

**MINUTES OF THE
SENATE COMMITTEE ON NATURAL RESOURCES**

**Seventy-sixth Session
March 9, 2011**

The Senate Committee on Natural Resources was called to order by Chair Mark A. Manendo at 3:37 p.m. on Wednesday, March 9, 2011, in Room 2144 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Mark A. Manendo, Chair
Senator David R. Parks, Vice Chair
Senator John J. Lee
Senator Dean A. Rhoads
Senator Michael Roberson

GUEST LEGISLATORS PRESENT:

Assemblyman Richard Carrillo, Assembly District No. 18

STAFF MEMBERS PRESENT:

Michelle Van Geel, Policy Analyst
Charity Fowler, Counsel
Sandra Hudgens, Committee Secretary

OTHERS PRESENT:

Amy L. Lueders, Acting State Director, Bureau of Land Management
Jeanne Higgins, Forest Supervisor, U.S. Forest Service, United States
Department of Agriculture
Jeff Marsolais, Acting Forest Supervisor, U.S. Forest Service, United States
Department of Agriculture
Kyle Davis, Nevada Conservation League
Rob Buonamici, Chief Game Warden, Department of Wildlife

CHAIR MANENDO:

We have a presentation from the Bureau of Land Management (BLM).

AMY L. LUEDERS (Acting State Director, Bureau of Land Management):

You have a copy of an overview of the BLM programs and management issues on public lands ([Exhibit C](#) and [Exhibit D](#)). The yellow area on the map on page 6, [Exhibit C](#), shows approximately 48 million acres of public lands managed by BLM, and we manage approximately 59 million acres of subsurface estate. We have a tremendous responsibility with public lands in Nevada. We play a role, directly or indirectly, in activities happening in this State. An explanation of our 6 district offices and our 14 field offices is found on page 5, [Exhibit C](#). Payments in Lieu of Taxes are federal payments to local government that help offset losses in property taxes due to nontaxable federal lands within their boundaries. Payment details are explained on page 8.

The American Recovery and Reinvestment Act of 2009 provided approximately \$28 million to fund BLM projects in Nevada, and 42 projects were funded throughout the State, page 9. Contractors for these projects hired local workers.

The emphasis right now is renewable-energy development, pages 10 through 13, [Exhibit C](#). Nevada is the only state to develop renewable energy in five categories on BLM land. Two geothermal plants were permitted last year with 170 megawatts (MW) of energy produced. They generated 24 permanent jobs and 400 construction jobs. We permitted three solar projects. There are three different types of technology represented in those three solar projects: photovoltaic, concentrated solar and power towers. Those three projects will generate over 600 MW of power and create 2,000 construction jobs. We permitted one wind project in the Ely area. That project is anticipated to generate 150 MW of renewable energy. It will create 12 permanent jobs and 225 construction jobs. Nevada is the only state to have an approved major transmission project on BLM land. The Southwest Intertie Project is located on the east side of the State. Renewable energy will continue to be a priority for the BLM. We have solar, wind, geothermal and transmission projects this year. Nevada will be a leader in renewable-energy development.

We have the largest geothermal program in BLM, page 13, [Exhibit C](#). We have 14 geothermal power plants with a production capacity of over 340 MW employing 550 workers. We will be approving another four power plants this year. In addition to the job impact and the economic impact, there are royalties shared with the State and the counties. Twenty-five percent of those royalties went to the counties where the project is located, fifty percent went to the

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State and twenty-five percent went to the U.S. Treasury. The royalties paid to the State in 2009 exceeded \$1 million.

In addition to renewable energy, we have oil and gas exploration and development, page 14, [Exhibit C](#). There is interest in the leasing program.

Mining has an important history in Nevada, page 15, [Exhibit C](#). Nevada has the largest mining program in the BLM with a significant impact for jobs.

CHAIR MANENDO:
Will you repeat what you said about oil?

MS. LUEDERS:
We have four lease sales a year. We lease BLM land for oil and gas development. In 2010, we received \$800,000 from lease sales and rentals. On page 14 the total value and production of oil is shown. In 2010, nearly half a million barrels of oil were produced.

CHAIR MANENDO:
Where does that oil go?

MS. LUEDERS:
It is sold by the producer. A portion of the proceeds go to the federal government as a royalty for the lease of the land.

CHAIR MANENDO:
Does that oil stay in Nevada?

MS. LUEDERS:
I do not know where it goes, but I can find out.

CHAIR MANENDO:
With the price of gas ...

MS. LUEDERS:
We do not have oil refineries in Nevada. In 2010 more than 5 million ounces of gold were produced in the State. We are finding new minerals in the State. Lithium, which is an important component for electric car batteries, is being developed. Sand and gravel valued at over \$11 million last year.

We have an abandoned mine program, page 16, [Exhibit C](#). We have a partnership with the Division of Minerals, Commission on Mineral Resources, and the mining industry to inventory and remediate abandoned-mine sites.

Nevada has the largest grazing program on BLM land, page 17, [Exhibit C](#). We work closely with permittees to address issues such as drought. We have the largest wild horse and burro program in the BLM, page 18, [Exhibit C](#). We have 84 herd-management areas. The appropriate management level is about 13,000 horses and Nevada has about 22,000 wild horses. We gather the wild horses, treat them for fertility control and release them back into the wild to control the growth rate of the herds and keep a balance with forage and water. There is a proposed wild horse sanctuary in Elko County, page 20.

Wildfire is an area of concern and the BLM has the largest wildfire program, page 22, [Exhibit C](#). We work proactively with state and federal partners. Local volunteer firefighters play an important role in helping us suppress fire and mitigate hazardous fuels.

We have congressionally designated lands for their natural-resource values, page 23, [Exhibit C](#). For example, Nevada has three national conservation areas and 45 wilderness areas. Wild Lands are not wilderness, wilderness can only be designated by Congress.

Sage grouse conservation is important to Nevada and the West, pages 24 and 25, [Exhibit C](#). We are working with the Department of Wildlife to address conservation efforts. We are working on a large landscape plan to restore and protect sage grouse habitat.

We have three resource management land-use plans listed on pages 26 and 27, [Exhibit C](#). The Winnemucca District resource management plan is the furthest along. The Battle Mountain District resource management plan recently initiated their plan and completed scoping meetings. The Southern Nevada District Office in Las Vegas has initiated their plan focusing on issues such as rights-of-way and renewable energy.

The BLM has successfully sold public land in the Las Vegas Valley within a specific boundary, designated by legislation and under the Southern Nevada Public Land Management Act, [Exhibit D](#). Those sales are offered competitively

and are jointly selected by local governments and the BLM, page 35, [Exhibit C](#). That program has generated \$3 billion. The proceeds are paid to Nevada.

SENATOR RHOADS:

Are Wild Lands going to be managed as wilderness areas?

Ms. LUEDERS:

The Wild Lands will not be managed as wilderness areas. Wilderness areas are congressionally designated, and management is prescribed within legislation. Wilderness study areas not designated as wilderness by Congress are managed under interim management, non-impairment standards. Wild Land use has more flexibility for types of use. We have a broader range of alternative use for those lands.

SENATOR RHOADS:

Will the Wild Lands come from the wilderness study areas?

Ms. LUEDERS:

The wilderness study areas will be managed under interim standards for non-impairment until congressional action. Wild Lands would be looked at for other areas of use.

SENATOR RHOADS:

We have three different areas of wilderness. We have wilderness areas, wilderness study areas and Wild Lands. I thought Congress could only increase the wilderness area.

Ms. LUEDERS:

Yes, only Congress can designate wilderness areas. We have management options to protect either wilderness values or conservation values. There are continuum management options. We have to protect wilderness values or conservation values. There are congressionally designated wilderness areas, wilderness study areas that are managed so they are not impaired, eventually to be designated by Congress to be wilderness, and there are Wild Lands, which are areas of critical environmental concern. They are a continuum of management options that the BLM has for protecting special values.

SENATOR RHOADS:

I have received complaints that it takes too long after finding ore to mine it. It takes six, eight or ten years to mine it. Is the BLM doing anything to streamline that process?

MS. LUEDERS:

We have heard the same complaint, especially since the price of precious metals is so high. More exploration and a record number of projects before us in mine-plan development require that we move that process quickly. We have been working closely with the mining industry. We are continuing to work with the State on industry, looking for ways to streamline where we can. There are a number of things we can do to facilitate that process. We need to ensure that it is done in an environmentally sound way. We continue to look for ways to improve, and we have made some improvements.

JEANNE HIGGINS (Forest Supervisor, U.S. Forest Service, United States Department of Agriculture):

I am the forest supervisor for the Humboldt-Toiyabe National Forest which is the largest forest system across the country in the lower 48 states. The pictures ([Exhibit E](#)) are from the Humboldt-Toiyabe National Forest. They show the diversity of the forest.

The overview shows how relevant the forest is to the State ([Exhibit F](#)). A list of facts is shown ([Exhibit G](#)). The Forest Service has three branches, [Exhibit F](#). The Humboldt and Toiyabe forests were combined in the mid-1980s to be managed as one forest. In 2010, \$3.9 million were allocated through the Division of Forestry, State Department of Conservation and Natural Resources, for work to help sustain Nevada's forests and protect communities and the environment against wildland fires. The U.S. Forest Service conducts research independently with partners that include agencies, academia, nonprofit groups and industry to produce basic and applied science. Dr. Robin Tausch of the Rocky Mountain Research Station has been studying the expansion of pinyon-juniper woodlands for the last 30 years. He has produced significant research findings to help us understand the need for landscape-level treatment of our pinyon-juniper woodlands. Other research is also happening in Nevada.

The Spring Mountains National Recreation Area (SMNRA), located outside of Las Vegas, is included in the Humboldt-Toiyabe National Forest, [Exhibit F](#). We have a workforce of 360 permanent employees and 160 part-time employees

for fire management. We have ten districts across the State managed by eight offices in Tonopah; Bridgeport, California; Carson City; Ely; Wells; Elko; Winnemucca, and the SMNRA is managed out of Las Vegas. National Forests have been in Nevada since the early 1900s.

We have the largest gold mine in the national forests, [Exhibit F](#). Gold mining in Elko County employs 300 people and yields 50,000 ounces of gold a year for \$1.4 million in 2010.

Tourists spent \$213 million in 2009 while recreating in the Humboldt-Toiyabe National Forest in Nevada.

The Rescission Act of 1995, directed the U.S. Forest Service to bring all grazing allotments into compliance under the National Environmental Policy Act of 1969 (NEPA) process, [Exhibit F](#). We have conducted NEPA analysis on all of our grazing allotments for 15 years.

Travel management has been an issue for forest users, [Exhibit F](#). We have a directive to designate a motorized vehicle use-route system to eliminate cross-country travel. The designated route system is in the process of being developed. Maps will soon be created to show the road uses.

We have been restoring ecosystems and reducing hazardous fuels, [Exhibit F](#). We have restored 4,800 acres by fuel reduction in the wildland-urban interface and another 5,000 acres of treatment in more remote areas. We will reduce hazardous fuel by approximately 7,800 acres this coming year.

The growth of pinyon-juniper woodlands has increased 125 percent to 625 percent during the last 50 years, [Exhibit F](#). Habitat could be lost if we do not actively manage the trees. Since 2007, we have treated over 19,000 acres, of pinyon-juniper woodland to restore sagebrush, grass and other shrub components.

We practice fire management in the National Forests, [Exhibit F](#). We work cooperatively with the BLM and the Division of Forestry to manage fires. Forty percent of our workforce are firefighters.

The last topic I will discuss is the Secure Rural Schools and Community Self-Determination Act of 2000 (SRSCSDA). The counties have traditionally

received payments from receipts generated from the National Forest system lands through grazing or through timber sales, [Exhibit F](#). Those receipts started to decline in the 1980s with the decline of timber harvesting. As a result, Congress passed the SRSCSDA in 2000. It gave the counties a choice either to continue sharing those receipts and receive 25 percent of those gross receipts generated, or they could elect to take a stabilized payment. Nevada counties elected to take the 25 percent fund until the Act was reauthorized in 2008. At that time, the formula benefited the counties, and most of the counties chose to take the stabilized payment. When they did take the payment, they were required to invest a portion of the payment in either a project that would benefit the county such as emergency services that respond to events on National Forest land, or invest in the National Forest. Most of the counties elected to use most of the funds to benefit the National Forest. The stabilized funds are called Title II Funds, and there is a requirement to seat a resource advisory committee. We have tried to find members to seat those committees for the last couple of years. We just learned these committees will finally be seated. We have committees in Humboldt County, Elko County, White Pine County and Nye County, and a combined committee in Lyon and Mineral Counties.

SENATOR PARKS:

Is there a means of identifying roads and trails by a number system?

Ms. HIGGINS:

Do you mean the federal Revised Statute 2477?

SENATOR PARKS:

Yes, that is it.

Ms. HIGGINS:

Revised Statute 2477 recognized roads that were in existence before the designation of the National Forest system, and it was thought to be important for the counties to maintain those roads and to keep them open. That statute has been discussed for the last 20 years because of a concern about closing the roads. The Forest Service has nothing to do with those roads since they are managed by the BLM. Sometimes it is difficult to make a determination to close a road, and court action results.

JEFF MARSOLAIS (Acting Supervisor, U.S. Forest Service, United States Department of Agriculture):

I have been acting supervisor for the Lake Tahoe Basin Management Unit pending the arrival of Nancy Gibson who is the permanent selected supervisor. She will be coming from Six Rivers National Forest in mid-April. Lake Tahoe Basin is a forest unit like others in the country, but in contrast to the Humboldt-Toiyabe National Forest, we have only 155,000 acres ([Exhibit H](#)). We were created in 1973 from three surrounding national forests: the Eldorado, the Tahoe and the Humboldt-Toiyabe. The forest supervisor's office is located in South Lake Tahoe, and a second administrative office is in Incline Village. We have an annual average budget of about \$15 million in appropriations, [Exhibit H](#). Southern Nevada Public Land Management Act (SNPLMA) has provided funds for work done on ground improvements, restoration of ecosystems and we have around 280 permanent and temporary staff on the rolls at any given time. The Lake Tahoe Basin receives national direction and regulations. Special actions from presidents and Congress have beneficially impacted Lake Tahoe, like the Lake Tahoe Restoration Act of 2000 (LTRA).

We are currently revising the forest plan for the Lake Tahoe Basin. There will be alternatives for the public to consider and comment on during the next six to nine months. Public comment will be open for 90 days and will help us provide more refined detail for guidance for the National Forest for the next decade. It is an important document for us. We have been meeting with the public and key stakeholders. We are about to enter an important phase for that project.

Lake Tahoe is recognized as a national resource. In 1997, President William J. Clinton and Vice President Albert Gore came to Lake Tahoe to share new direction for many federal agencies operating in the basin. The President signed an Executive Order developing a federal interagency partnership. Our Tahoe Regional Planning Agency (TRPA) partners were working on an environmental improvement program (EIP). Those two things came together along with the LTRA to provide a new direction and focus for all the partners, private and public, who were operating in the basin to make significant improvement in the ecological impairments that were causing problems with Lake Tahoe clarity. The EIP is still guiding our actions today. All the stakeholders remain committed to Lake Tahoe. The Lake Tahoe Restoration Act of 2011 is currently in Congress. If passed, it will authorize additional investments in the lake and provide better longevity with these partnerships, which under the initial LTRA of 2000 expires this November. We have a federal

advisory committee that guides much of our actions in the basin. The key component of the LTRA of 2000 was the establishment of a federal advisory committee, [Exhibit H](#), that has been using a variety of ways to weigh in on the projects we are investing in with SNPLMA funding. The SNPLMA dollars made available, a total of \$300 million, were directed to be used for the lake through the sale of BLM land. The \$300 million must go through a federal advisory committee before it becomes a project we can move forward ([Exhibit I](#)).

Projects currently underway are described on pages 2 and 3, [Exhibit H](#). The U.S. Forest Service undertakes hazardous-fuel-reduction work. These projects cost \$8 million to \$10 million a year. We have a multijurisdictional fire strategy to identify the areas within the Lake Tahoe Basin needing treatment the most. Implementation goes through a step-by-step process. We are currently working in the south shore area; Carnelian Bay, California; and Spooner Summit. We have planned to start in Incline Village and other areas along the way. The Angora fire was not large in acreage; however it burned 254 homes. That indicates that dangerous fuel conditions exist in the Lake Tahoe Basin. The fire was a reality check for emphasizing hazardous fuel reductions. We will be working on restoration in the Angora fire area in the next few months, and other locations in the area to make it more fire resilient.

The environmental analysis on Spooner Summit was completed last year, [Exhibit H](#). We have been able to issue contracts on mechanical and hand-treatment work to private contractors. We should see a million dollars worth of on-the-ground improvements along Spooner Summit this summer.

Prescribed fires are important to our hazardous-fuels work, [Exhibit H](#). Last year 1,600 acres of prescribed burn was accomplished in the Lake Tahoe Basin with pile burning and broadcast areas to make our National Forest safe. We work through our local fire districts and use programs to mobilize funding. Since 2005, we have helped mobilize \$17 million to local fire protection districts for hazardous fuels reduction work in the basin. Last year, \$215,000 went to the Kingsbury and Skyland communities. We had 60 fires last year in the Lake Tahoe Basin. Only one fire was lightning-caused. The rest of the fires were human-caused.

We have major areas where we are working on ecosystem restorations, [Exhibit H](#). Our streamside restoration is to mitigate long-standing impacts from the river courses that push sediment into the lake. In the South Lake Tahoe

area, we are working to restore the flow of Cold Creek. Several creeks have been eroding their banks and moving the sediment into the lake. This is a holistic approach because it is not just river restoration; we are also doing stream and meadow restoration, fuel reduction and improvement to the road and trail system in the general area. We make all improvements in the surrounding area to improve the ecosystem.

We have invasive species in the Lake Tahoe Basin, [Exhibit H](#). We have a chance of keeping invasive creatures from colonizing the lake. Our TRPA and Nevada Fish and Wildlife office are helping keep invasive species out of the lake. We manage the terrestrial invasive species. Our group is made up of 50 different partners with state, federal and private partners. We were recently recognized nationally. We administer \$10 million in erosion control grants which is part of the funding made available through SNPLMA to support local governments. It is a match fund with SNPLMA.

We receive 4.4 million visits each year from tourists from all over the world, which is the same in all the top 10 percent of National Forests. Because of the small size of the area, there is more density compared with the rest of the National Forests. Tourism has an effect on local government capacities and creates needs for infrastructure. More statistics are available [Exhibit H](#). There are many programs in which the public can participate.

We also are required to complete a map with road and other access areas, and it will be released shortly. We have been investing in road design and access. The Tahoe Rim Trail Association put 12,000 hours of volunteer labor in 350 miles of trail, [Exhibit H](#). We are going to expand our partnerships to ensure and maintain all of our investments to restore the ecosystem in the Lake Tahoe Basin.

SENATOR LEE:

I worked with Senator Parks on the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System, and I vacation at Lake Tahoe. I recently completed the Tahoe Rim Trail. It is a great hike. I am concerned more people are using Skunk Harbor than usual. In the summertime, you can smell urine all over. There are no bathroom facilities. We do not want to encourage that area to be wide open, but people with boats come there. Are you familiar with Skunk Harbor?

MR. MARSOLAIS:

I do not know which access point it is.

SENATOR LEE:

When you turn off Nevada State Route 28, going towards Incline Village, it is the first access point.

MR. MARSOLAIS:

I am familiar with it.

SENATOR LEE:

I live in Glenbrook, and we ride our bicycles there. When you come down the road on the way to Carson City, and bypass the turnoff to Incline Village, there is "Snow Hill." Is that a designated snow park or do people just use it for one? There are no facilities or dumpsters there.

MR. MARSOLAIS:

Appropriations for recreation on the Lake Tahoe Basin represent the majority of funding available. We do not have SNPLMA funding to support recreational developments. We do have partnerships which we are working to expand. The funding we do have available is stretched thin. Since my tenure in November, we have begun processing some of the larger areas by doing light, large-scale area planning. We are trying to manage our resources in the best way and to guide how we develop partnerships and how to secure grant funding. I will continue to look into Skunk Harbor and some of the other problems.

SENATOR LEE:

It is a beautiful area people are using. We have been talking about keeping people in Nevada. Put a Porta-Potty here and a dumpster there. We are not talking about a lot of money, and it keeps people in Nevada.

SENATOR RHOADS:

Is the clarity of Lake Tahoe getting any better?

MR. MARSOLAIS:

Science will debate what the trends are telling us. Earlier this fall the University of California, Davis released a report stating the lake clarity may have ceased getting worse. The scientific community will debate whether we can reverse the trend. In the early 1990s, we were losing lake clarity at a rate of one to

two feet per year. That has ceased. The investments we have made are working. The challenge will be maintaining those investments in perpetuity. Not only do we have to keep the sediment from entering the lake, but we also have to have the appropriations to maintain it in the years to come to continue the investment in the lake.

CHAIR MANENDO:

We will open the hearing on Senate Bill (S.B.) 102.

SENATE BILL 102: Requires the Board of Wildlife Commissioners to adopt regulations for the taking of shed antlers. (BDR 45-764)

KYLE DAVIS (Nevada Conservation League):

This bill allows regulation for the collection of shed antlers. The Nevada Conservation League (NCL) and the conservation community in general felt this was an appropriate bill to request the Committee to pass. Every winter, the large game animals shed their antlers, and there is a market for these antlers with large sums of money involved. When these animals shed their antlers during the severe cold with limited food supplies, males are vulnerable and stressed. People collecting shed antlers can compound the stress when they are collecting shed antlers by harassing them with helicopters, all-terrain vehicles and four-by-four vehicles. They chase the game to collect their antlers as soon as they are shed. We wanted to give the Department of Wildlife the authority to collect these antlers.

If you look at the language in section 1 of the proposed amendment ([Exhibit J](#)), we have removed the fee for noncommercial collection. We are only concerned with the commercial side of taking the shed antlers. The second amendment you were given ([Exhibit K](#)) has to do with civil penalties and with the unlawful killing of wildlife and poaching. We are trying to come into line with the surrounding states. We do not have any civil penalties for trophy-animal poaching.

ROB BUONAMICI (Chief Game Warden, Department of Wildlife):

We have a proposed amendment for section 1, subsection 1, paragraph (d). We would like to strike section 1, subsection 1, paragraph (d). The bill will read, "The Commission shall: (a) Adopt regulations for the taking of shed antlers." Under subsection 2, "As used in this section, 'shed antlers' means antlers which have been naturally shed by any big game mammal in this State."

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I have a presentation with an overview of shed antler collection ([Exhibit L](#)).

SENATOR ROBERSON:

Are we going to remove section 1, subsection 1, paragraph (c) and paragraph (d)? Or are we removing just section 1, subsection 1, paragraph (c)?

MR. BUONAMICI:

We would like to remove section 1, subsection 1, paragraph (b), paragraph (c) and paragraph (d).

SENATOR ROBERSON:

You want to remove all three?

MR. BUONAMICI:

Correct.

SENATOR ROBERSON:

What is left that this bill does?

MR. BUONAMICI:

The bill gives authority to DOW to regulate the collection of shed antlers.

SENATOR ROBERSON:

Does current law prohibit commercial use of shed antlers?

MR. BUONAMICI:

No, it does not.

SENATOR ROBERSON:

The *Nevada Revised Statute* (NRS) 501.379, subsection 1, paragraph (a) says, "It is unlawful for any person to sell or expose for sale, to barter, trade or purchase or to attempt to sell, barter, trade or purchase any species of wildlife or parts thereof," Is it now provided in the regulations that you can obtain and sell shed antlers for use in commercial purposes?

MR. BUONAMICI:

As the law stands, we have no jurisdiction over shed antlers. There was a case in the state of Wyoming where shed antlers were not considered wildlife. This bill will give us the authority to do that.

SENATOR ROBERSON:

What is your intention to regulate this activity?

MR. BUONAMICI:

Our intention is for the protection of our big game herds and natural wildlife in this State. There are a couple of issues at hand, as you will see in my presentation, [Exhibit L](#). Shed-antler hunters knowingly or inadvertently cause injury to wildlife during the winter months when they are stressed. This bill will give us authority to set seasons for shed-antler hunting to control that activity. Utah has a class for the public to make them aware of the problem of shed-antler hunting and still allow for the collection of shed antlers.

The issues on shed antlers are listed, [Exhibit L](#) page 2. The demand for use and value of shed antlers are listed on pages 3 through 8. An average shed-antler hunter can make \$15,000 a year. The most money we know of for a trophy shed antler is \$19,000. The impacts caused to these animals are listed on pages 9 and 10. The concerns and current legal status are listed on pages 11 and 12. Special operations conducted to ascertain the extent of shed-antler hunting is shown on page 13. We had 3 to 6 game wardens on this operation. Projected goals are shown on page 14. The trailer shown on page 15 is for the poached animals we have acquired. A copy of the brochure available to the public is shown on page 16. A radio announcement was done explaining the "dos" and "don'ts" of shed-antler hunting. A copy of the trinkets that are given out to make people aware of shed-antler hunting responsibility is shown on page 16. We contacted 247 shed-antler hunters for a survey shown on page 18. The pie chart shown on page 19 indicates time spent shed-antler hunting. The pie chart on page 20 shows the purpose for shed-antler hunting. The residences of shed-antler hunters are shown on the pie chart on page 21. The benefit for passing [S.B. 102](#) is shown on page 22.

MR. DAVIS:

The amendment is to deal with civil penalties, [Exhibit K](#). The law currently has no penalties for trophy big game poaching. Surrounding states do have laws for trophy big game poaching. Poachers could see Nevada as an easy mark because our laws are lenient. We want to add provisions into [S.B. 102](#) related to trophy big game animals. This will bring us into line with other states and will do a better job of deterring poaching of trophy big game. We have had high profile poaching in the last couple of years.

SENATOR LEE:

What is the current law, and to what are we adapting?

MR. BUONAMICI:

The current law in NRS 501.3855 was enacted in 1981 for a civil penalty for big game animal poaching of \$250 to \$5,000. The premise behind that law and its enactment was the honest sportsman to pay law enforcement to patrol and apprehend poachers. Maybe the poachers should pay to help apprehend poachers, which is the premise for this bill.

SENATOR LEE:

Is it true that when poachers were apprehended, you would confiscate their gun, camping gear and everything? What do they lose besides \$1,000?

MR. BUONAMICI:

There is a forfeiture provision under a separate NRS. That forfeiture provision allows for the forfeiture of any equipment used in the commission of that crime. We may seize camp trailers, spotting scopes, cameras, computers and anything used in the commission of the crime or to further the crime.

SENATOR LEE:

If this crime took place in White Pine County, would money go to the school district in that county where the crime occurred? Would not this money go for catching poachers, like you said earlier?

MR. BUONAMICI:

The fines go to the school districts. The bail and forfeitures go to the courts. The civil penalties go to DOW by statute. In the amendment, it is to be deposited into the DOW account. Poachers should pay a portion of the cost to catch poachers.

SENATOR RHOADS:

What is the definition of a trophy big game animal?

MR. BUONAMICI:

Section 8, [Exhibit K](#), reads, "As used in this section 'trophy big game mammal' means: ... " It goes on to describe what the trophy big game mammals are.

SENATOR LEE:

In southern Nevada, we put donated trophies in our shooting range. We were told the trophies people had donated to us were not acceptable if they were not numbered, classified or documented. Would we be legally responsible for having it?

MR. BUONAMICI:

Giving or selling nonedible portions of deer or elk is acceptable. Desert Bighorn Sheep, or any of the big horn sheep in the State, require a plug. Ownership can be transferred, but there is a requirement under regulation that the DOW be notified within 10 days. We do not allow selling un-plugged sheep. When a hunter harvests a sheep, a plug is inserted in the horn of the sheep with a number stamped on it. The plug identifies the sheep as a legally harvested animal. The trophy value of Desert Bighorn Sheep is substantial. Internationally, it is unlawful to kill these sheep for profit.

MICHELLE VAN GEEL (Policy Analyst):

I just want to clarify the amendment that we have been provided from Kyle [Davis] that appeared to be from the Department had different language than I think you were saying. I think the amendment you were proposing would delete (b), (c) and (d). I just wanted to clarify because that wasn't the amendment that had been handed out. So I just want to make sure we have it right for when we work session the bill.

MR. BUONAMICI:

We would like to propose the elimination of section 1, subsection 1, paragraph (b), paragraph (c) and paragraph (d) entirely.

CHAIR MANENDO:

We have received a formal statement from the Lyon County Advisory Board to Manage Wildlife regarding public discussion on S.B. 102 ([Exhibit M](#)). We will close the hearing on S.B. 102 and bring it back to the Senate Committee on Natural Resources.

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CHAIR MANENDO:

There being no further business, the Senate Committee on Natural Resources will adjourn at 5:24 p.m.

RESPECTFULLY SUBMITTED:

Sandra Hudgens,
Committee Secretary

APPROVED BY:

Senator Mark A. Manendo, Chair

DATE: _____

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
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	C	Ms. Lueders	BLM Overview
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