk about how they meet their match with the Pittman funds. A lot, or almost all of that, comes from volunteer efforts from 501(c)(3)s, so that very much exists. The concept of going to a General Fund funding of the Department, given Nevada's small government approach and limitations on increasing taxes, would be extremely difficult. I would love to hear your creative ideas on how to do it without changing taxes.

Dr. Lute:

Another thing to look at is an example in New Mexico where the State Land Office has increased funding through conservation licenses on conservation uses, non-consumptive uses, on State trust lands. Perhaps broadening the kinds of licenses—if people do not want to buy a hunting or trapping license—would be another way to explore if it is possible. Again, these are examples. I do not want to belabor any particular example. I think with more conversation, we can find what is what is best for Nevada.

Chair Pazina:

I feel like I should pick your brain for more creative options, because these have been helpful, and they are very much appreciated.

Also, to your first point, Assemblyman, I think the discussion on legislative oversight only came up as a consequence of the NCSL presentation earlier. However, even with the discussion between Vice Chair Anderson and Mr. Voltz, that made a lot more sense from a citizen oversight or some other function since we are a part-time Legislature and cannot be in special session constantly to look at those appointments.

Assemblyman DeLong:

I completely agree with you, Chair. I wanted to put that on the record on what it would mean if there was actual legislative oversight.

Chair Pazina:

Do we have any other questions for Dr. Lute or Mr. Voltz? [There were none.] That officially closes Item XIII.

AGENDA ITEM XIV—PUBLIC COMMENT

We have arrived at our second period of public comment.

[Chair Pazina discussed the process for giving testimony.]

Willie Molini, Private Citizen:

I was Director of NDOW for 16.5 years back in the '80s through 1998. I have worked a great deal with the Wildlife Commission in many facets. I have seen it change in number. I have seen a change in composition. I have worked with a number of different commissions because of the different positions filled by different individuals. I think I have considerable experience with working with the Wildlife Commission. There has been a lot of topics covered here today. I am not going to try and address all of those, but there was considerable discussion about good governance, and I think the measure of good government is the end-product. I would submit to you that the management of wildlife in the State of Nevada is really solid and successful, and therefore, I think it is a measure of good governance. I can say without equivocation that the Wildlife Commission, at least during my tenure—and I admit that was some years ago—was composed of very, very qualified people who carried out their policy and regulatory responsibilities in a very fair and reasonable manner. In watching the Commission over the recent years—and I am involved in five different boards that have to do with fish, wildlife, and the environment—I would say that still holds true, that they operate in a very responsible, fair manner. There has been a lot of talk about focus on consumptive uses, and yes—

Chair Pazina:

[Chair Pazina noted the two minutes were up and asked Mr. Molini to close out his comments.]

Mr. Molini:

I would like to say that NDOW maintains a very comprehensive wildlife management program, including a robust non-game management program, a robust habitat program, and a law enforcement program that enforces all wildlife laws, and therefore, all wildlife is receiving considerable attention, and that has not been mentioned before.

Caron Tayloe, Resident, Washoe County, Nevada:

I am a Washoe County resident and avid outdoors person. Thank you so much for today's meeting. I really appreciate it. I have been going to the Wildlife Commission meetings for about 18 years now. I average about four to five per year, and I have seen some really good decisions made over the years, and I have actually come to really admire a lot of the NDOW biologists. Unfortunately, the way the system works, and the way that commissioners are selected, allows for the extremes to control the decision-making process. I have seen sportsmen put up their fingers and tell the Board that they need to vote—the way they need to vote—[this] is the way the sportsmen think. Hunters do have a unique perspective that needs to be heard, but I also know that the Board is under an extreme pressure to identify and to do what their constituents want. As a nonhunter, I do have a unique perspective also, and I am not heard. Just by virtue of not being a hunter and having concerns about other wildlife issues, I am not heard. I have fished in two states with a third state coming up in June, and I want you to think about Dingell-Johnson. I am also a non-hunting gun owner—think Pittman-Robertson. I contribute to the excise tax. I contribute to federal funds. Most all the money you have heard about is public money. Over time, I have donated money and volunteered countless hours for eight organizations that deal with wildlife and deal with habitat. Clearly, nonhunters contribute money, time, and other resources. Actually, wildlife and hunters have benefited from what I have done. In addition, even if I did not do these things—

Chair Pazina:

[Chair Pazina noted the two minutes were up and asked Ms. Tayloe to close out her comments.]

Ms. Tayloe:

Even if I did not do those things, as Mr. Voltz said, "Democracy is not a pay to play because wildlife belongs to all of us," and I just think that Nevada's wildlife and Nevadans deserve a review of the current proceedings.

Jana Wright, Resident, Clark County, Nevada:

The makeup of the Wildlife Commission needs to be a body that puts wildlife first, not the desires of the small percentage that hunt. There are changing societal views from broader constituencies that must be addressed by the Wildlife Commission. The non-hunting public has a voice that is seldom heard by the Wildlife Commission. I speak from my 14 years of participation with the CAB and the Commission. A change is long overdue. Please start the process. Be the instrument for change.

Annoula Wylderich, Private Citizen:

I am a 20-year resident of Nevada, and I feel that it is essential that our Wildlife Commission respects the general public's views in order to foster trust, transparency, and legitimacy and conservation efforts. By incorporating and valuing public opinion—and here I am referring to the non-consumptive users and outdoor enthusiasts—policymakers can ensure that management decisions align with broader societal values. The track record of this Commission, unfortunately, seems to indicate otherwise. Acknowledging public input not only enriches the decision-making process but encourages a sense of ownership and responsibility towards our national heritage and the public trust, which does belong to all of us. And yes, the public is encouraged to attend and participate in the meetings. However, when they do, their concerns are often dismissed. This is why I feel that a review of the Wildlife Commission is not only imperative but long overdue.

Brian Burris, Director, Northern Nevada Resources for Wildlife and Habitat Improvement:

I am the immediate past President and current Director of Northern Nevada Resources for Wildlife Habitat Improvement in Nevada and a former elected official in Southern Nevada. I have heard a lot today from some of our opposition in the wildlife community. I have heard some derogatory names called to us and a lot of vitriol is probably not needed in the conversation, but what I have not heard is how we actively manage the wildlife. I have heard a lot about diversifying the Board and putting people of color or women or all these other representatives, but what I have not heard, again, is how we make this better for our wildlife, and that is what our true goal is. As a wildlife conservation organization, I am a conservationist first. I am a hunter, but I will tell you I did not even hunt this year. I did not even hunt a single species this year, but I spent hundreds of hours on conservation. My organization alone—one tag that went this year for a quarter of a million dollars will actually have about a million dollars impact on wildlife. We need to keep the people on these boards that are doing the good work and working with our NDOW partners. Our NDOW partners are very, very good. They do very good work. And these guys out in the field, they know what they are doing. We are out in the field on a regular basis. We are doing projects. I will tell you, with other organizations, we have built a greenhouse for forage for our mule deer population to reseed fire prone areas. I have one of the most robust goose nesting boxes programs in the State of Nevada. I started a banding program on State lands for ducks. I am starting a banding program for doves as we speak. We are looking at research projects on the fan-tailed pigeon. If you want to call us idiots because we are hunters and conservationists, that is fine, but know that the University of California (UC) Berkeley does not see it the same way, and they are asking us for our input. These are the people we currently have sitting on our boards. I encourage us to keep it the way it is and not lose sight of what the big picture is and that is preserving wildlife in the State of Nevada for everybody in the State of Nevada.

Karen Boeger, Private Citizen:

I appreciate this opportunity to speak. I [have been] a volunteer advocate for conservation, public lands, wildlife, and wildlife habitat for the last 50 years here in Nevada, and I currently sit on boards of three conservation organizations, two of them sportsman organizations. I want to ditto the comments of the speakers this morning for sportsman organizations that presented quite comprehensive comments, as well as Willie Molini's comments just now, and the gentleman who just spoke. In addition, I want to say that my concern was about the purpose and need for this day because I believe any analysis could most effectively focus on the accomplishments toward mission and goals of the Commission.

Wildlife health and viability demands decisions be made, as you know now, based on what scientific data says is most cost-effective and yields the highest benefit to wildlife. This is the way we avoid perception that decisions are made subject to custom, promotion, popular vote, or who has the loudest voice. Regarding the diversity concern, hunting and fishing traditions and the role in wildlife management very much correlates with the need for public education—the fact that these traditions are fading away along with the consecutive increase of our urban population. I would ask that the Committee focus your pursuit from this point on to avenues to educate the public, from elementary school on, to origins of wildlife conservation funding and management, including understanding why the role of—

Chair Pazina:

[Chair Pazina noted the two minutes were up and asked Ms. Boeger to close out her comments.]

Ms. Boeger:

I think informed public consent of wildlife management practices can only be obtained through education, and that indeed would provide [an] increasingly diverse cross-section of Nevada with knowledge and interest to apply for wildlife management positions, inclusive of public land agencies, NDOW, and the Wildlife Commission. (Agenda Item XIV A)

Olivia Tanager, Executive Director, Sierra Club Toiyabe Chapter:

I am glad to be here with you all today in Carson City. I want to wish you all a happy Earth Month and briefly offer my comments in support of Ms. Stevens and Mr. Hadder's presentation as well as Mr. Donnelly and Ms. Martin's presentation. Native communities are the original stewards of this land. The Toiyabe Chapter believes that those most impacted by the problem are closest to the solution, and for that reason, we strongly believe that the CMR should have representation from native communities and other directly impacted community members. We would support a study to look at the composition of the commissions that we talked about here today. We know that mining is a large industry in Nevada with interests that are sometimes in conflict with surrounding communities, to the extent that industry disagrees with that—great. There should be no problem with anyone with looking at diversifying the Commission. We heard a lot today about the need for commissioners with technical expertise, and I will not deny that is important, but I also want to highlight the importance of native knowledge of natural resource management as my friend, Fermina, mentioned earlier today. We strongly believe that having commissions composed of a more diverse group of people with views that are more representative of Nevadans as a whole is critical for moving towards a more ecologically just Nevada. Thank you all for facilitating this conversation and for all the work you do as caretakers of our beautiful State.

Chris MacKenzie, Former Chair, Wildlife Commission; Chair, Sagebrush Ecosystem Council:

I am a local attorney. Please do not hold that against me. I am also a sportsman and a conservationist. I do not think they are mutually exclusive. I was on the Wildlife Commission from 2001 to 2007, [and] was Chairman from 2005 to 2007. I was a fairly young man at the time, so there is representation from different ages on that group. Since then, I am now Vice Chair of your Dream Tag Advisory Board for the collection of cash for, basically, selling opportunities for conservation issues and conservation projects. I hope that could be maybe a subject at a future meeting, and we can elaborate more on that. I am also your Chair of the Sagebrush Ecosystem Council, and that is basically considering and

protecting and mitigation of impacts on their sagebrush biome. I have a lot of experience. I started under the Wildlife Advisory Board back in 1998 for Carson City. I would be happy to participate in this process in the future. I know my time is limited, but I just want to put on that record.

J. Angelo Tiberti, III, Private Citizen:

I wanted to talk about the five members for the Wildlife Commission Board that is all in question today. Those five members are the sportsmen, and that is all that is required to be a sportsman is three hunting or fishing licenses in the last four years. It is a very minimal requirement to go from general public to a sportsman, but what it does do is it gives an individual interaction with NDOW. It helps lead them into an area where they can learn more about our wildlife, about what NDOW does, and I think that is a very beneficial thing to go through for a future commissioner. A hunting license, currently, is \$38 per year. A fishing license is \$40 per year. So that equates to about seven cents per day or eight cents per day. This is less than a cup of coffee made at your house, so it is not a huge requirement. There are 63 different locations, not including the Internet, where you could buy your licenses. Your licenses can be purchased in a renewal fashion so that it automatically gets renewed too. The requirements are not an extreme thing, but they do help drive education for future commissioners. (Agenda Item XIV B)

Steve Junge, Resident, Las Vegas, Nevada:

I live here in Las Vegas, Nevada and have so since 1980. As a conscientious, conservation-based sportsman, I reject the term, "consumptive user." *Consumptive* means "tending to consume" and being "destructive and wasteful," and I find that very condescending. When someone spends thousands of dollars a year and numerous hours of conservation efforts and volunteer time, that is far from wasteful or destructive. To hear some of the speakers here today, and throughout, one would think that hunters and fishers are murderous lops depicted in a Disney cartoon, and that is simply a very elementary, ignorant, and emotionally based argument. Outside of the Pittman Act and Dingell Acts, many of us do service projects to benefit wildlife. On many of the projects I have been on, I have been accompanied by other hunters and fishers. Stakeholders and hunters and fishers—I like to call them stakeholders because they do monetize 95 percent. I know there are statistics that have shown different today, but I would say roughly 95 percent. Going back to the contradictory percentages—to put it into context—it was discussed that many of these funds come from firearms owners. Well, just a quick research on pewresearch.org has shown that 67 percent of those who hunt own at least five firearms, so any time a hunter buys an additional firearm, more tax dollars goes toward that Pittman Act. In short, our current Commission is not only effective but also nationally recognized. As it was discussed earlier, due to these facts, I believe that the current makeup of our Commission accurately depicts our demographic of stakeholders and has documented achievement. Any change to this Commission appears to be a fix in search of a problem, which simply does not exist.

Debra Struhsacker, Resident, Reno, Nevada:

I am an environmental permitting and government relations consultant and mining policy expert in Reno, Nevada. I would like to speak today about the CMR and to underscore the importance of having a knowledgeable Commission to help advise you as legislators on mineral issues that may arise during a legislative session. During a session, you are asked to make judgments and decisions on a wide array of very technically demanding issues. If there are environmental issues, you can rely on the NDEP or DCNR. If there are water issues, you can rely on the DWR, and on mining issues, you need to have a group of

experts, as the commissioners and NDOM, that you can rely on as fact and subject matter experts as you contemplate mineral resource issues, which are very important in our State. I would also like to follow up on a comment made by Vice Chair Anderson, and thank the members of the CMR, for all that you do for our State. We ask you to contribute your time and your considerable expertise with virtually no compensation whatsoever at all. As Nevadans, we should be very grateful that you are willing to do this. Even if you do not support mining, as a Nevadan, you rely on it because we all rely on mining for our phones, and our cars, and our electronic technology. So again, thank you, commissioners, for what you do for Nevada, and I appreciate this time to give you my comments.

Tom Fennell, Resident, Reno:

I am a Nevada resident, and sportsman, and conservationist based in Reno, Nevada. My question today to our elected officials is to challenge the groups that are detractors from the current structure to elaborate on how their perceived under-represented groups ultimately create meaningful benefits to our State's wildlife. Trying to understate sportsman's efforts to the benefit of wildlife, in my opinion, is incorrect. How would reducing sportsmen and sportswomen's involvement improve the situation? We need to consider this from a wildlife perspective. Despite appearing counterintuitive to those that are disconnected from wildlife management, active engagement in outdoor activities, such as hunting and fishing, fosters a lifelong commitment to supporting animals in their habitat. Over the past decade, I have dedicated my time to volunteering for a sportsman funded organization. This organization allocates millions of dollars toward research, habitat restoration, [and] augmentation of wildlife populations. The proposed alterations to the Commission's makeup do not stem from a desire to benefit wildlife for the greater public good. Rather, it represents the viewpoints of a minority faction that lacks a genuine connection with our State's wildlife and simply disagrees with hunting and fishing activities. In reality, these individuals are far less invested in our resource. Who are the primary contributors to the wildlife projects in our State? Sportsmen and sportswomen. Who are the volunteers dedicating their time and money to reseeding after fires or conducting spring enhancement projects that benefit all wildlife? Sportsmen and women. Who are the driving forces behind fundraising efforts through conservation groups and the purchase of licenses and tags that help sustain and grow our wildlife? Sportsmen and women. Attempting to diminish the representation of the segment of the population most engaged and responsible for success and survival of our plant and animal species is irresponsible. It is crucial to maintain a healthy wildlife population for everyone to enjoy. There are scarcely any instances in North America where reducing the positive representation of sportsmen and women has led to improvements in habitat or wildlife. I urge you to reconsider any proposed changes to the Commission makeup that would undermine the central role by sportsmen and women and wildlife conservation. Preserving their representation is vital for the continued prosperity of our State's natural resources. (Agenda Item XIV C)

Robyn Orloff, Resident, Carson City, Nevada:

Please stop me at two minutes, and if you feel my comment is not totally appropriate for this particular meeting. I have enjoyed listening to all the discussions. I am a proud and grateful citizen taxpayer of Carson City in Nevada and an OHV sticker payer contributing to the OHV Program grants. I want to thank Denise Beronio for her presentation and for NDOR—all they are doing to "Play the [Nevada] Way" to preserve, conserve, and promote stewardship. I am a runner, hiker, and mountain biker on Prison Hill. I would like to talk a little bit about the conservation and preservation at that particular area, and kudos to the Nevada OHV Commission and Program. Nikhil Narkhede leaving was a big loss. Thank you to State Parks, National Off-Highway Vehicle Conservation Council (NOHVCC) and

ReConnect for this Program. The mission statement for DCNR and outdoor recreation, as Denise said, “advance and promote sustainable, world-class outdoor recreation, conservation, and stewardship, driving the force for economic equality, protection, and conservation of soil, air, and water.” I am getting to my point. Speaking of water, I am concerned about the designation of documented, significant ephemeral stream washes on the rock crawler routes. The rock crawler is six to eight feet wide going up washes that are one to three wide, disrupting, destroying, churning up the wash floors, the banks, the slopes intact of soil and vegetation, biotic crust that hold the steep erodible slope together, causing more erosion, loosening soil, and affecting habitats along the way. Designation of open areas—freestyle riding across intact soil and vegetation slopes in the successive parallel ephemeral stream washes on the west slope for Prison Hill. So, we are getting contamination of the water in the washes from the under surface of the crawlers as they are grinding up. I would just request that we communicate, collaborate, cooperate, have a conversation to address and resolve, and to conserve and protect what is going on on the ground and preserve that resource since water is such a special resource in the arid desert.

[Ms. Orloff submitted written testimony for the record (Agenda Item XIV D).]

Chair Pazina:

I encourage you to come to our next meeting on May 10, where we will have quite the discussion about water.

Stephanie Myers, Private Citizen:

I shared with a friend that we needed a study of the Wildlife Commission so that more people like me, a wildlife advocate, could actually have an effect on wildlife management other than the few minutes of public comment that we are given at every meeting. He reminded me that it did not have anything to do with me, that it had everything to do with our wildlife itself. I realized that he was absolutely correct, that wildlife did not have a voice. Who would speak for them? Imagine if your pet—your dog or your cat—could talk to you. They would tell you not only how much they love you but also how they feel. Imagine if Nevada’s wildlife could talk. What would they say? A study is just that—listening to all sides of an issue in more in-depth than today to see what kinds of adjustments might be made to the Wildlife Commission. A broader account of wildlife might yield patterns useful in a doomed to repeat it scenario. Who [has] been given a voice? Who has been underrepresented or left out entirely, and what course corrections might be called for? The Commission should represent all residents of Nevada, not only hunters, trappers, and anglers, but also the general public who love our wildlife, but most of all, higher than any other is to represent Nevada’s wildlife. If the wildlife could voice their concerns, they might have a lot to say. I will bet they would urge you to vote for a study of the Wildlife Commission and how it might benefit them.

Ron Stoker, Previously Identified:

I just want to do a clarification on how the Key Pittman money works. There is a comment that a lot of that is federal funding—that federal funding only comes to pass if there is a match donation, 3 to 1. My organization matched and donated \$250,000 to NDOW, then it was matched by the Key Pittman funds, 3 to 1, which made it close to a \$1 million donation. Those funds are not available without the efforts of conservationists and sportsmen or other nonprofit groups—501(c)(3)s—donating to NDOW. That being said, one of my favorite quotes is by [inaudible], so what are these other conservationist groups doing? Are they getting funds donated for the wildlife? That being said, I pose that question to you. You do

not have to do it just with funds, you could do it with labor hours. I am raising five conservationists. One of my conservationists, my son, Zander, this year made over \$100,000 in volunteer match money by showing up to conservation projects—by putting his blood, sweat, and time for Nevada’s wildlife. If you say that you speak for Nevada’s wildlife, show up by your actions; show up, do stuff. I am a conservationist first. I am a conservationist 12 months out of the year. The sporting season for me does not matter, and if hunting were to go away, I would still be a conservationist. Listening to the commissioners—they get paid \$80 a day and are lawyers and engineers. They are not doing it for their own benefit. They are also conservationists. I leave that with you.

Eli Turner, Member, Nevada Mineral Exploration Coalition:

I would like to provide some comments pertaining to the discussion over the CMR and NDOM beginning with the contributions of mineral exploration and mining to Nevada. The mining and mineral exploration industries are pillars of the rural Nevada economy and are deeply intertwined with our State’s history. In several rural counties, the mineral industry is responsible for over half of all jobs. Given that the mineral industry makes modern life possible, there is scarcely a better place for it to operate than Nevada where industry is well regulated and there are efforts to mitigate impacts. I pose the question, “How ethical is it to import commodities that can be produced right here in our own State?” They will always be produced somewhere.

Next, I will share our comments on the CMR. In our view, it is appropriate that almost all the members of the Commission possess technical expertise, as is currently required. Some groups recommend the Commission be composed mostly of members without technical expertise who have been “affected by mining,” presumably in negative ways. While including multiple perspectives is very important, we believe this recommendation would create an extreme conflict of interest and inhibit the Commission from providing pertinent and knowledgeable advice regarding the mineral industry. The NDOM is not necessarily capable of providing the same level of technical expertise as the Commission. It should be noted that industry, not the government, pays for the Commission.

And finally, I would like to discuss NDOM. The NDOM’s mission is to encourage and assist the mineral industry, and that mission should be credited for the industry’s success in Nevada. It is the responsibility of the government to empower citizens to achieve and foster their well-being, so NDOM’s support of the industry does not constitute a conflict of interest with its other duties. Carrying is not the same thing as having a conflict of interest. The NDOM provides additional services useful to all Nevadans, as they discussed during the presentation, and NDOM’s current mission and duties are appropriate in our view and have enabled it to be a successful organization and service of the State.

Nick Ollie, Nevada Resident:

I come before you as a lifelong Nevada conservationist and active member of Nevada’s outdoors. I am currently a volunteer with Wildlife Habitat Improvement in Nevada—also known as WHIN—which is an NGO in our State, which 100 percent of our money stays within Nevada. I have been a NDOW volunteer for over 30 years and currently sit on the Mule Deer Enhancement Program and conduct daily volunteer hours at the Key Pittman WMA along with the Wayne Kirch WMA. In 2023, I alone conducted 683 volunteer hours and traveled over 8,000 miles for conservation efforts for our Nevada wildlife, fisheries, and wild lands. The Wildlife Commission working with NDOW has been in existence since 1977 and has brought great things such as the reintroduction of elk in Nevada, building our guzzler assistance for wildlife and fisheries and efforts. All wildlife are represented by Nevada’s

government agencies along with NGOs and other conservationists who bring millions of valuable monies to support our State's wildlife and the lands that the citizens utilize. A 2020 study conducted by UNR shows small game hunting license alone put over \$38 million into our rural communities by purchasing products needed to partake in Nevada's outdoor activities. These monies did not include trappers' license fees, big game license fees, fishing license fees, or boat and OHV fees. I have yet to observe any of these entities who are standing against the current Wildlife Commission participate in a full CAB meeting all over our State. They have complained that they cannot travel to the rural communities due to distance. In my opinion, this is inexcusable reason to shut down any rural CABs. I have not seen any of the entities participate on our conservation projects, which are always open to the public. A majority of these folks are from out-of-state and do not reflect the opinions of Nevadans who utilize our outdoors. As a season ticket holder to Nevada's outdoor lands and wildlife, we choose to fund ourselves by paying taxes on ammunition, firearms, hunting and fishing licenses. In 2023, Nevada has seen approximately 86,000 people apply for big game tags. That is approximately 430,000 applications, which carry fees that allow NDOW to conduct their wildlife conservation effort. For the first time ever, in 2023, all 50 states apply for big game tags. To wrap it up, I want to say that our current Commission is a working commission that, for 50 years, has proven itself. What have these entities proven to us? That will be it.

Chair Pazina:

[Chair Pazina called for additional public comment. There was none.]

We are officially going to close that item on our agenda and move to Item XIV. Before we adjourn our meeting, I would remind everyone that our next meeting will be held on Friday, May 10, and we hope we have as good of a turnout because we will be talking about water, including a legacy bill of our friend seated on the Committee, Senator Pete Goicoechea, and the water buyback program—SB 176 (2023). We have a lot of great discussion scheduled for our next meeting. We hope to see you there.

[Subsequent to the meeting, Annoula Wylderich, previously identified, submitted written testimony for the record (Agenda Item XIV E.)]

Additional written public comment was submitted and complied as (Agenda Item XIV F).

AGENDA ITEM XV—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2:33 p.m.

Respectfully submitted,

Lisa Creamer
Senior Research Policy Assistant

Jann Stinnesbeck
Principal Policy Analyst

APPROVED BY:

Senator Julie Pazina, Chair

Date: _____

MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item II A	Rose Wolterbeek, MA, SNS, Sierra Club Toiyabe Chapter	Written Public Testimony
Agenda Item II B	Bari Levinson, Member, Sierra Club Toiyabe Chapter	Written Public Testimony
Agenda Item IV	Clifford Banuelos, Tribal-State Environmental Liaison, Inter-Tribal Council of Nevada, Inc.	Resolution
Agenda Item V A	Brenda Scolari, Director, Department of Tourism and Cultural Affairs	Microsoft PowerPoint Presentation
Agenda Item V B	Denise Beronio, Administrator, Division of Outdoor Recreation, State Department of Conservation and Natural Resources	Microsoft PowerPoint Presentation
Agenda Item VI A-1	Jennnifer Schultz, Program Principal, Environment, Energy and Transportation Program, National Conference of State Legislatures (NCSL)	Microsoft PowerPoint Presentation
Agenda Item VI A-2	Jennnifer Schultz, Program Principal, Environment, Energy and Transportation Program, NCSL	Handout
Agenda Item VII A-1	Robert Ghiglieri, Administrator, Nevada's Division of Minerals (NDOM)	Microsoft PowerPoint Presentation
Agenda Item VII A-2	Robert Ghiglieri, Administrator, NDOM	Microsoft PowerPoint Presentation
Agenda Item VII A-3	Robert Ghiglieri, Administrator, NDOM	Handout
Agenda Item VIII	Alan Jenne, Director, Nevada's Department of Wildlife (NDOW)	Microsoft PowerPoint Presentation

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item X A-1	John Hadder, Executive Director, Great Basin Resource Watch; and Fermina Stevens, Executive Director, Western Shoshone Defense Project	Microsoft PowerPoint Presentation
Agenda Item X A-2	John Hadder, Executive Director, Great Basin Resource Watch; and Fermina Stevens, Executive Director, Western Shoshone Defense Project	Written Testimony
Agenda Item X A-3	John Hadder, Executive Director, Great Basin Resource Watch	Letter
Agenda Item XI A-1	Larry Johnson, President, Coalition for Nevada's Wildlife	Microsoft PowerPoint Presentation
Agenda Item XI B-1	Henry Krenka, President, Nevada Outfitters and Guides Association	Written Testimony on the Board of Wildlife Commissioners
Agenda Item XI B-2	Henry Krenka, President, Nevada Outfitters and Guides Association	Written Testimony on Issues of Concern for the Guiding Industry
Agenda Item XII	Patrick Donnelly, Great Basin Director, Center for Biological Diversity; and Laura Martin, Executive Director of the Progressive Leadership Alliance of Nevada	Microsoft PowerPoint Presentation
Agenda Item XIII	Michelle Lute, Ph.D., Co-Executive Director, Wildlife for All	Microsoft PowerPoint Presentation
Agenda Item XIV A	Karen Boeger, Private Citizen	Written Public Testimony
Agenda Item XIV B	J. Angelo Tiberti, III, Private Citizen	Written Public Testimony

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item XIV C	Tom Fennell, Resident, Reno, Nevada	Written Public Testimony
Agenda Item XIV D	Robyn Orloff, Resident, Carson City, Nevada	Written Public Testimony
Agenda Item XIV E	Annoula Wylderich, Private Citizen	Written Public Testimony
Agenda Item XIV F		Compilation of written comments received from members of the public who did not speak during the meeting. These comments are posted individually on the Legislature's website for this meeting and can be found on the Committee's meeting page .

The Minutes are supplied as an informational service. All meeting materials are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or <https://www.leg.State.nv.us/Division/Research/Library/About/Contact/feedbackmail.cfm>.