

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON NATURAL RESOURCES**

**Eighty-First Session
March 17, 2021**

The Committee on Natural Resources was called to order by Chair Howard Watts at 4:02 p.m. on Wednesday, March 17, 2021, Online. 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/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblyman Howard Watts, Chair
Assemblywoman Lesley E. Cohen, Vice Chair
Assemblywoman Natha C. Anderson
Assemblywoman Annie Black
Assemblywoman Tracy Brown-May
Assemblywoman Maggie Carlton
Assemblyman John Ellison
Assemblywoman Cecelia González
Assemblywoman Alexis Hansen
Assemblywoman Susie Martinez
Assemblywoman Robin L. Titus
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Sarah Peters, Assembly District No. 24

STAFF MEMBERS PRESENT:

Jann Stinnesbeck, Committee Policy Analyst
Allan Amburn, Committee Counsel
Devon Kajatt, Committee Manager
Gina Hall, Committee Secretary
Trinity Thom, Committee Assistant



OTHERS PRESENT:

Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League
K. Neena Laxalt, representing Central Nevada Regional Water Authority; and
Humboldt River Basin Water Authority
Wade Poulsen, General Manager, Lincoln County Water District
Steven Parrish, General Manager/Chief Engineer, Clark County Regional Flood
Control District
Ed James, General Manager, Carson Water Subconservancy District
Calli Wilsey, Senior Management Analyst, City Manager's Office, City of Reno
David Dazlich, Director, Government Affairs, Vegas Chamber
Justin Harrison, Principal Management Analyst, Administrative Services, Clark
County
Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation
Chris Mahannah, Water Resource Engineer, Churchill County
Daniel Fischer, Deputy General Manager, Clark County Water Reclamation District
Jennifer Ott, Director, State Department of Agriculture
Allen Biaggi, representing Nevada Mining Association
Steve Walker, representing Eureka County
Jennifer Carr, P.E., Deputy Administrator, Division of Environmental Protection, State
Department of Conservation and Natural Resources
John Hadder, Executive Director, Great Basin Resource Watch
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada
Brian Beffort, Director, Toiyabe Chapter, Sierra Club
Susan Fisher, representing American Battery Technology Company
Stevie Applewhite, Hub Coordinator, Sunrise Movement Reno
Nikki Bailey-Lundahl, Government Affairs Manager, Nevada Mining Association
Greg Lovato, Administrator, Division of Environmental Protection, State Department of
Conservation and Natural Resources

Chair Watts:

[Meeting was called to order. Committee rules and protocol were reviewed.] I will start by opening the hearing on Assembly Bill 146.

Assembly Bill 146: Revises provisions relating to water. (BDR 40-123)

Assemblywoman Sarah Peters, Assembly District No. 24:

It is my pleasure to present Assembly Bill 146, which revises provisions relating to water pollution, especially water pollution resulting from diffuse sources.

Before I begin, I would like to note that due to various constructive stakeholder discussions, I am proposing an amendment [[Exhibit C](#)]. I will provide brief background information and a summary of the bill as introduced before I discuss the proposed amendment.

As you know, Nevada is the most arid state in the nation. As such, water is our state's most precious and limited resource, and protecting its quality is of profound importance. We all

depend on water for everything from drinking water to irrigation for agriculture, economic development, recreational use, and to sustain the unique and marvelous wildlife of our state. It is of utmost importance to protect our water, and one of the biggest threats to our limited water resources is pollution.

When we think of water pollution, often an image comes to mind of large pipes that dump waste into rivers or streams. This is called point source pollution. However, the leading cause of water quality impairment in Nevada is not from single point source pollutants, but rather pollution from diffuse sources, which is also called non-point source pollution.

This type of water pollution is generally caused by runoff, precipitation, drainage, or atmospheric deposition, which is the falling out of contaminants from the air. Often, snowmelt or rainfall carries various pollutants like chemicals, bacteria, fertilizer, and sediment through the ground into our groundwater, rivers, and lakes.

The pollutants can stem from agricultural production; through excessive use of herbicides, pesticides, and fertilizers; and acid drainage from abandoned mine operations. There can also be runoff in urban areas from improperly managed construction sites, faulty septic systems, landscaping fertilizers, and improper disposal of pet waste and toxic chemicals. Additionally, air pollution can play a major part in the creation of acid rain, which is when sulfur dioxide and nitrogen oxides from exhaust fumes combine with water in the atmosphere.

Diffuse source pollution is not only the main source of water pollution in Nevada, but it is the leading remaining cause of water quality problems across the nation.

Assembly Bill 146 enhances the authority of the State Department of Conservation and Natural Resources (DCNR) to identify and prevent pollution to our state waters by expanding authority over all diffuse sources and infiltration of pollutants to our groundwater. The bill also places a strong focus on biological and cultural resources during the development of regulations and enhances consideration of historically oppressed and marginalized communities. Finally, A.B. 146 codifies the practice of consulting with tribal governments during regulatory and permitting considerations concerning water pollution.

I will now direct the Committee to the proposed amendment [[Exhibit C](#)]. As previously mentioned, the proposed conceptual amendment before you today is the result of many constructive discussions with the responsible agencies and impacted stakeholders. I am committed to continuing these discussions to further flesh out and refine the proposed amendment to A.B. 146.

The purpose of the amendment is to clarify definitions and intentions and to remove language obligating the state to adopt certain constraining standards. As such, the amendment removes the language from section 2, subsections 1 and 2, that requires the state to establish a new program to reduce, control, and mitigate water pollution from diffuse sources. Instead,

the amendment requires the state to increase the mitigation of pollution from diffuse sources by carrying out efforts outlined in section 2, subsection 2.

The amendment further deletes section 3 and exempts septic systems from the provisions in section 4, subsection 1, paragraph (d).

To ensure legislative intent is captured while establishing a baseline for regulatory development and agency decision making, the proposed amendment further defines "disproportionate impacts" and "historically oppressed and marginalized communities" as found in section 4, subsection 3, paragraph (b), and in section 8, subsection 1, paragraph (b) of the bill. Similarly, the proposed amendment establishes a review requirement in section 7 regarding what qualifies as resulting "in the degradation of biological, cultural or wildlife resources."

The amendment [[Exhibit C](#)] also clarifies that the purpose of imposing numerical water quality criteria for major categories of diffuse sources, as found in sections 2, 10, and 12, is intended to function similarly to total maximum daily load standards set on certain water bodies, which is already included in statute within section 12.

Lastly, the amendment would remove the requirement to assign drinking water quality standards to all waters of the state as found in section 10, subsection 1. It would also add revisions to *Nevada Revised Statutes* (NRS) 445A.305 to describe the legislative intent to increase water quality through state programs to address deteriorated water quality in streams that are not recognized as having a beneficial use of drinking water.

Chair Watts:

Are there any questions on [Assembly Bill 146](#)?

Assemblywoman Anderson:

In looking at section 5, subsection 2 of the bill, it states, "A digital format that is generally accessible in the area and to any affected communities" Does that mean the information would be available to general areas of the public, or will it be sent out to the communities? I am looking for a little more definition for that phrase. I realize that is nowhere near the most important part of the bill; it is just the easiest area for me to wrap my head around.

Assemblywoman Peters:

When we think about where some of these standards are set, it is not only in urban areas where people have access to broadband or other digital formats, but that may be the only way people have access to news in certain areas where there are no regular newspapers or news sources. At this point, we have access to our digital devices. I know the Division of Environmental Protection (NDEP), State Department of Conservation and Natural Resources, currently uses Facebook and other places to post information that is more accessible to the general public in some cases where a newspaper would not be. This is just authorizing and requiring language that they attempt both efforts so the public is as involved as it can be in these processes.

Assemblywoman Anderson:

The amended language in section 10 [[Exhibit C](#)] says, "Remove requirement to assign drinking water quality standards" Will you walk us through the reasoning behind that?

Assemblywoman Peters:

This is a piece that I am committed to long-term, that all waters in the state of Nevada have a beneficial use of drinking water, or that we are creating accessibility to drinking water from all sources at the least cost possible to all communities. This is a conversation-starter I need to have with our regulatory bodies and the authorities who are engaging in treating water across the state. One thing we have in our state which is unique from other states is the idea of permanent water loss. All the pollutants that go in do not come out unless they are removed. We do not just dump pollutants into the ocean and leave it for someone else to deal with. We have to deal with everything that goes into the water. The burden of cleaning that up always ends up on the beneficial user. I think as decision makers and regulators in this state, our obligation is to ensure that our decisions do not result in the unintended consequence of increased costs to access something that is essential for life. That is why this was in the bill in the first place. We had to remove that because, as you will hear in testimony, the cost of treating water is a huge burden. The technology to treat the types of pollutants that we see in our water bodies has not kept up with the demand for treatment.

This conversation is not just about who deserves clean water; it is about how we get there as a state. How do we invest in technologies that can get us to the point of establishing drinking water availability across the state? Those are much broader conversations than we could establish in this legislative session.

Assemblywoman Titus:

For clarification, you are removing section 10, and you are not going to look at assigning drinking quality in all the waters in our state.

Assemblywoman Peters:

That is correct.

Assemblywoman Titus:

I had significant concerns about the stream in my canyon. We do not drink that water because giardia is in it, and because the deer and sheep bring "beaver fever" to the streams. I appreciate your removing that.

Section 8, subsection 1, paragraph (b), says, "Except as otherwise provided in this paragraph, that the discharge or the injection of fluids through a well for which the permit is sought does not disproportionately impact historically oppressed or marginalized communities." In our area, where we irrigate and where we have an irrigation district, we do—and perhaps the mining industry as well—use water that is reinjected into the aquifer. Would the ranchers and miners have to treat the water before they reinject the water?

Assemblywoman Peters:

No, not exactly. This piece of the legislation is related to confluence of groundwater and surface water, or confluence of aquifers between uses—the injection source and the beneficial use source. One of the things we have seen is a downgradient, which is down the flow of water in an aquifer. I am trying to offer nontechnical language for those who may not be familiar with groundwater basins, and I apologize if it sounds elementary. We see in some cases there are communities which would meet the definition of historically oppressed or marginalized that see the impact of those injection contaminants in their drinking groundwater, or in surface water when it goes to beneficial use. This would codify that the impact is unacceptable in Nevada and that the entity injecting those fluids would be required to mitigate the contaminate loading into the aquifer that is resulting in contamination of downstream uses. This follows a standard in the state. The right to use your water rights, and the impact on others who are downstream of your use is like trespassing. There is a legal standard for that. It is not really changing much; it is just making it an authority of the state to identify and say that this is not an okay way to inject water and we need to control it from the source.

Assemblywoman Titus:

Just to be clear, I have surface water rights, I have groundwater rights, and I am on a domestic well. I understand the whole issue, and I also understand what irrigation districts are doing in aquifers. I have concerns regarding that paragraph and the potential ramifications. Is there a definition anywhere in statute regarding what a historically oppressed or marginalized community is?

Assemblywoman Peters:

That is undefined in NRS. We looked into that, and I actually asked an organization poll from other states who have language like this. You would be surprised by which states have actively defined these kinds of people in their statutes. Again, I worked with legal counsel on what it would look like to define that particular phrase in statute. I would like to ask Mr. Amburn to discuss this a little more about whether that is necessary or not.

Allan Amburn, Committee Counsel:

I will address each of those points in turn, Assemblywoman Titus. The first one dealing with your initial question adds to the scope of section 8, subsection 1, paragraph (b). That section refers to a permit that is issued has to comply with certain standards. If you look at section 8, subsection 1, paragraph (a), that is existing law; such a permit has to comply with various limitations, standards, and the discharge or the injection of fluids. Paragraph (b) is basically providing additional standards, but instead of broad and far-reaching standards, it is limiting the scope of the standards. That is why we are talking about the discharge and injection of fluids through a well not disproportionately impacting historically oppressed or marginalized communities. That is the scope of the applicability of paragraph (b). If there is something outside the scope of paragraph (b), it would not apply. Additionally, paragraph (b) provides that "provisions of this paragraph do not apply to the extent that the requirement would conflict with federal law." If there was a federal provision, it would trump this provision if the federal provision were to apply. For example, if you had a well and you were wanting to

discharge or inject fluids through that well, as long as that does not disproportionately impact historically oppressed or marginalized communities, this paragraph would not apply to the activity that is being conducted.

As to defining that term, as Assemblywoman Peters mentioned, the term is not defined in statute. This would be a new definition if the Committee or Assemblywoman Peters and the stakeholders decided to define that term. If it is undefined, then the court would go through the process of statutory interpretation. The first process would be looking at the plain meaning of the statute to figure out a determination of what the "historically oppressed or marginalized communities" are on the plain meaning of the language. It seems a bit vague on its face, and if the court determines that it is vague, then the court would look at legislative history. The court would look at other exterior sources to try to figure out what the parameters are on this term. The court might even look to historical aspects of the state in trying to figure out what type of communities would fall under this type of category. Of course, if this Committee, Assemblywoman Peters, or the stakeholders decided to define this term, the court would have that definition as a parameter in which to analyze the applicability of section 8, subsection 1, paragraph (b).

Assemblywoman Peters:

I would like to add that in the application of this in practice, it is very difficult to prove that a contaminant came from a single source. It takes effort to do that. I think this would be limited to cases in which a community was desperate to figure out what was going on with their water supply. We have had experiences like that: think about the lawsuit around the chemical contamination of the aquifer in Fallon. That happens regularly and disproportionately impacts our rural communities in Nevada.

Assemblywoman Titus:

For clarification, are you referring to the leukemia outbreak in Fallon and the suspected contaminants which were never actually proved? I understand what you are saying: there are contaminants in our water. We certainly know from the traditional mining in Dayton, and the Carson River itself with mercury and other chemicals—whether it is from natural contamination or definitely from mining in those days—it does happen. I understand what you are saying; I just want to ensure that we understand the legislative intent, and we clarify this language because it is new language. When we open this up to things of that nature, I think it is important to get the legislative intent on the record.

Assemblywoman Peters:

Nevada is behind in defining these. There are states that have had a definition filed for communities such as these in their statutes since 1997.

Chair Watts:

We look forward to seeing the definition outlined in the conceptual amendment as your work on that continues.

Assemblywoman Cohen:

In section 4 of the amendment [[Exhibit C](#)], why are we exempting septic systems? Can you explain why those are not an issue?

Assemblywoman Peters:

Septic systems are an issue which has become a huge issue in certain areas. However, the purpose of this particular piece of legislation was not directed towards the relationship between septic systems and drinking water systems. There are legal standards for trespass in those cases, which are being actively litigated in some areas. In working with the agencies, they were uncomfortable with trying to define those here because there are so many issues occurring around those areas in different jurisdictions.

Assemblyman Ellison:

I was happy that my colleague brought up section 8 because I had concerns with that regarding mining and discharge. That water is put right back into the aquifer as clean as it was when it came out. I am hoping we can get people to take a look at the system the mining industry has. It is unbelievable.

If there are 1,000 homes in a particular area, and all have septic systems, eventually it leaches back into the water and possibly into a creek or river. If that is the case, would that fall under this bill?

Assemblywoman Peters:

We actively exempt septic systems from section 4, which is regulatory development of infiltration of contaminants into groundwater. That language has not been fleshed out yet. I am happy to work with folks if we want to try and develop some kind of way to handle septic systems, but at this time, it would not apply to them. I would also defer to Mr. Amburn if he has any additional input.

Allan Amburn:

In walking through the bill, without the exemption in section 4, there could be an argument made that this could apply to septic systems. However, septic systems are proposed to be exempted in the conceptual amendment [[Exhibit C](#)]. There might be other places in the bill that could apply to septic systems, perhaps in section 7, subsection 6, which states, "which would result in the degradation of biological, cultural or wildlife resources." In order to carry out the intent of exempting septic systems, we could walk through the bill; if there is a place where it is unclear whether it would apply to septic systems, we can explicitly exempt septic systems from that provision.

Assemblyman Ellison:

My intent is to ensure that septic systems are exempt. I am glad that we have the mining issues on the table.

Chair Watts:

Are there any other questions? Seeing none, we will move on to testimony in support of Assembly Bill 146.

Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League:

We are in support of A.B. 146. As the driest state in the nation, Nevadans place a high value on our water resources. The state has a responsibility to protect the quality of Nevada's water, ensuring that all Nevadans have clean water to drink now and in the future.

According to NDEP, non-point source pollution is the leading cause of water quality impairments in our state. The state currently does not have all the tools it needs to address this source of pollution. Assembly Bill 146 attempts to give our state agencies all the tools they need to protect and improve water quality by regulating diffuse sources of pollution and by holding polluters accountable.

Assembly Bill 146 would also require the State Environmental Commission within DCNR to consider disproportionate impacts on historically oppressed and marginalized communities when adopting water quality regulations. This would ensure that water quality benefits and improvements are shared by all Nevadans and that no community is unfairly subjected to higher pollution levels or lower water quality. People in communities across Nevada benefit by having clean water to drink. Surface water accounts for about 60 percent of the state's water supply. Removing pollution from non-point sources would improve water quality across the state, resulting in cleaner drinking water, lower water treatment costs, and safer water for outdoor recreation activities.

We would like to thank Assemblywoman Peters for bringing this important piece of legislation forward, and we urge the Committee's support.

Chair Watts:

We will hear the next caller in support. Hearing no one, we will move on to those wishing to testify in opposition.

K. Neena Laxalt, representing Central Nevada Regional Water Authority; and Humboldt River Basin Water Authority:

We appreciate Assemblywoman Peters' working with all the stakeholders. She is making some changes to her original legislation on A.B. 146, and we believe that her conceptual amendment [[Exhibit C](#)] gets us closer to meeting the goal of effectively addressing non-point diffuse source pollution. However, without more detailed language on how maximum daily load standards would be developed and implemented, we are opposed to A.B. 146. It is important for water users within the Central Nevada Regional Water Authority and Humboldt River Basin Water Authority, which consist of nine counties, to understand the proposed changes and possible impacts. Both authorities support reducing non-point diffuse source pollution through education, incentives, and best management practices, and both are committed to working with Assemblywoman Peters to enhance existing efforts.

Wade Poulsen, General Manager, Lincoln County Water District:

Thank you for the opportunity to provide comments in opposition to A.B. 146. Lincoln County Water District is opposed to A.B. 146 as currently written, but we support the idea of addressing diffuse sources. As the current conceptual amendment gets us closer to supporting it, it does not go far enough in outlining a voluntary incentive program to allow individuals and companies to volunteer into the programs that limit diffuse, rather than across-the-board and all-encompassing regulation. We support the language and ideas to exempt agriculture and septic systems from regulation of diffuse that we consider to be currently unmeasurable and financially crippling to those who choose to make their living off the land. Agriculture is important to Lincoln County economically, and we look forward to increasing agricultural growth within our county. Again, Lincoln County Water District can support any program or policy that becomes a voluntary program through incentives but opposes any language that will become all-encompassing regulation.

Steven Parrish, General Manager/Chief Engineer, Clark County Regional Flood Control District:

We reviewed A.B. 146 and wrote a letter to Assemblywoman Peters expressing opposition to sections 2, 3, 10, and 11 of this bill [[Exhibit D](#)]. Subsequently, we have been in communication with Assemblywoman Peters, and she has presented her proposed revisions to the bill in a formal amendment [[Exhibit C](#)] that would resolve our concerns. I would like to thank Assemblywoman Peters for the engagement and effort to work with us to mitigate those concerns expressed in our letter and written testimony [[Exhibit E](#)]. Although we remain in opposition of this legislation, pending the amendment, we believe we will be able to revise our position from opposed to neutral upon review of the amendment once submitted.

Ed James, General Manager, Carson Water Subconservancy District:

We are opposed to A.B. 146 as it is currently written—not to the goals of the bill, but to the uncertainty of how the new language may be used to try to achieve water quality standards in the Carson River watershed. I would like to note that for the past 20 years, Carson Water Subconservancy District and our partners have been working on many projects to try to improve water quality in the Carson River watershed. During this period, one of our most important critical partners is the Division of Environmental Protection.

For your information, there is no direct discharge to the Carson River. The main water quality issues in the Carson River have to do with non-point sources. These sources come from bank erosion, agricultural and urban runoff, climate change, and other issues.

The concern we have with the bill is how it will be used. An example is with section 10, subsection 1. The current beneficial use designation for the upper Carson River is cold-water fisheries. Years ago we looked at ways to try to achieve the beneficial use for cold-water fisheries; that sounded very difficult. One of the main issues was during dry years: the water temperature flowing into Nevada did not meet the cold-water fisheries' requirements. Another issue in the Carson River is that it is dry in many places due to agricultural diversions. It is hard to maintain cold-water fisheries when there is no water.

Unlike the Truckee River, we have very limited upstream storage in the Carson River to augment river flow. We looked at the possibility of purchasing some agriculture rights to dedicate for instream flows; however, we found out that to get enough water to maintain adequate flows in drought years, it would require drying up all the agriculture in Carson Valley. Thank you for your time.

Calli Wilsey, Senior Management Analyst, City Manager's Office, City of Reno:

I am testifying on behalf of the Urban Consortium, which includes the cities of Las Vegas, Henderson, Sparks, and Reno. We had a very productive meeting with the bill sponsor yesterday and greatly appreciate Assemblywoman Peters' taking the time to meet with us and explain her intents of the bill. Since the rules dictate so, we are here in opposition today as we had concerns about the language as introduced. The broad language of the bill initially raised concerns about how this would impact the operations of existing municipal programs and the potential fiscal impact to enact these regulations. However, following our conversation with the bill sponsor, our understanding is that A.B. 146 is not intended to create a new program with additional mandated regulations that would impact local government. Rather, it would give NDEP broader discretion to look at ways to improve water quality across the state and to spur innovation in the field. We appreciate the bill sponsor's vision for improved water quality and her willingness to continue to work with us to refine the language in the amendment.

David Dazlich, Director, Government Affairs, Vegas Chamber:

The Vegas Chamber is testifying in opposition to A.B. 146. We are concerned about the broad nature as written and how this bill would potentially interact with the many state and federal water programs, including the Safe Drinking Water Act, the Clean Water Act, and the Nevada Water Pollution Control Law. We feel this bill fails to recognize Nevada's long-standing requirement concerning antidegradation of groundwater, and we are concerned about how this proposed legislation would fit in context with other Division of Environmental Protection programs, such as mining. For these reasons, we are in opposition.

Justin Harrison, Principal Management Analyst, Administrative Services, Clark County:

Although we are appearing today in opposition due to the current version of the bill, we would like to thank Assemblywoman Peters for the work she has done with our southern Nevada dischargers who will be testifying in neutral as those concerns have been mitigated. However, we would like to echo the comments of Mr. Parrish. As a municipal separate storm sewer system permittee in southern Nevada, we still do have technical issues with the current version of the bill, but we hope to continue to work with the regional flood control district and Assemblywoman Peters to mitigate those concerns and eventually support the bill.

Chair Watts:

We will move on to the next caller in opposition. Hearing no one, I will move to those wishing to testify in neutral to A.B. 146.

Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation:

We are testifying today in neutral on A.B. 146 with the understanding that we are basing this position on the conceptual amendment that Assemblywoman Peters has proposed [[Exhibit C](#)]. We want to thank Assemblywoman Peters for her willingness to allow us to participate in an exchange of ideas and arriving where we believe we are now on A.B. 146. Prior to her sharing this conceptual amendment, we would not have been able to testify in neutral. Nevada Farm Bureau Federation has strong policy in favor of dealing with diffuse, or in our terms, non-point source in terms of water quality, with voluntary, incentive-based, best-management practices, which is what should be used. We believe, and have said as much in our follow-up with Assemblywoman Peters, that the conceptual amendment takes us off of the road we could not have gone down, bringing us back to a nonregulatory approach for diffuse sources. We look forward to continuing the discussions as the conceptual amendment's formal language and details are incorporated into areas where there still needs to be greater clarification.

Chris Mahannah, Water Resource Engineer, Churchill County:

I am testifying in neutral due to the conceptual amendment that Assemblywoman Peters put forward, which greatly improves the bill. However, we do still have some concerns. Churchill County owns, operates, and maintains a municipal water system that is supplied with underground water that is totally recharged by irrigation practices and delivery practices associated with the Newlands Reclamation Project. Any potential regulation on diffuse sources associated with agriculture and the recharge that that provides would be of concern. We look forward to working through those issues. Just to echo Mr. Busselman's comments, if it was a voluntary incentive program, we would be in support.

Daniel Fischer, Deputy General Manager, Clark County Water Reclamation District:

The Clark County Water Reclamation District collects and treats 100 million gallons of wastewater per day and returns most of the resulting reclaimed water to Lake Mead by way of the Las Vegas Wash. In doing so, we prevent 300 tons of pollutants per day from reaching the environment.

In collaboration with the three other major dischargers of wastewater treatment agencies in southern Nevada, we wrote a letter to Assemblywoman Peters, opposing portions of sections 3 and 10. She responded with the proposed conceptual amendment [[Exhibit C](#)] for A.B. 146 which fully addresses our issues. As a result, the position of the District on A.B. 146 is now neutral. We are very thankful for Assemblywoman Peters for listening to our concerns and making improvements to A.B. 146. [Written testimony was also provided, [Exhibit F](#).]

Jennifer Ott, Director, State Department of Agriculture:

I am calling today to testify in neutral on A.B. 146. The State Department of Agriculture appreciates Assemblywoman Peters' involving us in the conversation for this bill. The Department has responsibilities in partnering with the U.S. Environmental Protection Agency on pesticide issues, including monitoring water around the state for pesticide contamination. Although the Department of Agriculture's role is relatively minor compared to the Division of Environmental Protection, I appreciate Assemblywoman Peters' comments on

introduction regarding non-point source pollution and her work on the conceptual amendment. We will continue to be available to assist with any language that will affect our responsibilities and the areas we regulate.

Allen Biaggi, representing Nevada Mining Association:

I had called in for opposition, but was unable to complete my call. May I present my testimony at this time?

Chair Watts:

Due to technical difficulties, I will reopen testimony in opposition to A.B. 146.

Allen Biaggi:

The Nevada Mining Association would like to thank Assemblywoman Peters for her commitment to preserving Nevada's surface and groundwaters. We share those values, and the industry works very hard to protect our precious water resources. While we are not in support of the bill at this time, we greatly appreciate the conceptual amendment Assemblywoman Peters has put forward. It goes a long way towards addressing many of our concerns, including issues related to diffuse sources, the bonding provision, and retaining the ability and flexibility of the NDEP and the State Environmental Commission to address water quality standards and beneficial uses.

We look forward to more detail on the definitions of "disproportionate impacts" and "historically oppressed and marginalized communities" and how the implementing agency can review biological, cultural, and wildlife resources in the context of NRS 445A.490.

We still have concerns regarding the duplication of the bill's language with existing state programs in the areas of underground injection control, infiltration, and the establishment of the numerical standards for diffuse sources.

Existing pollution controls must remain strong, and we must ensure provisions of A.B. 146 do not unnecessarily complicate those efforts or work in opposition to the federal Clean Water Act, the Safe Drinking Water Act, or Nevada's very strong Water Pollution Control Law. We are committed to working with Assemblywoman Peters to better understand the provisions of A.B. 146, eliminate duplications, and identify ways to ensure Nevada's surface and groundwaters are protected.

Steve Walker, representing Eureka County:

Eureka County has also been working with Assemblywoman Peters and is pleased with the results of the conceptual amendment. We look forward to the formal amendment before we would move to neutral, but we think we are heading in the right direction. We would also like to support what is going on with the [unintelligible] provisions with the state seem to be working. Echoing Mr. Biaggi's statement, I think the bill is duplicative of many of those efforts. I support their ongoing efforts; maybe if they were enhanced, we would not need this bill.

Chair Watts:

I will again close testimony in opposition and open back up to those in neutral.

Jennifer Carr, P.E., Deputy Administrator, Division of Environmental Protection, State Department of Conservation and Natural Resources:

I am testifying as neutral on A.B. 146. Assembly Bill 146 directs changes to several of NDEP's water quality programs. The Division of Environmental Protection identified concerns with the original bill, and we appreciate Assemblywoman Peters' work on her conceptual amendment to resolve many of our concerns. However, we do have some remaining concerns and questions.

A primary concern is to protect Nevada's federal funding for our non-point source program. This funding is leveraged at over two times the \$1 million we receive annually from the U.S. Environmental Protection Agency and goes to important stream protection and restoration projects. This federal funding is contingent upon a nonregulatory program. The conceptual amendment to remove requirements to establish a new program alleviates some of this concern. However, if the bill retains establishment of numeric limits or shifts to a total maximum daily load type of program, it could still result in permit limits or regulatory controls, resulting in the unintended consequence of being interpreted as a regulatory program and disqualifying Nevada from using some of these federal funds.

The Division of Environmental Protection had concerns related to managing domestic wastewater, such as septic systems or municipal treatment plants, that are inherently "contaminated fluids." The conceptual amendment proposes to exempt septic systems from the new provisions; but this may swing too far in the other direction. Septic systems are identified as a potential contaminant source in community planning documents for wellhead protection, and an exemption of them would not help these communities make progress toward individual community-based solutions; NDEP would like to find a balance.

Finally, NDEP is encouraged by conceptual amendments to add new detail to the concepts of protecting for "disproportionate impacts" and "historically oppressed and marginalized communities." The Division seeks more specifics on these terms to set clear expectations for program implementation and to assess resources needed if they continue to be included. The Division also seeks clarity through amendment on terms to ensure permits protect "biological, cultural or wildlife resources" included in the initial bill language, which also prohibits NDEP from issuing a permit that does not ensure such protection for these undefined resources.

The Division is available to help work through amendment language. The expansion of water quality protection concepts in this bill are interwoven with several areas of existing law and regulation, creating complexities which NDEP can help explain.

Chair Watts:

Are there any questions? Seeing none, I will close testimony on A.B. 146. Assemblywoman Peters, do you have any closing comments?

Assemblywoman Peters:

I would like to direct the Committee's attention to the variety of jurisdictions that testified today. All of those jurisdictions are involved in water treatment management in Nevada. This is a very complex area, and it touches everyone. That is part of the importance of being able to talk about and work towards solutions for these kinds of dynamic issues that our state has to deal with. Additionally, everyone who has testified in opposition has highlighted the cost of treating water

to drinking water standards, and that it is prohibitive. Let this sink in. It is also important to identify that all of those who have spoken today have the same goal: to keep Nevada waters clean and accessible to Nevadans for all uses in perpetuity. I would like to thank the stakeholders who have reached out and offered comments and worked with me through the last few weeks trying to get somewhere amicable on this bill. I also want to extend a great thanks to the staff, Mr. Amburn and Mr. Stinnesbeck, who have helped me immensely in developing the conceptual amendment and the testimony for this Committee. Thank you for hearing this bill.

Chair Watts:

We look forward to seeing the results of those continued conversations and development of additional amendment language moving forward. I will now close the hearing on A.B. 146. I will go to our work session, beginning with Assembly Bill 89.

Assembly Bill 89: Revises provisions relating to wildlife. (BDR 45-588)

Jann Stinnesbeck, Committee Policy Analyst:

As Legislative Counsel Bureau staff, I cannot advocate for or against any measure coming before this Committee.

Assembly Bill 89 was heard in Committee on March 8, 2021 [[Exhibit G](#)]. The bill authorizes the Board of Wildlife Commissioners of the Department of Wildlife to establish a program which authorizes any person to transfer his or her big game tag to a qualified organization for use by a person who is 16 years or younger and who is otherwise eligible to hunt or who has a disability or life-threatening medical condition.

Kyle Davis, on behalf of the Coalition for Nevada's Wildlife, proposed an amendment which makes the following changes:

- Provides that a "qualified organization" is a nonprofit organization that demonstrates in its application, among other things, that it: (1) provides opportunities to engage in various experiences to a person who has a disability or life-threatening medical condition; or (2) provides opportunities to engage in various experiences to a person who is 16 years or younger; and
- Provides that "extenuating circumstance" includes death.

This proposed amendment is attached to the work session document [pages 2 and 3, [Exhibit G](#)].

Chair Watts:

Are there any questions? Seeing none, I will accept a motion to amend and do pass Assembly Bill 89.

ASSEMBLYWOMAN COHEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 89.

ASSEMBLYWOMAN HANSEN SECONDED THE MOTION.

Is there any discussion on the motion? Seeing none, we will vote.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Titus. Up next is Assembly Bill 103.

Assembly Bill 103: Revises provisions governing the preservation of certain prehistoric sites. (BDR 33-763)

Jann Stinnesbeck, Committee Policy Analyst:

Assembly Bill 103 was heard in Committee on March 8, 2021 [[Exhibit H](#)]. The bill revises provisions relating to permits to excavate on private lands that are known to contain prehistoric Indian burial sites. Specifically, this bill provides that such a permit is not required to engage in certain lawful activities on such private lands if those activities are:

- Exclusively for purposes other than the excavation of a prehistoric Indian burial site; and
- Occurring only on a portion of the private lands that does not contain the known prehistoric Indian burial site.

Chair Watts:

I would like to note that after the hearing, we did receive a few letters and proposals from the Division of Museums and History, Department of Tourism and Cultural Affairs [[Exhibit I](#), [Exhibit J](#), and [Exhibit K](#)]. They did not participate in the hearing. Their issue was the lack of clarity around the use of the word "known" in the proposed additional language. I would ask the sponsor of the bill again to clarify your intent that the use of the word "known" in the new language in the bill is referencing the existing statute as seen in section 1, subsection 1, and is not intended to create any new standard outside of currently existing law.

Assemblywoman Martinez:

That is correct.

Chair Watts:

Are there any other questions on Assembly Bill 103? Seeing none, I will accept a motion to do pass.

ASSEMBLYWOMAN COHEN MADE A MOTION TO DO PASS
ASSEMBLY BILL 103.

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

Is there any discussion on the motion? Hearing none, we will vote.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Martinez.

I will move to the next agenda item and open the hearing on Assembly Bill 148.

Assembly Bill 148: Revises provisions governing mining. (BDR 46-134)

Assemblywoman Sarah Peters, Assembly District No. 24:

It is my pleasure to present Assembly Bill 148, which revises provisions governing permits to engage in an exploration project or mining operation. Before I begin, I would like to note that I am proposing an amendment [[Exhibit L](#)], which should be available on Nevada Electronic Legislative Information System (NELIS). I will provide brief background information and a summary of the bill as introduced, then I will move on to discuss the proposed amendment.

The United States economy highly depends on minerals for producing everything from housing materials to electric vehicles. Nevada is the top mineral-producing state in the U.S., and Nevada mining contributed \$11.2 billion to Nevada's economy in 2019.

However, along with the opportunity to access Nevada's valuable mineral resources comes the responsibility for mining operators to properly remediate and reclaim their mining operations in our state. Minerals are finite resources, and at the end of a mining operation, it becomes crucial to reclaim the site to ensure that it is safe, stable, and does not have any negative impacts on our water resources or the surrounding environment.

In order to protect the environment and to ensure that the state does not have to pay the cost for reclaiming mines, under current law, a mining operator must submit to the state a bond to pay for these reclamation efforts before it can start mining. Assembly Bill 148 seeks to further protect Nevada by making it harder for bad actors who have previously defaulted on such bonds to participate in exploration or mining operations.

As such, A.B. 148 prohibits the issuance of an exploration or mining permit to any applicant that is a corporation or other business entity if any of its listed principal officers have previously been listed as a principal officer of a corporation or business entity that has defaulted on any obligation relating to reclamation.

However, the bill authorizes the issuance of such a permit if the applicant pays the full amount of the defaulted obligation and demonstrates that the conditions which led to the default have been remedied and no longer exist.

Before I go into the amendment, I want to acknowledge that I sent out the wrong amendment to some of the stakeholders. It was my fault they received an inaccurate amendment. I did send out the amendment you have received with some remedy discussion about the difference between the two, but I think that will be reflected in the testimony you will hear today on this bill.

As previously mentioned, you should all have access to the proposed amendment on NELIS [[Exhibit L](#)]. Among other things, the amendment seeks to clarify terms to further strengthen the protections provided in the bill.

The proposed amendment defines "person with a controlling interest" as "a person who: (1) owns or controls a majority of the voting stock or holds any other controlling interest, directly or indirectly, in the corporation or other business entity that gives the person the power to direct management or determine policy; or (2) is a partner, principal officer, director or trustee."

The proposed amendment also provides that the prohibition against being issued a permit applies to a person with a controlling interest in certain corporations or business entities.

Lastly, the proposed amendment provides that the prohibition against being issued a permit applies to an applicant who is not in good standing with the applicable federal agency governing mining or in any state or territory of the United States.

I want to point out that I have been working extensively with stakeholders on this bill, including the Division of Environmental Protection (NDEP), State Department of Conservation and Natural Resources, on ensuring that we are defining accurately and getting enough information to NDEP for them to feel comfortable in the application of this piece of legislation. We are also working with the mining industry and exploration folks on their comfort level on the definition as a potential bad actor. I want to point out that there are other states that have adopted this type of legislation; the point of the prohibition against being issued a permit if you are not in good standing with other permits is related to reciprocity between our state and other states that have similar legislation.

Chair Watts:

Thank you for your presentation. We will start the questions with Assemblywoman Titus.

Assemblywoman Titus:

We have Anaconda [Mining Company] pits in my "front yard." When those folks left, they walked away and left this hole. We have spent decades trying to figure out who owns it and who is going to fix it. Conceptually, I am all about going after bad actors. Is there already some sort of a database on who has defaulted? Who has walked away? How will we find

them? Will the NDEP have to run background checks on folks? Where is this information available? How long does it take to get this information? Will it delay applications by a year, two years, or three years? Is there a reasonable amount of time to gather all of this data?

Assemblywoman Peters:

In working with legal counsel and NDEP today, we discussed the options of an affidavit that goes with the permit application from the corporation saying that they are in good standing with other permits and that they have not defaulted on any reclamation obligations in other jurisdictions and other states. The state of Nevada does have a rather robust record of the reclamation filing efforts and the obligation to do that reclamation on all mining in Nevada. We have that information for the state, but that federal piece would, I think, be most applicable through an affidavit process with some kind of penalty if the corporation lies on the affidavit.

Assemblywoman Titus:

I appreciate that. The gaming industry will not give you a permit if you are a bad actor. I understand that; I was just not sure how it would work. I like the idea of an affidavit at the time of application. Obviously, if the applicant lied on the affidavit, then there will be consequences.

Assemblywoman Peters:

With that process, we addressed the timeline issue as well. We do not want good actors to be punished for bad actors if we can help it.

Assemblywoman Cohen:

Maybe this is my lack of understanding about how a surety works, but if a company forfeits a surety, does that make our state whole? If so, why are we asking them to continue to make payments after the forfeiture of the surety?

Assemblywoman Peters:

We have been going back and forth with NDEP on this issue as well. I want to offer two ideas that we have been discussing. The first is that there are cases in which a project becomes nonsolvent, where it is no longer making enough money to sustain the company, thereby the company forfeits the surety because it cannot pay for the reclamation. That is part of why we have those bonds in place. The second scenario is just walking away. That would be a case of a bad actor. Additionally, the obligation of the demonstration to NDEP that any conditions which led to the default have been remedied can be addressed in that scenario as well. If the default company that was unable to afford to do the reclamation of their project was able to prove that the company is solvent, or if the folks who moved into a different company can prove that the company they are working with now is solvent, then I think they would meet the obligation. In the second scenario, the true bad actor walks away. They would have to demonstrate to the Division the conditions under which they walked away from their reclamation obligations. If the state ended up paying for reclamation

through that surety, it has been remedied. I think that is an excessive obligation that would result and identify who those players are.

Chair Watts:

Do you know, has there been any discussion of a scenario in which a bad actor could be defined by their health and safety practices? I know that much of that falls to the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor.

Assemblywoman Peters:

Most of that falls to Mine Safety and Health Administration, U.S. Department of Labor, which has more significant obligations than OSHA and is more specific to the mining industry. I did not put in that provision. I am willing to entertain it, but I am not sure if it is germane. This is not a discussion that I have had with stakeholders on this issue. I would like to have a different conversation on this issue.

Chair Watts:

Thank you. I am not trying to add potentially problematic elements to the bill, but it was a question out of curiosity. I know that other states have really focused on obligations for cleanup costs, but I was thinking about other obligations that good actors in this sector have. One of those is to protect the health and safety of their employees.

Assemblyman Ellison:

There are a lot of mines in my district, and they pay into the reclamation of the pits. How old are the companies that you are talking about? Do you have anyone in the last 50 years, or are these new companies? I have not seen any areas being walked away from in many years.

Assemblywoman Peters:

This is not directed at any individual project or issue that is identified today. There are historic cases, and recent historic cases in other states, which become a problem for those communities left behind with the burden of the reclamation. Nevada has been pretty active in ensuring that reclamation and environmental stewardship are a huge component of the mining industry and their obligation to the state. This is an additional prohibition on the industry players who may choose to attempt to abuse loopholes in our programs and gain monetary values for stakeholders that are not in the best interest of our communities.

Assemblyman Ellison:

I know that the mines are probably the best stewards there ever were for the counties now. As long as I have been around, the mines have been very good; they pay into the system. This bill will go back and try to find the ones that have not been good stewards and make them responsible, is that correct?

Assemblywoman Peters:

The intention was not established to become retroactive. That would be up to NDEP if they would like to create a list of players who have forfeited their sureties in the past. That is not the purpose of the bill.

Chair Watts:

Are there any other questions from the Committee? Seeing none, we will open up to anyone wishing to offer testimony in support of A.B. 148.

John Hadder, Executive Director, Great Basin Resource Watch:

Great Basin Resource Watch is a Reno-based nonprofit, public-interest organization. We have monitored mining and extractive industries in the Great Basin, primarily in Nevada, since 1995. We support communities and protect the land, air, water, and culture from the adverse effects of mining and other extraction industries. Modern mining is generally a very destructive activity to the environment, which means that the permitting process needs to be done carefully and judiciously. One of the most important aspects of the permitting process is the plan for reclamation of the area, so that one day it can be returned to a postmining use. There are good examples of reclamation in Nevada, and there have been mines that have been abandoned or poorly run, leaving behind a mess for the public to pay for and try to clean up. Reclamation is best when done concurrently with active mining. Better results are obtained when the operator has been responsible in the operation of the mine and is not in violation of our environmental standards. Assembly Bill 148 complements our existing regulations to decrease the number of mines that will be poorly run and by identifying what are called "bad actors." Great Basin Resource Watch supports the amended language stating the company needs to be in good standing, in both reclamation and other mining regulations, in order to start a new mining operation or permit the expansion of an existing operation.

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

Assembly Bill 148 will help ensure accountability for mine corporations by holding the individuals responsible for contamination from operating any mines in the state until sufficient remediation occurs. Similar legislation recently passed in Colorado. Montana has had this in place since 1989, and it was again updated in 2001. The most well-known application of this law was in response to a company called Pegasus Gold, which went bankrupt in 1998, leaving Montana saddled with over \$35 million in cleanup costs for abandoned pollution. These mines polluted surrounding waterways with cyanide, arsenic, and other contaminants, prompting water treatment measures that may be needed permanently. Mining contamination has long-term impacts to the health of Nevadans, particularly women's reproductive health. When we cannot hold bad actors in mining accountable, public funding is required to clean them up. This is a commonsense policy which will only impact bad actors who disregard their legal obligations; therefore, we urge your support. [A letter was also provided, [Exhibit M](#).]

Brian Beffort, Director, Toiyabe Chapter, Sierra Club:

I speak today on behalf of the Sierra Club's 40,000 members and supporters statewide in favor of A.B. 148. This commonsense bill would protect Nevada taxpayers from absorbing unnecessary cleanup costs incurred by known defaulters. It would help protect communities near mines from pollution unnecessarily left by irresponsible mining officers. Finally, Assembly Bill 148 would increase public accountability for the industry and incentivize mining officers to respect environmental laws and regulations. I would also like to support and amplify the statements from Ms. Saunders on the effects that a similar bad actor bill has

had in Montana with the Pegasus Gold company. I encourage all of you to vote yes on A.B. 148. [Written testimony was also provided, [Exhibit N.](#)]

Susan Fisher, representing American Battery Technology Company:

We support A.B. 148 with the amendment as presented today and appreciate Assemblywoman Peters' scrambling to get us the correct amendment earlier this afternoon [[Exhibit L](#)]. The Division of Environmental Protection does a great job of protecting our state, and the very few bad actors out there cast a pall over the entire industry. For that reason, American Battery Technology Company supports A.B. 148 with the proposed amendment. With your indulgence, I would like to also state that the board and membership of the Nevada Mineral Exploration Coalition has not yet had a chance to review the amendment that we received. At this time they are neutral on the bill, but I will advise the sponsor if that position changes upon further review.

Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League:

I would like to echo the comments made by previous speakers from the Great Basin Resource Watch, Progressive Leadership Alliance of Nevada, and the Sierra Club. Assembly Bill 148 will protect Nevada's environment and taxpayers from future degradation and expensive reclamation by holding bad actors accountable. We urge your support.

Stevie Applewhite, Hub Coordinator, Sunrise Movement Reno:

It is about time that we start clamping down on corporations and entities that have defaulted on their obligations that they agreed to when coming into our state, taking our resources and profiting off of them, then leaving us with the cost of cleaning it up. With that I voice my profound support of this bill.

Chair Watts:

I will move on to the next caller in support. Hearing no one, I will move to those in opposition.

Nikki Bailey-Lundahl, Government Affairs Manager, Nevada Mining Association:

At this time, the Nevada Mining Association is in opposition to the bill. We have not had time to properly vet the amendment. Nevada has one of the premier mining regulatory programs in the United States and in the world. It is not in the best interest of the industry to allow individuals or companies with poor environmental records to operate in this state. More importantly, having these kinds of individuals operate in Nevada is not in the interest of human health or our unique environment.

The concern we have with the language is who was subject to the bill's provisions and the role they had in corporate or operational structure of a mine in violation of environmental reclamation and bonding requirements. We feel we need to have much more discussion on definition of "person with controlling interest." This definition is critical to fair and meaningful legislation. We still have some concerns regarding the scope of violations and the jurisdictions where they occur. We will continue to work with Assemblywoman Peters on those issues with an eye toward achieving language that is equitable and achieves the goal of ensuring regulatory compliance of all operators in Nevada.

Chair Watts:

Thank you. I would encourage you, once you have had the opportunity to review the amendment, to share your thoughts on it with the sponsor and with the members of this Committee.

I will move on to the next caller in opposition. Hearing no one, I will move on to those in neutral.

Greg Lovato, Administrator, Division of Environmental Protection, State Department of Conservation and Natural Resources:

We appreciate the intent of the bill to prevent issuance of a mine reclamation permit to any person who has defaulted on reclamation obligations. We have identified implementation concerns with the bill as introduced, and we are still reviewing the amendment from the bill sponsor to see if our concerns have been addressed. It is very important to make sure we have specifically defined who will be subject to the prohibition on issuance of a permit. The bill as introduced refers to principal officers. A definition of a principal officer is not provided in *Nevada Revised Statutes* (NRS) Chapter 519, and the definition of a corporate officer in NRS 78.130 relates to private corporations, whose titles appear to be up to the corporation to determine. Holding individuals responsible for environmental actions or inactions of a corporation is an endeavor that may be better informed by further review and modification of corporate rather than environmental law.

Also, the bill as proposed does not afford individuals due process for a termination by NDEP, if that person has defaulted on past obligations, and to deny a permit on that basis. This could present barriers of implementation. Portions of the bill allow NDEP to issue a permit if the reclamation obligations defaulted on are remedied by the person. This goes to Assemblywoman Cohen's earlier question. Since NDEP does not issue a reclamation permit until financial assurance for reclamation is secured, we have a hard time envisioning a scenario under which the person could remedy a default. If an operator does not reclaim an exploration or mining project, either the bond company would perform reclamation work or NDEP would forfeit the bond and perform the work. We are not sure how the person who defaulted can remedy the default. As introduced, NDEP has not identified the fiscal impact with the understanding that NDEP could rely on affidavits rather than performing background searches. We are available for further discussion to clarify the language and to answer any questions.

Chair Watts:

Are there any questions? Seeing none, I will now close testimony and allow for closing remarks.

Assemblywoman Peters:

I would like to thank the Committee for your time and consideration of A.B. 148. Please let me know if you have any questions. Again, I want to thank Mr. Amburn and Mr. Stinnesbeck, who have been invaluable in this process.

Chair Watts: I will close the hearing on A.B. 148, which brings us to the last item on our agenda, public comment. Is there anyone wishing to provide public comment? Hearing no one, our next meeting is Monday, March 22, 2021, at 4 p.m. This meeting is adjourned [at 5:47 p.m.].

RESPECTFULLY SUBMITTED:

Gina Hall
Recording Secretary

RESPECTFULLY SUBMITTED:

Nancy Davis
Transcribing Secretary

APPROVED BY:

Assemblyman Howard Watts, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed conceptual amendment to [Assembly Bill 146](#), submitted by Assemblywoman Sarah Peters, Assembly District No. 24.

[Exhibit D](#) is a letter dated March 10, 2021, submitted by Steven Parrish, General Manager/Chief Engineer, Clark County Regional Flood Control District, in opposition to [Assembly Bill 146](#).

[Exhibit E](#) is written testimony submitted and presented by Steven Parrish, General Manager/Chief Engineer, Clark County Regional Flood Control District, in opposition to [Assembly Bill 146](#).

[Exhibit F](#) is written testimony submitted and presented by Daniel Fischer, Deputy General Manager, Clark County Water Reclamation District, in the neutral position to [Assembly Bill 146](#).

[Exhibit G](#) is the Work Session Document for [Assembly Bill 89](#), submitted and presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Assembly Bill 103](#), submitted and presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is an email dated March 5, 2021, submitted by Myron Freedman, Acting Administrator, Division of Museums and History, Department of Tourism and Cultural Affairs, regarding [Assembly Bill 103](#).

[Exhibit J](#) is a letter dated March 12, 2021, submitted by Myron Freedman, Acting Administrator, Division of Museums and History, Department of Tourism and Cultural Affairs, regarding [Assembly Bill 103](#).

[Exhibit K](#) is a packet of letters submitted by the Duckwater Shoshone Tribe, the Confederated Tribes of the Goshute Reservation, and the Moapa Band of Paiutes, in support of [Assembly Bill 103](#).

[Exhibit L](#) is a proposed amendment to [Assembly Bill 148](#), dated March 5, 2021, submitted and presented by Assemblywoman Sarah Peters, Assembly District No. 24.

[Exhibit M](#) is a letter dated March 15, 2021, submitted and presented by Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada, in support of [Assembly Bill 148](#).

[Exhibit N](#) is written testimony dated March 17, 2021, submitted and presented by Brian Beffort, Director, Toiyabe Chapter, Sierra Club, in support of [Assembly Bill 148](#).