

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

**Eighty-First Session
April 26, 2021**

The Committee on Natural Resources was called to order by Chair Howard Watts at 4 p.m. on Monday, April 26, 2021, Online and in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, 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/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:

Senator James A. Settelmeyer, Senate District No. 17

STAFF MEMBERS PRESENT:

Jann Stinnesbeck, Committee Policy Analyst
Allan Amburn, Committee Counsel
Devan Kajatt, Committee Manager
Nancy Davis, Committee Secretary
Trinity Thom, Committee Assistant



OTHERS PRESENT:

Steve Walker, representing Storey County; Lyon County; Douglas County; and Carson City
Edwin James, General Manager, Carson Water Subconservancy District
Austin Osborne, County Manager, Storey County
Colby Prout, Natural Resources Manager, Nevada Association of Counties
Kate Marshall, Lieutenant Governor
Colin Robertson, Administrator, Division of Outdoor Recreation, State Department of Conservation and Natural Resources
William Pregman, Communications Director, Battle Born Progress
Nikolai Christenson, Member, Legislative Committee, Toiyabe Chapter, Sierra Club
Shaaron Netherton, Executive Director, Friends of Nevada Wilderness
Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League
Tiffany East, Chairwoman, Board of Wildlife Commissioners, Department of Wildlife
Marcia Hurd, President, Lincoln County Authority of Tourism
Carlo Luri, Board Member, Nevada Outdoor Business Coalition
Jill Rowland-Lagan, Chief Executive Officer, Boulder City Chamber of Commerce; and Commissioner, Commission on Tourism, Department of Tourism and Cultural Affairs
Daniel Pierrott, representing Nevada Northern Railway Foundation, Inc.
Kirk Peterson, Member, Basin and Range Dark Sky Cooperative

Chair Watts:

[Roll was called. Committee rules and protocol were reviewed.] We will begin by opening the hearing on Senate Bill 98.

Senate Bill 98: Makes various changes to provisions relating to the Carson Water Subconservancy District. (BDR S-579)

Senator James A. Settelmeyer, Senate District No. 17:

Senate Bill 98 seeks to expand the boundary of the Carson Water Subconservancy District (CWSD) to include portions of Storey County that are within the Carson River hydrologic basin. This measure would expand the membership and board of directors of the CWSD from 11 to 13 by including 2 residents of Storey County, who will be appointed by the Storey County Board of Commissioners, as all the other members are from the other counties. This measure excludes a portion of Storey County within the CWSD from the taxable property on which the board of directors is authorized to provide a certain tax. Instead, the Storey County Board of Commissioners has chosen to pay the CWSD from the county's general fund in an amount equal to what would have been generated by such a tax on the portion of Storey County that is within the Carson River hydrologic basin.

The bill, if passed, will be effective on July 1, 2021. The reason for this bill is that water is a precious commodity in Nevada. Currently, Storey County receives water from the basin, and

they also drain into that basin. They wish to become a more active member of the CWSD in that respect.

Steve Walker, representing Storey County; Lyon County; Douglas County; and Carson City

Senate Bill 98 is simple. We want to add the portion of Storey County to the CWSD that is within the Carson River watershed. Like our recent legislative coalition, the counties that my wife and I represent work together regionally. We have a legislative coalition, and we have a quad-county health district. This is simply adding Storey County to the CWSD to again keep working regionally. There is a fiscal note from Storey County that one of my copresenters will explain. I have provided a brochure that is available on the Nevada Electronic Legislative Information System, which shows a map of the very little mountainous portion of Storey County that we are adding to CWSD [[Exhibit C](#)].

Edwin James, General Manager, Carson Water Subconservancy District:

As you have already heard, this is a very simple bill. I would like to give you a background on the Carson Water Subconservancy District. In 1989, the Nevada Legislature realized that there is only so much water in the Carson River watershed, and yet there are so many different demands, and all the water—groundwater and surface water—had been fully allocated. At that point, the Nevada Legislature said that we need to have an organization to overlook, oversee, and help get everyone working together from different counties. At that time, the counties involved were Douglas County, Carson City, and Lyon County. In 1999, Churchill County became a member through the legislative process. In 2001, Alpine County, California, joined the CWSD. We thought if we are going to talk regional approaches, we may as well have the headwaters and the terminus. The whole purpose is to work cooperatively.

When we were created, the Legislature said we had no regulatory authority. That was done on purpose because they did not want another party telling people what to do. We gather information; we have 12 different water purveyors in this watershed. Our role is to get and provide information. Each purveyor knows what he is doing in his own area, but he needs to understand how he impacts his neighbors.

Most of the members on the CWSD are county commissioners. We also have a few ranchers and other people involved with water. Austin Osborne, Storey County Manager, has been an advisory member for several years. Part of Storey County is above Lyon County and we have had issues with flooding and noxious weeds. Dealing with those issues in Lyon County and not in Storey County is like constantly chasing your own tail. We would now like to see Mr. Osborne as an official member as we start dealing again with the resources of the watershed.

Chair Watts:

Are there any questions?

Assemblywoman Titus:

You answered part of my first question regarding the history of adding the different counties. I am wondering why Storey County was not added in 1999 when Churchill County was added. What is the thought process on why you would add Storey County now?

Edwin James:

Storey County does not touch the Carson River. When we were first organized, it was more river-centric and everything was focused on that. Over the years, we realized that even if you do not touch the river, you are part of the watershed. That is why Mr. Osborne voluntarily became an advisory member as a representative of Storey County; he realized the importance of that. Churchill County is at the end of the river, and it was important to have them become a member. Over time we realized the importance of working cooperatively, and we know that Storey County is a critical element of the watershed. The brochure that was mentioned [[Exhibit C](#)] has a link to our website where you can find videos that address the watershed and the importance of the interconnections. Now is the time, and with Mr. Osborne seeing the importance of this, he has convinced the Storey County Commissioners who unanimously voted to support this.

Assemblywoman Titus:

I think it is important that everyone understands how important the overall water basins are as we talk about drought and the limited water in Nevada. It is not just about surface water and the river that runs through it; it is how that river affects the water basin itself. I am questioning section 1, subsection 5, specifically the way the tax is going to be levied. The way it works right now, the tax is levied directly on the property owners. Is that correct?

Edwin James:

That is correct.

Assemblywoman Titus:

This will be unique in that the tax will not be levied on the property owners; it is going to be calculated and paid for by the Storey County general fund. Does that mean all the people of Storey County will contribute based on the general fund dollars?

Edwin James:

The idea was that everyone pays \$0.03 per \$100 on each parcel, so the tax rate will be the same, but Storey County would rather have it come out of their general fund. I believe the estimated cost is \$16,000. There are not a lot of people in the small area that is in the watershed. We only charge people within the watershed itself. For example, in Douglas County, we do not charge residents who live at Lake Tahoe; in Lyon County, we do not charge anyone who lives along the Walker River.

Assemblywoman Titus:

This is going to be based on residential blocks within the watershed, and Storey County will calculate that out and pay it, not the landowners. Is that correct?

Edwin James:

That is correct.

Chair Watts:

Mr. Osborne, is there anything you would like to add?

Austin Osborne, County Manager, Storey County:

I am happy to elaborate further into Assemblywoman Titus' question. As to the introduction of Storey County, we have been cooperating with the CWSD for roughly ten years. Everything that Mr. James has discussed, we share very strongly—not only in our participation with the district, but for the Carson River, the neighboring counties, and also for us. It is good for our watershed; it is good for our riparian environment in Six Mile Canyon, Gold Canyon, and other places throughout southern Storey County—all for the benefit of the region.

Some of the projects we worked on with the CWSD include flood planning in the Mark Twain Estates community. Flooding there directly affects Lyon County as well as Storey County. We feel this is a regional project that is important for that reason. We have done 2D lidar and other mapping of the entire Comstock and south end of Storey County for the purpose of future flood planning in these areas. This not only helps our community, but helps the communities downstream in the abutting counties.

We have done annual noxious weed abatement in most of these areas for the same reason. We are a seed source for the lower Carson River. Dayton Valley Conservation District, Carson City Public Works, and other folks put a tremendous amount of effort into restoring the Carson River, and then we become a noxious weed seed source that undoes the effort. The work that we have done in the upper watershed has helped the entire region as well.

As for education and outreach, CWSD has done a tremendous job across the entire county, not just in the Carson River watershed. They have also helped us as an entire county comply with a national flood insurance program that has helped our residents who are located in the floodplain get a 10 percent discount rating, as they maintain a community rating system. We would not be able to do these things without the help of the CWSD, and we like to think that the work we have done benefits them and the region as well. All of this is of regional importance—it allows all county commissioners and staff to come to the table and have collaborative discussions on how to make the watershed a better place for residences, wildlife, and the river itself. I want to thank Mr. James and his team; they are a wonderful group of people, working in a nonregulatory way to make things work for the entire region. Storey County supports S.B. 98.

Chair Watts:

Does the Committee have any questions? Seeing none, we will move on to testimony. Is there anyone wishing to testify in support of S.B. 98?

Colby Prout, Natural Resources Manager, Nevada Association of Counties:

Nevada Association of Counties supports cooperative and coordinated management of resources which impact county functions and infrastructure as well as rangeland and watershed health. As was pointed out in the testimony for the bill, Storey County's official participation in the CWSD makes logical sense and will lead to a more cogent and holistic management of the Carson River basin. We would like to reiterate much of the testimony and the rationale for adding them, but in the interest of time I will say ditto to what has been said and urge your support of S.B. 98.

Chair Watts:

I will go on to the next caller in support. Hearing no one, is there anyone wishing to testify in opposition? Hearing no one, is there anyone in neutral? Hearing no one, are there any closing remarks?

Senator Settelmeyer:

Thank you for taking the time to hear this bill. If there are any concerns or issues you have, please reach out to me.

Chair Watts:

With that I will close the hearing on Senate Bill 98 and open the hearing on Senate Bill 52.

Senate Bill 52: Requires the establishment of a program for awarding a dark sky designation to certain sites in this State. (BDR 35-427)

Kate Marshall, Lieutenant Governor:

Late last fall, my office was contacted by Colin Robertson, Administrator of the Division of Outdoor Recreation, State Department of Conservation and Natural Resources, to discuss a topic of creating a voluntary state-level dark skies designation in Nevada. Knowing about what the Friends of Nevada Wilderness did to secure a dark sky designation for the Massacre Rim Wilderness Study Area in Washoe County, the seventh dark sky sanctuary in the world, I became very interested in providing an opportunity for other communities who might want to pursue dark sky designation in Nevada. According to the International Dark-Sky Association (IDA), a dark sky sanctuary is public or private land that has an exceptional or distinguished quality starry night, or a nocturnal environment that is protected for its scientific, natural, or educational value, its cultural heritage, and/or public enjoyment. Quite frankly, Nevada has an abundance of dark skies compared to other states in the lower 48. When we looked at Massacre Rim Wilderness Study Area, we saw immediate media attention, we saw an increase in stargazing activities, and we saw an immense public interest in local benefit to that dark sky area for achieving that designation.

As Chair of the Commission on Tourism within the Department of Tourism and Cultural Affairs and Chair of the Advisory Board on Outdoor Recreation within the State Department of Conservation and Natural Resources, I truly believe that the passage of Senate Bill 52 would not only increase our statewide conservation efforts, but also significantly contribute to the economic potential of Nevada's rural tourism and outdoor recreation industry.

Certainly, during this pandemic, we have realized the importance of economic diversification. We have also seen how outdoor recreation in the rural parts of Nevada can add a layer of resiliency and diversification to our economy that gives us some evening out from the boom-and-bust economy that Nevada has traditionally bore the brunt of.

In 2019, outdoor recreation accounted for nearly \$5.5 billion of our gross domestic product (GDP). That actually represents a higher share of GDP in Nevada than it does on average in the United States. On average, approximately 2.1 percent of any particular state's economy comes from outdoor recreation, but in Nevada it is 3.1 percent. Outdoor recreation has proven its ability to persevere and thrive in the hardest of times, generating consistent jobs and revenue which, as we have seen, is very important.

Protecting our dark skies and natural resources also allows us to leverage a uniquely Nevada experience. It allows people to come see the beautiful rural parts of our state, and one of the reasons that it adds to our economy is that in order to see dark skies, by definition, you have to spend the night. I would like to turn the testimony over to Mr. Robertson to walk the Committee through a presentation, the specific language of the bill, and to answer any questions that members may have.

Colin Robertson, Administrator, Division of Outdoor Recreation, State Department of Conservation and Natural Resources:

I appreciate the opportunity to introduce and provide testimony in support of S.B. 52. In short, S.B. 52 directs the Administrator of the Division of Outdoor Recreation (NDOR) to establish by regulation a voluntary, locally led program for awarding a designation for sites in this state that are especially dark or relatively free of interference from artificial light [page 2, [Exhibit D](#)]. I would like to pause for a moment and emphasize the voluntary, locally led intent of this bill.

The bill also directs the Administrator of NDOR to establish the standards for awarding designation; the categories for designation; the procedures for applying for designation; reviewing, awarding, and suspending or revoking designation; and for appealing suspension or revocation of designation.

Page 3 [[Exhibit D](#)] shows that S.B. 52 represents an important opportunity to leverage the creation of NDOR to tie together Nevada's extraordinary outdoor recreation opportunities with the growing importance of outdoor recreation to Nevada's economy, and the burgeoning interest in travel, tourism, and recreation linked to dark night skies. According to the Outdoor Recreation Satellite Account of the Bureau of Economic Analysis, U.S. Department of Commerce, outdoor recreation accounted for \$5.5 billion of the state's economic productivity in 2019, representing 3.1 percent of the state's gross domestic product. Much of this economic value is captured in the communities across the state that are gateways to Nevada's most beloved recreation opportunities. These places also enjoy Nevada's darkest skies, roughly aligned with the map of the Basin and Range Dark Sky Cooperative, visualized on page 4. Think of communities like Ely and Baker, in White Pine County, adjacent to Great Basin National Park; or the communities of Lincoln County along

U.S. Highway 93; or Boulder City and Mesquite in Clark County, and their proximity to the dark skies of Lake Mead National Recreation Area and Gold Butte National Monument, respectively.

As David M. Mitchell and Terrel A. Gallaway, both from the Missouri State University, write in their research article *Dark Sky Tourism: Economic Impacts on the Colorado Plateau Economy, USA*, "Crucially, from an economic standpoint, the single most important thing about dark-sky tourism is that it necessitates one or more overnight stays." In addition to the economic benefits, there are numerous ecological, environmental, and cultural benefits associated with Nevada's dark skies. Preserving darkness helps improve wildlife migration, reduces energy consumption, supports goals associated with the state's climate strategy, underpins important quality-of-life indicators, and contributes to the cultural preservation of traditional knowledge about the night sky.

On page 6 [[Exhibit D](#)], Senate Bill 52 acknowledges Nevada's extraordinary dark night skies as an important public natural and cultural resource. The bill establishes their intrinsic value and importance as a quality-of-life indicator for Nevadans; as an economic amplifier in terms of dark sky and outdoor recreation driven tourism; and as an ecologically, astronomically, and environmentally vital natural resource.

For the record, I would like to introduce two letters of support for S.B. 52. The first is a letter of collective support for the bill from more than 25 signatory organizations, businesses, and individuals across Nevada, expressing their support for the bill and its objectives [[Exhibit E](#)]. The second is a letter from the Town of Tonopah [[Exhibit F](#)]. Both have been provided for the record.

Finally, I would like to acknowledge Nevada photographers Kurt Kuznicki, Jeff Sullivan, and Chip Carroon for their incredible images of Nevada's beautiful dark skies featured in this presentation [[Exhibit D](#)].

Chair Watts:

Are there any questions?

Assemblywoman Titus:

Living in rural Nevada, I will frequently take my grandchildren with binoculars, telescopes, or just naked eyes and look up at the sky and try to identify planets and stars. I appreciate the fact that Nevada does have dark skies. We are very disappointed when we look to the north and see Reno lights. I am concerned with section 1, subsection 3, paragraph (m), which references establishing a program awarding a designation of a dark sky area.

In my rural community, we have barn lights; we have ranchers who plow the fields at 2 a.m. and bale the hay in the early hours of the morning. We had enough people move into our community that they formed a group to create dark skies. This group wants the ranchers to not farm at night, and not to have our barn lights lit because it was ruining their night vision. I have concerns that in the statement where you establish the rules, where are the rights of the

people who have existed in this area for a long time to be able to say, Wait a minute—we have our rights, too. I do not see anything that allows for a protest of the designation. It shows that you can fight the denial or suspension of an application, but where is the process to protest the designation?

Lieutenant Governor Marshall:

The first and most important place for a community to choose whether they want to apply for a designation is at the local level. Obviously, if a community has some disagreements whether to apply, that would be at the local level. In other words, we are not in a position to influence or interrupt a community's process by which they decide to apply. If a private ranch owner wanted to apply, that private owner can apply with respect to his private property. We do have some ranch owners who have talked with us about applying because this attracts people to the ranch to visit. If a town wanted to apply, or a particular area wanted to apply, they would have to go to their city council or to their county commission and follow all the processes by which communities agree to do something or decide not to do something before it ever came to us. When you asked about where people can protest, the first place would be at the community level in which they are seeking a designation.

Colin Robertson:

I would only add that in addition to the very locally led effort, this would help to promote and celebrate. This is largely oriented toward municipal efforts; the intention is not at all tied to private lighting of ranchers or farmers working through the night. Instead, this is to encourage collective efforts at the municipal level to move forward.

Assemblywoman Titus:

That did happen in my community and it left me pretty sensitive about folks coming in and saying, You have to do things this way now.

Chair Watts:

I believe our committee counsel has something to add.

Allan Amburn, Committee Counsel:

The provisions in section 1, subsection 3, paragraph (m), subparagraphs (1), (2), and (3), are regulations that must be included, without limitation, but they are not prohibitions from additional regulations being adopted to carry out this program. These regulations would go to *Nevada Revised Statutes* Chapter 233B process. If there is a concern with those regulations as drafted, those concerns could be addressed during that process.

Assemblyman Ellison:

There is a lot of restricted space across the state. Would that be an area you would want to focus on, instead of close to townships?

Lieutenant Governor Marshall:

I want to reiterate that this is a voluntary opportunity for communities. We will not go out and dictate, impose, or push any community. This is for a community who would like to take

advantage of this if they believe it will further their economic opportunity or further their natural assets which they believe is something valuable to what they are trying to do as a community—to choose to come forward and to apply for a voluntary, locally led designation. If there is no community in a particular area, I do not know who would come forward with the application.

This is really all about communities having more choices to be able to attract tourists to their area and to highlight the outdoor beauty and natural assets that they have. We are not imposing any regulations or directing any activity to one place or another. You saw that Tonopah is very eager to participate, and Boulder City believes that it may have some areas that they could highlight. In Caliente, for example, you can see the Milky Way with the naked eye. Those areas may have an interest. Other areas which have a prohibition or air restrictions might not have an interest. Again, this is a locally led endeavor; we are here to facilitate that for people who would like to pursue it.

Colin Robertson:

I would add that this is very much an opportunity to support rural communities and economic development attached to those natural assets.

Assemblyman Ellison:

It seems this will go back to the county commissioners. For example, if Tonopah is very interested in doing this, they would have to make an application or request with the county commissioners to do so. Is that correct?

Lieutenant Governor Marshall:

It would depend on the size of the community. Tonopah is a town in its own right and would not necessarily have to go to the Nye County Board of Commissioners if the designated area that they are seeking to have identified is within their own town limits. I know that Tonopah does have a dark sky park. I helped them get a sign with the help of the Department of Transportation so people can go to that park at night. Tonopah is very interested in attracting people to their community to see the dark skies that are available there. They would follow a process that fit within the laws, rules, and regulations of that municipality. If their laws require them to go to the county, then they will go to the county. If their laws require them to go to the city, they will go to the city. Again, we see this as an opportunity. We are not here to impose or create a new regulation or restriction or omit regulations or restrictions that are already there today. We are simply here to highlight an opportunity that might allow people to become more aware of what Nevada has that many other places do not have.

Chair Watts:

Are there any other questions? I hope not to muddy the issue, but regarding the IDA, what designations do we have in Nevada? I believe that the Great Basin National Park is designated as an IDA International Dark Sky Park. I know there are IDA International Dark Sky Community designations as well. I understand that we are talking about the formation of a state program and designation. Will you speak to some of the designations that currently exist here and how this program may assist us in getting additional international recognition?

Colin Robertson:

Among other places that were mentioned, the Dark Sky Sanctuary in north Washoe County, which was identified and certified as an IDA Dark Sky Sanctuary, is the seventh of only 14 in the world at this time. As you mentioned, Great Basin National Park is an identified and certified Dark Sky Park as part of the IDA Dark Sky Places Program. The goal here is to encourage communities to essentially try to attain those certifications, and to also provide a state designation acknowledging the fairly vigorous effort that communities would go through to become certified. This is a state designation to acknowledge and celebrate that effort.

Chair Watts:

I am looking at a list of certified International Dark Sky Communities, and I see quite a few in Arizona, a few in Colorado, one or two in Utah, and one in California. Having been in eastern Nevada and seeing the quality of the dark skies there, I think it would be great to have any sort of program that can assist some of the communities in our state in getting on that map and bringing in some of that tourism that requires overnight stays, which is one of the critical tourism revenue generators for communities.

Are there any additional questions from the members? Seeing none, I will open it up for those wishing to testify in support of S.B. 52.

William Pregman, Communications Director, Battle Born Progress:

We are in support of S.B. 52. Last session we advocated for the bill to establish the Division of Outdoor Recreation within the State Department of Conservation and Natural Resources [Assembly Bill 486 of the 80th Session]. This bill would direct that Division to allow for applications for a dark sky designation in specific outdoor areas and reserves in Nevada. Dark night skies are an important natural resource to be protected; areas free of light pollution support natural ecosystems, provide for outdoor recreation tourism opportunities, and aid scientific discoveries by supporting astronomical research. Nevada already has several dark sky designations that bring a natural, cultural, and economic value to the state. One example is Ely's Nevada Northern Railway's Great Basin Star Train, an internationally renowned dark sky designation. This bill will give local communities the option to work with the Division to get these designations, to bolster outdoor recreation economy, and preserve the natural ecosystem of those areas. The public education not only supports the dark skies, but the natural cultural resource will also further Nevada's advancement of environmental science to keep our state on the cutting edge of conservation and supporting a robust outdoor recreation economy. We urge members to consider passing this bill.

Nikolai Christenson, Member, Legislative Committee, Toiyabe Chapter, Sierra Club:

I am a long-time amateur astronomer and a former astrophysics student. On behalf of the Sierra Club and more than 40,000 members and supporters statewide, I am speaking today in support of S.B. 52. Nevada has more acreage of high-quality dark sky spaces than any other state in the lower 48. This is a precious natural resource that Nevada should both conserve and use to our citizens' benefit. In particular, Nevada's dark skies attract tourists, which supports our economy and becomes increasingly valuable as the rest of our country becomes

ever more light-polluted. We believe that S.B. 52 will assist these laudable goals, and we support its passage.

Pervasive light pollution disrupts human sleep cycles, wastes energy, and creates problems for wildlife. Of course, we should light our cities for commerce and safety, but at the same time, we should seek to preserve true dark sky nights as a precious natural resource. Many people growing up these days, especially those with disadvantaged backgrounds, have never seen the Milky Way or experienced the majesty of a true nighttime dark sky. As cities and suburbs continue to encroach on our wilderness areas, preserving dark sky spaces provides an excellent educational opportunity as well as a tie to our heritage. For these reasons we support S.B. 52, and we urge you to support this bill.

Shaaron Netherton, Executive Director, Friends of Nevada Wilderness:

We are very supportive of S.B. 52 and feel that dark sky tourism is an excellent addition to the wide spectrum of recreation opportunities available across the state for both residents and tourists alike; it is a great way to get familiar with Nevada's backcountry, amazing starry skies at night, and exploring the beauty and history of Nevada's public lands and rural communities by day. Dark sky tourism is a great way for all of us to work together, like the Park to Park in the Dark consortium in rural communities, Travel Nevada, public land managers, and others like Friends of Nevada Wilderness, looking at starry sky tourism opportunities from Death Valley National Park to the Great Basin National Park across central Nevada. This is a great bill, and we ask that you support it. [Written testimony was also provided [Exhibit G](#).]

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

We are in strong support of S.B. 52, which acknowledges that Nevada's extraordinary dark skies are an important natural resource in our state that should be celebrated, valued, and protected. Protecting these spaces will benefit wildlife, as light pollution has been shown to disrupt migration patterns, reproduction, hunting, sleep, and protection. Scientific evidence suggests that light pollution has negative and deadly effects on numerous species of amphibians, birds, mammals, insects, and plants. Furthermore, our dark skies also benefit the environment and our climate goals. It is estimated that 30 percent of outdoor lighting in the United States is wasted as light pollution. That adds up to \$3.3 billion and the release of 21 million tons of carbon dioxide every year. Reducing light pollution will help us lower emissions and lower energy costs. Encouraging the promotion and protection of our dark skies will benefit climate and conservation efforts, wildlife, and our economy, all while solidifying Nevada as a dark sky designation. We would like to thank Lieutenant Governor Kate Marshall and the Division of Outdoor Recreation for bringing this legislation forward, and we urge the Committee's support.

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

The Board of Wildlife Commissioners of the Department of Wildlife supports S.B. 52. For many years, Nevadans and visitors alike have experienced the incredible beauty of Nevada's dark skies. As Mr. Robertson indicated in his testimony, dark skies improve wildlife migration and our natural ecosystems and have many other valuable benefits. I will not

repeat everything that has already been said, but on behalf of the Wildlife Commission, we encourage your support of S.B. 52.

Marcia Hurd, President, Lincoln County Authority of Tourism:

My testimony is going to be about Lincoln County; 98 percent of Lincoln County is federally managed land. That is 98 percent of over 10,000 square miles. That makes tourism very critical to our survival and growth. We promote state parks, wilderness areas, and outdoor recreation travel itineraries. Lincoln County is also home to the Extraterrestrial Highway, a large section of the Great Basin Highway, and the Mount Wilson Backcountry Byway. Lincoln County Authority of Tourism has just completed a lengthy process partnered with the Commission on Tourism, Travel Nevada, and the Division of Outdoor Recreation to create a ten-year destination development plan. Part of the tourism strategy created through this process is to promote and advocate for use of that 98 percent of wide-open spaces that Lincoln County has. This is where dark sky designation is, in our opinion, screaming to be identified and utilized. Having said that, we ask that you support S.B. 52.

Carlo Luri, Board Member, Nevada Outdoor Business Coalition:

I am an employee at the Bently Heritage Estate Distillery in Minden. As a business that relies on tourism for much of its revenue, we are in full support of any initiative, especially this initiative which attracts people to visit our great state and take advantage of the beautiful natural resources that we have available to us. On a personal note, I have been to both of the IDA-recognized areas in our state, the Massacre Rim north of the Black Rock Desert and the Great Basin National Park where we did the park after dark program. Both of those are amazing, memorable experiences that I think everyone should have a chance to experience. We are in full support of this bill.

**Jill Rowland-Lagan, Chief Executive Officer, Boulder City Chamber of Commerce;
and Commissioner, Commission on Tourism, Department of Tourism and
Cultural Affairs:**

I would like to share enthusiastic support for S.B. 52 and thank those who have worked so hard up to this point. The Boulder City Chamber of Commerce believes that a proper balance of business, tourism, and environmental protection of our greatest natural resources can be achieved with partnerships and collaboration like those involved in S.B. 52, and all dark sky enthusiasts. Boulder City will most definitely take advantage of the dark sky designation program as we have built into our economic development strategies proper use and promotion of recreational assets, public lands, wildlife, and dark sky viewing. Our tourism and business community welcomes the opportunity to share our location as the gateway to Lake Mead National Recreation Area and the potential Avi Kwa Ame National Monument, home to some of the best dark sky viewing areas in southern Nevada. Thank you for your consideration of S.B. 52 and positively impacting our Nevada outdoor recreation enjoyment and economy.

Daniel Pierrott, representing Nevada Northern Railway Foundation, Inc.:

The Nevada Northern Railway Foundation's mission is to preserve the history of short line railroads in Nevada. Prior to the ongoing pandemic, we saw approximately 20,000 tourists a

year. The most popular attraction that we offer is the Great Basin Star Train in conjunction with the Great Basin National Park. Our guests depart the station late in the evening and are given the opportunity to view the night skies free of light pollution from artificial lights. The experience allows our guests to view the night sky in its purest state. As a registered National Historic Landmark, we strongly believe that S.B. 52 will give us the opportunity to be awarded a dark night designation which will further increase tourism in rural northern Nevada. For these reasons, we are in support of S.B. 52.

Kirk Peterson, Member, Basin and Range Dark Sky Cooperative:

All terrestrial life on earth evolved to live and thrive with the shift from daylight to the natural darkness of the night sky. In humans, this pattern sets our biological clock and keeps our periods of rest and activity balanced to ensure optimal functioning. Until the advent of electric lights, humans rarely experienced anything brighter than firelight after the sun set and the natural darkness set in. With the dramatic increase of artificial light, we humans have changed the nocturnal environment across our planet. This is a fundamental and detrimental change to the natural rhythms and lifecycles of both humans and wildlife. Keeping a natural night sky is not only important for all nocturnal wildlife, but also nocturnal insects that wildlife species depend on for food, and for the many plants that depend on these insects for pollination. The Basin and Range Dark Sky Cooperative aims to work with interested communities and existing protected areas to create win-win situations for Nevadans and Nevada wildlife, and to celebrate natural nighttime environments. Night skies are important for economic development of rural Nevada communities and a valuable way to create a tangible connection with our landscape and our Nevada cultural heritage. Clear desert skies and mountain skies with the bright Milky Way overhead are an essential part of the Nevada experience. Senate Bill 52 aims to help us recognize how rare this is and why our night skies are worth keeping. This is why the Basin and Range Dark Sky Cooperative supports S.B. 52 and why we hope you will too.

Chair Watts:

We will go on to the next caller in support. Hearing no one, is there anyone wishing to testify in opposition? Hearing no one, is there anyone in neutral? Hearing no one, are there any closing remarks?

Lieutenant Governor Marshall:

Thank you for your time. I appreciated the questions.

Chair Watts:

As someone who grew up in Las Vegas and was then able to see some of the incredible dark skies in other parts of the state, I am glad this is a conversation we are having about promoting those assets and that heritage in trying to get more people to experience it as well as delivering economic benefits to communities throughout the state. [Also received but not mentioned are [Exhibit H](#) and [Exhibit I](#).]

I will close the hearing on S.B. 52. That 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 April 28, 2021. We are adjourned [at 5:06 p.m.].

RESPECTFULLY SUBMITTED:

Nancy Davis
Committee Secretary

APPROVED BY:

Assemblyman Howard Watts, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a brochure titled "Carson Water Subconservancy District: Promoting Cooperative Action in the Carson River Watershed," submitted by Steve Walker, representing Storey County; Lyon County; Douglas County; and Carson City.

[Exhibit D](#) is a copy of a PowerPoint presentation titled "SB 52: Nevada Dark Skies Designation," dated April 26, 2021, submitted and presented by Colin Robertson, Administrator, Division of Outdoor Recreation, State Department of Conservation and Natural Resources.

[Exhibit E](#) is a letter dated April 26, 2021, submitted by Christopher Bently and Camille Bently, Owners, Bently Heritage Estate Distillery, Minden, Nevada, et. al., in support of [Senate Bill 52](#).

[Exhibit F](#) is a letter dated March 10, 2021, submitted by Don Kaminski, Board Chairman, Town of Tonopah, in support of [Senate Bill 52](#).

[Exhibit G](#) is written testimony dated April 26, 2021, submitted by Shaaron Netherton, Executive Director, Friends of Nevada Wilderness, in support of [Senate Bill 52](#).

[Exhibit H](#) is written testimony, dated April 26, 2021, submitted by Caroline McIntosh, Chairman, White Pine Main Street Association; and Chairman, White Pine County Tourism and Recreation Board, in support of [Senate Bill 52](#).

[Exhibit I](#) is a letter dated March 25, 2021, submitted by Thomas Herring, Professor, Western Nevada College; and Director, Jack C. Davis Observatory, in support of [Senate Bill 52](#).