

**MINUTES OF THE  
SENATE COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Eighty-second Session  
May 29, 2023**

The Senate Committee on Growth and Infrastructure was called to order by Chair Dallas Harris at 2:34 p.m. on Monday, May 29, 2023, in Room 2144 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Dallas Harris, Chair  
Senator Julie Pazina  
Senator Scott Hammond  
Senator Ira Hansen

**COMMITTEE MEMBERS ABSENT:**

Senator Pat Spearman, Vice Chair (Excused)

**GUEST LEGISLATORS PRESENT:**

Assemblyman Howard Watts, Assembly District No. 15

**STAFF MEMBERS PRESENT:**

Kristin Rossiter, Policy Analyst  
Jessica Dummer, Counsel  
Paula Peters, Committee Secretary

**OTHERS PRESENT:**

Christy Cabrera-Georgeson, Deputy Director, Nevada Conservation League  
Rebecca Goff, The Humane Society of the United States  
Tom Clark, Nevada Outdoor Business Coalition; MedX AirOne  
Annette Magnus, Battle Born Progress  
Kyle Davis, Coalition for Nevada's Wildlife

Senate Committee on Growth and Infrastructure  
May 29, 2023  
Page 2

Kennedy McKinney, The Pew Charitable Trusts  
Mike Scott, Deputy Director, Nevada Department of Wildlife

CHAIR HARRIS:

I will open the hearing on Assembly Bill (A.B.) 112.

**ASSEMBLY BILL 112 (2nd Reprint)**: Establishes provisions relating to wildlife crossings. (BDR 35-340)

ASSEMBLYMAN HOWARD WATTS (Assembly District No. 15):

Assembly Bill 112 was introduced at the request of the Joint Interim Standing Committee on Natural Resources. The bill creates a Wildlife Crossings Account in the State and appropriates \$5 million from the General Fund to support that Account. The Account can accept gifts, grants and other donations.

Section 2, subsection 4, lays out that the

Money in the Account must be used by the Department for the design, construction, identification, restoration and protection of wildlife crossings and other related highway features to improve wildlife permeability in this State.

Additional details are provided in paragraph (a) which include “matching any federal money.” This is a priority, identifying opportunities to take advantage of and compete for federal funding available from the Infrastructure Investment and Jobs Act passed in 2021, where \$350 million has been allocated to the Wildlife Crossings Pilot Program.

Several states, including our neighboring states, have started programs and allocated funds for these efforts. Nevada has historically led on wildlife crossings by developing some incredible projects. This is a unique opportunity to use general funds; the State is not pulling any resources away from our existing roadway projects. We need to position the State to seize this opportunity over the next few years while this \$350 million is available. Normally, these types of highway projects have an 80/20 federal match but because of Nevada's high share of public lands, it is a 95/5 federal match.

Whether it is these competitive funds or other federal transportation funds, this allows the State to leverage up to \$95 million in federal funding to accelerate

the deployment of projects across the State. We do have significant needs, whether it is assisting our mule deer population or building culverts for tortoises to cross. There are a lot of benefits we can see from these types of projects.

There are costs to our community of not doing this. If there is a collision, it can cause injuries or death to motorists on the roadway. Also, there are vehicle repair costs, increases in insurance rates, and expenses for collision response and cleanup. A loss of wildlife has a negative effect for big game animals and an impact to sportsmen as well. Finding actions that the State can take to improve public safety is critical.

There have been multiple estimates on the costs. Two studies came out in 2021. The more conservative numbers estimate \$8,000 in costs per collision with a deer, \$22,000 per collision with an elk and \$40,000 per collision with a moose, all three species we have in Nevada.

This is a great opportunity to augment the resources and projects in our State that have a mutual benefit of improving public safety on our roadways while also improving wildlife corridors and migration.

CHRISTY CABRERA-GEORGESON (Deputy Director, Nevada Conservation League):  
We support A.B. 112. This is a huge problem in the State. The Nevada Department of Wildlife (NDOW) estimates over 500 of these collisions are reported each year, and this does not include collisions not reported. Those collisions cost the State about \$20 million, but that number is probably far greater. The State can access significant federal funds by passing A.B. 112 and save wildlife, human lives, and some money for the State.

REBECCA GOFF (The Humane Society of the United States):  
On behalf of our Nevada members, partners and the Humane Society Wildlife Land Trust, we support A.B. 112. Habitat loss and fragmentation have threatened countless wildlife species. The growing U.S. human population means more development, more deforestation, and less wild and open spaces. Even lands remaining undeveloped will become fragmented by infrastructure developments. Roads are a major mortality factor for wildlife populations in fragmented habitats. Those 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 in-breeding because of genetic restriction.

Vehicle collisions with wildlife are expensive to society including the monumental toll of human injuries, fatalities and property damage. Other costs include the suffering of injured animals; funds to care for them often come from nonprofit organizations. Expenditures involved in conservation efforts are threatened for endangered species. Finally, there are the government costs for cleanup and disposal of tens of thousands of animal carcasses and cultural losses to those who value Nevada's wildlife.

TOM CLARK (Nevada Outdoor Business Coalition; MedX AirOne):

The Nevada Outdoor Business Coalition supports and promotes all things in the outdoors. MedX AirOne is the fixed-wing medical helicopter transport system in rural Nevada for places like Elko, Battle Mountain and others. They see the devastation that happens when a car traveling at 80 miles an hour hits a moose, deer or someone swerves their car into oncoming traffic to avoid hitting wildlife. It is devastating and they do not want to make those transports. Assembly Bill 112 will help, and we support it.

ANNETTE MAGNUS (Battle Born Progress):

This bill is personal for me because in July 2022, my husband and I were on the East Coast for our annual national park trip. A deer jumped over the guardrail and landed on the hood of our small rental car on the highway. This experience was traumatizing and costly to us, but it also cost the deer her life. We were in a rural area with no cell service and the car was totaled on the side of the road in the rain for over eight hours with no help from the rental car company.

There were zero crossings for animals in the area. From all my research, A.B. 112 could have prevented the accident altogether. My husband and I are still dealing with our insurance and the rental car company to this day. The Battle Born Progress organization has been a champion for outdoor recreation and this bill is a priority bill for the Session. Nevada has endless opportunities for people to get outdoors, and our wildlife are a significant attraction across the State. Nevada must create a comprehensive plan to maintain, enhance and restore critical migratory routes for wildlife. The more open space and intact habitats we have for wildlife, the healthier their populations will be, and the outdoor recreation ecosystem will thrive. We support A.B. 112.

KYLE DAVIS (Coalition for Nevada's Wildlife):

We support A.B. 112. Nevada has been a leader on wildlife crossings, and they are proven to work and save wildlife and human lives.

KENNEDY MCKINNEY (The Pew Charitable Trusts):

We support A.B. 112. Nevadans understand that wildlife crossings are essential for the conservation of lands and wildlife.

MIKE SCOTT (Deputy Director, Nevada Department of Wildlife):

The Department is neutral on A.B. 112 pertaining to wildlife crossings in Nevada. Across North America, expanding highway infrastructure and increased vehicle traffic has fragmented movement corridors for a variety of wildlife species and created safety conflicts with motor vehicles.

More recently, the use of highway crossings has helped mitigate safety risks to motorists and restore habitat connectivity for wildlife. According to a report published by the Mule Deer Working Group in 2015, vehicle collisions exclusively involving mule and whitetail deer in the western U.S. costs about \$1.8 billion and 200 human fatalities each year. Highways and increasing traffic speed limits imposed several impacts on wildlife including direct mortality, physiological stress, habitat fragmentation and the loss of access to crucial seasonal ranges. The construction of wildlife crossings and associated infrastructure in areas with high numbers of vehicle encounters immediately reduces collisions with deer and use of these crossing structures by other species is likely to further reduce risk to both motorists and wildlife.

In 2018, the Nevada Department of Transportation (NDOT) completed a series of wildlife crossings and associated infrastructure across U.S. Highway 93 north of Wells, and across Interstate 80 along Pequop Summit east of Wells to minimize deer-vehicle collisions along the migration corridor. A variety of other wildlife species have been documented using these crossings, including elk, moose, carnivores, livestock and the first documentation of Pronghorn antelope using an overpass in North America. During a four-year study, about 4,500 individual deer were estimated to use the structures along Highway 93 during the fall and spring migration periods. Further, the wildlife-vehicle collisions were reduced by up to 90 percent within the targeted migration corridor.

SENATOR HANSEN:

Why is NDOW neutral on A.B. 112? Is there a requirement that State agencies cannot be in favor? In your testimony, this is a great deal for Nevada and its wildlife. The Nevada Department of Wildlife has the records of the two crossings.

CHAIR HARRIS:

It is common for State agencies to be in neutral and, at times, they express concerns about a bill in neutral. Then, at times, they are aggressively neutral and in support. I do not think his behavior is any different than some of our other State agencies. It is probably an agency-by-agency determination.

SENATOR HANSEN:

We had a discussion earlier about the crossing on Highway 93 north of Wells. We came up with about 30,000 deer over a four-year window, but you mentioned only 4,500 deer. That is one of the major migratory corridors from northeastern Nevada down into Goshute and Pequop Summits.

MR. SCOTT:

Yes. That might be a misprint or one crossing season. We have cameras on those crossings to use for classifying animals, rather than using a helicopter. We look at the pictures and determine buck, doe, fawn or other wildlife in that area.

SENATOR HANSEN:

That takes a lot of the guesswork out, and a win-win all the way around.

ASSEMBLYMAN WATTS:

I believe for an agency to take an official position on a bill, it has to be signed off by the Office of the Governor. Senator Hansen, if you like, you can take it up with them. But at this point in Session, I am willing to forego a position from the agency and we can get straight to the signature.

CHAIR HARRIS:

I will close the hearing on A.B. 112 and open our work session.

KRISTIN ROSSITER (Policy Analyst):

Assembly Bill 112 was heard today, May 29, 2023, and establishes provisions relating to wildlife crossings by creating the Wildlife Crossings Account. The State General Fund appropriates \$5 million to the Account. The director of

NDOT must administer the Account, which is to be used to design, construct, identify, restore or protect wildlife crossings and other related highway features.

This measure requires NDOT and NDOW to consult with holders of grazing permits and private owners of land adjacent to any potential locations for wildlife crossings and related highway features to avoid or mitigate any impacts on livestock management or uses of private land. Assembly Bill 112 requires NDOT in consultation with NDOW to develop, publish and update an inventory of connectivity needs in the State highway system where the implementation of wildlife crossings and other related highway features will improve permeability for wildlife, reduce wildlife vehicle collisions or enhance wildlife connectivity.

SENATOR PAZINA MOVED TO DO PASS A.B. 112.

SENATOR HANSEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

Remainder of page intentionally left blank; signature page to follow.

Senate Committee on Growth and Infrastructure  
May 29, 2023  
Page 8

CHAIR HARRIS:

I adjourn the Senate Committee on Growth and Infrastructure at 2:54 p.m.

RESPECTFULLY SUBMITTED:

---

Blain Jensen,  
Committee Secretary

APPROVED BY:

---

Senator Dallas Harris, Chair

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



EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster