

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON NATURAL RESOURCES, AGRICULTURE,
AND MINING**

**Eightieth Session
April 8, 2019**

The Committee on Natural Resources, Agriculture, and Mining was called to order by Chair Heidi Swank at 4:06 p.m. on Monday, April 8, 2019, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada, and to Room 102, McMullen Hall, Great Basin College, 1500 College Parkway, Elko, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Heidi Swank, Chair
Assemblywoman Shannon Bilbray-Axelrod, Vice Chair
Assemblyman Alex Assefa
Assemblywoman Maggie Carlton
Assemblyman John Ellison
Assemblyman Ozzie Fumo
Assemblywoman Alexis Hansen
Assemblywoman Sarah Peters
Assemblyman Greg Smith
Assemblywoman Robin L. Titus
Assemblyman Howard Watts
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblyman Al Kramer, Assembly District No. 40



STAFF MEMBERS PRESENT:

Jann Stinnesbeck, Committee Policy Analyst
Allan Amburn, Committee Counsel
Nancy Davis, Committee Secretary
Alejandra Medina, Committee Assistant
Sandro Figueroa, Data Information Technician

OTHERS PRESENT:

Tyler Ingram, Private Citizen, Elko, Nevada
Kyle J. Davis, representing Coalition for Nevada's Wildlife; and Nevada Conservation League
Chase Whittemore, representing Nevada Bighorns Unlimited
Karen Boeger, Co-Chair/Secretary, Nevada Backcountry Hunters and Anglers
Tiffany East, Member, Board of Wildlife Commissioners, Department of Wildlife
Shaaron Netherton, Executive Director, Friends of Nevada Wilderness
Maurice White, Private Citizen, Carson City, Nevada
Joel Blakeslee, representing Coalition for Nevada's Wildlife
Patrick Donnelly, Nevada State Director, Center for Biological Diversity
Paul Young, representing Nevada Mining Association
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada
Laura Richards, Member, Executive Committee, Toiyabe Chapter, Sierra Club
Rob Bastien, Private Citizen, Carson City, Nevada
Alex Tanchek, representing Nevada Cattlemen's Association
Evan L. Morrison, Captain, Commanding Officer, Naval Air Station Fallon
Russell Jones, Captain, Director of Headquarters, Naval Aviation Warfighting Development Center, Naval Air Station Fallon
Rob Rule, Community Plans and Liaison Officer, Naval Air Station Fallon
Donna Brand Moormann, President, Carson City Council, Navy League of the United States
Mitchell Roach, Board Member, United Veterans Legislative Council
Anne Macquarie, Chair, Executive Committee, Toiyabe Chapter, Sierra Club
Vinson Guthreau, Deputy Director, Nevada Association of Counties
Michael Cassiday, Private Citizen, Reno, Nevada

Chair Swank:

[The meeting was called to order. Rules and protocol of the Committee were reviewed.]
I am pulling Assembly Bill 473 from today's work session; it will be heard in the work session on Wednesday. I will open the hearing on Assembly Bill 404.

Assembly Bill 404: Requires the Board of Wildlife Commissioners to establish certain programs authorizing a person to transfer a lawfully obtained tag under certain circumstances. (BDR 45-1029)

Assemblywoman Robin L. Titus, Assembly District No. 38:

Assembly Bill 404 establishes a hunter mentoring program. Continuing the tradition of hunting and providing for your family is something that my family holds near and dear. The process of harvesting game, the care, and ultimate consumption of food is something my parents taught me and we are sharing our knowledge with our children and grandchildren. Assembly Bill 404 hopes to continue that for future generations.

I am now going to turn the presentation over to Tyler Ingram, who reached out to me regarding sponsoring this bill, and I proudly said yes. He is going to discuss the genesis and the importance of this bill.

Tyler Ingram, Private Citizen, Elko, Nevada:

I am here today as a sportsman and a hunter. Assembly Bill 404 establishes a program where an individual who is 21 years of age or older and who lawfully obtains a big game tag, can transfer that tag to a child, stepchild, grandchild, or stepgrandchild. There are also a few other details in this bill that I think will become important later, one being that a nonresident tag cannot be transferred to a resident and vice versa. There is also a provision that allows for a fee of up to \$50 to be charged by the Department of Wildlife (NDOW) to offset any costs associated with the transfer of the tag. I also noted in preparing for today that the NDOW attached a fiscal note so this would not have any impact on their budget; in fact, they would use the \$50 to support the cost of the transfer.

I brought along with me a picture of my beautiful family. This is a picture of my daughter on her first elk hunt; she was less than three months old. Both of my daughters have been on numerous hunts. My oldest daughter is now getting close to three years old. I have been applying for a desert bighorn sheep tag for over two decades and have not drawn one yet. If I do draw a desert bighorn sheep tag, I could be of an age that maybe it is not the best fit for me anymore. I have spent lots of money on licenses and application fees throughout those 20-plus years, and I have been building bonus points which give me an added chance of drawing in the coming years. If I were to draw that bighorn sheep tag when I am older, it probably would not be a good idea for me to hike up mountains chasing a desert bighorn sheep. Instead of letting my nearly 30 years of applications for that particular species go to waste, I could see my first daughter chasing after that desert bighorn sheep.

Obviously, one of the main concerns with this is the ability to abuse the system. For example, a person can simply make application for a tag for the benefit of another, without any intent to hunt themselves. Absolutely, I think we would all agree that is a possibility. What I like about the wording of this bill is that it allows for the Board of Wildlife Commissioners, NDOW, to establish the regulations regarding a tag transfer program. At least in my mind, we have an incredibly effective system with our county advisory boards (CABs) and the Wildlife Commissioners. The wording of this bill allows for the sportsmen

in each individual county to weigh in on what they think the guidelines for this tag transfer program should be. The CABs can then pass along that information to the Commission, who can establish the regulations. For instance, if the sportsmen and the CABs wanted to limit a tag transfer program to extenuating circumstances such as a medical issue, certainly that could be something that they could address and implement. This particular bill allows a lot of input from sportsmen like myself at these individual advisory meetings to weigh in on the topic.

This is not an unprecedented program. There are other states with similar programs. Admittedly, I am not familiar with every state program, but New Mexico has a program similar to what Assemblywoman Titus introduced today. New Mexico does not condition the transfer of a tag on a medical illness or medical emergency. All they require is, if you cannot get a refund or a transfer of a tag—which is different than donating your tag in New Mexico—the circumstances in New Mexico under which you can get a license refund is if you are deceased, have sustained a severe injury, suffered a life-threatening illness which prevents participation, you are deployed in the U.S. military prior to the start of the hunt which prohibits participation, or a hunt is canceled due to a natural disaster. If none of those apply to you, you are then able to transfer your tag to someone who is 17 years of age or younger.

Assemblyman Ellison:

I think this bill is important, mostly to those who are getting older and cannot get up the mountains anymore. Perhaps if an older person draws a tag, he could give it to his grandson if he wanted to have his first hunt but did not draw a tag. Is that how this would work?

Tyler Ingram:

That is correct. As I alluded to earlier, with my luck in drawing tags, I may not be at the age where I can safely walk up a mountain when I finally draw my desert bighorn sheep tag. To be able to watch one of my younger daughters participate in that hunt after all those years of applying, that would be a tremendous thing for me to witness. I have been applying for over two decades, but there are people who have been applying for much longer than I have, who I am certain would also get the benefit of this as well.

Chair Swank:

Any other questions? Seeing none, I will hear those who would like to testify in support of A.B. 404.

Kyle J. Davis, representing Coalition for Nevada's Wildlife:

We are in support of the goals of A.B. 404. I will confine our remarks to section 2, as I know that section 3 is similar to Assembly Bill 474, which this Committee heard and is on the work session today. Obviously, we want to make sure that appropriate safeguards are put into place so that the system is not abused. Overall, it is a good concept as outlined in the testimony that if a situation were to arise, then a member of the immediate family could enjoy the benefits of that tag.

Chase Whittemore, representing Nevada Bighorns Unlimited:

We support A.B. 404. The enhancement of wildlife depends a great deal on encouraging and passing on the tradition of what it means to be a sportsman, appreciating the outdoors, and properly managing wildlife through sustainable and ethical hunting. This bill helps accomplish those goals.

Karen Boeger, Co-Chair/Secretary, Nevada Backcountry Hunters and Anglers:

Thank you to Assemblywoman Titus for presenting this bill. We very much are in support of the concept and the intent of this bill, along with Assembly Bill 474. We agree with the notion that there may be some chance to combine the elements of both of those bills. What we especially like about this bill is the process whereby the intent and concept is given to the Commission, and the Commission will work out the details so there will be ample opportunity for the public to come and speak through the CABs. Hopefully there will not be any unintended glitches.

Chair Swank:

Is there anyone else who would like to testify in support in Carson City, Las Vegas, or Elko? Seeing no one, I will open up for anyone who would like to testify in opposition.

Tiffany East, Member, Board of Wildlife Commissioners, Department of Wildlife:

As you have heard, A.B. 474 is a little bit redundant to A.B. 404 with respect to the transference of tags. We wondered if maybe there is an opportunity to combine the two. If not, we are in support of A.B. 404. We have one recommended amendment if the bill sponsor would be open to it. The recognized age for youth big game tags in Nevada is 12 to 17. The bill lists it as age 16. We would like to have that coincide with the *Nevada Administrative Code*. The Commission will work with NDOW to address any allowances in the final regulation.

Chair Swank:

Is there anyone who would like to testify in neutral? [There was no one.] Assemblywoman Titus, do you have any closing remarks?

Assemblywoman Titus:

Thank you, Mr. Ingram, for your support and suggestions on this bill. I want to clarify that not all senior citizens plan on turning in our desert bighorn sheep tag if and when we ever get one. I am turning 65 this year, and I do not plan on giving my tag to my kids.

Chair Swank:

With that I will close the hearing on Assembly Bill 404. I will open the hearing on Assembly Joint Resolution 7.

Assembly Joint Resolution 7: Expresses the opposition of the Nevada Legislature to the proposed expansion of the Fallon Range Training Complex. (BDR R-1099)

Assemblywoman Sarah Peters, Assembly District No. 24:

I am here presenting Assembly Joint Resolution 7, which is a resolution in opposition to the expansion of the Fallon Range Training Complex. This is a frustrating situation to be in. We have limited resources in the state of Nevada; we all know that. We also have a varying degree of industry in Nevada. The Department of Defense is one of those that has a significant impact to certain areas, especially in our rural communities. I come here as a representative of my district, and my district cares about open spaces. They care about conservation, they care about natural resources, and availability, access, and future benefits of those natural resources. This bill represents that expression.

We do not want to lock the public out of public lands. We do not want to close down wonderful wilderness study areas that are doing a benefit for conservation efforts across the state. That is what this resolution is designed to do.

My background is in the National Environmental Policy Act (NEPA) and my understanding is that this complex expansion is in the NEPA process. They just finished their draft environmental impact statement public comment period and are waiting on public comment responses to address some of the more substantive issues related to the expansion. Right now, what I have in front of me is an expansion that takes away public lands and takes away public air space. We have an obligation to stand up for our communities and the people whom we represent. I am not going to read through the bill, but I am open to questions.

Chair Swank:

Seeing no questions from the Committee, I will move on to those wishing to testify in support of A.J.R. 7.

Shaaron Netherton, Executive Director, Friends of Nevada Wilderness:

We encourage you to support A.J.R. 7. We also want to recognize the incredible service of our men and women in the U.S. Navy and other military branches. We know that Nevada has a lot of folks who serve here, or come through here during their service to this country. We are also very concerned about the impact on public access. Nevada has given a lot to the military.

We are concerned with the loss of access and impacts on wildlife. Particularly, Friends of Nevada Wilderness is concerned with the 74,000 acres of wilderness study area that the military is looking to take over in withdrawals. We support the effort to send a message that we can do better.

Maurice White, Private Citizen, Carson City, Nevada:

I ask that you enthusiastically endorse A.J.R. 7. Further encroachment into our public lands is an egregious affront to the people of the state of Nevada. We are losing access to our public lands at an alarming and unsustainable rate.

The following are some lowlights of the public land access loss Nevada residents have or will suffer in the near future: White Pine County, 590,000 acres; Lyon County, 48,000 acres; various lands bills within H.R. 5205 of the 113th Congress, 2nd Session, 78,000 acres; Douglas County, 22,000 acres; Pershing County, 286,000 acres—if this bill passes the Senate, you and I will never again see the Humboldt River in Pershing County—Washoe County, 265,000 acres. The Navy is asking for an additional 536,000 acres. The Air Force is asking for 302,000 additional acres. More than 2.1 million acres have or could be lost. Congressman Amodei announced last week he has five more land bills set to steal more of our land. I hope you can see that we cannot sustain this level of loss.

I would like to bring to your attention a Department of Transportation (NDOT) project known as Interstate 11 (I-11) that will abandon the current U.S. Highway 95 right-of-way north of Tonopah. Route B1 of the I-11 freeway will follow the Gabbs Pole Line Road connecting to U.S. Highway 50. This route will put a nearly 100-mile stretch of Nevada desert at risk. The original roadbed for U.S. Highway 95 was put in place in 1929. I am sure the technology is available today to add two more lanes to the existing U.S. Highway 95 right-of-way. I am asking that you send a message to NDOT that the new I-11 freeway should follow the current U.S. Highway 95 right-of-way.

Joel Blakeslee, representing Coalition for Nevada's Wildlife:

We support A.J.R. 7.

Patrick Donnelly, Nevada State Director, Center for Biological Diversity:

Thank you to Assemblywoman Peters for bringing this bill. I have also had some good discussions with Assemblywoman Titus about this issue. Military takeovers are poised to take almost 2 million acres of our state. You heard Assembly Joint Resolution 2 several weeks ago, and now we are hearing A.J.R. 7 regarding the Fallon Base. Two million acres of our state represents over 2 percent of our land mass that is being put at risk all at once. These are places like the Bell Flat area, which is bombing range Bravo-17, which is the proposed expansion. This is great bighorn sheep habitat; it is used a lot for recreation, especially by folks in Churchill County. The Sand Canyon area has petroglyph sites and Native American sites that are important cultural areas that would be the Bravo-16 bombing expansion. The Bravo-20 expansion is directly adjacent to Stillwater National Wildlife Refuge. Stillwater is one of the best areas on the Pacific Flyway for migratory birds; it is also prized by hunters and bird watchers. Increasing the military plane traffic and increasing the bombing range use on Bravo-20 directly adjacent to Stillwater would impact those lands. These are real places that are going to be impacted. Additionally, it will impose additional restrictions on air space all the way to Utah. That is almost the entire width of our state. I think A.J.R. 7 is important because it is all of you saying, Nevada has given enough. We do not need another 2 percent of our state locking out the public. I want to share a quote to close, which I have thought of often in this military expansion era. It is from President Eisenhower:

In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or democratic processes.

I would argue that taking us off of our public lands endangers our liberties.

Paul Young, representing Nevada Mining Association:

We have submitted a letter of support of [A.J.R. 7 \(Exhibit C\)](#), and in the interest of time I would refer you to the letter. We support [A.J.R. 7](#) and I would like to thank Assemblywoman Peters for bringing this resolution.

Chase Whittemore, representing Nevada Bighorns Unlimited:

We urge your support of [A.J.R. 7](#). We would like to thank Assemblywoman Peters for bringing this important piece of legislation.

Tiffany East, Member, Board of Wildlife Commissioners, Department of Wildlife:

We want to thank Assemblywoman Peters for bringing this forward. The Commission is in full support of [A.J.R. 7](#). This in no way diminishes our appreciation of our service men and women in our military. We are concerned about the impacts on our wildlife and habitat.

Kyle J. Davis, representing Nevada Conservation League:

We are here in support of [A.J.R. 7](#). We do think it is worth keeping in mind that currently, the U.S. Navy has 230,000 acres and is proposing to expand it by 600,000 acres more—more than a half-million acres of currently accessible public land with important environmental resources. The public would be locked out of those areas. We think the Navy needs to go back to the drawing board and come up with something that will work for the citizens of Nevada.

Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada:

I would like to echo the sentiments of everyone who spoke before me and express our support for the resolution.

Laura Richards, Member, Executive Committee, Toiyabe Chapter, Sierra Club:

On behalf of more than 30,000 Sierra Club members and supporters in Nevada, we are grateful for your leadership in introducing this resolution. We strongly support [A.J.R. 7](#).

Our members are very concerned about the Fallon Range Training Complex proposed expansion and the closure of hundreds of thousands of acres of public lands in northern Nevada. As a military mother and spouse, I understand military readiness. While we understand the Navy's need to modernize its training facility, providing important protections for wildlife resources and public access is essential. Together, the landscapes included in the military's proposed expansion make up an ecologically rich and vast complex of public lands for wildlife and outdoor recreation, and are important for rural economies. The expansion

would permanently preclude wilderness designations, close public access, and threaten important wildlife habitat, cultural, historic, and scenic values.

The Navy should adjust their boundary proposals to exclude the 3,200 acres of the Fallon National Wildlife Refuge. The 17,848-acre refuge was established by a Congressional Act in 1931 to "... provide a sanctuary and breeding ground for birds and other wildlife." In addition, the proposed range expansion near the Stillwater National Wildlife Refuge could be disruptive to migratory bird nesting and should have at a minimum seasonal closure to protect nesting.

Simultaneously, as we have heard, in southern Nevada the U.S. Air Force is proposing the expansion of the Nevada Test and Training Range in the Desert National Wildlife Refuge. Together, this equals nearly 2 million acres. The cumulative effects of this impact have not been addressed. [A written letter of support was also provided (Exhibit D).]

Rob Bastien, Private Citizen, Carson City, Nevada:

I applaud the Committee for introducing A.J.R. 7 and I am in total support. Expanding Naval training areas in Nevada is excessive considering how much land is currently allocated to the military for training. "Withdrawing" is the term used by the Navy for "taking." Withdrawing public land from the owners, also known as the public, and no longer allowing the owners to access said land is not necessary.

Rather than taking additional land from the public, the Navy should jointly use the vast areas of land currently withdrawn. The Navy and the Air Force should coordinate and share existing training areas, since sharing the land and the air would occur in a real military action. The Navy and the Air Force should effectively utilize the training areas of the Nellis Air Force Range [Nevada Test and Training Range] and the Nevada Test Site [Nevada National Security Site].

In the Navy's perfect world, the bombing range would be a circle with a radius of 16 miles, or a square of land 32 miles long by 32 miles wide. The Nevada Test Site is 1,300-plus square miles of land, roughly a square of land 36 miles long by 36 miles wide. The Navy's perfect world bombing training area would easily fit within the Nevada Test Site. In addition, Nellis Air Force Range is 3.1 million acres of land, or 4,800 square miles. This is in addition to the Nevada Test Site, which it borders on three sides.

Efficient utilization of these existing massive training areas is logical, feasible, reasonable, cheaper, and less impactful.

Why do I oppose the proposed withdrawal? I am a rock hound and I hunt the Monte Cristo Mountain and the Slate Mountain areas numerous times a year. In the last decade, I have spent more than 80 days and more than 24 nights in these areas, the areas that the Navy wants to withdraw. I enjoy the solitude and the beauty of these areas. I enjoy exploring and hiking in these areas. I enjoy my encounters with the wildlife in these areas. I enjoy the rocks I discover in these areas.

In closing, the Armed Forces need to more efficiently utilize the lands that they currently have withdrawn. Please ensure that the Navy uses and shares the Nellis Air Force Range and Nevada Test Site and leaves the rest of Nevada to Nevadans.

Karen Boeger, Co-Chair/Secretary, Nevada Backcountry Hunters and Anglers:

I appreciate Assemblywoman Peters for bringing this resolution to us so that we have an opportunity to speak together as Nevadans. I want to echo the comments related to wildlife and wildlife impacts for our sportsmen opportunities. For that reason we are very supportive of this resolution.

In addition, we are concerned about the fate of the wilderness study areas because "backcountry" is in our name and we value the harder-to-get-to places as oftentimes that is wildlife habitat and the best habitat for hunters.

Also, I am chagrined, along with Nevada Backcountry Hunters and Anglers, that we cannot consider the cumulative effect of both of these proposals for military expansion. Coupled with the massive one that is proposed in the south, this is a tremendous chunk of our public land. We have dedicated a lot of our land already to our wonderful military, as we should. Sadly, some of our lives were lost, too, during the testing days. I think we have had enough.

Alex Tanchek, representing Nevada Cattlemen's Association:

We support this resolution.

Chair Swank:

Is there anyone else who would like to testify in support? [There was no one.] Is there anyone who would like to testify in opposition?

Evan L. Morrison, Captain, Commanding Officer, Naval Air Station Fallon:

Joining me is Captain Russell Jones, Director of Headquarters, Naval Aviation Warfighting Development Center, and a few of my staff from Naval Air Station (NAS) Fallon. Before I comment on Assembly Joint Resolution 7, I wish to say that I am proud to serve a country that allows its citizens to speak and offer ideas on how to sustain and enhance the lives of all Americans. Let me add that I believe that a country worth defending is a country worth protecting. For this and many other reasons, I am proud to be affiliated with the U.S. Navy, an organization dedicated to defending and protecting our *Constitution of the United States*, its citizens, and their way of life.

On behalf of the men and women within the U.S. Navy serving in Nevada, my goal is to inform this Committee and provide the basis of the Fallon Range Training Complex modernization proposal. This proposal is to improve the training facilities for our frontline maritime forces in aviation and special forces. Technological advances have improved for the U.S. military capability in weapon systems. Similarly, nations who do not share our values and beliefs in liberty and freedom have also improved their military capabilities. Unfortunately, the U.S. Navy has fallen behind in providing the facilities to adequately train our fighting forces without enhanced weapon systems. The modernization is an attempt to

bridge our training, tactics, and procedures with our technology so that our warriors succeed and survive combat against adversaries who threaten U.S. security interests. My job at NAS Fallon is to provide our frontline forces with the facilities necessary so they may train as they will fight if another country provokes hostilities.

Since our current ranges do not support our evolving training requirements, the Navy has proposed to:

- Renew the current public land withdrawal of 202,864 acres expiring in November 2021;
- Withdraw and reserve for military use approximately 618,727 acres of additional public land;
- Acquire approximately 65,153 acres of private or state-owned land;
- Expand associated special-use airspace and reconfigure existing airspace; and
- Modify range infrastructure to support modernization.

Since the Navy announced the intent to complete an Environmental Impact Statement in August 2016, we have been communicating and informing Nevada citizens over the past 2 1/2 years. Several meetings with federal, state, and local government officials as well as the Native American tribes in Nevada have been very helpful in describing those impacts. This effort has continued in between these legislative sessions. Clearly, the job is not done. We continue to study and analyze those impacts.

Lastly, NAS Fallon has value to the U.S. Navy and Nevada. As such, we are a team. We as a team need to train and support our aviators and special forces in meeting global threats. We believe a country worth defending is a country worth protecting, including the use of natural resources in a responsible manner. Thank you, Madam Chair and Committee members, for this opportunity to address you and this forum. God bless America. [Written testimony was also provided ([Exhibit E](#)).]

Assemblywoman Hansen:

Thank you for your service to our country. This is so difficult. This is where our love of our country and our military clash with our love of our state of Nevada. As a member of Blue Star Mothers of America, I am so conflicted—I know that we do amazing things in the military. I think that the Navy guys eventually went to the moon. I am trying to wrap my head around this. Is there some other way to solve this? Mr. Bastien, who testified earlier, brought up some ideas of using existing testing sites. Could you explain why that is not possible?

Russell Jones, Captain, Director of Headquarters, Naval Aviation Warfighting Development Center, Naval Air Station Fallon:

I can say that the Fallon Range Training Complex is currently scheduled at about 135 percent of its actual capacity. We are not able to operate 24 hours a day, 7 days a week. We have to work within the budget framework that we have for the people who work on the range. We receive 135 percent of the requests for the time allotted. I do not have an exact number for

Nellis, but I do know that they receive more requests than they have the capacity to support. Therefore, we do not share the time with them and they do not share with us.

Assemblyman Wheeler:

Thank you for serving. As an Air Force veteran, I honor your service greatly. I understand the need for the advanced weaponry that is coming out, and if you cannot do this here, where can you do it? Is there another place in the country that would have the room to do this type of training?

Evan Morrison:

There really is no other place that has the capacity and capability with the systems we have on the range in which to practice how we would actually fight in combat. I cannot reiterate enough that this is not a want, this is a need, strictly based upon where our peer adversaries are at. We used to have a technological advantage; we do not anymore. Training is now our advantage.

Assemblyman Watts:

I would like to touch on two points. One, there is a lot of discussion about the wildlife refuge and the migration corridor. Will you speak to the analysis that you have done with the wildlife corridor and what the impacts of the expansion would be? Additionally, you talked about this being an ongoing process; could you talk about what steps you have taken to incorporate the feedback that you have received from stakeholders while going through this process?

Rob Rule, Community Plans and Liaison Officer, Naval Air Station Fallon:

In terms of possible impacts to the Stillwater National Wildlife Refuge, the new bombing range would abut the boundary of the northern part. The way the evolution of tactics, techniques, and procedures has come about is that the aircraft would be higher and farther away from the refuge because the tactics, techniques, and procedures would allow fighter aircraft to drop ordnance at 30,000 feet and ten miles away, versus a much closer profile where you fly lower and closer to the target. Again, this is just an opinion. What we have looked at is there would be no impact or very little impact to the wildlife refuge. Will you repeat your second question?

Assemblyman Watts:

We have heard a lot of stakeholder input around Native American sites and areas with high resource value for sportsmen and for outdoor recreation. My question is, as you have gone through the process of developing the analysis for the project, how have you incorporated and addressed those concerns?

Rob Rule:

The Navy went out with one alternative, a no-action alternative. The development of our second and third alternatives was based almost solely on input from our stakeholders, which is 14 cooperating agencies and 14 participating tribes. Most of that had been built on input on possible access to the ranges. One of those particular items is allowing access to the range

to hunt bighorn sheep. We have talked a little bit about that. What we are doing right now is working with the Department of Wildlife (NDOW) to set up a hunting program that would allow roughly the same amount of hunters in the area to have access to the bighorn sheep hunt. The hunt program would be roughly two weeks and would mimic the same time period that the hunt is now. That is one example. Another, in terms of natural resources, the tilt and shift of Bravo-17 pulled the bombing range off of State Route 839, the main access to the mine in Rawhide, which is an active mine. The Navy had intended to build a new access to the Rawhide mine as part of the project, but pulling that off allowed S.R. 839 to not be impacted at all. In terms of the tilt and shift at Sand Springs Range—considered a very valuable range—I know Nevada Bighorns Unlimited had done some projects down there in an area that would have been cut off for access. That tilt and shift moved the bombing range off of the Sand Springs Range. Another big one was to move the area off of the Fairview Peak Range, which is a preferred communication site for Bureau of Land Management (BLM), U.S. Department of the Interior. There are about 12 different access users there. We are trying to come up with some protocol to allow folks to do maintenance and repair. This certainly resolved that issue as well as access to the range.

Assemblyman Ellison:

I look at this several different ways. Number one is the airspace loss to private aircraft. When you figure some of the areas on your restricted airspace, do you classify some of the military operating areas that are in there, such as Wendover? We are getting more and more restricted airspace. It is almost impossible to fly from Elko to Boise.

Russell Jones:

Yes, we are looking to convert the air traffic control assigned airspace into military operating areas, that is true. That is required for the safety of the aircraft operating in the training exercises. It is also required for the safety of general aviation and safety of commercial aviation that is traveling along the outer edges of the Fallon range. We did not make this request lightly, but in the end we decided that it was best served for the safety of all involved that we convert the air traffic control assigned airspace into military operating areas. When military operating areas are not required for training exercises, we allow the Federal Aviation Administration to vector aircraft through the areas.

Assemblywoman Titus:

Thank you for your service. Sometimes we get so involved in the process, but I absolutely appreciate what you folks do in keeping us safe and respecting our country. I have attended multiple meetings regarding this in Fallon. I have received the tomes with all the research that you have done. There was something submitted by then-Governor Sandoval and the Division of Minerals concerning the Nevada alternative. I do not know that the alternative was given a true inspection with concerns regarding mineral rights around our geothermal rights, and those that would be lost, not to mention our cattle grazers and water rights. Outdoor recreation is well represented here. I have hiked, camped, and fished in Dixie Valley. Can you address the geothermal component that we are going to lose? I heard that although we had a Nevada plan, it has been all but ignored.

Rob Rule:

Then-Governor Sandoval submitted a Nevada alternative as part of the NEPA process. Within that analysis, we have incorporated about 70 percent of the suggestions that were there, including the tilt and shift. It also included allowances for geothermal. If you take Dixie Valley and split it in half, roughly, with State Route 121, the Navy has proposed in the draft that the west side would allow geothermal production as long as it meets certain design features. The east half of Dixie Valley, because of the training mission there which involves flights as low as 50 feet across the desert at night and in very high-stress situations, the impacts from both mining and geothermal were not compatible with the mission. Those include obstacles to flight, which would be towers and transmission lines, and incompatible lighting, which would be night-vision goggles and would make seeing at night much more difficult, as well as making sure there is no conflict with frequency spectrum for the operations that occur in that valley. In terms of what the Nevada alternative had asked for, it is that Dixie Valley Training Area would go away, and there would be some small centers in the north. What the Navy is looking for is certainty in protecting the operations that occur there, because per the normal ways of how projects are put through BLM, the NEPA process does not adequately assure that the mission can continue in Dixie Valley.

Assemblyman Smith:

I am looking at some of the exhibits you have submitted, specifically the two-week hunting period for sportsmen ([Exhibit E](#)). You also mentioned something about existing water catchments. I believe you said you would maintain those. In comparing this to the U.S. Air Force, they also have the two-week window of opportunity, but that is the only window of opportunity for the NDOW folks to maintain those guzzlers. Is there a different time for what you are proposing here, or is that two-week window for everybody?

Rob Rule:

The Navy has worked hand in hand with NDOW for decades. We allow them in our current range, in the airspace, and on the ground to conduct surveys for wildlife. We have also jointly constructed some of the wildlife catchments and guzzlers. That would not change moving forward as long as NDOW reaches out and talks to our range department. Basically, that means picking up the phone, calling the folks at Fallon, and asking for that access—that is pretty much 52 weeks a year. What we try to do is schedule those activities during the range closures, which is most frequently on Sundays. Within that period, we try to broker that time and make it available.

Chair Swank:

Is there anyone else here to testify in opposition?

Donna Brand Moormann, President, Carson City Council, Navy League of the United States:

I am here against the resolution. The biggest thing I can say as a Navy retiree, is training is No. 1 for the military. With the expansion and the evolution of weapon systems all over the world, we need to be able to keep up with that. There are training areas designated now, but many of those areas are not compatible with today's weapon systems. We need to have those

so that your children and your grandchildren can be trained to be part of the military and to be the best that they can be. I think we need to ensure that what is going on is in the best needs of the Navy and the military.

Mitchell Roach, Board Member, United Veterans Legislative Council:

I would like to briefly say that if you are ever in a position where you need a well-trained pilot, you will give him all the land he needs for training. With that being said, we oppose A.J.R. 7.

Chair Swank:

Is there anyone else who would like to testify in opposition? [There was no one.] Is there anyone who would like to testify in neutral? [There was no one.] Would the bill sponsor like to make a few closing remarks?

Assemblywoman Peters:

I want to make clear that this is not an antimilitary bill. My husband is a Marine veteran with combat experience. He trained throughout this region, and it was imperative for him and his ability to do his job. I think that one of the best comments I heard today was about the cumulative impact to your resources, both cultural and intrinsic, knowing that this open space exists. I want to thank Rob Rule for reaching out to me to express where the Navy is on the assessment of this project, but I maintain that A.J.R. 7 is in the best interest of our communities and the people whom we represent.

Chair Swank:

I will close the hearing on A.J.R. 7 and open the hearing on Assembly Joint Resolution 8.

Assembly Joint Resolution 8: Expresses the opposition of the Nevada Legislature to the elimination of the Nevada State Office of the Bureau of Land Management. (BDR R-506)

Assemblyman Al Kramer, Assembly District No. 40:

It is my pleasure today to present Assembly Joint Resolution 8, which expresses the opposition of the Nevada Legislature to the elimination of the Nevada State Office of the Bureau of Land Management (BLM), U.S. Department of the Interior.

While we have different issues in different parts of the state, we need to have one forum for our concerns. When a part of our state is combined with part of another state, I worry that our concerns will be second to the priorities of other states, especially with the political clout of our neighbor to the west.

The resolution is a result of many thoughtful discussions we had in the Legislative Committee on Public Lands during the 2017-2018 Interim. As requested by the President in 2017, the United States Secretary of the Interior submitted a reorganization plan that, among other things, eliminates the Department of the Interior's 49 administrative regions. The boundaries of these administrative regions have generally corresponded with state lines.

Under the proposed plan, they would be replaced with 12 unified regions, with boundaries determined by natural features like river systems and watersheds.

The boundaries of the unified regions would split this state into two for administrative purposes. It would clump northern Nevada with most of California and a small part of Oregon. It would join southern Nevada with southern California and Arizona. This is especially concerning as it would affect the BLM, which as you know, manages and controls significant parts of public land throughout the state.

As the state with the highest percentage of federal land in the nation, Nevada's challenges are unique and it requires a state office. The BLM manages much more land in Nevada than private landowners in our state do. It must have a local presence to do so effectively.

The Secretary of the Interior declared that the unified regions were effective as of August 2018; however, Congress has yet to approve or appropriate any money for this implementation. This resolution, if passed, would express the opposition of the members of the 80th Session of the Nevada Legislature to the elimination of the Nevada State Office of the BLM. I urge you to support this important legislation.

Chair Swank:

Are there any questions? [There were none.] Is there anyone who would like to testify in support of A.J.R. 8?

Shaaron Netherton, Executive Director, Friends of Nevada Wilderness:

I want to applaud this particular effort. I worked for BLM for 22 years, along with being the executive director for Friends of Nevada Wilderness for almost 20 years. It does not matter whether you are working in the ranching community, the mining community, or volunteering, being able to have the people in BLM whom you are working with, who are in the state, who understand the issues of Nevadans, is critically important. To split that up makes absolutely no sense. I think we will lose so much—our ability to reach these people, have discussions with them, and resolve issues. I think it is a slap in the face to Nevada because we do have so many federally managed public lands here. Being able to keep a state office that is directly responsive to the people of Nevada is critical. If it is not broken, what are we trying to fix?

Patrick Donnelly, Nevada State Director, Center for Biological Diversity:

We support this resolution and oppose the Department of the Interior's reorganization plan. Under this plan, Nevada would be broken in two—half would be managed out of Sacramento or San Francisco, and the other half would be managed out of Los Angeles or Phoenix. This is a dire situation for us and our public lands. It is not just public lands either; the Interior manages our endangered wildlife with its U.S. Fish and Wildlife Service. It manages refuges, but also all of our endangered species, which requires a lot of knowledge and in-depth background to manage. We have a setup where we have experienced wildlife and land management professionals who know our resources.

Decisions that are made out of state with larger states, with larger populations, and more money; can you imagine what the effects on us might be?

More broadly, this is part of a large attack on the Department of the Interior by the current Interior Secretary, David Bernhardt, and the Trump Administration. They have been cutting budgets for the Interior, cutting budgets for our agencies, and they are trying to hobble the Interior and make it more susceptible to political interference, which we have clearly seen during this Administration. That is why we have over 30 active lawsuits against this Interior Department. I strongly encourage you to support this resolution and push back against this attack on our public lands and wildlife.

Anne Macquarie, Chair, Executive Committee, Toiyabe Chapter, Sierra Club:

It is a pleasure to speak in favor of [A.J.R. 8](#). The Sierra Club has a very long relationship with BLM in Nevada. Since we were founded in 1957, we have had a focus on public land management. We have met with a parade of staff from BLM; the Forest Service (USFS), U.S. Department of Agriculture; and the U.S. Fish and Wildlife Service. The staff has always provided us with the best information they had and we talked to them about our concerns. Even when someone was subsequently transferred to another state or station, he often came back, bringing back with him his experience in Nevada. The documents that all these agencies prepare for environmental impact statements, environmental analysis, or virtually any proposed action may frustrate us at times with the time required to prepare and review them, but they do provide information which, frankly, the state of Nevada and its communities are often reluctant to collect themselves. They have provided hearing processes, work groups, and scientific and mapping contributions, which probably have saved Nevada millions of dollars. We rely on them for the information they assemble.

We also appreciate deeply that both BLM and the USFS maintain offices in rural communities, close to the land they are charged to manage. Although many stakeholders will agree with our frustration at the BLM's bureaucracy and occasional lack of response to local concerns, Nevada's lands and communities are far better served by the current local office structure.

On behalf of the Sierra Club's 30,000 members and supporters in Nevada, I urge you to pass [A.J.R. 8](#), and thank you for attending to this important issue. [A letter was also provided ([Exhibit F](#)).]

Vinson Guthreau, Deputy Director, Nevada Association of Counties:

The Nevada Association of Counties Board of Directors has been engaged and opposed to the Department of the Interior's reorganization since we first heard about it. We urge you to pass this resolution. As this Committee knows, Nevada's counties have a significant amount of public land in each of them, and we appreciate being able to engage with the local state office. For that and the many other reasons that have already been expressed, we oppose the closure of the state office and support the resolution.

Tiffany East, Member, Board of Wildlife Commissioners, Department of Wildlife:

The Board of Wildlife Commissioners, Department of Wildlife is in full support of A.J.R. 8. As Nevada's landscape issues and public lands are unique to our state, we need the BLM office and staff who understand our issues, resources, and wildlife.

Joel Blakeslee, representing Coalition for Nevada's Wildlife:

There have been a lot of good comments before me, so I will just say we support the resolution.

Kyle J. Davis, representing Nevada Conservation League:

Us, too.

Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada:

We also support this resolution.

Alex Tanchek, representing Nevada Cattlemen's Association:

Ditto.

Karen Boeger, Co-Chair/Secretary, Nevada Backcountry Hunters and Anglers:

We, too, definitely support this. I do not understand why, when this particular Department of the Interior has emphasized local control, that this proposal comes about at this time. We are a Great Basin state, and Mojave Desert as well; to throw us in with California makes no environmental sense.

Michael Cassidy, Private Citizen, Reno, Nevada:

I am a hunter, a conservationist, a member of the general public. I support this as a member of the general public.

Chair Swank:

Is there anyone else who would like to speak in support? [There was no one.] Is there anyone who would like to speak in opposition? [There was no one.] Is there anyone who would like to speak in neutral? Seeing no one, are there any closing remarks? [There were none.] I will close the hearing on A.J.R. 8. I will move into the work session, beginning with Assembly Bill 171.

Assembly Bill 171: Expands veterans who may receive free admission to state parks and other recreational areas. (BDR 35-4)

Jann Stinnesbeck, Committee Policy Analyst:

Assembly Bill 171 was sponsored by Assemblywoman Bilbray-Axelrod and was heard in this Committee on March 25, 2019 (Exhibit G). The bill extends to all Nevada veterans free admission permits to state parks. There are two amendments to this bill. The first adds Assemblyman Ellison as a primary sponsor.

The second amendment is proposed by Assemblywoman Bilbray-Axelrod, which:

- Requires the Division of State Parks, State Department of Conservation and Natural Resources, to issue an annual permit to an applicant who has incurred any permanent service-connected disability; and
- Requires the administrator of the Division to reduce by at least \$2 the entry fee to state parks or recreational areas for any person who provides proof of residency and proof of veteran status.

Chair Swank:

I will entertain a motion to amend and do pass.

ASSEMBLYWOMAN PETERS MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 171.

ASSEMBLYMAN WHEELER SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Bilbray-Axelrod. I will move on to Assembly Bill 474.

Assembly Bill 474: Revises provisions relating to wildlife. (BDR 45-902)

Jann Stinnesbeck, Committee Policy Analyst:

Assembly Bill 474 was sponsored by this Committee and heard on April 3, 2019 ([Exhibit H](#)). The bill authorizes Nevada's Department of Wildlife, at any time, to expend from the Wildlife Heritage Account in the State General Fund any funds in the Account that exceed \$5 million. This bill also authorizes the Board of Wildlife Commissioners to adopt regulations establishing a program that allows a person to transfer his or her tag to hunt a big game mammal.

There is one amendment to this bill proposed by Assemblywoman Swank which:

- Authorizes the Board of Wildlife Commissioners to adopt regulations that establish a program which authorizes a person to transfer his or her big game tag to a person, or a qualified organization, for use by a person who: (1) has a disability or life-threatening medical condition; or (2) is 16 years of age or younger and who has a disability or life-threatening medical condition or whose household income is not more than 150 percent of the federally designated poverty level;

- Clarifies that a "qualified organization" is a nonprofit organization that provides opportunities to engage in various experiences; and
- Allows the Board of Wildlife Commissioners to adopt regulations that establish: (1) what constitutes an extenuating circumstance; (2) a process whereby a person who holds a big game tag can provide documentation which shows that he or she qualifies for an extenuating circumstance; and (3) a program whereby a person who qualifies for an extenuating circumstance may transfer his or her big game tag to another individual, defer use of his or her big game tag to the next hunting season, or return his or her big game tag to the Department for restoration of any bonus points used by the person to obtain the tag.

Chair Swank:

I will entertain a motion to amend and do pass A.B. 474.

Assemblywoman Titus:

I would like to clarify that the \$5 million that the Department of Wildlife is authorized to spend, that money has to be spent within the scope of what the Wildlife Heritage Account is already designated as.

Allan Amburn, Committee Counsel:

It is within the scope of that. In looking at the bill, section 1, subsection 4, it states the Department may annually expend from the Wildlife Heritage Account, and has to be pursuant to subsection 2.

Chair Swank:

Do I have a motion?

ASSEMBLYWOMAN TITUS MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 474.

ASSEMBLYMAN WATTS SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN ELLISON VOTED NO.)

I will assign the floor statement to Assemblyman Watts. Next up is Assembly Bill 479.

Assembly Bill 479: Enacts provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals. (BDR 50-903)

Jann Stinnesbeck, Committee Policy Analyst:

Assembly Bill 479 was sponsored by this Committee and was heard on April 3, 2019 (Exhibit I). The bill makes it unlawful for a person, unless he or she meets one of several

exemptions, to: (1) import, possess, sell, transfer, or breed a dangerous wild animal; or (2) allow any member of the public to come in direct contact with a dangerous wild animal.

The bill authorizes a law enforcement officer or an animal control agent to seize a dangerous wild animal if the agent believes the owner of the animal has violated certain provisions.

Lastly, this bill provides that a violation of the provisions regarding the importation, possession, sale, transfer, or breeding of dangerous wild animals is punishable as a misdemeanor.

Chair Swank:

I will entertain a motion to do pass Assembly Bill 479.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO DO PASS
ASSEMBLY BILL 479.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

Is there any discussion?

Assemblywoman Titus:

I am opposed to A.B. 479. I understand the intent; I understand there are potential abusers and that there are certainly folks who have wild animals who should not. Unfortunately, I am concerned that this bill will negatively impact those who have wild animals and should, specifically related to some of the stories we heard on dog training and other things that I think are necessary.

Assemblyman Ellison:

I am going to vote no, but would like to reserve my right to change my vote on the floor. There are some questions I am hoping I can get answered in the meantime.

Chair Swank:

I will let folks know that you do not need to say you want to reserve your right; you can just let me know if your vote will change between here and the floor. With that, we will vote.

THE MOTION PASSED. (ASSEMBLYMEN ELLISON, HANSEN, TITUS,
AND WHEELER VOTED NO.)

I will assign the floor statement to Assemblyman Fumo. I will now open up for public comment. Seeing no one, this meeting is adjourned [at 5:21 p.m.].

RESPECTFULLY SUBMITTED:

Nancy Davis
Committee Secretary

APPROVED BY:

Assemblywoman Heidi Swank, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a letter dated February 12, 2019, to Sara Goodwin, EIS Project Manager, Naval Facilities Engineering Command Southwest, signed by Dana R. Bennett, President, Nevada Mining Association, and provided by Paul Young, representing Nevada Mining Association, in support of [Assembly Joint Resolution 7](#).

[Exhibit D](#) is a letter dated April 8, 2019, to the Assembly Committee on Natural Resources, Agriculture, and Mining, signed by Laura Richards, Member, Executive Committee, Toiyabe Chapter, Sierra Club, in support of [Assembly Joint Resolution 7](#).

[Exhibit E](#) is written testimony presented by Evan L. Morrison, Captain, Commanding Officer, Naval Air Station Fallon, in opposition to [Assembly Joint Resolution 7](#).

[Exhibit F](#) is a letter dated April 7, 2019, to the Assembly Committee on Natural Resources, Agriculture, and Mining, signed by Anne Macquarie, Chair, Executive Committee, Toiyabe Chapter, Sierra Club, in support of [Assembly Joint Resolution 8](#).

[Exhibit G](#) is the Work Session Document for [Assembly Bill 171](#), dated April 8, 2019, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Assembly Bill 474](#), dated April 8, 2019, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for [Assembly Bill 479](#), dated April 8, 2019, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.