

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Eighty-Second Session  
March 9, 2023**

The Committee on Growth and Infrastructure was called to order by Chair Howard Watts at 1:36 p.m. on Thursday, March 9, 2023, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. 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/82nd2023](http://www.leg.state.nv.us/App/NELIS/REL/82nd2023).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Howard Watts, Chair  
Assemblyman Max Carter  
Assemblywoman Jill Dickman  
Assemblywoman Danielle Gallant  
Assemblyman Bert Gurr  
Assemblywoman Heidi Kasama  
Assemblywoman Elaine Marzola  
Assemblywoman Brittney Miller  
Assemblyman Cameron (C.H.) Miller  
Assemblywoman Sarah Peters  
Assemblywoman Shondra Summers-Armstrong

**COMMITTEE MEMBERS ABSENT:**

Assemblywoman Tracy Brown-May, Vice Chair (excused)

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Jann Stinnesbeck, Committee Policy Analyst  
Jessica Dummer, Committee Counsel  
Connie Barlow, Committee Manager  
Kathy Biagi, Committee Secretary  
Garrett Kingen, Committee Assistant

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**OTHERS PRESENT:**

Austin Osborne, County Manager, Storey County  
Clayton Mitchell, Vice Chair, Storey County Board of County Commissioners  
Will Adler, representing Storey County  
Kris Thompson, Project Manager, Tahoe-Reno Industrial Center  
Mary C. Walker, representing Douglas County, Lyon County, and Storey County  
Danny Thompson, Private Citizen, Las Vegas, Nevada  
Darin Tedford, Deputy Director, Project Delivery, Department of Transportation  
Nicholas Callero, Principal Associate, U.S. Lands and Rivers Conservation, The Pew Charitable Trusts  
Anna Wearn, Director of Government Affairs, Center for Large Landscape Conservation  
Thomas Morley, representing Laborers International Union of North America Local 169; and Laborers International Union of North America Local 872  
Christi Cabrera-Georgeson, Deputy Director, Nevada Conservation League & Education Fund  
Annette Magnus, Executive Director, Battle Born Progress  
Rebecca Goff, Nevada State Director, The Humane Society of the United States  
Carl Erquiaga, Nevada Field Representative, Theodore Roosevelt Conservation Partnership  
Tina Nappe, Private Citizen, Reno, Nevada  
Tom Clark, representing Nevada Outdoor Business Coalition  
Andy Donahue, Market Representative, Laborers-Employers Cooperation and Education Trust  
Larry Johnson, President, Coalition for Nevada's Wildlife, Inc.  
Paul Young, representing Board of Wildlife Commissioners  
Glen Leavitt, Director, Government Affairs, Nevada Contractors Association  
Alexis Motarex, Government Affairs, Nevada Chapter, Associated General Contractors  
Liz Munn, Strategy Director, Public Lands Nevada, The Nature Conservancy  
Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation  
Steve K. Walker, representing Eureka County  
Davy Stix, Member, Nevada Cattlemen's Association  
Taylor Patterson, Executive Director, Native Voters Alliance Nevada  
Amber Falgout, Private Citizen, Reno, Nevada  
Cody Schroeder, Mule Deer Staff Specialist, Game Division, Department of Wildlife  
J.J. Goicoechea, Director, State Department of Agriculture

**Chair Watts:**

[Roll was called. Committee rules and protocol were explained.] We have two bills on the agenda today. I will open the hearing for Assembly Bill 63.

**Assembly Bill 63: Requires the Director of the Department of Transportation and the Director of the Department of Public Safety to review, study and prepare reports regarding certain issues relating to traffic safety. (BDR S-406)**

**Austin Osborne, County Manager, Storey County:**

With me today is the vice chairman of the Storey County Commission, Clay Mitchell. He and I are going to present this bill together. To begin, there was the original bill submitted, Assembly Bill 63, and then there was another submitted more recently. We are going to speak on the most recent bill at this time. I have a PowerPoint presentation with a couple of slides to orientate us. Some folks may not be familiar with the territory in this area. This is the subject area where we would like to see a safety corridor implemented [page 2, Exhibit C]. This is an area between Reno, Sparks, and Fernley along the Interstate 80 corridor and what is known locally as the Truckee River Canyon. On the map to the right, you will see a dotted yellow line. That is the subject area.

This picture is a little bit of what the area looks like [page 3]. The conditions you see here along this interstate we realize are difficult. There is a river to the right, and these are the conditions that exist along the whole 20-mile corridor on this portion of the interstate. On the left, not only are there mountainous topography and rock outcroppings, but there is also a checkerboard of federal land. On the right, between the river and the highway, is the Union Pacific Railroad, which is also a challenge to long-term solutions as far as widening or adding lanes to this segment of the interstate. Because of the cost, the federal grant requirements, and some of the other issues are why we want to focus on the safety corridors for more short-term solutions that we will talk about today.

Along this interstate, according to the Nevada Department of Transportation's (NDOT) 2022 study, there are about 44,000 road trips and about 5,000 trucks. This is the artery going into Northern California, including Oakland, Sacramento, and San Francisco. Most of the interstate trucking is happening through this area. There are about 155 crashes per year in this segment, about 47 fatal or injury-related crashes, and oftentimes there will be two-to-three-hour delays with any type of disruption that happens on this interstate. That is exacerbated by the fact there are no alternative routes. There is not a different road that can be taken to get around the area. People are stuck where they are stuck.

At this point, I will pass it over to Mr. Mitchell, who will talk about some of the elements of the bill.

**Clayton Mitchell, Vice Chair, Storey County Board of County Commissioners:**

This bill specifically authorizes that it would be NDOT-led in consultation with local jurisdictions and other state agencies. Specifically, this study would look at traffic calming and other low-cost and high-time preference, meaning quick-to-implement improvement that

could be made on this corridor [page 4, [Exhibit C](#)]. We are somewhat open to the structure of what exactly that looks like. One of the things that would be helpful for us is to get some input on deadlines or accountability as part of this that would make it effective to make some of these changes. This area has been on the top of our priority list when we consult with NDOT on a yearly basis for a long time. We have residents who are directly affected by it, and it affects the entire region.

Counties get one bill each session and this was an important enough issue for us to use our bill on. It is important for our citizens and important for the entire region.

**Austin Osborne:**

This segment of Interstate 80 has really been Storey County's number one transportation concern for over a decade. I will give you a couple of examples of the types of things that happen in this area. Storey County has expressed to NDOT over this period of time its number one importance in its statewide transportation improvement program. The Department of Transportation has put some of these issues into their state plan.

For example, we have an onramp and an offramp at Lockwood [page 5]. This is about six or seven miles west of USA Parkway. Here you see a situation where a truck is trying to get onto the Interstate. There is no ramp. The ramp goes right into the oncoming traffic. There is no time to be able to merge into fast-coming traffic. Not only are there trucks and this type of interface going on, but the community this serves in Lockwood, which is Storey County's northern-most residential community, is predominantly senior citizens, low-income families, and people whose vehicles may not quite have the stamina to be able to go from almost a dead stop to 70 or 80 miles per hour in this short period of time. I work with these people very often at the north end of the county, and we drive our county cars and pretty modern equipment. It is not easy to get this thing to happen. This picture is from Google Earth and there is obviously a car with a camera strapped to it, and it is right on top of this truck and probably going roughly 70 or 80 miles per hour.

We have expressed this concern knowing that this interchange is not going to be replaced anytime soon. It is expensive, there are a lot of requirements that go with it, probably some federal loans, and some other needs. Over the last decade we have really focused on the short-term solutions and inexpensive solutions. We have proposed to NDOT, for example, things like lengthening the ramp just a little bit. Even if it is not perfect, just get something out there. Maybe put a shoulder there so if people realize it is not working out, they have somewhere to ditch the effort and go off into a shoulder instead of the rock cliff that currently exists.

Obviously, one of the short-term solutions we are proposing is to reduce the speed limit. Whether the speed limit is 55 or whatever, people are going 70 or 80 miles per hour through this area now. Also, to increase signage. Put a flashing light on a sign to let trucks and

others know there is awkward incoming traffic coming ahead and to slow down. Maybe some better lighting and things like that. We believe these are short-term, inexpensive solutions that could be integrated into this area while NDOT is working long-term on the major improvements that are substantially more involved.

In 2022, a petition was sent by about 70 Lockwood residents—they all sent letters to the state and to then-Governor Sisolak and to NDOT. The Board of County Commissioners did hear those folks and also sent a resolution to the State of Nevada and to the Governor's Office requesting the same thing, to please work with NDOT to see if there are short-term solutions that can be done at this particular interchange, knowing this situation does exist throughout this entire stretch of Interstate 80, except at USA Parkway where there were some improvements done.

In conclusion, we really look forward to continuing our part in helping improve the interstate. In 2005, Storey County invested \$14 million in the USA Parkway Interchange. That is what you see here at this point [page 6, [Exhibit C](#)]. That is a bridge that goes over the railroad, the Truckee River, and Interstate 80. Storey County is still making payments on that today.

The Storey County Fire Protection District is the exclusive emergency medical and fire response team for this entire stretch of highway. They do that through mutual aid and through mandatory aid agreements or automatic aid agreements with Truckee Meadows Fire Protection District.

We have been engaged with NDOT in traffic management engineering plans and their potential alternative route plans with other agencies. We promote rideshare programs that have helped with efforts by Tesla, Inc., and others to remove reportedly 4,000 cars from the interstate through rideshare buses, van pools, and things like that, that have been quite successful. We have 600 extended-stay hotels and RV units either built, finished, occupied, or in planned review right now at the Tahoe-Reno Industrial Center (TRIC) that should remove an additional 1,200 cars from the interstate. We have deregulated all of our master planning and our ordinances to facilitate residential, and finally, we are here supporting and advocating for [A.B. 63](#). We value our strong working relationship with NDOT and we are encouraged by the energy exhibited by Director Tracy Larkin-Thomason and state leadership on this matter. We believe that [A.B. 63](#) will help agencies receive resources and legislative support to implement these short-term solutions. We appreciate your time.

**Chair Watts:**

Thank you for your presentation. Members, are there any questions?

**Assemblywoman Kasama:**

I can speak from personal memory of those short-term ramps and how frightening they are in other areas while trying to get onto those roads. I am certainly very supportive of helping you with these short-term needs that I can clearly see you need. What do you foresee as the long-term solution? Are you going to try cutting into the mountain to add more lanes? It looks pretty difficult.

**Austin Osborne:**

The Nevada Department of Transportation is working on a long-term solution. There are environmental assessments we are aware they have to go through. There are some federal funding mechanisms. They are looking at different options to widen the road, add lanes, or other methods. We would certainly welcome an NDOT representative to talk about what they have planned for that.

**Assemblywoman Brittney Miller:**

I have more of a technical question. I appreciate the expansion evolving and what needs to happen here in the state. In section 1, subsection 1, paragraph (a), subparagraph (3), I completely understand the rationale behind restricting commercial trucks or vehicles with more than 2 axles to one lane of the highway. However, has there been any consideration, concern, or discussion about once doing that, the repetitive weight and possible wear and tear it would have on the highway?

**Austin Osborne:**

At this point, we have engaged in discussions with NDOT on these sorts of matters. We would like to defer to them on the engineering and those sorts of questions. There have been questions like that as far as trucks stacked up on one lane and they have come up with some potential resolutions.

**Chair Watts:**

It is possible some members may have questions that may need to be addressed by NDOT. Hopefully, you are taking notes and we can get some additional follow-up from all those involved after the meeting.

**Assemblywoman Peters:**

This is not a brand-new problem. It has been terrifying out there since TRIC went in and the traffic increased 100-fold. I have had conversations with NDOT. There is not a lot that can be done out there. Mountains and rivers cannot be moved, so we are kind of stuck. I feel putting the same partners in a room to try to muddle some more thoughts is maybe not the best solution. My question is, what other creative opportunities are there? Are there other folks who have been working in this space who could be invited to the table to help build out? What is modern engineering capable of? What can we look toward to build out a solution for this situation? I do not think the players who exist today in this state are capable of doing it without having something else added to the mix to start that fire. Who are you thinking about, or have you thought about who else to bring into the mix or where we can look for alternative solutions for this problem?

**Clayton Mitchell:**

What we are talking about here is not the ultimate solution. We realize full well it is far beyond our ability to provide that as one of the stakeholders. Those conversations are ongoing and include alternate routes, new technologies, and looking at different ways of

engineering than we have done in the past. The impetus for this bill is the immediate safety needs of the people using that corridor. We are looking at things that are not necessarily revolutionary but could be implemented quickly, or relatively quickly, because the time frame to vet out new solutions that are ultimately going to solve the problem is for us unacceptable to not do anything until we get to that point. That is why we came up with a few things—I am sure there are many more—like bringing down the speed limit, looking at enforcement, looking at ways we can manage it. What we have noticed is the worst issues happen when there are crashes.

The traffic is there but it is manageable under normal circumstances. However, when it feels like *The Hunger Games* out there and then a crash happens and there is no way around it, it really disrupts what is happening. We are asking the state agencies to look at other ways we can enhance enforcement. It is not just speed, but it is also maybe looking at tarped loads going to the landfill out there to make sure there is not stuff coming out and interfering with the traffic. Speed is certainly an issue. We know staffing levels are a challenge across the board, so enforcement is suffering in a lot of areas, including this corridor. Perhaps some signage or other things to try to make it clear there are short merges so drivers are aware of what is coming up.

Certainly the business park is a big part of what is contributing to this issue, but really the regional traffic and the Interstate 80 traffic is the bigger driver. It is a broad-based issue and a unique situation as well because only one mile of this section—if that—actually sits in Storey County. We do not have direct jurisdiction, but it does affect us in a great way, just as it does the whole region.

All of those options are on the table and we are happy to be at the table with all of it. We have invited private sector partners as well and maybe working on innovative solutions that are not currently in place. All of those things take time. We are looking at what we can do now.

**Assemblywoman Peters:**

What I am not seeing in the bill is a timeline. There may be one, but I am not seeing it. I am also looking at the amendment [[Exhibit D](#)]. I do not feel I am seeing that NDOT is encouraged to reach out to other partners who specialize in this specific issue. We have heard throughout this body in a variety of meetings that NDOT is running on fumes with people, and that also means with expertise. Maybe my question should be reserved for NDOT to answer as to how they would implement this with those kinds of limitations. If you could at least point out the timeline in the bill, that would be helpful.

**Austin Osborne:**

In the original bill we did have a deadline, which would have been 2024, which we believe aligns with the Interim Finance Committee. That may be something we consider. We certainly welcome NDOT's thoughts as well, as you certainly made good points.

**Assemblywoman Summers-Armstrong:**

My first question is whether or not you belong to the regional planning body?

**Austin Osborne:**

Storey County does have a regional transportation commission (RTC) enacted, and there is a regional one as well with Washoe County. We have worked with the RTC in Washoe County and others, but we are not a member of the RTC.

**Assemblywoman Summers-Armstrong:**

I know you are aware this is where I grew up for many years working with the RTC in Clark County. Any time we have roads that traverse numerous boundaries, it is important to have everyone at the table. I say that because you talked about signage. My concern is the static nature of any signs you could input. I think it would be important for you all to look at the importance of having signs that are ambient signs, the ones that are monitored, so you can have messages sent to travelers indicating there is a crash ahead and to slow down. This way you could manage the speed depending upon the situation so you do not have people rolling up there at 70 miles per hour and then slamming on their brakes. I would like you all to consider something like that.

One of the things I learned in overhearing planners for many years is regarding infrastructure. Have you considered narrowing the lanes to force traffic calming and the possibility that you might be able to get an additional lane through there by making the lanes narrower, or at least extend the ramp in places without having to lay more asphalt, which is expensive. I do not want to offend at all. I believe we have super smart people throughout this state, but I think sometimes we do not reach out. The Regional Transportation Commission of Southern Nevada extended Interstate 11 into Arizona and took down a piece of a mountain to do so. I think there are things you could possibly do to help yourselves until you have a greater solution. I would hope that you would build some relationships with folks who have experience in solving tough problems and could help you not have to reinvent the wheel. This was not a question, just suggestions: narrower lanes; ambient signs; slow down the traffic; have those signs monitored. That relationship in southern Nevada is with the Nevada Highway Patrol of the Department of Public Safety and NDOT. The folks you need at the table to help you with enforcement are at your table helping you with the solutions. I wish you all the best.

**Assemblywoman Dickman:**

I have more of a comment than a question. I cannot tell you how many constituents I have had reach out to me about when is something going to be done about this dangerous area. Most of them are people who work at TRIC. I just want to thank you for working outside the box to get something more immediate done. I know we need more expensive, long-term solutions, but this is a great start and I thank you.



**Chair Watts:**

Seeing no other questions, I do have one. You touched on it a little bit. You mentioned some of the other entities and this was also referenced in some of the questions by my colleagues. You mentioned a lot around the ongoing conversations and collaboration with NDOT. What has been the incorporation of Washoe County into these conversations? We know we have a lot of people coming from Washoe County, and I believe technically the corridor itself is located in Washoe County.

**Austin Osborne:**

The last pillar of this bill is regional discussions. We would like to be able to bring Washoe County, Reno, Sparks, Fernley, and Storey County into the room with NDOT. They are the experts when there are questions about widening or narrowing lanes, doing traffic calming, and other types of planning efforts. We believe this bill helps pull everyone together, puts some benchmarks and deadlines in place for something to happen on these short-term solutions that would be built by all of us. I think that talks a little about regional discussions.

We do participate with the Economic Development Authority of Western Nevada. They are not a transportation authority but are intimately involved in the region as far as looking at alternative traffic routes and traffic corridors in the area to maybe bypass this area altogether. We have also joined a transportation management association that is getting companies, public and private sector folks, together in this entire region to talk about ideas like what are being brought forth today.

Some of this goes into housing. Assemblywoman Peters had brought up alternative ways of dealing with issues that maybe are not transportation-related. Storey County has put together its master plan and deregulated its ordinances and approved a housing development that unfortunately, because of the recession, did not get off the ground, but would increase the county's population by 500 percent. That development area is adjacent to Interstate 80 and the Tahoe-Reno Industrial Center. We are definitely looking outside the box at ways to potentially get cars off the interstate.

**Chair Watts:**

Seeing no other questions from members, we will move to testimony on A.B. 63. We will begin with testimony in support. Is there anyone wishing to provide testimony in support, either in Carson City or Las Vegas?

**Will Adler, representing Storey County:**

I just want to thank Mr. Osborne for the presentation today and in bringing forward A.B. 63. The interactions between the state and local governments are integral, but this one is one where we have both a federal highway and state transportation trying to interact with the county that has the least say over that road. There is literally only about a mile or half-mile of Interstate 80 in Storey County, yet most of the residents in the north end of the county have to use Interstate 80 for the primary purpose of transportation to work, to get groceries, and everything else because it is the only way in and out of that corridor.

With Tesla expanding and a lot of other developments scheduled for that area, it is one I think the State needs to look at and say, yes, regionally it is a concern and we are going to plan for the long term, but anything we can do in the short term or anything we can do for traffic calming or by putting up a sign to inform people that it would be nice if they slowed down a little. That would do a lot for these folks just because they would feel like their concerns are being heard and something is being done where it can be done. Thank you for hearing this bill and thank you for your consideration today.

**Kris Thompson, Project Manager, Tahoe-Reno Industrial Center:**

I am also the project manager for our newest project, Tahoe-Reno Industrial II. I am here in total support of our county and 120 percent on this bill. I can tell you first off, none of this should be a reflection on NDOT as previously stated. Cole Mortensen at NDOT and District 2 folks are awesome. They have been great for us to work with, with very limited means.

Second, the traffic issues when there are accidents in this stretch of Interstate 80 are pretty devastating for the ability of workers to get to their jobs. In fact, two days ago when there were accidents because of the weather on Interstate 80 heading out to TRIC, we actually got a call from one of the senior government affairs folks from one of our most notable technology companies really giving us an earful about something needing to be done on this road. I think these short-term solutions are going to be very helpful.

I would like to go to Assemblywoman Peters' question. There is a midterm solution that I think is workable. That is the Sparks lands bill that is being pushed by Sparks Mayor Ed Lawson. We are arm-in-arm with him. That lands bill would open a corridor running out of north Sparks and Spanish Springs all the way to USA Parkway. That would open a surface. That is doable. We think the lands bill is going to be passed this year in Congress, hopefully. If that happens, that road could go in within three to five years, probably faster than it would take to chunk more space out of the mountainside.

**Mary C. Walker, representing Douglas County, Lyon County, and Storey County:**

We rise in support of A.B. 63. We believe it is an excellent bill that elevates the discussion of how critical the public safety issues are on Interstate 80 between Sparks and Fernley. Just to give you one example, we have had incidents on that stretch where all the traffic is backed up, which includes fire engines and ambulances, and they cannot get through. That is pretty scary.

We would sincerely appreciate your support of this important bill, which will assist in ensuring a safe and efficient highway.

**Danny Thompson, Private Citizen, Las Vegas, Nevada:**

I am here today representing myself. I lived in Storey County for ten years. Both of my sons attended junior high and high school there. They both played football the entire time they were there. I lived up in the highlands. The kids who played on the football team from

Lockwood would stay at my house because it is an hour drive from Lockwood to the school in Storey County on a football game night. I would have to go and pick the boys up in Lockwood. Literally you are taking your life in your hands on that road getting on that ramp at Lockwood. If something happens, there is nowhere to go. You really need to have a race car to get up to speed. It is a very dangerous thing. I think this bill is a reasonable, commonsense approach to a short-term solution to a problem that is going to need a big fix.

[[Exhibit E](#) was submitted as written testimony in support of [A.B. 63](#).]

**Chair Watts:**

Seeing no one else in Carson City or Las Vegas for support, is there anyone wishing to provide testimony in support of [A.B. 63](#) by phone? [There was no one.]

We will move to testimony in opposition to [A.B. 63](#). Is there anyone in Carson City or Las Vegas wishing to provide opposition testimony? [There was no one.] Is there anyone waiting to testify in opposition by phone? [There was no one.] With that, we will move to neutral testimony on [A.B. 63](#). Is there anyone wishing to provide neutral testimony in Carson City or Las Vegas?

**Darin Tedford, Deputy Director, Project Delivery, Department of Transportation:**

I am here today to testify in the neutral position on [A.B. 63](#) as amended. Before I begin, I would like to thank Storey County and their representatives for engaging with us on this bill and continuing to work collaboratively. The Department of Transportation's mission, first and foremost, is to enhance public safety. As such, we want to emphasize we are strongly supporting the underlying intent of this bill. The area is growing rapidly, and we are sympathetic to the traffic safety concerns expressed by our partners in Storey County.

For the Committee's awareness, NDOT has a county consultation process that proactively engages our rural communities to gain input on projects to be included in our four-year, statewide transportation improvement plan as well as our long-range plan. The county consultation process ensures an ongoing conversation that attempts to reconcile the needs of our rural communities with the limited resources of the Nevada State Highway Fund. As part of that process, we held a workshop with Storey County most recently in January 2022, a county consultation meeting with NDOT leadership in October 2022, and our rural liaison has had many additional conversations with Storey County over the past few years.

With respect to the I-80 corridor, we want to highlight some relevant studies since 2020. First, an I-80 corridor study completed in 2022, which included several meetings with affected private and public stakeholders, identified, scored, and ranked ten projects that would improve the corridor, including widening I-80 east from McCarran Boulevard to USA Parkway. Additionally, an I-80 east scoping report was completed in 2021 looking at the details of what that project would consist of, and a safety analysis for the I-80 capacity project from McCarran or Vista Boulevard to USA Parkway was also completed in 2021.

While our study of this area remains ongoing, NDOT feels confident that these efforts have provided a solid foundation on which to move forward in addressing many of the traffic safety concerns expressed by Storey County.

We also want to highlight that starting this summer, NDOT will begin the environmental review process for this section of I-80. We anticipate this effort will take two to three years, but considering the unprecedented growth in the area, NDOT intends to prioritize and, to the extent possible, accelerate the process. The Department of Transportation is also investigating interim safety improvements that could be made in the corridor in the short term.

We are happy to share with the Committee the reports I mentioned today. We will continue working with Storey County on improving traffic safety in their community.

**Chair Watts:**

While we have you here, are there any members who have questions for the Department, given Mr. Tedford's association with the scope of the bill? [There were none.] Is there anyone else wishing to provide neutral testimony? [There was no one.] Is there anyone wishing to provide neutral testimony over the phone? [There was no one.] Do the presenters have any closing comments they wish to provide?

**Austin Osborne:**

We appreciate your taking the time to meet with us. You have asked very good questions. At this point, we would still be welcome to any discussion you would like to have with us on any amendments to the bill. One thing we heard had to do with creating some kind of benchmarks or deadlines to make certain things happen. We are in full support of that. Per our original bill, somewhere around the period of June 2024 may be an appropriate time, but we certainly welcome your thoughts on that and are open to that discussion.

**Chair Watts:**

I will close the hearing on Assembly Bill 63. I will ask Assemblyman Cameron (C.H.) Miller to take over the gavel.

[Assemblyman Miller assumed the Chair.]

**Acting Chair Cameron (C.H.) Miller:**

I will open the hearing on Assembly Bill 112.

**Assembly Bill 112: Establishes provisions relating to wildlife crossings. (BDR 35-340)**

**Assemblyman Howard Watts, Assembly District No. 15:**

I have the pleasure of presenting Assembly Bill 112 for your consideration today. I am joined by two individuals with The Pew Charitable Trusts who will be assisting in the presentation. To give everyone a quick overview, we will give some high-level background on why we feel this policy is important. Following that, I will walk through the bill as well as two proposed conceptual amendments. We would then be happy to take any questions.

Assembly Bill 112 was unanimously recommended by the Joint Interim Standing Committee on Natural Resources, which I had the honor of chairing during the last interim. The reason it had such strong support is because it is one of the rare win-win-wins that we have. It is a win for public safety, it is a win for wildlife, and it is a win for our economy.

Speaking about wildlife and the need for investments in crossings, our wildlife populations are struggling. Again, I know this is not the Assembly Committee on Natural Resources, so I want to provide a little bit of additional background for those who do not sit on that committee. Around half of the habitat across the state has been lost or converted due to wildfire; due to invasive species, particularly cheatgrass; as well as impacts from development, but both wildfire and invasive species being far and away the greatest contributors. Our warming and drying climates have also had an impact. Drought, in particular, has put further stress on our wildlife populations.

For example, when we talk about the state's deer population, it has ebbed and flowed, but as recently as the mid-1980s, there were more than 200,000 deer in the state of Nevada. They have steadily declined since then to around 90,000 today; again, over a 50 percent decline.

Now, in addition to all those conditions I have just described, I will add roads, which fragment habitat and make it difficult for wildlife to migrate across their seasonal ranges. In addition, it puts them at risk for collisions with vehicles. Fifty percent of vehicle and animal collisions in this state are deer. I think that number is even greater across the nation. We also have collisions with elk and bighorn sheep.

While that is tragic and the impacts of vehicle collisions on wildlife are significant, the greatest cost of those collisions, of course, is in the loss of life and limb for drivers on Nevada roadways. Those costs are the gravest, but there are also financial costs as folks deal with damage to their vehicles and impacts to their insurance rates. When we talk about economics, wildlife itself has an economic value, both for sporting opportunity as well as nonconsumptive wildlife viewing and enjoyment, and just the intrinsic value that they add to our state. The wildlife of the state are a public resource and are held in public trust for all of us.

Thankfully, there is something we can do about this. We can address this with infrastructure, with wildlife crossings, overpasses or underpasses, and fencing to help guide wildlife safely across these roadways as they are moving and migrating. These crossings can be large or

small. They can cover our bighorn sheep, our moose—which I am wearing a moose pin and we do have moose in Nevada—but these can also be culverts to allow desert tortoises, for example, which are a threatened species. We have to do work to mitigate and protect those populations in southern Nevada.

Nevada has also led the way in the development of wildlife crossings in this state, and through executive orders has directed its state agencies to continue studying wildlife corridors and working to reconnect them through the construction of crossings.

We have heard in this Committee presentations about the major opportunities that exist thanks to the Bipartisan Infrastructure Law, the Inflation Reduction Act, and the significant resources that those provide over the next few years, including some competitive opportunities. And this is one of them. We have the opportunity if we set up a program and we set up some seed funding that we can use to match to pull down significant federal funding to cover the vast majority of project costs and accelerate our progress in this area. That creates good-paying jobs in the process while also improving public safety on our roadways and improving the connection of habitat for our wildlife.

With that, I would like to turn it over to Nick Callero with PEW to continue our presentation.

**Nicholas Callero, Principal Associate, U.S. Lands and Rivers Conservation, The Pew Charitable Trusts:**

The Pew Charitable Trusts is an independent, nonpartisan, nonprofit organization. Our U.S. public lands and rivers conservation work seeks to identify and conserve public landscapes and wildlife habitat by collaborating with a wide variety of stakeholders. The identification and protection of wildlife migration corridors is a key component of our work. I am here today to testify in support of Assembly Bill 112.

The Nevada Department of Transportation (NDOT) documents an average of 625 wildlife/vehicle crashes each year with an annual cost to the Nevada taxpayer of close to \$50 million, according to the Federal Highway Administration of the U.S. Department of Transportation. Collisions with deer and other species, including elk, moose, and bighorn sheep, are notoriously underreported. Transportation officials estimate the actual number is significantly higher. Thankfully, there is a solution with the construction of wildlife crossings.

Nevada has a long history of leadership in addressing this issue and has 20 such crossings in place, including multiple overpasses along Interstate 80 completed in 2018 and the Highway 93 overpass near Elko, which was the state's first project specifically for wildlife. They found that more than 35,000 mule deer used the structure in its first four years. These projects have been highly successful, resulting in significant reductions in wildlife/vehicle

collisions. Studies actually prove there are up to 90 percent fewer wildlife/vehicle collisions where there is a crossing structure and associated fencing in place. Wildlife crossings have an exceptionally higher return on investment, yielding annual benefits anywhere from \$250,000 to \$443,000 per structure. These projects pay for themselves over a relatively short period of time.

How can Nevada build on this success and continue to lead on this issue? The Bipartisan Infrastructure Investment and Jobs Act of 2021, which we will hear more about from my colleague, Anna Wearn, established a wildlife crossings safety program to help fund projects that reduce wildlife/vehicle collisions and improve habitat connectivity. The law provides \$350 million over five years for competitive grants to states, communities, and tribes. But this federal investment is not enough and competitive grant applications for this new program will likely require matching state funds. To get a leg up, last spring state legislatures in California, Colorado, New Mexico, Oregon, Utah, and Wyoming each passed new laws to reduce the impacts of habitat fragmentation and fund the construction of new wildlife overpasses and underpasses. California recently set aside \$50 million for the construction of new wildlife crossings. Last session, Oregon set aside \$7 million for wildlife crossings and is working on doubling that amount this current session. Utah appropriated \$1 million specifically to match federal funds last session, and just last week appropriated an additional \$20 million to leverage federal funds for new crossings. That bill is expected to be signed by Utah Governor Spencer Cox any day now. Many of these new policies passed with strong bipartisan backing as well as broad support from entities such as sporting groups, local businesses, insurers, and even the American Petroleum Institute.

With Assembly Bill 112, Nevada has the opportunity to build on these policies and continue to make roads safer for people and wildlife. Assembly Bill 112 would invest \$15 million into the newly created Wildlife Crossings Account. The bill would require the Nevada Department of Wildlife (NDOW) and NDOT to identify priority locations for future wildlife crossing projects that would make roads safer while also connecting important habitat for migrating animals. This requirement would build on and strengthen wildlife connectivity objectives established in the Nevada Habitat Conservation Framework, Executive Order 2021-18, signed in 2021. As mentioned earlier, this bill will also best position the state to take advantage of a slew of federal funds about to come online.

Reducing wildlife/vehicle collisions is a win for motorists, for wildlife, and for local communities, making roads safer for people and allowing animals to safely traverse their migratory habitat. It is a win-win solution. I appreciate the time and opportunity.

**Assemblyman Watts:**

We will now turn it over to our other copresenter on Zoom.

**Anna Wearn, Director of Government Affairs, Center for Large Landscape Conservation:**

One of our policy priorities is facilitating wildlife migration, including through the construction of wildlife crossings. I want to begin by thanking Assemblyman Watts and members of the Committee for the opportunity to testify in support of A.B. 112 and share with you federal funding opportunities that this bill would position Nevada to take advantage of under the Infrastructure Investment and Jobs Act. To that end, I would like to share a presentation briefly about those federal funding opportunities.

Are you able to see my presentation [[Exhibit F](#)]?

**Acting Chair Cameron (C.H.) Miller:**

We are not going to be able to see that on the main screen in this room. Members, if you have your laptops, it is on the Nevada Electronic Legislative Information System (NELIS).

**Anna Wearn:**

Thank you for bearing with me with the technical nuances. Most of the content I will be providing verbally and would be happy to follow up with anyone who is interested in some of the details.

The Infrastructure Investment and Jobs Act creates the first-ever dedicated federal funding to build these wildlife crossings [page 2, [Exhibit F](#)], recognizing the huge economic safety and conservation benefits that have been addressed by previous testimony today. This dedicated Wildlife Crossings Safety Pilot Program is \$350 million. That will be disbursed over the next five years. The first two fiscal years will probably be combined together in the upcoming Notice of Funding Opportunities. We do not know exactly when the Federal Highway Administration will issue that, but it is likely to be very soon.

Nevada is positioning itself well to take advantage of that because one of the primary criteria for the program is the extent to which the project leverages nonfederal funding [page 3]. Whether or not that will be an explicit 20 percent match is not yet determined. Regardless, the extent to which the state is contributing to the projects for which it is proposing funding will be heavily weighted in the evaluation of project proposals. If a grant is received, it would go to the state transportation agency, as most likely they would be the entity applying directly. Other governmental agencies with a transportation function can also apply and partners that are nongovernmental entities can also receive funds that are passed through the state transportation agency; for example, through a project agreement.

I will skip for now the other eligibility requirements to save time lost in the technology transition, but I am happy to follow up on those later. I will point out that particularly with the criteria around encouraging nonfederal contributions, public/private partnerships are explicitly mentioned [page 4]. I bring that up because I am encouraged to see the Wildlife Crossings Account allows for private contributions. This would create that mechanism to facilitate the public/private partnerships that are looked upon favorably by the Federal Highway Administration in reviewing these applications.



Moreover, the primary criteria against which these projects will be evaluated is the extent to which the project is likely to reduce the number of wildlife/vehicle collisions, or the safety benefits, and improve habitat connectivity, or the conservation benefits. The language in A.B. 112 echoes those exact principles and positions Nevada yet again to be advancing projects that are in alignment with the objectives of this federal program.

Beyond the dedicated funding that is set aside just for wildlife crossings, which includes aquatic and terrestrial passage—culverts, underpasses, overpasses, directional fencing, et cetera—there are also billions and billions of dollars available in other broader transportation programs for wildlife crossings. There is now eligibility for these projects under the 15 programs you see listed on the screen [page 5, [Exhibit F](#)][—if you can see the screen—or you can potentially see them in the files on NELIS as well. If you are looking at the list, the ones with the asterisk are the ones that have awarded funding already to wildlife crossings. That is either a specific project proposal under these broader federal transportation programs that have gone toward funding a wildlife crossing as a standalone project, or a wildlife crossing as part of a broader transportation project. We know the Federal Highway Administration is aware of the eligibility of wildlife crossings and is choosing to fund wildlife crossing projects under these broader programs as well. You will note, I put the federal cost share requirements in this list because most of these programs do require at least a 20 percent match for state applicants. Sometimes that is different, and in fact, altogether waived for tribal applicants, but for state transportation agencies for federal aid highway programs, states often need to commit at least 20 percent of the project funds.](#)

Finally, I will point out a few resources if you would like to learn more [page 6]. A coalition of partners, including our organization and Pew, have put together tool kits with information on these habitat connectivity provisions in the infrastructure law. We have created one specifically with the National Caucus of Environmental Legislators for state legislators like yourselves who are interested in advancing wildlife crossings and other policy proposals to facilitate wildlife conservation, wildlife migration specifically, and a series of webinars as well. I am happy to answer any questions after the hearing if you would like to contact me at the email address listed on the screen [page 7].

**Assemblyman Watts:**

The presentation makes clear that the time is now to take action on this. Again, we have done a tremendous job in this state of planning these projects. Often they are integrated into larger transportation projects. Some of those might be five or ten years, or may not even be on the planning horizon yet because they are normally going to be factored into a much larger construction project. This provides us the opportunity to dramatically accelerate those projects and the benefits they provide. You heard a little bit about the matching. We are still waiting on some of those details and guidelines, but in some cases, Nevada has actually been able to get a match rate that is even below that 20 percent. Again, this is a very economic benefit, safety benefit, and wildlife benefit that we can harness by setting up this program and seeding this fund now.

With that, I will walk you very quickly through the bill as well as a couple of proposed amendments. Section 2, subsection 1 of the bill creates a dedicated account for funding wildlife crossings. Section 2, subsection 3 is the section that notes gifts and grants can be accepted from public and private sources for the account. One of the things I think is worth noting is how many different wildlife groups and sportsmen's groups regularly contribute to things like water developments for the benefit of wildlife, habitat restoration, and other projects. Having a clear, dedicated fund is another opportunity to leverage funding and make us competitive for utilizing additional federal funds and accelerating the pipeline for these projects.

Section 2, subsection 4 discusses how the funds in the account have to be used, which involves all of the planning and design work for a range of wildlife connectivity projects, including matching federal dollars, conducting necessary studies, doing the design, the planning, related staffing needs, and then carrying out the provisions of this bill.

In section 2, subsection 5, we want to make sure to realize both the traffic safety benefits and the wildlife benefits that NDOT is coordinating with NDOW to identify the areas that are most in need of these projects and prioritize them.

Section 3 of the bill calls for the development specifically of an inventory. Essentially, we need to have a set of projects ready to go by the end of this year. Once we have a list of shovel-ready projects, that positions us well when we are seeking some of this competitive funding to say we have already done the analysis, here are the projects, here is the preference, here are the benefits, here is the likely cost, and then here is an account we have with money ready to go to put these projects into action.

Section 4 has NDOT review its standards for the design and construction for highways to make sure everything is synced up for the construction of wildlife crossings and related features. This is something NDOT has already had some experience with and some leadership on.

Section 5 authorizes NDOT to develop any regulations necessary to carry out the bill.

Section 6 issues \$15 million into the account. There are still ongoing conversations about this funding source. Currently, it is general obligation bonds, but we are having some additional conversations about what that exact funding mechanism is going to be. To make sure all members are aware, if the bill moves forward from this Committee, it will then go to the Assembly Committee on Ways and Means where the financial aspects will be sorted out. If we are going to change that funding mechanism, which I think is probably likely, we can handle that over there.

I will walk you through the conceptual amendments as well. The first [[Exhibit G](#)], which should be uploaded to NELIS for everyone, includes a definition of wildlife. We want to focus on the connection between those conservation benefits and those traffic safety benefits. We know we also have domesticated livestock throughout the state. It is not to say it could

not potentially be utilized, but the crossing has to be developed for the purpose of benefiting the state's wildlife, so we are referencing the definition of wildlife in NDOW's statutes to make it extremely clear which animals are supposed to benefit from these crossings.

Additionally, in conversations with the State Department of Agriculture and others, we just finished and provided the Committee with a second proposed conceptual amendment [\[Exhibit H\]](#) that I will also read to make sure it is on the record. This amendment would add a new section right after section 4 of the bill, section 4.5, reading something to the effect of, In carrying out the provisions of this act, the Department—meaning the Department of Transportation—and the Department of Wildlife shall consult with grazing permit holders and adjacent private landowners where wildlife crossings would be located to avoid or mitigate impacts on livestock management or private land use. That is to make it extremely clear that as these projects are being explored, anyone in the area who would be affected, including those with grazing allotments or private landowners, are being brought into that process to understand if there would be any impact on them and making sure that is sorted out as part of the planning process.

That concludes our presentation. Thank you for your time. We are happy to answer any questions you may have.

**Acting Chair Cameron (C.H.) Miller:**

Are there any questions from the members?

**Assemblyman Gurr:**

I do not know how many people have really been around these crossings, but they are great. It is more a statement than a question. The one on Highway 93 has been in place for years now and it has saved an awful lot of lives, both animal and human. The two crossings on Interstate 80 on both sides of Pequop Summit have been a real boon. It used to look like a slaughterhouse driving that highway. I will bet since those have been built, I have been over those roads a lot of times and I have seen maybe one, but he was above the crossing quite a ways. I think this is a great bill and a great project, and thank you for bringing it, Assemblyman.

**Assemblyman Watts:**

I appreciate those words. I have also seen a major bighorn sheep crossing in southern Nevada along the new Interstate 11 corridor. We have a lot of sheep migration around that area with the sheep trying to get down to the lake, sometimes going into Boulder City to the park for a bite to eat. I want to make sure they are able to cross over without having to run across a major freeway corridor. We have some great examples of existing projects, and I think those point to the huge potential from additional projects as well.

**Assemblywoman Summers-Armstrong:**

This is really exciting. I love this bill. We have several wildlife crossings in the Boulder City area on Interstate 11. I do have two questions. The first is for clarity. Could you please clarify whether or not NDOT's budget is separate from the General Fund?

**Assemblyman Watts:**

Most of NDOT's projects are funded through the State Highway Fund, so it is a separate funding source from the General Fund. Obviously, there are also federal funds that support some of those projects from the U.S. Department of Transportation. Our goal with this bill is in funding this account. We are not funding it with Highway Funds, so we do not want this to take away from anything in the existing pipeline for NDOT projects. We are looking to add some additional funds that can then pull down significant additional federal funds. This is completely additive.

**Assemblywoman Summers-Armstrong:**

I know from experience that there have been instances where NDOT has been able to advance highway projects that are already being put together by local entities and local municipalities. How would that work here? Would that be able to be done and will this require any local rule changes with the regional bodies to allow bringing projects closer to the horizon? For example, the project is five years out, but we have money now, but it has to be paid back to this fund. Is that going to be a local government impact or is this just going to be a kind of rural change?

**Assemblyman Watts:**

The larger crossings are going to be on state highways not right in the middle of town. I will leave it to the folks from local governments who would like to speak to that. I am sure NDOT is going to come up and provide some feedback as well. I think they would be the best to answer some of the questions about their planning horizon and the adjustment of projects. I know projects have been moved along based on various funding changes or other related major project changes that necessitate changing the project queue. I think the hope here is whether that takes a larger project that was planned further down the line that has a wildlife crossing and it is moved up because we are able to get all of these additional resources for that crossing, or whether it allows NDOT to determine they will still do the broader project and they will design a crossing that accommodates that project. However, we do not want to miss out on it in Year 10 when all that federal funding is gone when we could accelerate now and do that crossing and get it substantially federally funded. In my mind, that is the concept behind the bill.

**Assemblywoman Dickman:**

I know a lot of people know I was raised in upper Michigan where there is an abundance of whitetail deer. The deer and I are responsible for wrecking many vehicles. I think this is a great bill. When you talk about a change to the funding mechanism, do you have anything in mind, or could you give us some examples of what you might be looking at as an alternative?

**Assemblyman Watts:**

We are talking with the Office of the State Treasurer to look at what some of the financing options might be. In addition, Highway Funds could be used. That is not something we are contemplating because we do not want to take away from the existing monies allocated for our transportation projects. We could potentially look at using General Fund dollars, but honestly, we are looking to see what all of the options are. As soon as I have some additional information and clarity on that, I would be glad to share it with everyone.

**Assemblywoman Dickman:**

In order to access these federal funds, we really need to have something in place. Is that correct?

**Assemblyman Watts:**

That is correct. I think we can also leverage some private sector support. Again, that also requires that the state is willing to put some skin in the game. With the opportunity of that \$350 million pot of funding, a few million dollars from the state could go a long way. For individual projects, the cost really depends, maybe a couple of million dollars. If we are talking an 80 percent or greater match, the state only needs to put up a few hundred thousand dollars in order to make a multimillion-dollar project happen.

**Acting Chair Cameron (C.H.) Miller:**

Are there any other questions from the members? [There were none.] We will move into testimony in support here in Carson City.

**Thomas Morley, representing Laborers International Union of North America Local 169; and Laborers International Union of North America Local 872:**

We are in support.

**Christi Cabrera-Georgeson, Deputy Director, Nevada Conservation League & Education Fund:**

We are here in strong support of A.B. 112. As you have heard, roads and highways that intersect wildlife habitat create safety hazards for both wildlife and drivers because animals often cross roads and highways in specific spots year after year. Targeted investments in wildlife crossings can go a long way in making our roads safer. These crossing structures have shown to reduce collisions by as much as 90 percent while facilitating natural wildlife migrations and movements. We strongly urge your support on this bill by establishing and funding an account to construct new and maintain existing wildlife crossings. We can save wildlife lives, save human lives, and save the state money. [Written testimony was also received [Exhibit I](#).]

**Annette Magnus, Executive Director, Battle Born Progress:**

We are here today to show our support for A.B. 112. This bill is actually very personal to me as well. In July 2022, my husband and I were on the East Coast for our annual national park trip that we take every summer. A deer jumped over the guardrail and landed on top of our hood. We were in a small rental car on the highway right outside of New River Gorge National Park & Preserve in West Virginia.

This experience was traumatizing and it cost us a lot of money, but it also cost the deer her life. We were in a rural area with little cell service and the car was completely totaled. We were stuck on the side of the road in a rural area with no cell service for over eight hours in the rain with no help from the rental car company. There were zero crossings for animals in the area, which from all of my research on this bill could have prevented that accident altogether. We are still dealing with our insurance and the rental car company to this day.

Not only have I been impacted by this issue, but our organization has always been a champion of outdoor recreation. Nevada has endless opportunities for people to get outdoors, and our wildlife are a significant part of the attraction across our state. Nevada must create a comprehensive plan to maintain, enhance, and restore critical migratory routes for our wildlife. The more open space and intact habitat we have for wildlife, the healthier their populations will be and the more our outdoor recreation economy will thrive. We urge you to pass A.B. 112 and protect our wildlife and our humans.

**Rebecca Goff, Nevada State Director, The Humane Society of the United States:**

On behalf of our Nevada members and those of our partners, The Humane Society Wildlife Land Trust, we offer our support of A.B. 112. Habitat laws and fragmentation threaten countless wildlife species. The growing U.S. population means more development, more deforestation, and less wild and open spaces. Even lands remaining undeveloped will become increasingly fragmented by infrastructure developments. Roads are a major mortality factor for wildlife populations residing in fragmented habitats.

These shrinking wildlife habitats are also increasingly disconnected from one another, reducing species' movement and dispersal. This poses a major threat to the long-term survival of wildlife populations that require migration to access necessary resources and increases the potential for inbreeding as a result of genetic restriction.

Vehicle collisions with wildlife are also expensive to society, including the monumental toll of human injuries, fatalities, and property damage. Other costs include the suffering of injured animals, the funds to care for them by nonprofit organizations, the loss of expenditures involved in conservation efforts of the threatened or endangered species, government costs for the cleanup and disposal of tens of thousands of animal carcasses, and the cultural loss to those who value Nevada wildlife.

We therefore thank the Committee for the introduction of A.B. 112 to create the Wildlife Crossings Account and address this urgent need. We ask for you to approve this important measure. [Written testimony was also submitted [Exhibit J.](#)]

**Carl Erquiaga, Nevada Field Representative, Theodore Roosevelt Conservation Partnership:**

I want to thank you for this opportunity to testify in support of A.B. 112. I am a lifelong Nevadan. The Theodore Roosevelt Conservation Partnership represents over 3,000 individuals in Nevada, and our mission is to guarantee all Americans quality places to hunt and fish.

A whole bunch of my testimony was about the \$350 million. I will not be repetitive, as I know you all heard it. I would like to thank Assemblyman Gurr for bringing up his personal endorsement. I knew you would be a subject matter expert living in Elko County, and I appreciate your saying that.

Suffice it to say, when properly located, highway crossings save lives, both human and wildlife. Research has shown that since construction was completed on these crossings in Elko County, nearly 10,000 mule deer are kept off those roads annually, saving lives. Not only do these crossings provide safe passage for wildlife on their way to and from important winter range, they also reduce accidents, property damage, and save human lives.

I respectfully ask you to take action to ensure the safety of our state's wildlife and the safety of those who travel our roads by passing A.B. 112 with the amendment language.

**Tina Nappe, Private Citizen, Reno, Nevada:**

I am from Nevada, and I have not hit a deer, but I did once hit a cow. I know there can be damage when that occurs. I am requesting that you support this legislation, including the full authorization of \$15 million in the State of Nevada budget to access federal funds and underwrite the projects as they are identified and needed as a result of vehicle/big game accidents.

Overpasses created to provide safe passage for primarily big game, like deer and pronghorn, have proven in Nevada and other states to benefit both motorists and wildlife and significantly reduce casualties. With the growth of our population within the state, motorists crossing the state, and more and more highways, safety has to be a major concern to minimize accidents, avoid tragedies, and reduce the need for highway patrol, hospital care, and other injuries, as well as vehicle costs related to hitting big game.

I use U.S. Highway 395 to Susanville often and I have always been appreciative of the underpasses available for wildlife. It does allow one to go a lot faster with some comfort. I do not want to be hit again. I am very much in favor of this legislation. I hope you will approve it here and those of you on the fiscal committee will approve it there.



**Tom Clark, representing Nevada Outdoor Business Coalition:**

We are a coalition of about 60 businesses that support all things in outdoor recreation. Of course, when a bill like this comes along, we have no choice but to support it because for our visitors, our guests, and me as a native Nevadan, the worst thing to see on the side of the road is a majestic animal or the smallest of animals that have been hit. My father was a highway patrolman who worked the state from tip to tip. He would show us pictures of the vehicles that were lost, especially between Tonopah and Las Vegas, and Tonopah and Hawthorne, when someone hits a large animal. At times, there is no one to provide any level of support, sometimes for hours. It is a devastating loss. This is a big issue. I appreciate the sponsor bringing forward this bill. On behalf of the Nevada Outdoor Business Coalition and me, we very much support it.

**Andy Donahue, Market Representative, Laborers-Employers Cooperation and Education Trust:**

We are in support of the bill.

**Larry Johnson, President, Coalition for Nevada's Wildlife, Inc.:**

I would like to thank Assemblyman Watts and The Pew Foundation for bringing this bill forward. This is a very important piece of legislation. The Coalition for Nevada's Wildlife, Inc., represents all wildlife conservation interests here in northwestern Nevada.

Man's activities and improvements throughout the state have tremendously impacted our wildlife populations. Interstate 80 in particular and the Pequop Summit area have interrupted the migration corridor of mule deer that migrate hundreds of miles in the winter, particularly in bad winters. They stack up, waiting to cross highway corridors. The same thing happens with the Ruby Mountain deer herd, which is the largest mule deer herd in the state. They will migrate south and cross Highway 50 in bad winters trying to find areas out of the deep snow. Our highways have devastating effects on our wildlife populations.

These crossings are extremely important and as documented, particularly on the Highway 93 and Interstate 80 corridors, are used by tens of thousands of animals, saving needless fatalities, not to mention damage to vehicles and injuries to humans. We urge you to support this bill as amended. [Written testimony was also submitted [Exhibit K.](#)]

**Paul Young, representing Board of Wildlife Commissioners:**

We are here today in support of A.B. 112. We would like to thank Assemblyman Watts and the Committee for bringing this important bill. Nevada has been a leader in wildlife crossings, and we continue to move forward.

The two important points are for public safety and for the wildlife in connecting the migration corridors. We urge you to support A.B. 112.



**Glen Leavitt, Director, Government Affairs, Nevada Contractors Association:**

We represent over 450 contractors, subcontractors, and industry professionals primarily in southern Nevada. The Nevada Contractors Association supports A.B. 112 for all the previously mentioned reasons. I would be remiss if I did not mention that our contractors do an amazing job of building these wildlife crossings.

**Alexis Motarex, Government Affairs, Nevada Chapter, Associated General Contractors:**

We are happy to support this bill for the reasons already stated, provided that the money is supplemental to the State Highway Fund as the sponsor indicated and does not take from it, as it is already facing a \$500 million annual deficit that continues to grow, making it difficult to keep up with maintenance, let alone any new construction. Any help to supplement the Highway Fund is money well spent and we urge your support.

**Liz Munn, Strategy Director, Public Lands Nevada, The Nature Conservancy:**

Thank you for the opportunity to provide testimony in support of A.B. 112. The mission of The Nature Conservancy (TNC) is to conserve the lands and waters on which all life depends. In order to do this effectively, we recognize that preserving and enhancing connectivity of habitats and migration corridors is critical to maintaining the biodiversity of this state for generations to come.

As a science-based organization, our work to date to map resilient and connected landscapes in the West shows the importance of creating more permeable transportation corridors to enhance habitat connectivity. Similarly, a new TNC regionwide effort to map key migration corridors for species in response to climate change hypothesizes that there are critical pinch points for species that need careful management. We hope our work through this effort can help managers identify areas for future wildlife crossings when this fund is established and sufficiently financed.

At TNC, we also believe the most durable solutions to conservation issues are ones that meet the needs for people and nature. Constructing strategic wildlife crossings on transportation corridors does just that, meeting the needs of migrating species while protecting humans and wildlife from accidents and unnecessary deaths.

Additionally, as has been stated, this fund can provide even greater benefits, as there are opportunities right now to leverage state money with federal funds for wildlife crossings.

On a personal note, much like mule deer, my family and I make annual trips across this state. As I travel along the Interstate 80 corridor to Salt Lake City, I am struck by the unique power of these structures where crisscrossing migrations can safely coexist. I marvel at the notion of thousands of animals passing through these corridors, traveling back and forth in relative safety, and I am thankful that my family is also protected by these crossings.

If passed, this bill can build upon successful projects and continue to improve our state for the benefit of people and nature. Thank you for your time. [Written testimony was also submitted [Exhibit L](#).]

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

I want to clarify for the record that our support is based on the conceptual amendments [[Exhibit G](#) and [Exhibit H](#)] that were proposed. I signed up in opposition because I thought that is how the rules may work. However, we are supporting the conceptual amendments, especially the second one that was mentioned [[Exhibit H](#)]. We have policy that says when fencing traditional grazing allotments, we need to make sure we take into account the necessary arrangements on grazing permits and that sort of thing. As we are constructing these wildlife crossing facilities, we want to make sure there is coordination with the ranchers to protect their livestock in the process.

**Steve K. Walker, representing Eureka County:**

Like Mr. Busselman, I am also guilty of signing in in opposition, thinking I had to wait until the amendment was presented. Eureka County is in support with the amendment that addresses livestock operations on private lands [[Exhibit H](#)]. Eureka County does support this bill. I would ask the secretary to correct my X on the sign-in sheet.

**Davy Stix, Member, Nevada Cattlemen's Association:**

I want to ditto. We support it with the amendment.

**Acting Chair Cameron (C.H.) Miller:**

That looks like all we have in Carson City for support testimony. Is there anyone in Las Vegas wishing to provide support testimony? [There was no one.] Is there anyone on the phone line wishing to provide support testimony for [A.B. 112](#)?

**Taylor Patterson, Executive Director, Native Voters Alliance Nevada:**

Native Voters Alliance Nevada stands in support of [A.B. 112](#). Like our communities, the creatures indigenous to Nevada have been pushed into small areas due to development. They have been forced to reckon with losing more and more of their landscape. They deserve to move freely through the state. While protecting animals, this bill will also keep those of us traveling safe as well. Wildlife collisions, as many of you have testified to, can be deadly. I urge the Committee to support this bill to protect all Nevadans, those on two legs and those on four.

**Amber Falgout, Private Citizen, Reno, Nevada:**

I am calling in support of [A.B. 112](#). I was born and raised in northern Nevada, and I have witnessed firsthand the need for wildlife crossings. As our cities and towns grow, we have to prioritize the wildlife that is essential to our state. By establishing wildlife crossings, we are not only protecting our wildlife, but also protecting community members. [Assembly Bill 112](#) creates the Wildlife Crossings Account within the State General Fund and would oversee standards for incorporating wildlife crossings into highway infrastructure. This will assist our migratory wildlife in crossing highways safely. This helps protect the wildlife, but also

residents from costly accidents should a deer try to cross the highway. This is an all-too-true issue that I have witnessed firsthand as a child. That is why I am here today, to show my support for A.B. 112. I urge the Committee to pass this bill.

**Acting Chair Cameron (C.H.) Miller:**

Are there any other callers waiting on the phone to testify in support? [There was no one.] We will move on to testimony in opposition. If there is anyone in opposition in Carson City or Las Vegas, please come to the table. [There was no one.] Is there anyone in opposition waiting on the phone? [There was no one.] We will move to testimony in neutral. Is there anyone in Carson City wishing to provide neutral testimony?

**Cody Schroeder, Mule Deer Staff Specialist, Game Division, Department of Wildlife:**

The Department of Wildlife has taken a neutral stance on A.B. 112, the proposed legislation pertaining to wildlife crossings in Nevada. Across North America, expanding highway infrastructure and increased vehicle traffic have fragmented movement corridors for a variety of wildlife species and created safety conflicts with motor vehicles. More recently, the use of wildlife crossings has helped mitigate safety risks to motorists and restore habitat connectivity.

According to a recent report published by the Mule Deer Working Group of the Western Association of Fish and Wildlife Agencies, vehicle collisions exclusively involving mule deer and whitetail deer in the Western United States cost a minimum of \$1.8 billion and involve about 200 human fatalities each year. Highways, increasing traffic volume, and speed limits impose several impacts on wildlife, including direct mortality, physiological stress, habitat fragmentation, and a loss of access to crucial seasonal ranges.

The construction of wildlife crossings and associated infrastructure in areas with high incidences of deer/vehicle collisions or conflicts immediately reduces collisions with deer in the use of these crossings. With other species, it is likely to further reduce risk to motorists and wildlife.

In 2018, the Nevada Department of Transportation completed a series of wildlife crossings on associated infrastructure across U.S. Highway 93 north of Wells, Nevada, and across Interstate 80 along Pequop Summit east of Wells to minimize deer/vehicle collisions along with a migration corridor for mule deer. A variety of other wildlife species have been documented to use these crossings, including elk, moose, carnivores, livestock, and the first-ever documentation of a pronghorn using an overpass in North America.

During a four-year study, Nova Simpson and others documented about 4,500 animals annually were estimated to use these structures along U.S. Highway 93 during the fall and spring migration periods. Further, and probably most importantly, and it has been stated before—annual wildlife/vehicle collisions were reduced by up to 90 percent within the targeted migration corridor. [Written testimony was also submitted [Exhibit M](#)].

**J.J. Goicoechea, Director, State Department of Agriculture:**

First, I want to thank Assemblyman Watts and the proponents for working with us diligently over the last couple of days to come to an agreement on an amendment. We are neutral on this bill as a state agency, but we very much support the amendment where NDOT and NDOW shall consult with grazing permit holders and adjacent private landowners where wildlife crossings would be located to avoid or mitigate impacts on livestock management or private land use. Again, I want to personally thank Assemblyman Watts for that amendment.

**Acting Chair Cameron (C.H.) Miller:**

Seeing no one else waiting to provide neutral testimony in Carson City or Las Vegas, is there anyone waiting on the phone to provide neutral testimony? [There was no one.] Would the sponsor of the bill like to make any closing remarks?

**Assemblyman Watts:**

Thank you for your time and consideration of the measure today. I want to thank partners in the agricultural community, including the State Department of Agriculture, for working with us to strengthen some of the language and make sure the planning and development of these projects include all of the stakeholders. I am glad we were able to get that on the record under the wire as a friendly amendment so they did not have to testify in opposition.

I am disappointed that none of the Committee members asked if this funding would be used to improve the stripes on the crosswalks in Carson City that our deer seem to use to get around town. I am extremely excited about this opportunity we have to create a fantastic program, to partner with community members and nonprofits and harness federal funding to do something that is a huge benefit to our wildlife, to drivers on our roadways, and to the economy as well. I respectfully ask you all to support A.B. 112.

[[Exhibit N](#) and [Exhibit O](#) were submitted but not discussed.]

**Acting Chair Cameron (C.H.) Miller:**

I will close the hearing on A.B. 112 and return the gavel to Assemblyman Watts, even though he did not let me bang it.

[Assemblyman Watts reassumed the Chair]

**Chair Watts:**

Thank you, Assemblyman Miller, I appreciate your following the direction of the Committee while you held the gavel. Members, that brings us to the last item on the agenda today, which is public comment. Is there anyone in Carson City or Las Vegas wishing to make public comment? [There was no one.] Is there anyone waiting on the phone who wishes to provide public comment? [There was no one.]

Our next meeting will be on Tuesday, March 14, 2023. We will be hearing one bill and we will have a work session. Please check out the agenda, review those bills, and look out for our work session documents prior to the meeting.

This meeting is adjourned [at 3:13 p.m.].

RESPECTFULLY SUBMITTED:

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Kathy Biagi  
Recording Secretary

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Lori McCleary  
Transcribing Secretary

APPROVED BY:

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Assemblyman Howard Watts, Chair

DATE: \_\_\_\_\_

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a copy of a PowerPoint presentation titled "A.B. 63 Interstate-80 Safety Corridors," presented by Austin Osborne, County Manager, Storey County, and Clayton Mitchell, Vice Chair, Storey County Board of County Commissioners.

[Exhibit D](#) is a proposed amendment to [Assembly Bill 63](#), submitted by Helen Foley, representing Storey County.

[Exhibit E](#) is written testimony submitted by Lee Sterrett, Private Citizen, Virginia City, Nevada, in support of [Assembly Bill 63](#).

[Exhibit F](#) is a copy of a PowerPoint presentation titled "Funding for Wildlife Crossings in the Infrastructure Investment and Jobs Act," presented by Anna Wearn, Director of Government Affairs, Center for Large Landscape Conservation, regarding [Assembly Bill 112](#).

[Exhibit G](#) is a proposed conceptual amendment titled, "AB 112 Conceptual Amendment," submitted by Assemblyman Howard Watts, Assembly District No. 15.

[Exhibit H](#) is a proposed conceptual amendment titled, "AB 112 Conceptual Amendment #2," submitted by Assemblyman Howard Watts, Assembly District No. 15.

[Exhibit I](#) is written testimony dated March 8, 2023, submitted by Christi Cabrera-Georgeson, Deputy Director, Nevada Conservation League & Education Fund, and signed by 16 advocacy groups in support of [Assembly Bill 112](#).

[Exhibit J](#) is written testimony dated March 9, 2023, submitted by Rebecca Goff, Nevada State Director, The Humane Society of the United States, in support of [Assembly Bill 112](#).

[Exhibit K](#) is written testimony dated February 27, 2023, submitted by Kyle Davis, President, Coalition for Nevada's Wildlife, Inc., in support of [Assembly Bill 112](#).

[Exhibit L](#) is written testimony submitted by Liz Munn, Strategy Director, Public Lands Nevada, The Nature Conservancy, in support of [Assembly Bill 112](#).

[Exhibit M](#) is written testimony presented by Cody Schroeder, Mule Deer Staff Specialist, Game Division, Department of Wildlife, in neutral for [Assembly Bill 112](#).

[Exhibit N](#) is written testimony dated February 28, 2023, submitted by Jermareon Williams, Government Affairs Manager, Western Resource Advocates, in support of [Assembly Bill 112](#).

[Exhibit O](#) is written testimony submitted by Molly Beaupre, Co-Chair, Policy Committee, Backcountry Hunters and Anglers Nevada, in support of Assembly Bill 112.