

**MINUTES OF THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-sixth Session
March 30, 2011**

The Senate Committee on Government Affairs was called to order by Chair John J. Lee at 8:36 a.m. on Wednesday, March 30, 2011, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, 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 John J. Lee, Chair
Senator Mark A. Manendo, Vice Chair
Senator Michael A. Schneider
Senator Joseph (Joe) P. Hardy
Senator James A. Settelmeyer

GUEST LEGISLATORS PRESENT:

Senator Greg Brower, Washoe County Senatorial District No. 3
Senator Barbara K. Cegavske, Clark County Senatorial District No. 8
Assemblyman Scott Hammond, Assembly District No. 13

STAFF MEMBERS PRESENT:

Michael Stewart, Policy Analyst
Heidi Chlarson, Counsel
James Newcomb, Intern to Senator John J. Lee
Martha Barnes, Committee Secretary

OTHERS PRESENT:

Warren B. Hardy II, Ex-Senator; Las Vegas Ski and Snowboard Resort
Kevin Stickelman, General Manager/President, Las Vegas Ski and Snowboard Resort
Tom Thomas, Managing Partner, Thomas and Mack Company; Las Vegas Ski and Snowboard Resort

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Chuck Callaway, Director, Intergovernmental Services, Las Vegas Metropolitan Police Department
Eric Fricker, Sergeant, Las Vegas Metropolitan Police Department
Larry Brown, Commissioner, District C, Clark County
Kyle Davis, Nevada Conservation League and Education Fund
Lisa Mayo-DeRiso, Founder, Northwest Residents for Responsible Growth
Tom Padden
Stephanie Myers
Bill R. O'Donnell, Former Senator
Daniel Foley
Ron McMenemy
Jim Gentleman
Luke Ham
Tina Nappe, Sierra Club, Toiyabe Chapter
David K. Morrow, Administrator, Division of State Parks, State Department of Conservation and Natural Resources
David Fraser, Executive Director, Nevada League of Cities and Municipalities
Wes Henderson, Deputy Director, Nevada Association of Counties
Constance J. Brooks, Senior Management Analyst, Office of the County Manager, Clark County
Caleb Cage, Executive Director, Office of Veterans' Services
Alfredo Alonso, Large Scale Solar Association
Stacey Crowley, Director, Office of Energy
John Dunn, Director, Nevadans 4 Carbon Free Energy
Joe Johnson, Sierra Club, Toiyabe Chapter

CHAIR LEE:

The first bill we are going to hear this morning is Senate Bill (S.B.) 409. Mr. Stewart will provide us with a summary.

SENATE BILL 409: Revises provisions relating to the lease of office space for use by certain state agencies. (BDR 27-221)

MICHAEL STEWART (Policy Analyst):

Senate Bill 409 came about from the Committee to Conduct an Interim Study on the Production and Use of Energy as created by the Legislative Commission and chaired by Senator Schneider. The bill provides provisions relating to the lease of office space by certain State agencies as it relates to energy use and consumption. Following discussions with Senator Lee and Senator Schneider, it

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was determined the bill should be rereferred to the Senate Committee on Commerce, Labor and Energy because it deals with energy issues and State agencies.

CHAIR LEE:

This bill addresses the efforts of Chair Schneider during the last Legislative Session and during the interim, so I would like to give the bill back to the Senate Committee on Commerce, Labor and Energy for a hearing.

SENATOR HARDY MOVED WITHOUT RECOMMENDATION TO REREFER S.B. 409 TO THE SENATE COMMITTEE ON COMMERCE, LABOR AND ENERGY.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SCHNEIDER WAS ABSENT FOR THE VOTE.)

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CHAIR LEE:

We will close the hearing on S.B. 409 and open the hearing on Senate Bill 232.

[SENATE BILL 232](#): Removes certain tracts of local governmental and private land from the state definition of the Spring Mountains National Recreation Area. (BDR S-181)

SENATOR JOHN J. LEE (Clark County Senatorial District No. 1):
I have some opening remarks for S.B. 232 ([Exhibit C](#)).

This is a culmination of two years of work by dozens of people and agencies to address a serious concern existing in southern Nevada's most prized outdoor recreation area. Through the years, Lee Canyon and Mount Charleston have become both a winter play destination and a refuge from the summer heat of Las Vegas Valley.

There are a couple of designated snow play options for visitors of Lee Canyon to enjoy. The first is the Foxtail Picnic Area, which provides some unsupervised snow play opportunities for the general public. In addition, Las Vegas has a first-class ski destination in the Las Vegas Ski and Snowboard Resort (LVSSR)

at the end of Lee Canyon Road. Unfortunately, unregulated and unsupervised areas between these two places have become a major attraction for the public. The largest of these areas is known as Lee Meadows. As a result of uncontrolled access, the area has become congested and dangerous for those using the Meadows traveling to other destinations and residents. Sledding accidents on or near the Meadows require victims to be evacuated from the Mountain. In addition, the unregulated access to this area is creating irreparable and environmental damage.

Approximately 18 months ago, I was contacted by some friends of Lee Canyon who had observed and supported the attempt to make the Mount Charleston and Lee Canyon experience better for the residents, law enforcement, the U. S. Forest Service and visitors to the Mountain. I shared their concern that something needed to be done to address this problem.

Senate Bill 232 is the result of discussions with stakeholders over the course of the past 18 months. Those participating directly in some of these discussions include the following: residents and friends of Lee Canyon; Mt. Charleston Town Advisory Board; Las Vegas Metropolitan Police Department; Clark County Fire Department; Mt. Charleston Volunteer Fire Department; U.S. Bureau of Land Management; U.S. Forest Service (USFS); Clark County; Nevada Conservation League; and the Spring Mountains Volunteer Association. Representatives of these groups regularly participated in discussions and conducted their own internal meetings.

There are individuals who indicate they were not properly consulted in this effort, but I do not know how I could have been more inclusive with these discussions. I personally attended multiple meetings regarding Mount Charleston to receive input from the parties mentioned above and others. In addition, the LVSSR, a partner in addressing this concern, has also arranged or participated in numerous meetings. Unfortunately, when an issue affects so many federal, State and local entities, as well as residents in two different canyons, there are bound to be those who feel they were excluded from the process. This was not intentional, and I certainly apologize to anyone who feels excluded from a complicated process and welcome you now with your concerns.

I understand that part of the discussion being expressed is the way the bill is drafted to simply amend the original legislation creating the Spring Mountains National Recreation Area without placing any restrictions on how the identified

parcels can be developed. That is fair criticism; however, I wish to state unequivocally that this was not an attempt to circumvent the agreement I had in place for dealing with the concerns. This is the way such legislation is historically drafted because we do not write zoning and land use law into the *Nevada Revised Statutes* (NRS). Those matters are properly left to the local elected representatives—in this case, the Clark County Commission—to follow the intent of this legislation.

There is a willingness to address the concerns in this bill that have surfaced in the past few days, and I understand an amendment will be offered today. However, I want to assure everyone that S.B. 232, as written, is not an effort to undo or revisit the agreements I thought were in place with the residents and stakeholders to address their concerns with the unregulated use of this land.

Every solution I arrived at for addressing the public safety and environmental concerns associated with snow play on Mount Charleston required the Clark County Commission be given complete responsibility over the zoning and development of certain parcels within the Spring Mountains National Recreation Area. That is all I was trying to accomplish with this bill. The zoning and land use decisions necessary to complete the project will have to go through the local entitlement process as designed. I want to emphasize that the bill does not circumvent or shortcut the local land use process.

Much has been made of the fact that S.B. 232 removes certain parcels of land belonging to the resort from the Spring Mountains National Recreation Area. This is because the land currently owned by Clark County is not large enough to accommodate the amenities necessary to provide a proper snow play area.

From the numerous meetings with various stakeholders on Mount Charleston, it is evident the time has come to take the steps necessary to provide a safe and environmentally sustainable snow play area for the 2 million residents of Clark County. Senate Bill 232 provides a mechanism to allow the local elected body, the Clark County Commission, to exercise responsibility for the proper zoning, permits and development constraints on this activity.

I am happy to bring forth this bill and want to assure you my intent is pure. I want to introduce the best ecological system and safety for the residents and the Mountain.

SENATOR WARREN B. HARDY II; (Ex-Senator; Las Vegas Ski and Snowboard Resort):

We are here with a PowerPoint presentation ([Exhibit D](#)), attempting to solve the problem articulated in your opening remarks. Senate Bill 232 is an example of how the process should work when a problem faces a community. Kevin Stickelman, President of the LVSSR, has concerns about the safety of his patrons who are required to pass by this area on their way to the Resort. The discussions began over 18 months ago with inclusive meetings where everyone was involved. While we have attempted to address those who are associated with Mount Charleston and particularly with Lee Canyon, this is a Clark County problem. There are 2 million residents of Clark County, and that number does not include the visitors who represent a large number of those who visit Mount Charleston. This is the only facility for this type of recreation in southern Nevada. As Chair Lee described it once to me during discussions, our poor Mountain is tired. We have all grown up enjoying the Mount Charleston area, and now it needs help. We want to help.

I will later address some fears that have just come to light. I am responsible for the way Senate Bill 232 has been drafted, utilizing the historical process for this type of legislation. We leave the land use issues and zoning issues up to the local government officials having jurisdictions over the area. We have no objection to including some limitations in the statute, but that would be outside of the normal practice.

You did a great job of articulating the problem, but there is absolute uncontrolled use of the Mountain. A couple of areas, such as the Ski and Snowboard Resort, are monitored, used and safe. The Foxtail Picnic Area, which is also designated for some snow play, is unsupervised, unregulated and uncontrolled.

The most popular spot on the Mountain is known as Lee Meadows; this is the unregulated area we want to address. Irreversible damage has been done to sensitive areas on the Mountain. The 2 million residents and visitors to southern Nevada do not have sufficiently managed recreation areas for snow-type activities.

One of the obvious concerns involves the unsafe conditions created by the overused snow play area. The other concern is the environmental impact on the area. I found some interesting statistics while conducting research for this

presentation. *The Journal of Pediatrics* estimated that 230,000 children and teenagers under the age of 19 were treated at emergency rooms for sledding injuries between 1997 and 2007. The study also pointed out that the 230,000 who visited an emergency room represent a small percentage of the accidents that actually occurred. Actually, 51 percent of those injuries were the result of sledding into an obstacle such as a tree, rock or other obstacle, which speaks to the issue of the unregulated area.

On Mount Charleston, we have observed about 35 ambulance visits to Lee Canyon for serious injuries, as our facility is just up the street from the area. These are unofficial numbers based solely on our observations. The average response time is typically 70 minutes or more for an ambulance to get to the injured person in Lee Meadows. Unfortunately, there was one fatality last season. A tourist who was visiting with her family hit a tree and was killed. Statistically, most injuries do not require ambulance transportation, but many, many injuries occur in the area.

Those conducting research and reading these studies all made recommendations and offered safety tips about how to enjoy an injury-free snow play trip. Besides wanting people to wear protective headgear and use proper equipment, every one of them suggested the key to an enjoyable snow play trip experience: the area must be supervised. The American Association of Orthopedic Surgeons indicated 71 percent of unsupervised sledding trips resulted in injury. I always told my kids that 90 percent of the injuries I saw while growing up usually began with "dude, check this out" and ended with the phrase "dude, go get my mom."

We have some photos showing the destruction to Lee Meadows. On page 6 of [Exhibit D](#), you can see the safety net installed by the County in conjunction with the Division of Forestry. The safety net has been taken down so people can get higher up on the hillside to sled. The area where the people accumulate is not really great for sledding, so they want to get up in the higher areas which are more dangerous. You can see the tracks where people have gone in areas where they have been asked not to sled. The most dangerous obstacles are the trees.

Page 7 also shows the traffic congestion and parents walking across the State highway with small children very close to a bend in the road. There is a 35-mile-an-hour speed limit, but cars travel quickly along this highway. Page 9

also shows an area where people have chosen to park. There is neither a crosswalk—so they cross the highway—nor a way to exit the road on the other side without climbing up on the snow embankment.

In the page 11 photo, an ambulance is trying to respond to an emergency and unable to get around traffic. You can see the lights flashing; it is clearly responding to a call. I am happy to report it did finally get around the traffic.

This photo on page 14 of [Exhibit D](#) scares me as a parent. You have folks backed up to a State highway with traffic whizzing back and forth while people unload their equipment and their children.

Safety is one of our primary concerns, but so is the environmental factor. If you have ever visited this area after the snow melt, it would make you sick to your stomach. I have been there a couple of times, and the things I have seen on the ground make me want to cry for our tired Mountain.

The LVSSR and other community groups lead cleanup efforts, and the LVSSR provides lunch numerous times a year. They do an effective job of cleaning up the debris, but there is no way to repair broken branches. There is no way to repair the environmental damage.

I apologize for this next group of photos that are a little graphic. There are not sufficient restrooms and trash containers available on the Mountain. In fact, no restrooms are available at the Lee Meadows area.

Partly to be a good corporate citizen, partly to get an idea of how much human waste is left after any given weekend, over President's Day weekend the LVSSR provided—at its own expense—three portable restrooms. There were 170 gallons of waste a day removed from those units. Please remember, on a normal weekend, those units are not available. You can draw your own conclusions about where that waste is going.

The photos starting on page 16 were taken two weeks ago when the snow began melting. This is when you can really see the debris and trash trapped under the snow. It is not a pretty picture. This type of problem can be cleaned up, but broken branches and trampling of the ground cannot. These photos are tame compared to what I witnessed last spring.

The page 22 photo shows the fence you saw in the first photo; it has been completely torn down with a major sledding area right through the middle of it. People go higher on the Mountain to utilize the steeper hills for sledding.

Over the last 18 months, we have reached out to the stakeholders that Chair Lee referenced in his opening remarks. We believe there is a solution and point out some concern about the way I requested the bill be drafted. There is no dispute about our proposal or what we want to accomplish with S.B. 232. This solution will address both the safety and environmental concerns. Senate Bill 232 is designed as an amendment to A.B. No. 352 of the 75th Session in order to provide the parcels of land necessary to achieve these changes.

As Chair Lee pointed out, there have been discussions about why the land from the Resort is involved. The Resort is involved because Lee Meadows does not have enough room to provide the proposed parking, restroom facilities and warming huts. All this bill does is place these parcels of land back under the control of the Clark County Commission for zoning, managing land use and planning. If the Clark County Commission does not act, nothing will happen as a result of this bill. We cannot and will not act independently of that established process.

Our next stop is with our friends and policy makers of the Clark County Commission to make this happen. This bill does not place Lee Meadows in the hands of private owners. That primary concern was voiced by the community during our discussions. This land must remain a public treasure not privately held. We have no objection to that request. We will leave the decision to the discretion of the Clark County Commission about how the land swap will be processed to achieve our goals.

As recently as last Friday we met with residents to address their specific concerns with the way S.B. 232 was drafted. I take full responsibility for the drafting of the bill. I was not instructed to draft it in this way. From past involvement in this process, this is the way to draft this type of legislation. I should have done a better job of advising my client, you and the residents that we were proceeding in this direction. I apologize for the confusion.

We have no concern placing a definition in the statute that would strictly prohibit the following potential uses: a gaming enterprise of any kind; any

commercial lodging; a gas station; or a convenience store. We do want to ensure that by blocking the convenience store, we are not prohibited from selling hot chocolate, soup and other things in the recreation area. For purposes of the public record, we want to establish our intent in cooperation with the other stakeholders. We want to create a safe, environmentally sustainable outdoor recreation area for the 2 million residents and visitors of southern Nevada.

We also want to reduce and completely eliminate the environmental impact on the surrounding areas because of the recreational activity occurring there. We want to create this entire vision in such a way to utilize a public-private partnership that will minimize or reduce the need for any taxpayer funding. Las Vegas Ski and Snowboard Resort is owned by Powdr Corp., which is one of the most respected ski and snowboard operating companies in the world. We are using the Park City Mountain Resort and Gorgoza Park in Utah, and the Soda Springs Winter Resort with Tube Town at Lake Tahoe—all owned and operated by Powdr Corp.—for our models of the proposed area.

Photos of the tubing park in Park City show a dramatic difference with almost no way for people to hit an obstacle in the road. The tracks are groomed and maintained every day. The facility provides the type of hill, decline and speed people are looking for in a sledding experience. Safety is a primary concern. This kind of oversight and supervision will guarantee the rules are followed.

To address the concerns of residents, we provide an example of the types of facilities we would propose. The two facilities on the left of the photo on page 32 are restrooms and a hand-warming area where people can warm up. The circular tent facility—yurt—is the area where hot and cold drinks could be provided. That is the extent of our vision for permanent facilities to be located on the Mountain. This is provided for the public record as our intent.

Powdr Corp. has a proven record of success. It currently operates three of the snow play areas, recording over 125,000 visitors to those areas during the 2009/2010 winter season. There was one recorded ambulance call, and that was for an elderly visitor who was experiencing a heart problem.

Powdr Corp. is proud of its record as a corporate leader and environmental steward. It was the recipient of the U.S. Environmental Protection Agency's Green Power Leadership Award for being one of the Nation's leaders in energy

leadership and carbon footprint reduction. We propose to take an area on Mount Charleston and turn it into something like Gorgoza Park, which is safe, maintained and supervised.

KEVIN STICKELMAN (General Manager/President, Las Vegas Ski and Snowboard Resort):

I began working at the LVSSR in October 2010. My predecessor had been actively engaged with the community, the County, the Forest Service and other agencies prior to my arrival. This bill is a culmination of those efforts. As ex-Senator Hardy has presented, we have a solid solution to the problem, a public-private partnership. The agreement takes into account private land holdings and the facilities currently on Mount Charleston, such as the Ski Area and the Foxtail snow play area, that would play a role in the snow play community in Lee Canyon. My goal is to concentrate the impact of this recreation onto certain parcels of land, leaving the remainder of the land free of impact from the visitors of Lee Canyon.

CHAIR LEE:

Senate Bill 232 does not guarantee Powdr Corp. will be the manager over this project. This bill does not have anything to do with whatever opportunities the Clark County Commission wants to pursue.

EX-SENATOR HARDY:

I neglected to mention two things during my testimony. One of the documents before you is the conceptual amendment ([Exhibit E](#)) to S.B. 232 mentioned in the presentation and the other is a letter ([Exhibit F](#)) from Stephanie A. Phillips, Deputy Forest Supervisor, U.S. Department of Agriculture, U.S. Forest Service (USFS), indicating no concern, which is as far as they can go toward support of this concept.

CHAIR LEE:

I had the opportunity to go back to Washington, D.C., and met with Ms. Phillips' boss who committed—once we square up the budget—to put dumpsters and bathrooms into the U.S. Forest Service's next budget because they understand the tragic condition of the Mountain during those weekends of overuse. I have observed people picnic, get up and leave without picking up and disposing their trash. This is the property of the Forest Service, so I am also working with USFS in an effort to clean up the Mountain.

TOM THOMAS (Managing Partner, Thomas and Mack Company; Las Vegas Ski and Snowboard Resort):

My family and I partnered with Powdr Corp. in the ownership of the LVSSR. We took over the operation and ownership of the Resort about seven years ago, purchasing it from the Resort's original creators. My family grew up learning to ski at the LVSSR. My father made the initial loan and the following finance capital to allow the family to create the Resort. Since Day One, our interest in the Resort was to improve an underutilized community asset located 60 minutes from Las Vegas. I can say with certainty that our family would not have become involved with the ownership of the Resort if it had not been for Powdr Corp. We researched experts in the operation of this type of resort and looked at Park City as the model to service our population of 2 million people and visitors. We were pleased when Powdr Corp. agreed to become engaged and assume all management responsibilities for the Resort over the past seven years. They have made marked improvements in the Resort and have been good stewards of the Mountain.

It is notable for Committee members who reside in the Carson City, Reno or northern Nevada areas to understand the snow play area at Mount Charleston is the only outdoor recreation for alpine enjoyment within three and one-half hours of Las Vegas. We believe, as do all of the residents and stakeholders involved in Mount Charleston, that this alpine treasure in the middle of the desert has a great deal of sensitivity to its management.

There are residential communities in the two major accessible areas of Mount Charleston: Kyle Canyon and Lee Canyon. The vast majority of residents live on the Kyle Canyon side, largely because that side of the Mountain is serviced by NV Energy. Over the past years, because of the ever-increasing residential population of Kyle Canyon, the managers of Mount Charleston—the U.S. Forest Service—have been moving the snow play activities of the Mountain from Kyle Canyon to the Lee Canyon area. We have had the opportunity over the past seven years to work closely with the U.S. Forest Service and the various rangers assigned to manage this natural resource.

From my observations, the oversight of the U.S. Forest Service can be summed up in one word—balance. The USFS has a mission to oversee the natural resources and the environment of Mount Charleston while providing access to its owners, the American citizens. It must also balance the interests of public access to outdoor recreation areas with the interests of Mountain residents.

Balancing these two aspects of the mission can be very difficult, and snow play recreation is certainly one example of that, largely due to the ever-increasing population of residents on the Kyle Canyon side of Mount Charleston. The movement of snow play to the Lee Canyon side has created the problems demonstrated in the presentation. We support the U.S. Forest Service decision to concentrate snow play on the Lee Canyon side, as the topography is superior to that of the Kyle Canyon side. However, this effort has created a severe imbalance. The huge influx of people on the Lee Canyon side stresses the few public services available. On weekends, the State highway is often blocked due to improper parking, and the lack of public toilets is certainly compromising the environment. Things are seriously out of balance, and I believe every stakeholder who has an interest in the Mount Charleston area agrees.

Over the past 18 months, there have been meetings, an exchange of e-mails and countless phone calls among the various stakeholders. These stakeholders represent federal agencies, State agencies, local law enforcement, first responders, residents who live and make Mount Charleston their home and those who have operations, such as the LVSSR.

The Clark County Commission, especially Commissioner Larry Brown, has been extremely responsive and engaged in the process as have our State Legislators, Senator John J. Lee and Assemblyman Scott Hammond. They have toured the Mountain on numerous occasions and seen the affected areas. They have met with local police, the U.S. Forest Service and other stakeholders.

We appreciate the amount of time and effort that all of the stakeholders have spent to correct this imbalance. The solution that garnered the most support was the creation of a supervised and managed snow park where families could sled down the hills through designated and safe accesses. This necessitates the creation of public restrooms that are accessible, warm and clean. There also need to be concessions where items can be purchased and trash properly stashed and collected. Any response to this imbalance needs to consider all of the environmental impacts as well as all of the rights for the quiet use and enjoyment of private property currently enjoyed by residents of the Mountain.

We did not have to look very far to see the types of solutions that exist, especially in a number of National Forest Service areas. Lake Tahoe is a good example; Boreal and Soda Springs are snow play areas operated by Powdr Corp. in the Lake Tahoe area. The common theme for every snow play area we

reviewed was the commercial operation component. This bill is created to set aside some parcels of property in the Lee Canyon area to be considered as a solution for the current problem. This is the first step because most of the work has yet to be done. The bill provides that these parcels can be placed before the existing processes of zoning, permitting and approvals by the Clark County Commission. We understand the project still needs to be vetted from an engineering, economic and environmental standpoint to prove its feasibility.

Meetings and discussions have been held over a number of months. There is no question that this process has inadvertently omitted individuals who have yet to voice their opinions on how to properly do this, and we welcome their voices. We also welcome the opportunity to have open discussions; two important stakeholders have not yet had a voice at the table and likely will not. The first are the hundreds of individuals who have been injured while tubing or sledding on Mount Charleston. It is easy to say these people played at their own risk and were at fault. Nevertheless, the solution to eliminating the numerous injuries that have occurred is to create a safe snow play area.

The other group of stakeholders not represented are the thousands of residents in Clark County who would love to have a safe place to enjoy outdoor recreation on Mount Charleston. They either cannot afford the cost of equipment, lessons and lift passes for skiing and snowboarding or they are not willing to venture out and risk sledding through the trees. We have an ever-growing population in the valley, and this population has only one snow play area accessible in reasonable proximity.

In conclusion, we understand that Senate bill drafting leaves open opportunities for the governing body, the body that has statutes and an investigatory team to oversee development. Clark County would be responsible to situate the proper development of the property. We are open to an amendment that would direct the Clark County Commission on broad prohibitions of potential uses. These prohibitions can give proper guidance; however, we do not feel it is appropriate for the language of this bill to micromanage the Clark County Commission in the matters of zoning and permitting. This is a work in progress, and we know this is only the first step. There will be much to follow with all of the stakeholders at the table discussing what is the best and proper way to overcome the imbalance existing on the Mountain.

CHUCK CALLAWAY (Director, Intergovernmental Services, Las Vegas Metropolitan Police Department):

Our agency is neutral on this bill. We certainly agree with the public safety aspects raised by ex-Senator Hardy. If the land is developed in the manner presented, it would go a long way to rectify some of those concerns. Because we do police Mount Charleston and have a resident officer there, we are also in partnership with the community and understand some folks on the Mountain will oppose this bill. This is why we have chosen to remain neutral. One of our resident officers is here today to speak to some of the public safety concerns he sees on the Mountain.

ERIC FRICKER (Sergeant, Las Vegas Metropolitan Police Department):

This is a great first step in trying to come up with solutions for this problem. As a sergeant at Mount Charleston supervising police operations, this area is completely unmanaged and unregulated. Residents and visitors on the Mountain do whatever they want. There is nothing we can do about it. I had an officer write 120 parking violation tickets in one weekend for the people in some of the photos you saw during the presentation. We cannot enforce our way out of this problem. The photos in the presentation were mild compared to what we deal with everyday. Main Street, U.S.A. at Disneyland with all of the chaos accurately represents what we are dealing with in that area. Three years ago, the Las Vegas Metropolitan Police Department formed a Mountain Management Team with all of the State and County agencies at Mount Charleston to identify solutions for these problems. We have been practicing those solutions, but we are really trying to put ten pounds of coffee in a one-pound can in Lee Canyon. It is very dangerous; we have Flight For Life in and out of the area regularly.

These problems have taken us out of our traditional roles. Officers assigned to the residence section need to police over 2,000 miles on these busy weekends. The only air we can police is Mount Charleston. Through the help of all of the agencies, the Nevada Highway Patrol has reported an 80 percent reduction in traffic accidents in that area over the past three years. The Division of Forestry has reported a reduction in sledding injuries of 85 percent over the same time period. This is still not enough.

You heard about one fatality during the presentation, but there have actually been four fatalities from sledding during the last five years. That is way too many deaths. We go as a team when we go up there, but the area is remote. You may have one officer in Lee Canyon and one officer in Kyle Canyon, and

there is nothing worse than not getting to a problem whether you are a police officer, ambulance driver or firefighter because you cannot get through the traffic.

We have been working with these partners for a long time; the law enforcement agencies, State and County agencies are all tapped out. We have tried everything imaginable, including limiting parking in areas where injuries resulted. We also limited parking where the congestion created a public safety hazard. We need more help. Every agency is asking where can we park. If you are looking at Lee Meadows, we can only park 25 cars across from the Meadows. The Resort has a special use permit to park cars on upper Bristlecone Trail; if we are lucky, we can park 50 vehicles in that area. That is what we are doing now.

As far as the traffic figures, the Nevada Department of Transportation does not have a traffic counter on Lee Canyon, but our officers counted the traffic. We had 227 vehicles with 580 occupants go through a checkpoint in 12 minutes. You can see the volume of traffic going into that unsupervised area. I would not take my family there.

CHAIR LEE:

In no way does this allow the LVSSR an opportunity to take the lead on this issue, but have they been a good partner and steward for the area? What has the relationship been between the LVSSR with its activities and the solutions being proposed?

SERGEANT FRICKER:

The LVSSR's take on trying to alleviate some of the congestion mirrors some of my concerns, meaning we need shuttles and we need mass transportation because we have to get those cars off of the road. The Resort put together a \$400,000 grant last year that helped with some of the shuttle service, and the County Commissioners looked at the Regional Transportation Commission. I wrote "they say what they mean and they mean what they say" in a recommendation letter to the mass transit office. For years the Resort has been a great partner for us.

Even when the plows cannot get through because the snow is too heavy, the Resort will send plows down to help push the snow off the road a little further. This helps law enforcement to not write so many tickets when people have

nowhere to park. We have a great relationship with all of the representatives who run the day-to-day operations at the Resort. At one point, LVSSR had a representative on the Mountain Management Team, which represented all of the businesses on the Mountain. The Resort did have a part and place at the table as far as trying to keep the area safe. We really like working with the LVSSR; it is at the end of the road in a box canyon and know the problems, so it needs us and we need it.

LARRY BROWN (Commissioner, District C, Clark County):

Ex-Senator Hardy said during his presentation that he feels the Mountain is tired, and I agree. The Mountain has become fragile. We are looking at S.B. 232 to be the beginning of a long-term solution for sustainability on the Mountain from an environmental and public safety standpoint. Conditions have become tenuous on the Mountain. You have initiated what needs to be done by introducing this bill. Everyone in this room wants to be part of the solution, and this brings a great perspective.

Sergeant Fricker and the Las Vegas Metropolitan Police Department must be commended for their dedication to the Mountain over the last few years. Sergeant Fricker lives and breathes public safety for the residents and visitors who visit the Mountain. The Thomas family, residents of Lee Canyon and members of the Mt. Charleston Volunteer Fire Department are all ready to participate in a solution.

So you may ask why the County is here. Back in 1954, a family on Mount Charleston deeded Clark County 5 acres, which have become the most popular spot on the Mountain as a magnet for sledding and other outdoor recreation. The 2 million residents of Las Vegas Valley have discovered Mount Charleston, and it has put tremendous pressure on public safety. Clark County has never done anything with the deeded 5 acres because we do not have the resources to create a County park. Right up the road, the County has Camp Lee Canyon in relationship with the Forest Service. It is a unique opportunity where we offer programming throughout the year for the residents of Clark County.

Initially, we researched the possibility of taking our 5 acres in Lee Meadows and trading that land with the Forest Service, which owns the land underneath Camp Lee Canyon. The Forest Service is prohibited from completing such a transfer. On a parallel track, we have contacted our Congressional Delegation to

see if there is a potential to put that type of transfer into any type of federal legislation dealing with public lands in southern Nevada. We will continue to monitor those opportunities.

With the help of the Las Vegas Metropolitan Police Department and the Nevada Highway Patrol, we noticed the safety issues in the Meadows in the wintertime when the Volunteer Fire Department had a difficult time getting to the areas. The volunteers had to traverse an 8 to 10-foot ditch with their equipment to get to the injured party. The bigger challenge was to move victims back out and get them to safety. Through the cooperation of these agencies along with the Nevada Department of Transportation, we filled in the ditch and made a safe area for pedestrian use and Volunteer Fire Department access to the property.

We posted signage and rebuilt a fence halfway up the Mountain. The fence lasted less than a week. Those people want to go higher and higher. The question was asked why the County did not fence the entire area. We chose not to pursue that option because it would push the end users into an even more dangerous area in the Meadows where there are more inclines and trees. By working with our environmental division, we went into the 5-acre parcel and cut down some of the trees that seemed to be the magnet for injury. That assisted a little bit, but the bottom line is this is where people go for the unsupervised sledding experience. I emphasize unsupervised because neither Las Vegas Metropolitan Police Department, Nevada Highway Patrol, Clark County or the Forest Service has the human resources to adequately supervise this area. This bill takes a large step toward a solution to this problem.

Clark County wants to be part of the solution. We have flexibility and have talked to the stakeholders. We want to maintain a public ownership of our 5-acre parcel by transferring it to the Forest Service or working out a safe snow play area as indicated by Powdr Corp. We need to find a managed solution quickly because the Mountain is fragile.

CHAIR LEE:

The problem we have now will be exacerbated. Las Vegas Valley will eventually handle 3 million people when we build it out, and we will get to a growth period again. This is timely, and I appreciate Clark County seeing the need for this bill.

KYLE DAVIS (Nevada Conservation League and Education Fund):

We are here in support of the bill, providing the amendments offered by ex-Senator Hardy are included. We participated with A.B. No. 352 of the 75th Session and saw that bill through to passage. In order to provide protection for the area and to maintain its rural character, we would like to see that continue. Obviously, there are environmental problems on the Mountain, and we are seeing the impacts of overuse. We are supportive of cleaning up the damage that is occurring and safeguarding the environment on Mount Charleston. It will continue to be a high-use area when you have such a small recreation area for such a large population. Provided the amendments stay in the measure and nothing changes from what was passed last Session, we are in support of the legislation.

CHAIR LEE:

We appreciate your oversight during this process. The environment is of paramount concern to this Committee.

LISA MAYO-DERISO (Founder, Northwest Residents for Responsible Growth):

I am here as the cofounder of Northwest Residents for Responsible Growth and as a board member of Scenic Nevada. As a resident and mother of five children who like to recreate in Lee Canyon, I support the efforts to build and maintain a supervised and controlled outdoor snow and recreation area for our children, the residents of Las Vegas and those who live on the Mountain.

I am from Colorado, where I grew up skiing. I know what controlled and supervised snow recreational areas look like. I was also a team member in the efforts to draft and pass A.B. No. 352 of the 75th Session, a bill enacted to protect Spring Mountains National Recreational Area from encroachment and commercial development. I was alerted to S.B. 232 by a colleague of mine and was surprised we were not made aware of the bill. As a result of that oversight, we have had some much-needed conversations with a wide range of people. A supervised snow play area described in the presentation by the LVSSR will be successful. It is that success that concerns me. It concerns me with some of the language in the bill. The bill states ... "An act relating to land use planning" That statement tells me that if this is successful or if the property is sold to someone else, S.B. 232 does not talk enough about A.B. No. 352 of the 75th Session. It is a bit too broad and leaves a lot of open legislation for people to come in and look for zoning that is not in accordance with A.B. No. 352 of the 75th Session.

I agree with the recommendations put forth by ex-Senator Hardy and support what the people who live there want. They have a much louder voice than I do regarding this issue. I would like to see us refer to A.B. No. 352 of the 75th Session more specifically in the first part of the bill. Senate Bill 232, section 1 defines the boundaries, but you do not refer to section 4 or section 8 of A.B. No. 352 of the 75th Session, which talks about the intent of the bill. The intent is to protect the Spring Mountains National Recreation Area from overdevelopment, from commercial development and from uses we believe are not conducive to keeping the spirit of the open area, recreational area and the elements of the area. I would ask you to consider including the references to A.B. No. 352 of the 75th Session in the definition. If I am looking at development of the Spring Mountains National Recreation Area, taking in holdings and moving them out as this bill is doing, I would readily be directed to A.B. No. 352 of the 75th Session and its impact on this area. I appreciate the efforts and time spent on this bill and the proposed supervised snow play area for the residents and visitors. More recreation areas to provide an escape for the residents of Las Vegas will improve their quality of life. I would appreciate your considering these amendments.

CHAIR LEE:

Staff is writing down these ideas and options, and they will be categorized.

TOM PADDEN:

I am a Mount Charleston resident; there has been some characterization that a number of residents are opposed to S.B. 232. That opposition is only a matter of having such late notice of the hearing. It is true that over many months we have discussed these issues, but we only learned about this bill two or three weeks ago. We have had to run fast to catch up and determine what it means and where it is placed to get our heads wrapped around the whole thing.

We really support LVSSR and everything the Resort has done since it took over the operation in Lee Canyon. We have seen nothing but improvements and are happy to have LVSSR in the neighborhood. I understand there will be further opportunity to review and amend as this bill moves forward. This will certainly enable us to address all of our concerns.

Mount Charleston residents already support what LVSSR can provide the Mountain. The Resort is probably the one entity most capable of positively impacting the trash-the-mountain syndrome, and we support anything it is able

to accomplish. Now, we understand that this bill does not change A.B. No. 352 of the 75th Session but seeks to amend it rather than create something separate and more subject to abuse. We see it as an opportunity not to undermine the Spring Mountains National Recreation Area but to establish a precedent to greatly strengthen it along with promoting LVSSR's role in local conservation efforts and values.

The Spring Mountains National Recreation Area sits by itself in statute with no example of anyone putting it to use. If S.B. 232 is enacted, putting A.B. No. 352 of the 75th Session into practice, it would establish a best practices example of following the intent of the law, so any developer trying to sneak in with narrow interests and bad ideas could be stopped much more effectively. This would be a double plus for the future conservation efforts.

We can see S.B. 232 is in fact amending A.B. No. 352 of the 75th Session and inclusive under its language and intent—if written properly with no such flaws that could lead to abuse.

I have requested language content be added, including the confirmation of the list of restrictions implies that anything not listed would be permissible. The new permissions must be specific, exclusive and clearly justified by and pursuant to A.B. No. 352 of the 75th Session. Lawyers have a way of construing language to mean if it is not listed, that means it can be done.

Ex-Senator Hardy stated that bills of this nature are constructed in a generic way. We need to make the intent clear and precise to prevent future abuse. That is the essence of our concern. Sometimes developers get approvals for a development before anybody finds out about it, and then it is too late. We do not want this to happen on Mount Charleston.

CHAIR LEE:

You stated you did not have enough time to understand S.B. 232. When I submit language for a bill draft, it goes into a queue at the Legislative Counsel Bureau. Between both Houses, there were something like 1,200 bills or more to be drafted. Once the bill comes back from the bill drafters, it can be worked. I did not receive the bill any more timely than you folks. Once the bill is introduced, it is heard in committee, like today, and then brought back in a work session where there is more discussion regarding the proposed amendments. The bill must be out of this Committee by April 15, and

it would be heard during a Senate Floor meeting where all of the Senators have a chance to vote on the bill. You will be involved in the work session process.

MR. PADDEN:

Mount Charleston is not even Chair Lee's district, but he has made these efforts entirely out of his concern and love for the Spring Mountains. We now understand the process and have put away the torches and pitchforks.

STEPHANIE MYERS:

I am a long-term resident of Lee Canyon, and my children were on the ski hill when they were still in diapers. My son went on to the Junior Olympics and served as captain of the ski team at Harvard University. My daughter taught skiing at the Alta ski area in Utah. It is a long-term project of mine to protect the Mountain. We want to promote safety and need to have a safe place in Lee Canyon. We also want to protect the sanctity of the Mountain.

This morning I took a hike with my dogs, and the birds were singing while the sun was rising over Las Vegas Valley. It was hitting the very tip of Lee Peak and was absolutely beautiful. What we do not want to see on the Mountain is Las Vegas. We want the Mountain to be the Mountain. We want this to remain outside of casinos and restaurant chains. We want to protect the Mountain from the people who would exploit it. We worked so hard on A.B. No. 352 of the 75th Session to prevent new commercial zoning on the Mountain.

When we first heard about S.B. 232, it appeared to be an attempt to circumvent A.B. No. 352 of the 75th Session. The two bills need to work in tandem. I am in favor of S.B. 232, but only if the amendment is attached to the bill. We want the bill amended before going to the Senate as a whole. It has been stated that the bill will be amended so that gaming of any kind will not be allowed on the four pieces of property being discussed. The amendment will also not allow commercial lodging, including condos, hotels and houses. There will be no cabins and no convenience stores. We would also like to add, there will be no permanent structures of any kind on the property other than restrooms. We understand the need for restrooms, trash containers and landlines because there is no cell phone service in Lee Canyon.

When people slide into trees, they try to call for help, and there is no cell service. We want the amendment to state this will be for snow play only, with

no permanent structures other than the restrooms and no full-scale restaurants or fast-food franchises. Senate Bill 232 is good, but it is not enough. We need a much longer-term solution.

We noticed that LVSSR never opened its lower parking lot for public parking this past year, and the public needed places to park. We are in favor of a longer-term solution which would allow parking at the bottom on the hill or somewhere below the snow line so people without the right equipment, such as cars with four-wheel drive, have a place to park and be shuttled up the Mountain. I cannot tell you how many people I have dug out of the snow because they are in a convertible with bald tires. It is not the place for people to come with that type of automobile. The people coming up from Las Vegas Valley do not understand there is no gasoline on the Mountain, there is no cell service and their vehicles are not suited for winter road conditions. We really want to have continued communication with the Committee and LVSSR. We would be happy to have LVSSR lease all four picnic areas and campgrounds on the Mountain: Old Mill, Foxtail, Dolomite and McWilliams. We would love to see them operate these picnic areas and allow folks to have a safe place to recreate.

CHAIR LEE:

Regarding your testimony, my concern on A.B. No. 352 of the 75th Session is for you to understand that it is overarching legislation. Nothing would have a negative effect on this land. The language from A.B. No. 352 of the 75th Session has been codified into the NRS. Legislation will take precedence over any additional bill that comes behind it. Senate Bill 232 is not changing anything previously passed regarding the Spring Mountains National Recreation Area. Local control of the buildings, yurts and restrooms would be completed through discussions with Commissioner Brown and the Clark County Commission. You will work with them to develop how you want the area to look.

Parking below the snow line makes a great deal of sense, but we are not trying to gather in any of the Forest Service land. We would have to work directly on that issue to enhance the Mountain. Perhaps we could establish a Phase 2 of this Master Plan to address some of these issues.

ASSEMBLYMAN SCOTT HAMMOND (Assembly District No. 13):

I am here to support S.B. 232. As a consumer of Mount Charleston, I have gone sledding with my family and I have seen the vehicle congestion and the unsafe

conditions. When this project was explained to me as providing a solution to the problems on Mount Charleston, I wanted to be involved. When visiting Mount Charleston, I always wait to see how many other cars are coming up the highway just to get my 5-year-old across the road. It always seems like an adventure to get across the road and then up to the hill to do some sledding.

The residents in the area are concerned about what happens on the Mountain; I want to lend my support to them and Senator Lee. This will be a winning solution for everyone, once we get the language right.

CHAIR LEE:

Assemblyman Hammond, I will lean on you to work within the groups to ensure we cover their concerns and they hear your voice.

BILL R. O'DONNELL (Former Senator):

This is a long time coming for management on the Mountain. We have some concerns about the bill. Like the residents of Camp Lady of the Snows, we were surprised that we were not notified and learned about the bill by reading the newspaper.

Some history regarding Lee Canyon: James Hogan and Joe Mikulich were two of the individuals who developed that property. A priest by the name of Father John Kenny deeded both parties the same parcel of land. The lawsuit was settled back in the early 1980s. I want to call your attention to page 6, lines 15 to 23 of S.B. 232 which reads from the lawsuit settlement:

Subject further to an easement for an existing water line 4 feet wide running southeasterly from said well site to a point on the southerly boundary line of said track. Subject further to an easement in favor of the defendant, his or her heirs and assigns, within the last described roadway easement, for a water line 4 feet wide along the center line of the roadway easements hereinabove described, plus a 4 feet wide easement from said well to said southerly boundary line

That defendant is our family. We were surprised to be put in the bill and codified without knowing anything about it.

Secondly, a roadway easement allows the parcel to be bifurcated 15 feet on one side and 15 feet on another side. On our side, 15 feet of a 130-foot

right-of-way goes out to the roadway. If you understood the topography, it would be like giving us an easement to the Grand Canyon, and the road is on the other side of the Grand Canyon. We do not know who is going to build a bridge.

Thirdly, when I was a kid in the Boy Scouts, I remember being on Mount Charleston. My family brought me up the Mountain in a 1956 Mercury wagon. The existing roadway allows access to our parcel. If that roadway is taken away without a prescriptive easement that we have on the property, we do not know where we will be. It is not that we oppose the bill, it is just really tough to manage two legs of a three-legged stool. We are sort of part of this, but then we are not part of it. Yet, we have easements for the well and the right to use the well. We do not know how that will play with the stakeholders. We would love to support this legislation, but we would also like to find out how we are personally affected.

My father-in-law developed and drew the lot lines for each Camp Lady of the Snows lot. My wife and her brothers and sisters painted every street sign up there. We are familiar with the area. I am proud to say my family was part and parcel to establishing Camp Lady of the Snows in Lee Canyon.

DANIEL FOLEY:

I am a resident of Las Vegas representing my mother, Betty Foley. She is a partner with the Hogan family and others with respect to the property that I believe is just to the north of the lower 5 acres. I first learned about this bill from former Senator O'Donnell and read the article in the paper on Sunday, so we are drinking through the fire hose to figure out what is going on here. I was hoping to see the 5 acres below that will be taken out as well as where the 28 acres are located. I have spoken with Tom Thomas, and we should work through that issue. Our property is not being removed, but I am not sure why we did not receive any notice regarding this issue. I am inclined to have our property included in the removal from the area; then we will deal with the development and how it is handled through the Clark County Commission.

RON MCMENEMY:

I am a 35-year resident of Clark County and a resident of Camp Lady of the Snows. We were all notified within the last week and have had several meetings with Mr. Stickelman of the LVSSR and Mr. Thomas.

Camp Lady of the Snows is a hidden subdivision above the proposed snow play area with over 45 homes. You cannot see one of those homes from the road. Therefore, we were not properly notified about this situation. Previous testifiers made the position clear for everybody on Lee Canyon. We completely support the efforts of the LVSSR at the State and federal levels to eliminate the congestion, safety issues, sanitary issues, etc. We also support the enhanced activities for the Clark County residents. We love seeing families on the Mountain enjoying the snow. We are the ones who are cleaning up the area. Personally, my family has two areas on lower Lee Canyon Road that we maintain and clean every couple of months.

We need to enhance the shuttle system and provide parking further down the Mountain below the snow line. The windy roads will not be handled with this legislation. Senate Bill 232 clearly needs to be an amendment to A.B. No. 352 of the 75th Session. There seems to be some very deliberate dancing around that issue. Saying these are two separate issues and A.B. No. 352 of the 75th Session will still stand is correct, but S.B. 232 removes these parcels from the previous bill.

We live up there for a reason. We have a huge investment and commitment to the Mountain. All of the parties are further along now that they have communicated with each other. There has been good dialogue, but we are still at 40,000 feet on this issue. Many more discussions need to occur. The LVSSR will need to complete a zone change and conditional use permits, and we will deal with those issues. Let me stress, S.B. 232 needs to be an amendment to A.B. No. 352 of the 75th Session.

EX-SENATOR HARDY:

I want to assure the folks in Las Vegas that there was no deliberate dancing to try to get around anything when this bill was drafted. We are certainly willing to consider and look into further tightening of the amendment, but we do want to make two important points. It is critical that the integrity of the process for local governments dealing with zoning issues and land use matters remains intact. We do not intend to put a fast-food restaurant of any kind on the Mountain. It is not part of the plan and is not being considered. Does the definition of eliminating fast food remove the ability for LVSSR to provide hot chocolate and soup in the warming huts? Those details need to be worked out. We will continue to work with the stakeholders during this process.

I want to clarify something Ms. Myers stated regarding the parking availability from the LVSSR. That parking has been open to the public from December 22 through March 16 as always. The ski bus program has seen a 97 percent increase in ridership, so we are headed in the right direction in a lot of areas. I look forward to working with Senator O'Donnell to address some of the questions he provided.

CHAIR LEE:

To the stakeholders in the south, we will bring this bill back for a work session. I will notify you all in advance so you can be involved in that process.

JIM GENTLEMAN:

I am a lifelong resident of Las Vegas who enjoyed Lee Canyon as a child and teenager and was fortunate enough to purchase a cabin with my sister and wife in Camp Lady of the Snows. There is no argument that this place, Lee Canyon, Kyle Canyon and Mount Charleston need more parking. We need to focus on congestion, public restrooms and safety. The question is with the tactics and the solution.

Senate Bill 232 is the beginning of a slippery slope. Assembly Bill No. 352 of the 75th Session was thoughtfully created as a way to protect the Spring Mountains National Recreation Area. If we start seceding tracts of land as is proposed in this bill, that leads to other potential opportunities. I do not question the intent of the LVSSR, the Powdr Corp. or the Thomas and Mack Company; however, these for-profit businesses are in business to make money. It does not always align with the residents or those who visit the Mountain. We should be held to a higher standard. This is a Mountain, a natural resource and a treasure, as Mr. Thomas indicated earlier. We should not use the same thinking processes to zone land as we do in Las Vegas Valley. We should all be held to a higher standard and a different set of criteria. That is my concern. Everyone has spoken about protecting the Mountain, but I am not convinced that is necessarily true. Everyone is looking to improve the situation, but other issues have not been discussed today. I would hope there would be more collaboration and discussion. This should be a comprehensive look at how to ease the parking congestion and to improve safety. My concern is that this will eventually lead to the commercialization of Lee Canyon and Mount Charleston.

LUKE HAM:

I am a resident of Kyle Canyon, volunteer firefighter on Mount Charleston and LVSSR employee. My intent today was to further discuss the issues we deal with as first responders and citizens of the Mountain. The issues have been covered well by the other testifiers.

CHAIR LEE:

I will close the hearing on S.B. 232 and open the hearing on S.B. 326.

SENATE BILL 326: Revises provisions relating to parks and recreation areas in this State. (BDR 20-393)

SENATOR JOHN J. LEE (Clark County Senatorial District No. 1):

This bill sets forth a unique method to fully fund State parks through proceeds from the Governmental Services Tax (GST) collected during certain transactions at the Department of Motor Vehicles (DMV).

The economic problems recently plaguing our State have had a devastating impact on our parks system. For many years, Nevada's parks system has endured unstable financial support, which jeopardizes the viability of the system. Over the last several years, appropriations to State parks have been reduced by almost 50 percent. With such a significant decrease in funding, our State parks face an uncertain future.

Despite the clearly documented social and economic value of State parks, it continues to be difficult for the State parks system to compete for money from the State General Fund. The public continues to need recreational opportunities and access to open space and parks in times of economic hardship. In fact, these needs are enhanced because of leaner economic conditions and the public's desire to seek more affordable recreational outlets.

In order to ensure that State parks remain available and accessible to all Nevadans and our visitors, I propose using a portion of the GST to provide much needed funding to the State parks system. This bill transfers \$3 from the proceeds of the GST paid on each noncommercial vehicle to the Division of State Parks. When a noncommercial vehicle owner gets a license plate for the car, \$3 of the GST goes toward the Division of State Parks.

In exchange, the bill exempts State residents from paying a fee to enter a State park or recreational area. However, State residents will be required to pay established fees for boating, camping or special events. Finally, the bill authorizes city and county park commissions to accept gifts, grants, donations and endowments so that residents may use local parks and recreational facilities free if the counties so choose.

This concept is not new. Several states utilize their DMV transactions for state park funding. Over the last ten years, many states have adopted alternative funding sources for their State parks systems. These alternatives run the gamut from a percentage of the sales tax to increased fees for vehicle registrations.

One of the more innovative funding mechanisms was developed by Montana and copied by four other states: Arizona, California, Michigan and Kansas. After a year of evaluating the value of Montana's state parks and reviewing numerous funding sources, a governor-appointed commission recommended a plan to increase the fee for registering noncommercial vehicles, trailers and motorcycles by \$4 in exchange for allowing Montana residents free day use of state parks and fishing access points. The commission's recommendation was adopted by the governor, approved by the legislature and implemented. It generated approximately \$4 million in nongeneral fund revenue to the benefit of Montana's state park system. Surveys of Montana residents indicate an approval rating of 80 percent or better. As one Montana resident described, "I can visit a park twice annually and exceed the cost of the increased registration." As a result, Montana state parks have experienced increased visitation as well as higher levels of customer satisfaction. I am confident Nevadans will express the same degree of support and satisfaction for this proposal in S.B. 326.

This bill can serve as a stopgap until a companion bill—Senate Joint Resolution 13—in the Senate Committee on Legislative Operations and Elections is processed and approved by the voters. That bill sets up a trust fund in the Nevada Constitution to permanently fund our State parks system for the long term.

SENATE JOINT RESOLUTION 13: Proposes to amend the Nevada Constitution to establish the Trust Fund for State Parks. (BDR C-918)

I am more than happy to work with those who have concerns with the funding mechanism in S.B. 326 to ensure Nevada parks receive the funding they so

desperately need to survive. This bill will improve Nevada's parks system, increase visitation, enhance park maintenance and sustainability, and completely unshackle Nevada's parks system from the uncertainty of state appropriations. I urge your support on this important bill.

TINA NAPPE (Sierra Club, Toiyabe Chapter):

I have lived in Nevada my entire life. Every time there is a downturn in the economy, the Division of State Parks loses funding. During the 1980s when Nevada lost the Parks Division, and for many years the State had no parks administrator. Our parks need help.

The Toiyabe Chapter of the Sierra Club has approximately 5,000 members, all of whom enjoy the outdoors and appreciate our State parks. As your bill indicates, State parks are not only a resident treasure, they are an economic entity within our State. Pictures of the parks and the ability to stay in the parks adds to the State's long-term stay-one-more-day campaign. Whether you are an urban resident enjoying Lake Tahoe and Valley of Fire, or a fisherman in Lincoln County or Elko County, parks are an essential part of our economy. Yet, natural resource agencies are always expected to be dependent on fees. It is not possible for us to charge State park visitors enough to sustain the parks. We are here to enthusiastically endorse this bill and hope the Senate Committee on Government Affairs will do likewise.

MR. DAVIS:

This bill and the concept of creating a new funding mechanism for our State parks is one of the four priority pieces of legislation for the Nevada Conservation League. This is a collection of 17 conservation groups from throughout the State. It is a broad range of people working on a broad range of issues. When we look at the funding stream for Nevada State Parks, in good times, they receive a sliver of funds to keep up with maintenance or complete some upgrades, but during lean times, they get cut deeply. As a result, our State parks are barely getting by and not completing needed maintenance. Things are triaged regarding what can be done without expanding opportunities for residents to enjoy State parks. The initial reason for having State parks is because these areas—whether historical or natural treasures—are some of the greatest areas in our State. Parks were created so all residents could enjoy these areas. We need to create a new funding mechanism so that can continue.

Needs at the parks continue whether or not the economy is good or bad. In bad economic times, the parks receive more visitors. Some of that is because it is a low-cost vacation for people within our State who cannot afford to go anywhere else. This would provide free day use for those residents of our State. We still receive a significant amount of out-of-state visitors who visit our State parks. We will still realize the revenue from those visitors for day use and other types of fees. For example, Valley of Fire State Park is about \$8 for day use. Under this concept if you have two vehicles, you essentially pay that amount if you pay the day use fee just once. This makes a great deal of sense and ensures no negative impact to other revenue streams.

CHAIR LEE:

The next speaker is James Newcomb. Committee, please think of some questions as Mr. Newcomb is an intern working for me. Interns working for me get an F, a C or an A. The F means you were not any good at all. The C means you were just average. The A means you really got involved with a bill, testified on it and participated in the process. James is trying to get his A today. James was raised in Las Vegas and graduated from Faith Lutheran High School. He attends the University of Nevada, Reno, studying criminal justice.

JAMES NEWCOMB (Intern to Senator John J. Lee):

I have written testimony ([Exhibit G](#)). As part of my job of being an intern, Chair Lee asked me to select a bill that I feel strongly about and testify in front of the Senate Government Affairs Committee. After conducting some research into the various bills, S.B. 326 presented itself as the perfect bill to offer my opinion.

Theodore Roosevelt, an avid outdoorsman and twenty-sixth President of the United States, once said of our parks: "The establishment of the National Park Service is justified by considerations of good administration, of the value of natural beauty as a National asset, and of the effectiveness of outdoor life and recreation in the production of good citizenship."

Although President Roosevelt was speaking of our National Park Service, the same statement can be applied to our State parks here in Nevada. State parks and other recreational areas provide residents and visitors places to relax, exercise or just generally have fun. I can remember when my family and I visited the Valley of Fire when I was young; as an adult, I have made several trips to Lake Tahoe to enjoy the various activities there. While I am certainly not the

most outdoorsy of individuals, I am still a staunch advocate of the preservation of our State parks and various recreation areas. Preservation of the natural beauty of this State is also the preservation of our identities as Nevadans. Nevada has always been an outdoor-oriented state, and if our State parks were to ever be subject to some form of alteration or change due to lack of funding, my pride for the State of Nevada would be hurt.

This bill encourages donations to help provide funding for our State parks. This is a good remedy to help save our parks in times of great economic strife. Funding for our parks has been reduced 46 percent since 2008, and more cuts are expected this year. If private individuals or businesses were allowed to contribute donations or gifts to our parks, it would certainly help assuage the funding crisis facing our State and in a best case scenario, eliminate it altogether.

My favorite part of the bill is in section 2, subsection 3. This section stipulates that through the donations and gifts from individuals to public parks, any and all residents may use the park free of charge on a day pass if they are not camping or fishing. This idea has substantial merit for two reasons: one, it provides a cheap alternative to families who are looking to save money for vacations, and two, it encourages Nevadans to learn about the natural history of the State. If more people attend our parks on a regular basis, they will become more educated on both the value and history of our parks, leading to a more environmentally conscious voting populace.

CHAIR LEE:

I gave Mr. Newcomb the opportunity to be for or against the issue and he chose well.

SENATOR HARDY:

Mr. Newcomb can probably tell us about the Governmental Services Tax. Where does it go, where does it come from and who will be upset if they do not receive it?

MR. NEWCOMB:

The GST is the tax paid to DMV to register your car. This will not create a new tax but increase the existing tax by \$3 each time you register your vehicle. If you have three vehicles in your household and pay an extra \$9 to register those

vehicles, visiting the Valley of Fire one time almost pays for that additional registration fee.

SENATOR HARDY:

This is a new tax, not a redirection of the current GST?

MR. NEWCOMB:

It is a redirection, not a new tax.

SENATOR HARDY:

Where is the money coming from in order to augment the State parks?

MR. NEWCOMB:

It will come from the Governmental Services Tax collected when you register your cars.

SENATOR HARDY:

Are we talking the county or the State General Fund?

MR. NEWCOMB:

It is the State General Fund for the Division of State Parks.

CHAIR LEE:

Let me help you answer that question. We do not have a fiscal note on this bill, but it is coming; another agency needs to provide information. It might be \$490,000 of the local government portion of the Governmental Services Tax. The additional money would be from State revenue. Additionally, I am drafting a bill that would go on the general ballot to be voted on twice by the public to make this an ongoing process.

SENATOR SETTELMAYER:

Do we have any idea how many license plates we have in the State of Nevada? How much would this create in funding?

CHAIR LEE:

About 1.5 million noncommercial vehicles would be included in this legislation. I would like to invite Dave Morrow to the table and let him know that I have met with Governor Brian Sandoval to advise him about the bill. He is a big proponent

of State parks and will do everything he can to work with us. How do you see this bill helping you in the long term with the maintenance and other issues?

DAVID K. MORROW (Administrator, Division of State Parks, State Department of Conservation and Natural Resources):

We may not take a position on this bill because it was not included in our portion of the Governor's recommended budget. In response to the specific question, my observation of the Nevada State Parks is similar to those testifiers who spoke earlier. I would have said it is usually feast or famine, but it has never really been feast. When funding is available in the State, the Division of State Parks is typically last in line. When funding becomes tight or cutbacks are required, the order of that line changes and we move to the front of the line pretty quickly when funding is being taken away.

I have been in State Parks for 38 years in one way or another. One of the most difficult things to do is to manage an agency and resources like ours without having sustainable funding. You cannot plan ahead, and you cannot stay ahead of the maintenance projects. You are always playing catch-up. This park system has done that from the inception. We have a large list of deferred maintenance projects, the equipment is severely lacking and our ability to get out and protect the resources does not exist. It is critical that we develop sustainable funding.

The agency understands the tough economic times. We worked hard with the Governor's Office and our own Department to come up with other measures to reduce our dependency on the General Fund. We have done so. The General Fund for State Parks is recommended at about \$3.2 million for the next two fiscal years. We have done that by significant reductions, reorganization, increasing fees and better fee collection. This year alone, our fee collection increased by about \$1 million. At that same time, it is important for this Committee to understand that the list of deferred maintenance and our ability to stay on top of maintenance is significant. We are unable to do it.

We have about \$143 million in infrastructure in the parks. Under the policy that exists in State Parks, we do no preventive maintenance whatsoever. We have to prioritize things that break and fix those that are critical. The other day in our office, we were discussing two significant projects. One at Spring Mountain Ranch State Park involves the deterioration of the grove of trees next to the picnic area, and the other relates to erosion of the beach at Big Bend State Recreation Area. We were trying to determine which critical project to deal with

because we did not have the funding to complete both. That typifies the Division of State Parks since its inception.

SENATOR SETTELMAYER:

I appreciate the data. As of today, there is about \$3.1 million in the General Fund. I am concerned if we create a situation where people can come to the State parks for free. How much did you receive last year from the collection of that revenue? Will we be okay on the balance?

MR. MORROW:

We have reviewed the bill. Our analysis indicates we would lose about \$1.8 million in day fees, but we would generate more from the vehicle proceeds than we would lose in fees. We do not have the exact number of vehicles to provide you with a good estimate. We believe this will create an added incentive and economic benefit to the rural portion of the State, increasing visitation by getting people out into the parks. Presently, on the most minimal of estimates, State Parks generates in excess of \$62 million to the State and local economy. This would add to that.

SENATOR SETTELMAYER:

What percentage of people visiting our State parks are out-of-state residents from whom you would not lose that portion?

MR. MORROW:

About one-third.

CHAIR LEE:

I want to encourage "staycations." People should travel and visit these wonderful parks and see our wonderful State of Nevada.

DAVID FRASER (Executive Director, Nevada League of Cities and Municipalities):

We signed in neutral on this bill, but we do have some concerns. What is the impact on local governments? You mentioned the fiscal note is not yet final. We would like to be included in the discussions to get an idea of the impact and reserve the right to make comments in the future.

CHAIR LEE:

If there is no impact, would you be excited about this bill?

MR. FRASER:

If there is no impact to our budgets, absolutely. We certainly support what you want to achieve with this bill. I would like to clarify the section 2, subsection 3 language on page 5, is also included in another section relative to county boards, whereas this section refers to city planning commissions as outlined in section 2. Section 2 states, "... as otherwise provided by law, the city planning commission may:" Subsection 3 says, "Encourage and accept any gifts, grants, donations and endowments for recreational, cultural or park facilities" Legislative intent does not require that we accept any and all gifts offered. In other words, if gifts are made for intents that the city does not agree with or that bind the city into programs in perpetuity based on a short-term gift, we want to ensure the Legislature's intent that the cities still have those discretions.

CHAIR LEE:

Yes, "may" will continue in the bill.

WES HENDERSON (Deputy Director, Nevada Association of Counties):

We want to thank Chair Lee for bringing this bill forward to establish a dedicated funding source for State parks. State parks are important to the residents and the economy for the counties that host them. Like Mr. Fraser, we have similar concerns on page 4, section 1, subsection 12 about accepting gifts. Of course, we have a concern with the portion of the Governmental Services Tax that may otherwise go to the counties, adding to the total of county revenues that may be diverted by actions of the Legislature this Session.

CONSTANCE J. BROOKS (Senior Management Analyst, Office of the County Manager, Clark County):

We are neutral in regard to S.B. 326, but we would like to voice our concerns about the diversion of funds we otherwise use to support public works projects, the maintenance of sidewalks and other necessary issues related to the mandated services we provide to our residents. We are appreciative of the intent of this legislation and understand it is truly needed.

CHAIR LEE:

I will close the hearing on S.B. 326 and open the hearing on Senate Bill 280.

SENATE BILL 280: Revises provisions relating to the use of special fees collected from the issuance of certain veterans' license plates. (BDR 37-1063)

SENATOR GREG BROWER (Washoe County Senatorial District No. 3):

Senate Bill 280 is a simple bill that provides a fix to some statutory language in NRS 417.145 interpreted as ambiguous by some of the budget bureaucracy here in the State. This bill pertains to the gift account for veterans. It intends to make the statutory language absolutely clear so the Gift Account for Veterans fund can be used for veterans' services in the way the Legislature originally intended. I want to introduce Caleb Cage, who I remember as a skinny high school kid helping me on a campaign. Now he is a graduate of West Point, a combat veteran of Iraq and recipient of the Bronze Star who heads up our Office of Veterans' Services.

CALEB CAGE (Executive Director, Office of Veterans' Services):

Although this bill only changes a few words of statute, it is the most important piece of Legislation facing the Office of Veterans' Services during this Legislative Session. With our continually shrinking budget and staff, this account allows us an opportunity to continue to provide and increase services to the veterans of Nevada by going through this fund established by veterans to support veterans. I have provided some background in my written remarks ([Exhibit H](#)).

The adjustment we wish to make today with S.B. 280 is to change the statute one more time to read that fees from special license plates set for the Gift Account can be used in support of outreach programs or services for veterans and their families, or both, as determined by the Executive Director. While this seems small, it supports the original intent of the law as changed in 2009, an interpretation subsequently supported by the Attorney General in an opinion written on the matter.

Specifically, the opinion rendered by the State's Attorney General addressed the use of the Gift Account funds to create a more inviting atmosphere for current and potential residents at the Nevada State Veterans Home in Boulder City. While we and the Attorney General believed this to be both outreach to potential residents of the Home and service to current veterans, we routinely ran into roadblocks by some who narrowly interpreted this statute and subsequently kept us from pursuing projects that would have positive impacts

on Nevada's veterans. Changing the coordinating conjunction from "and" to "or" on page 3, lines 11 and 12, and adding language assigning determination to the Executive Director will go a long way in ensuring this money goes to optimal use.

The types of programs we fund through this account under the statutory definitions of outreach and services to veterans and their families will continue under the auspices of that conjunction change to "or." We have purchased vans for statewide Disabled American Veterans organizations to shuttle Nevada's disabled veterans to Veterans Affairs hospitals and clinics; we have sponsored events like the Women Veterans Summit, the Global War on Terrorism Veterans Conference, the Veterans Writing Project and other outreach events. We provide mobile veterans service officers throughout the State with the Mobile Outreach Vehicle that serves Nevada's rural veterans. We have built our branding and our online presence to better appeal to all generations. In the future, we will use this account to build a more-welcoming lobby area at the Home to make a best first impression that will have an impact on the Census status, which impacts revenue.

As a service to our veterans, we are looking to apply for federal grants to provide bariatric rooms in the Veterans Home, using this money to supplement the State's portion. We wish to increase our online outreach, help organizations like the Department of Employment, Training and Rehabilitation and others put veterans back to work, provide a first-in-the-Nation outreach effort for returning veterans and more. This all fits under the proper definition of outreach or services to the veterans of our State.

CHAIR LEE:

I will close the hearing on S.B. 280 and open the hearing on Senate Bill 375.

SENATE BILL 375: Authorizes counties and cities to create renewable energy corridors. (BDR 20-18)

SENATOR BARBARA K. CEGAVSKE (Clark County Senatorial District No. 8):
Senate Bill 375 authorizes a board of county commissioners or a city council to pass an ordinance creating one or more energy corridors in the county or the city. The establishment of renewable energy corridors nationwide is a growing and important component in the development and delivery of clean renewable energy. These corridors promote solar, geothermal, wind, biomass, hydropower

and service at preferred locations where pipelines, transmission lines and other delivery systems may be sited and built in the future.

The use of renewable energy corridors could reduce the proliferation of rights-of-way across the landscapes and minimize the environmental footprints from energy development. Energy corridors serve to integrate renewable resources across judicial boundaries and promote the effective use and delivery of renewable energy. Senate Bill 375 authorizes a board of county commissioners or city council to create by ordinance one or more renewable energy corridors within the county or the city.

These governing bodies may offer incentives for participation in a renewable energy corridor to include the abatement or partial abatement of taxes to a person or business located within the energy corridor. In addition, the bill allows counties and cities to enter into cooperative agreements to establish regional renewable energy corridors. These agreements must set forth the powers and duties of each participating county and city.

The bill clarifies renewable energy for the purpose of S.B. 375 as biomass, fuel cells, geothermal energy, solar energy, waterpower and wind. At this time, the bill does not include coal, natural gas, oil, propane or any fossil fuels. There is an amendment coming forward for a reference to nuclear energy with repository purposes. I urge your support on this important measure. The proposal is only permissive. Local governing bodies are simply given the authority to establish these important renewable energy corridors.

I have another prepared statement ([Exhibit I](#)) with additional information for the Committee to review. A few years ago, the City of Las Vegas approved a 16,000-home development in the northwest part of the City near Kyle Canyon. The developer went bankrupt, the bank owns the land and nothing is being done with it. Under this legislation, the City of Las Vegas could designate the unproductive land as a renewable energy corridor. This City could also offer long-term tax abatements and provide infrastructure improvements that would make the property a desirable location for clean energy companies to set up research and manufacturing facilities. Cities could also work with the federal government to acquire federal land with a specific purpose of creating renewable energy corridors.

CHAIR LEE:

Is this a friendly amendment that will be offered?

SENATOR CEGAVSKE:

It is one that should be debated. I have no problem with the amendment, but it is up to the Committee. We left nuclear power out of the bill in the beginning, but there are other recommendations. I am willing to work with the Committee on all of the proposals.

ALFREDO ALONSO (Large Scale Solar Association):

We support S.B. 375 as a strong effort to mimic what Boulder City is doing. If you ask any of the developers what the best model is in Nevada and the western states, Boulder City has done a fantastic job of setting up a preapproved system. They do have land, but this bill would set up a system where you could mimic the Boulder City experience and attract a lot of developers looking at an area where they simply lease the land and obtain preapproval. The permitting issue will always be a problem in this State, but this certainly provides some tools to the locals to create something similar.

MR. HENDERSON:

We do support the development of renewable energy and the enabling of local governments to create renewable energy corridors. We support the ability for local governments to grant abatements they deem necessary or desirable to encourage development of renewable energy. It has been our position that the abatement of local government taxes should be at the discretion of local governments. We do not believe the intent of this bill is to allow for double abatements where a county can go to a local government, get an abatement granted and then go to the Office of Energy and get a second abatement granted. We would like to see language in the bill to clarify this issue.

STACEY CROWLEY (Director, Office of Energy):

I am here to support S.B. 375 which addresses some of the issues and stresses the importance of the need to provide the development of these corridors to promote renewable energy development in the industry. The cooperative agreements also go a long way to assist in permitting. I would like to address the question from the previous testifier. The incentives that the Office of Energy provides do have a stipulation that no other incentives through the State can be allowed if developers are to get the Office of Energy tax abatement.

JOHN DUNN (Director, Nevadans 4 Carbon Free Energy):

I represent Nevadans 4 Carbon Free Energy which is an organization of people who support creating a statewide energy park ([Exhibit J](#)) using the existing \$13 billion infrastructure at Yucca Mountain. Our concept for the Energy Park is to utilize a temporary storage site with a research center and possibly a reprocessing center.

We really need to look at our energy needs from a long-term basis, and we have to think about baseload capabilities 24 hours a day, seven days a week (24/7). While solar and wind seem like a logical choice in a State with many days of sunshine and high gusts of wind, they are not dependable sources of power that can be used 24/7.

We also urge you to consider changing the term renewable energy to "carbon free" energy, as the term does not really relate to the sources included in the bill. For example, biomass is a one-time use. Many of the fuel cell technologies are not renewable and require an external source of hydrogen. A more appropriate term for the technologies listed in the bill is "clean" or "carbon free" energy sources.

We also urge you to amend section 2, subsection 4 by adding paragraph (g), "Nuclear energy with reprocessing," to the list of renewable energies. On page 3, line 2, delete "or nuclear energy."

Part of our concept for the Nevada Energy Park is to reprocess the spent fuel stored at over 70 locations around the Country. As you know, Yucca Mountain was designated as a site to hold these fuels for centuries. But existing and emerging technologies can safely recycle 95 percent of the existing energy in the spent fuel to generate power, making it, by definition, a renewable energy technology.

The crisis in Japan is raising concerns about the current U.S. policy that supports storing spent fuel on sites at over 70 locations around the Country within 5 miles of 165 million people. There is a renewed call to place these rods at Yucca Mountain, especially given what happened in Japan. The incredible tsunami caused not the plants themselves to have a fall but the fuel rod exposure due to losing the technology to keep them cool. There will probably be a renewed look at where we place our spent fuel rods. Yucca Mountain is the current designation.

Nevada needs to understand that Yucca Mountain is far from dead. Because of the spent fuel rods burning in Japan, it caused a lot of senators from other states are looking at this again. For decades, not too many people paid attention to this issue, but now people are worried, and senators in 39 states want these fuel rods out of their states.

Yucca Mountain is clearly on federal property, essentially completed and a likely storage site, even over our objections. The only way we can cut a better deal is to include something more than just a "dump," take the seat at the table as mandated by Congress, and start negotiating with the U.S. Department of Energy and Congress.

I do not mean to get off the specifics of this bill. I am making a point that nuclear should be included because Nevada has played a key role in nuclear research for decades, specifically at the Nevada Test Site. We should expand the research done at the Nevada Test Site to address our Nation's nuclear waste situation.

A research facility at the Nevada Energy Park could even study how to better deal with the over 40 million cubic feet of low-level waste stored at Area 5 of the Energy Department's Nevada National Security Site. This is essentially a landfill above ground ([Exhibit K](#)).

My testimony includes photos ([Exhibit L](#)) of this landfill. We do not know what is stored here, but we do know we can store radionuclides such as plutonium and uranium. This waste has been transported and stored in Nevada since the 1990s. This is really the "dump" we got stuck with, and we had no say in the matter. As you can see, many of these materials have been traversing through Las Vegas. The public may not be aware of this situation because this landfill is an open area closer to Las Vegas than Yucca Mountain. We have a say in making sure, but we have to get to the table and create a real opportunity. By getting a facility going, we can create new industries for Nevada that are sustainable for decades to come.

Yucca Mountain is an ideal location to temporarily store spent fuel and research technologies to reprocess it on a commercial scale. When the technology is ready, we will have the fuel here to either sell to reprocessors or build a facility here to reprocess it.

There is an opportunity to produce about 5 trillion kilowatt hours of carbon-free baseload energy for over 40 years. Low-cost energy is one key major factor for having a great economy, not only for businesses but for families as well.

Recycling is going to happen. Please see my handout ([Exhibit M](#)) titled "Your Monthly Power Bill" from the Public Utilities Commission of Nevada 2007 data. What you see is the tremendous cost if the State were to go completely solar. If you figure your utility bill is around \$100 a month, your family utility bill would increase to \$1,300 a month or more. When I attended a meeting in Reno this February, similar numbers for solar and wind were between 8 and 12 times the cost of coal and nuclear in particular. I am encouraging you to add that language to the bill as requested.

CHAIR LEE:

You have brought up an interesting subject. I do not know where the federal and state governments come together on these issues. We will take the amendment.

SENATOR HARDY:

If you store nuclear waste, you can store it cold or hot. If you store it cold on the footprint at Yucca Mountain, you could generate steam. If you generate steam, you could create energy and energy could be transferred in a corridor. Does your definition include the steam generation, not using reprocessed fuel but the spent fuel?

MR. DUNN:

We have faced this opportunity. There are different degrees of support for that effort. If you would like to know more about that issue, we have a couple of experts who actually designed some of the technology; we could come back to talk in more detail.

SENATOR HARDY:

That means yes, it could be included?

MR. DUNN:

Yes, it could be included.

MR. FRASER:

We like this bill and appreciate it is enabling and would apply statewide. We

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appreciate the opportunity for our communities all over the State to enter into those cooperative agreements.

JOE JOHNSON (Toiyabe Chapter, Sierra Club)

We are in support of the bill as originally presented. We oppose the proposed amendment and would like the opportunity to refute some of the claims made. Particularly, it requires a significant amount of water for what is being projected. This is not a water-rich State, and there are other costs we would like to refute.

CHAIR LEE:

I will close the hearing on S.B. 375 and adjourn the meeting of the Senate Committee on Government Affairs at 11:04 a.m.

RESPECTFULLY SUBMITTED:

Martha Barnes,
Committee Secretary

APPROVED BY:

Senator John J. Lee, Chair

DATE: _____

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 232	C	Senator John J. Lee	Opening Remarks for S.B. 232
S.B. 232	D	Ex-Senator Warren B. Hardy, II	PowerPoint presentation
S.B. 232	E	Las Vegas Ski and Snowboard Resort	Proposed conceptual amendment
S.B. 232	F	U.S. Department of Agriculture, U.S. Forest Service	Letter of "No Concern"
S.B. 326	G	James Newcomb	Written testimony
S.B. 280	H	Caleb Cage	Written testimony
S.B. 375	I	Senator Barbara K. Cegavske	Statement on renewable energy corridor legislation
S.B. 375	J	John Dunn	Yucca Energy Park
S.B. 375	K	John Dunn	Map on low-level waste
S.B. 375	L	John Dunn	Management of Area 5 Radioactive Waste Management Site
S.B. 375	M	John Dunn	Your Monthly Power Bill