

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

**Eighty-first Session
February 16, 2021**

The Senate Committee on Natural Resources was called to order by Chair Fabian Donate at 3:29 p.m. on Tuesday, February 16, 2021, Online. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Fabian Donate, Chair
Senator Melanie Scheible, Vice Chair
Senator Chris Brooks
Senator Pete Goicoechea
Senator Ira Hansen

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Policy Analyst
Allan Amburn, Counsel
Christine Miner, Committee Secretary

OTHERS PRESENT:

Kate Marshall, Lieutenant Governor
Colin Robertson, Administrator, Division of Outdoor Recreation, State
Department of Conservation and Natural Resources
Tom Clark, Nevada Outdoor Business Coalition
Daniel Pierrott, Nevada Northern Railway Foundation
Nikolai Christenson, Sierra Club
Christi Cabrera, Nevada Conservation League
Ashley Pipkin, Coordinator, Basin and Range Dark Night Sky Cooperative
Jennifer Ann Cantley, CEO, One Source Network
Jill Lagan, CEO, Boulder City Chamber of Commerce
Will Pregman, Communications Director, Battle Born Progress
Chelsey Hand, Outreach and Program Coordinator, Great Basin Resource Watch
Dominique Etchegoyhen, Deputy Director, State Department of Conservation
and Natural Resources

CHAIR DONATE:

I will open the hearing on Senate Bill (S.B.) 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):

As Chair of the Advisory Board on Outdoor Recreation under the Division of Outdoor Recreation, I became aware of the interest of the Division to create voluntary State-level, dark-sky designations in Nevada. I was captivated. As Chair on the Commission of Tourism, I travel throughout Nevada having the opportunity to see the wonderful assets our State has in terms of its dark skies. Nevada has some of the darkest skies in the Country. In Caliente, the Milky Way can be seen with the naked eye. The town of Tonopah, with the help of the Nevada Department of Transportation, installed direction signs to its Tonopah Stargazing Park. In Beatty, there is a ranch where people come to view the dark skies. Establishing dark-sky areas is an opportunity for Nevada.

The Friends of Nevada Wilderness secured the Massacre Rim Wilderness Study Area, a Dark Sky Sanctuary in Washoe County. It is the seventh dark-sky sanctuary in the world to be certified by the International Dark-Sky Association. The attention the Sanctuary has received provides opportunities for scientific and educational programs. It reflects our cultural heritage and delivers a place for public enjoyment.

The increase in attention to Nevada and its dark skies provides opportunities for capitalizing on Nevada's assets by inviting people to be outdoors and, ultimately, invest in the economy. Viewing the State's dark skies brings an economic opportunity for the Nevada tourism industry.

COLIN ROBERTSON (Administrator, Division of Outdoor Recreation, State Department of Conservation and Natural Resources):

I will introduce and provide testimony in support of S.B. 52 with the visual slide presentation ([Exhibit B](#)).

Senate Bill 52 directs the Administrator of the Division of Outdoor Recreation to establish a voluntary program for awarding a designation to sites in the State that are especially dark or relatively free of interference from artificial light.

Regulations include standards for awarding designation; categories for designation; and procedures for applying for designation including reviewing and suspending or revoking designation and appealing suspension or revocation of a designation.

This bill awards an important opportunity to leverage the creation of the Division of Outdoor Recreation. It ties Nevada's extraordinary outdoor recreation opportunities and 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 U.S. Bureau of Economic Analysis Outdoor Recreation Satellite Account, outdoor recreation in Nevada accounted for \$5.5 billion of the economic productivity in 2019. This represents 3.1 percent of the State's gross domestic product. Much of this economic value is captured by the gateway communities to the most-beloved outdoor recreational opportunities. These places enjoy Nevada's darkest skies and are roughly aligned in the map of the Basin and Range Dark Sky Cooperative visualized on Slide 4 of the presentation, [Exhibit B](#).

Some of the communities with gateways to dark-sky opportunities are Ely and Baker in White Pine County adjacent to Great Basin National Park; the communities of Lincoln County along U.S. Highway 93; and Boulder City and Mesquite in Clark County with close proximity to the dark skies of Lake Mead National Recreation area and Gold Butte National Monument. I read that 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 preservation of traditional knowledge about the night sky.

Senate Bill 52 acknowledges Nevada's extraordinary dark-night skies as an important public natural resource. The bill establishes the intrinsic value and the importance of dark-night skies as quality-of-life indicators for Nevadans. The

skies are economic amplifiers of dark-sky tourism and are ecologically, astronomically and environmentally vital natural resources.

I have a collective letter of support for S.B. 52 ([Exhibit C](#)) with signatories of 25 organizations, businesses and individuals in the State expressing support for the bill and its objectives.

TOM CLARK (Nevada Outdoor Business Coalition):

The Nevada Outdoor Business Coalition supports S.B. 52 for the purposes and reasons previously stated in testimony. I serve as the president of Friends of Black Rock High Rock, a large national conservation area north of Reno and most famous for the Burning Man Project. It is a beautiful area to visit, explore and experience amazing skies.

DANIEL PIERROTT (Nevada Northern Railway Foundation):

I will read from my written testimony in support of S.B. 52 ([Exhibit D](#)).

NIKOLAI CHRISTENSON (Sierra Club):

I will read my letter of support of S.B. 52 on behalf of the Sierra Club ([Exhibit E](#)).

CHRISTI CABRERA (Nevada Conservation League):

The Nevada Conservation League supports S.B. 52. This bill acknowledges Nevada's extraordinary dark skies as an important natural resource and should be celebrated, valued and protected. Nevada has truer dark-sky places than any other state in the lower 48 states of the U.S. The Massacre Rim Wilderness Study Area in Washoe County is one of only 14 dark-sky sanctuaries in the world. This bill will allow protection of Nevada's dark spaces and create a State-level program to award dark-sky designations to complement the designations granted by the International Dark-Sky Association. Protecting dark spaces will benefit wildlife. Light pollution has been shown to disrupt migration patterns and other behaviors.

Aside from being a precious natural resource, dark skies can contribute to the growth of the State's outdoor recreation-based economy. As more Nevadans are turning to outdoor recreation, our dark skies can be a unique driver for our economy as it recovers from the results of the current health crisis. Encouraging the promotion and protection of our dark skies will benefit conservation efforts,

wildlife, tourism and our economy while solidifying Nevada as a dark-sky destination.

ASHLEY PIPKIN (Coordinator, Basin and Range Dark Night Sky Cooperative):

The Basin and Range Dark Night Sky Cooperative supports S.B. 52. The U.S. is losing access to pristine night skies. As artificial light increases across the world, there are many places where only a handful of stars can be seen in the nighttime skies. The best natural nighttime skies left in the lower 48 states of the U.S. can be found in Nevada. When looking at the night skies of Nevada, one can see thousands of stars, the planets of our solar system and the beauty of the Milky Way. It is an incredible resource, and people are seeking this experience which is becoming rare in many American backyards.

Our night skies attract tourists, outdoor recreation enthusiasts and provide inspiration and educational opportunities. Nevada skies do not get proper recognition and are not celebrated by those outside the State. The gaming and entertainment industries are the draw in Washoe and Clark Counties. By supporting S.B. 52, we are providing notoriety and sending the message of how important the rural night skies are to Nevadans. We are drawing tourists and adding value to the experiences of all visitors and residents by sharing and uniting under the beauty of the night sky.

JENNIFER ANN CANTLEY (CEO, One Source Network):

One Source Network supports S.B. 52. I am a native Nevadan and love the outdoors. One of the joyful memories I share with my three young boys is growing up in rural Nevada gazing at our beautiful stars. It reminds me that we are all connected and come from the same Source. This is how I named my company, One Source Network. It is why my primary work as an environmental consultant is to encourage and educate citizens to protect the environment and pass fond childhood memories to their children.

According to the International Dark-Sky Association, an estimated 30 percent of household lighting in the U.S. is wasted due to unshielded lighting. This amounts to \$3.3 billion terawatt-hours of energy and the release of 21 million tons of carbon dioxide per year. I want to do my part in lowering emissions to allow my children to enjoy the Nevada skies and invite families everywhere to our beautiful National Parks to enjoy their dark skies and connect on a deeper level.

JILL LAGAN (CEO, Boulder City Chamber of Commerce):

The Boulder City Chamber of Commerce supports S.B. 52 and dark-sky tourism. Boulder City is the gateway to the Lake Mead National Recreation Area. Its open recreational space allows for great pleasure by day and amazing unlighted unpolluted skies by night. Boulder has held many star gazing events and draws people from the greater southern Nevada area. The Chamber is keenly aware of this special activity and its draw to the public, and educates others of the beauty and wonder provided by dark skies. The residents and guests enjoy the quality of life night sky viewing brings. The Chamber welcomes a program with set standards and guidelines to encourage participation, appreciation and advertisement of dark-sky designations.

WILL PREGMAN (Communications Director, Battle Born Progress):

Battle Born Progress supports S.B. 52. Dark-night skies are important natural resources to be protected. Areas free of light pollution support natural ecosystems for outdoor recreation, tourism opportunities and aid scientific discovery by supporting astronomical research. Nevada has several dark-sky designations that bring cultural and economic value. One example is the Northern Nevada Railway's Great Basin Star Train in Ely, an internationally renowned dark-sky designation. The bill gives the Division of Outdoor Recreation the ability to set the designations to bolster the outdoor recreation economy and preserve the natural ecosystems in Nevada. Public education on the importance of dark skies is a natural cultural resource furthering the advancement of environmental science. This allows Nevada to be on the cutting edge of conservation and support a robust outdoor recreation economy.

CHELSEY HAND (Outreach and Program Coordinator, Great Basin Resource Watch):

Great Basin Resource Watch supports S.B. 52. It is interested in protecting dark-sky destinations with a mechanism to aid communities to protect dark skies. Potentially, this could be achieved by a permitting process requiring entities to obtain an additional light permit if changing the characteristics of the locality.

CHAIR DONATE:

With no further testimony, I will close the hearing on S.B. 52 and entertain a motion to do pass S.B. 52.

SENATOR SCHEIBLE MOVED TO DO PASS S.B. 52.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR DONATE:

I will open the hearing on S.B. 23.

SENATE BILL 23: Revises provisions relating to the State Conservation Commission. (BDR 49-308)

DOMINIQUE ETCHEGOYHEN (Deputy Director, State Department of Conservation and Natural Resources):

I will present S.B. 23 in my slide presentation ([Exhibit F](#)). Existing law creates the State Conservation Commission and establishes three areas from which the Governor shall appoint members to the Commission. These three areas consist of counties and area boundary lines following the county lines. Senate Bill 23 proposes to move Mineral County from Area 3 to Area 2. Slide 2 of [Exhibit F](#) illustrates the area boundaries: Area 1 is green, Area 2 is yellow, and Area 3 is blue. Hawthorne, Mineral County, is in Area 3.

The purpose of S.B. 23 is to resolve a boundary conflict existing between the Mason Valley Conservation District boundary and the area boundary. Slide 3 shows Mason Valley in blue which encompasses a portion of Lyon County and the entire Mineral County. It straddles both Areas 2 and 3. The hard red boundary line on the image shows the current area boundary line bisecting the Lyon County portion on one side and the Mineral County portion on the other side of the Mason Valley Conservation District. The boundary conflict is confusing and resulted in the Nevada Association of Conservation Districts recommending the Governor appoint a Mason Valley Conservation District supervisor to the State Conservation Commission to represent Area 2. It was discovered the supervisor was not eligible because that person resided in the Area 3 portion of the District.

Transferring Mineral County from Area 3 to Area 2 will resolve the existing boundary conflict. Slide 3 shows the new boundary with a red dotted line.

Senate Bill 23 will align the Mason Valley Conservation District boundary with the area, thereby allowing the Mason Valley Conservation District supervisor to represent the entirety of the Mason Valley Conservation District at the area level and on the State Conservation Commission regardless of where that member lives within the District. The boundary change will promote congruency in local conservation and support efforts to better manage the resources across the Walker River Watershed.

Slide 4 illustrates the layout of the new boundaries should S.B. 23 be passed into law.

SENATOR HANSEN:

I represent Mineral County. Did you communicate with the Mineral County Board of Commissioners and was there any backlash to this proposal? It seems a reasonable proposal, and I want to be sure the local entities were consulted prior to the decision.

MR. ETCHEGOYHEN:

The State Conservation Commission and the supervisors and representatives of the Conservation District support this proposal. I did not reach out to the Mineral County Board of Commissioners because I had not heard of any concerns—only support for the ability to manage the Walker River Watershed as one unit to align the boundaries and resolve the confusion.

CHAIR DONATE:

Hearing no further testimony, I will close the hearing on S.B. 23. I will entertain a motion of do pass S.B. 23.

SENATOR HANSEN MOVED TO DO PASS S.B. 23.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR DONATE:

Hearing no public comment, I will adjourn this meeting at 4:15 p.m.

RESPECTFULLY SUBMITTED:

Christine Miner,
Committee Secretary

APPROVED BY:

Senator Fabian Donate, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
S.B. 52	B	4	Colin Robertson / Division of Outdoor Recreation / State Department of Conservation and Natural Resources	Slide Presentation
S.B. 52	C	1	Colin Robertson / Division of Outdoor Recreation / State Department of Conservation and Natural Resources	Collective Letter of Support with Signatories
S.B. 52	D	1	Daniel Pierrott / Nevada Northern Railway Foundation	Written Testimony
S.B. 52	E	1	Nikolai Christenson / Sierra Club	Letter of Support
S.B. 23	F	1	Dominique Etchegoyhen / State Department of Conservation and natural Resources	Slide Presentation