MINUTES OF THE
SENATE COMMITTEE ON NATURAL RESOURCES

Eighty-third Session
February 25, 2025

The Senate Committee on Natural Resources was called to order by Chair Michelee Cruz-Crawford at 3:30 p.m. on Tuesday, February 25, 2025, in Room 2144 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 6 of the Nevada Legislature Hearing Rooms, 7120 Amigo Street, 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 Michelee Cruz-Crawford,
Senator Melanie Scheible, Vice Chair
Senator Julie Pazina
Senator Ira Hansen
Senator John Ellison

GUEST LEGISLATORS PRESENT:

Senator Skip Daly, Senatorial District No. 13

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Committee Policy Analyst
Daniela Cortes-Arriola, Committee Policy Analyst
Erin Sturdivant, Committee Counsel
Donna Crawford Kennedy, Committee Secretary

OTHERS PRESENT:

Alan Jenne, Director, Nevada Department of Wildlife
Jordan Goshert, Deputy Director, Nevada Department of Wildlife
Mike Scott, Deputy Director, Nevada Department of Wildlife
Larry Johnson, President, Coalition for Nevada's Wildlife, Inc.
Ashton Caselli, Northern Nevada Safari Club
Andrew MacKay, Great Basin Wildlife Conservancy
Paul Young, Partner, Tom Clark Solutions

Bryce Pollock, Nevada Chapter, Backcountry Hunters and Anglers
Julie Regan, Executive Director, Tahoe Regional Planning Agency
Scott Lindgren, Fire Chief, Tahoe Douglas Fire Protection District
Devin Middlebrook, Government Affairs Manager, Tahoe Regional Planning Agency
Becky Bell, Project Manager, Lake Tahoe Water Trail

CHAIR CRUZ-CRAWFORD:
We are going to start by hearing a presentation from the Nevada Department of Wildlife.

ALAN JENNE (Director, Nevada Department of Wildlife):
I am going to give an overview (Exhibit C) of the Nevada Department of Wildlife (NDOW). When you contemplate the Department's mission, it is the same as it has been for quite some time. It is to:

> "protect, conserve, manage and restore wildlife and its habitat for the aesthetic, scientific, educational, recreational and economic benefits of the citizens in Nevada and the United States, and to promote the safety of persons using vessels on the waters of Nevada".

When you look at the structure of NDOW, we have 278 full-time employees, and a 9-member Wildlife Commission. As far as facilities, we have approximately 120 buildings, 14 wildlife management areas and 4 hatcheries all spread across three regions. We also have a Data and Technology Services Division, Conservation Education Division, Game Management Division, Law Enforcement Division, Fisheries Management Division, Biodiversity Division and a Habitat Division.

As I mentioned, we have a Nevada Board of Wildlife Commission. The Commission is made up of nine gubernatorial appointees with three-year terms, generally with a two-term limit. It is structured so three commissioners' terms expire every year. By statute, one commissioner is designated as being from conservation, one from farming, one from ranching and one from the general public. Additionally, five of those members have to have had a hunting and fishing license in three of the four years prior to their appointment.

The Commission establishes broad policies and regulations: wildlife management; boating safety for protection; propagation; restoration; transplanting; and the introduction and management of the wildlife of Nevada. Specifically, we promote the safety of persons using property used to operate vessels on the waters of Nevada. We are also responsible for management of big and small game, upland migratory birds, fur-bearing mammals, protected game fish, unprotected birds, fish, reptiles and amphibians. We also have a county advisory board whose meetings are open to the public for input into the process.

The NDOW has a very narrow funding model; about 2 percent of our funds come from the General Fund, 52 percent are from State fees and 46 percent are from federal funds. The federal funds are excise taxes on fishing gear and hunting gear; those are noncompetitive grants. That is what helps us manage the 897 wildlife species spread across this large State—the seventh largest in the U.S. And also, there is the complexity of 85 percent of Nevada being federal lands. We are the fifth smallest wildlife agency in the nation. So, big state, a lot of species and a narrow funding model.

I want to talk about NDOW accomplishments during the interim between sessions. If you recall, we had the Cave Lake Dam that we've been working on. It was built in 1939. In 2018, we received a notice from the Office of the State Engineer highlighting the deficiencies of the dam. We were seeing leakage and we needed to address it for safety. In 2021, we began draining the lake in preparation for the restoration of the dam. We officially began that restoration in 2024. It is now complete and approximately ten feet from full. Next, we're working to rebuild that fishery. We will be bringing back the brown and rainbow trout that we had in there. We are also looking to introduce smallmouth bass into that system. That will increase the diversity of species.

Another program we often receive questions about, especially in this building, is the Urban Wildlife Program. The program addresses human-wildlife conflicts around urban areas throughout the State, mostly Reno and Las Vegas. When we look at the call volume we received in 2024, just over 5,000 calls were received and 13 percent of those were related to coyotes. Overall, we spent an estimated 3,500 hours resolving urban wildlife issues. We do multiple outreach programs to try to educate the public so they can deal with these circumstances—everything from coyotes in the spring to baby birds that fall out

of nests. We try to help people understand and then be able to solve the problem themselves.

Folks do not often associate boating enforcement and education with NDOW. Our game wardens serve as the DMV and the Nevada Highway Patrol of the sea. We have one of the smallest forces of game wardens across the United States. In 2024, our game wardens had contact with over 1,800 vessels and assisted 81 of them. You may remember some of the past situations where we had our wardens rescue citizens in boating accidents and things like that. Our game wardens monitor activities on Nevada's waters such as crashes and those boaters who may be under the influence.

In 2024, we saw a 20 percent increase in boating education certificates. Since 2018, our boating education numbers are up 187 percent. Last year, we began offering paddle-sport classes on the water and kayak fishing classes.

Another success that folks do not often associate with the NDOW is our Habitat Restoration and Rehabilitation Program. This is something we take quite seriously because of the challenges with annual invasive species and the loss of sagebrush in Nevada. As I have mentioned before, approximately 50 percent of our sagebrush has been lost or converted due to annual grasses and wildfire. We put a lot of funding into this and work with a lot of partners. Since 2017, we have restored approximately 701,000 acres. In fact, this last year, we added another 84,000 acres to that treatment total.

When we look at it, we work on invasives, wildfire and also pinyon-juniper removal in those places where pinyon-juniper is invading sagebrush habitats. One of the important things in Nevada, as the driest State in the nation, is trying to protect and maintain our aquatic systems—riparian habitats, those vegetative areas around wet spots. We spend a lot of time trying to work on those and maintain them so the wildlife that depends on them can use them.

We have many bills going this session. We have a bill in the Assembly to clarify the game warden's ability to enforce all *Nevada Revised Statutes* (NRS) relating to governmental administration. Game wardens are categorized as peace officers and we are just trying to bring this into agreement within NRS. We're also trying to add rabies vector to our list of species so that it is illegal to intentionally feed them [coyotes]. This is going back to that urban interface in Clark County and Reno. We have situations where, within a block of each other,

we have someone feeding coyotes and on the next block over, we have coyotes biting people. We are trying to take care of that situation where people bait these coyotes into this urban interface and create problems.

Finally, the last bill we are looking at is adding language that will outlaw excrement or bodily fluids that could possibly carry chronic wasting disease. This is primarily cover scents, like you see with doe urine often sold at sporting goods stores; bow hunters use it to cover scent. The problem is that you can't determine where the cover scent came from and whether or not it actually is carrying chronic wasting disease.

SENATOR HANSEN:
What is your total budget?

JORDAN GOSHERT (Deputy Director, Nevada Department of Wildlife):
The budget that we are requesting this year and for each year of the biennium is close to $80 million. That includes boating and wildlife.

SENATOR HANSEN:
The last time I checked, you guys estimated there are about 3,000 [mountain] lions in Nevada and about 66,000 deer. Is that still accurate?

MIKE SCOTT (Deputy Director, Nevada Department of Wildlife):
I think the estimate of mule deer this year is the same as last year. It is about 8,000 deer and roughly 3,000 lions. The thing about lions is that the total number includes juvenile lions as well, so the count might be a little bit higher than 3,000.

SENATOR HANSEN:
The average lion eats about 50 deer a year—is that still accurate?

MR. SCOTT:
I do not know that that is completely accurate. A lion can eat 50 deer a year, but they also eat a lot of other things.

SENATOR ELLISON:
I see you had brown trout up there. Is that the German brown?

MR. JENNE:
Yes, they are German brown.

CHAIR CRUZ-CRAWFORD:
You requested $80 million from the State this year; traditionally, how much money do you get from the State?

MS. GOSHERT:
It is typically about 2 percent of our budget. The budget request this year was $80 million and that is 2 percent.

CHAIR CRUZ-CRAWFORD:
We will now open the hearing on Senate Bill (S.B.) 101.

SENATE BILL 101: Revises provisions relating to wildlife. (BDR 45-555)

SENATOR SKIP DALY (Senatorial District No. 13):
I would like to work from the text of the bill as drafted. Then I will go over the proposed amendment (Exhibit D); I believe you have that.

The intent behind the proposal is to bring the rules regarding the harvesting of all big game animals into alignment when it comes to the needless waste of animals. This bill will allow black bear and mountain lions to be treated the same as all other game animals in Nevada and eliminate the previously allowed practice of only taking the head and hide of bears and mountain lions.

Now, I will walk through the bill. Section 1, subsection 2, deletes the words "except a carnivore" and adds a new subsection 3 to define game "as used in this section." Section 1, subsection 3, paragraph (b) brings the language that is currently contained in the *Nevada Administrative Code* (NAC) 503.0047 into statute. Section 2 of the bill repeals NAC 503.0047 and allows the Legislative Counsel to revise the administrative code accordingly.

I believe the goal of the amendment Exhibit D is to keep the description of the edible portion of an animal in regulation rather than statute. If for some reason, the definition or description needed to change, it could be done faster and easier by regulation. Otherwise, you have to wait for the Legislature to be in session and change it in statute. I do not have an issue with the proposed amendment. I am not sure if it would allow the revision of a regulation like they are trying to

propose in the amendment, where only the portion that needs to be removed to make it work is allowed. I do not know if drafting allows that; there are other ways to handle it. We could take it out, not put it in legislation, and direct NDOW to update that regulation, or if the Legislative Council Bureau says that we can do it that way—that's fine. But, if you went to NAC 503.0047, the only portion that you would need to remove would be in section 1, subsection (a), where it says, "a big game mammal." You would need to remove "except mountain lions and black bears" from the regulation, and then we wouldn't have to put "the edible portions" in here. If legal wants to chime in, that's fine. That was the end of my presentation.

ERIN STURDIVANT (Committee Counsel):
We can't remove parts of regulation because that would be outside of our authority. There's an element of discretion that exceeds what we can do in the *Nevada Administrative Code*. So, if the Legislature passes a bill that conflicts with regulation, then it is up to the agency to adopt a new regulation, that is to revise it in accordance with the direction of the Legislature.

SENATOR DALY:
That was what I suspected was the case. I had not seen that in all the other bills and regulations. I have seen a section of regulation deleted. I do not know which way NDOW wants to go, or what the committee wants to do. If they want to delete the definition of the edible portion from the bill rather than deleting the regulation, we could give NDOW direction and give them a 60-day period to start the process to amend the regulation, to conform with their goal. I think that could be an option if legal agrees.

MS. STURDIVANT:
I am happy to work with the chair and sponsor for a consensual amendment that accomplishes your goal.

SENATOR DALY:
It is my understanding, and you can ask NDOW, if they would prefer to leave the language in regulation about the edible portion. I'm happy to answer your questions.

SENATOR HANSEN:
I actually think it is kind of funny. You know, one of the big issues in this presidential cycle was whether or not in America we eat dogs and cats. I got a

Democrat introducing a bill that is going to do exactly what President Trump said was going on in America. We're going to actually legalize eating felines, not only make it legal but mandatory if you kill one of them. So, I got a kick out of that.

In all seriousness, look, if people want to eat felines, in this case, mountain lions, I have no problem with that. The problem I have with the bill is you guys are making it mandatory. I mean, the idea of taking the meat off of big game animals is to eat it, and not everybody in America wants to eat cats, and that is what a mountain lion is—a big one. It might taste good, but it is still a feline.

SENATOR DALY:
The bill does not require you to eat anything. It just requires you to remove it from the field. If you choose to eat it, fine. If you choose not to eat it, that is fine. If you choose to donate it, do whatever, make jerky out of it, whatever you choose, but you do have to remove it from the field and eliminate the unnecessary waste.

SENATOR HANSEN:
In a typical year, there are 50 to 100 lions that are taken by NDOW animal damage control. Are they going to be required to cut the edible portions off the animals that are killed while those animals are killing sheep and livestock?

LARRY JOHNSON (President, Coalition for Nevada's Wildlife, Inc.):
Sportsmen are often criticized unfairly. Sportsmen are for "trophy hunting" and for harvesting animals with no intent to consume their flesh. All sorts of national surveys have pointed to the fact that the general public supports hunting as long as the meat is utilized. As a Native American, I have eaten bear since I could walk and I have been eating mountain lions in Nevada now for almost 60 years, and it is delicious. Absolutely. Oh, you smile; but bear meat is some of the finest meat within the State. Flavor-wise, mountain lion is the other white meat. Like pork, it turns white when you cook it—just like a pork chop.

SENATOR HANSEN:
The question was: is animal damage control going to have to take the meat?

MR. JOHNSON:
The answer is no.

SENATOR HANSEN:
Okay, thank you. Also remember the sponsor of the bill said this is not about consumption, yet you're clearly making it about consumption. As you and I both know, dogs used to be a delicacy for both Indians and mountain men in the past, but nobody in this State, that I know of, promotes eating felines or canines of any sort anymore.

SENATOR ELLISON:
How many people are killed by mountain lions during a year?

MR. JOHNSON:
Mountain lion attacks are uncommon. There was a young man, just on the west side of the Sierras, who was killed last March by a lion while up in the mountains near Auburn. I believe there was another lady who was killed by a lion last year, also somewhere on the west slope of the Sierras. There was a teenage girl who was attacked in the Virginia foothills last year. But those are increased frequencies from what we normally see. If there is a recorded incident of human mortality from mountain lions in Nevada, I am not aware of it.

SENATOR ELLISON:
We shoot coyotes and anything that is trying to kill our cattle, which is common. So, if I shoot a mountain lion that is trying to kill our calves, you want me to take that mountain lion, gut it out, take it to the ranch and cook it? That ain't going to happen. My brother lost two calves the other day because of coyotes. What if that was your daughter or son or whatever jogging and you kill that mountain lion because it killed your family? Are you going to take it home and eat it? Come on. Predators are predators and that is what mountain lions are—predators. We tipped a cattle truck over one night and when we did, we were covered with blood—horse blood, our blood—everything. Going back to camp, we had a mountain lion tracking us all the way. So, that is why we have that law that says if you are a bowhunter, you can carry a handgun. It is because of that reason. I think that is where you got predators in the bill, they should not be considered as part of the bill. If you get a tag, that is one thing, you should probably take the whole animal. But when people are protecting livestock or children—that's a whole different story.

SENATOR DALY:
No one's going to say that you do not have the right to defend yourself, your kids or whatever. The cattle situation, you would have to submit that

determination to NDOW as to whether or not that was the legal taking of that animal.

You do have to get a tag for both bear and mountain lions in Nevada in order to legally kill them. So, I think you are trying to mix apples and oranges there. You can have your opinion on that, but in order to legally take it, you have to get a tag, and you are going out with that intent. And, we are saying that you have to then clear the edible portions of the animal from the field. That's what the law said. And to put bears and mountain lions on the same plane as all of the other game animals in the State is the goal of the bill. It's as simple as that.

SENATOR ELLISON:
Are you telling me I can't protect family or livestock if a mountain lion is attacking them? Then there's something wrong with our system.

SENATOR DALY:
I did not say that. Your self-defense is a separate issue.

SENATOR ELLISON:
This is a part where there's a difference between protection and survival and predators. Once a mountain lion starts getting a taste of blood, they are going to come. And I have seen horses killed, lambs killed, cattle killed and that is when the mountain lions are hungry. They are hungry!

SENATOR DALY:
That is not the point of the bill. I think I've answered the question.

SENATOR SCHEIBLE:
It is currently legal to take the meat from a bear or a lion, right?

SENATOR DALY:
You're just not required to. Trophy hunters could just take the head, or the paws on bears—that kind of stuff—and leave the rest.

SENATOR SCHEIBLE:
With this change, if somebody were to take the meat, but they did not want to consume it, what would be their lawful options for disposing of it?

SENATOR DALY:
You can't force people to eat it.

MR. JOHNSON:
You can give it to friends; you can donate it to the Salvation Army or any of the charitable organizations. I was a 30-year director of Nevada Bighorns Unlimited and one of our big auction items was game feed. The directors would donate various types of wild game, and the chefs would prepare a gourmet meal for 50 people to the successful bidder. Year after year, those chefs asked me specifically for mountain lion meat. It was the hit of the entire banquet. Not only is it delicious, but it was also somewhat of a novelty.

SENATOR SCHEIBLE:
It sounds like you are saying that there is an appetite, if you will, for mountain lion meat. But we are just not encouraging sports people and hunters to go into the field, shoot the animal and then drag hundreds of pounds of meat back to just throw it in the dumpster—because that seems to me to not solve any problems.

SENATOR DALY:
Most people that I know who hunt mountain lions or bears use the meat. Most people are already harvesting it. This bill would just put mountain lions and bears on the same playing field, or under the same rules schedule, as all of the other wild game.

CHAIR CRUZ-CRAWFORD:
Right now, is it required that they just have to take the head? And what other pieces are required currently?

SENATOR DALY:
You are not required to harvest the meat. You could just remove the head and the fur; or just the head; or just the fur; or just the feet—on bears mainly. But you are not required to take the rest of the edible parts of the animal. You can leave it in the field now. This bill would prohibit that practice.

CHAIR CRUZ-CRAWFORD:
So, if I went hunting right now, I could shoot an animal and just leave it there?

SENATOR DALY:
Bears and mountain lions—other animals you have to harvest.

CHAIR CRUZ-CRAWFORD:
So other than shooting an animal for the defense of your herd or whatever, why would someone not want to take that edible portion right now? What would stop them? Why do people leave that in the first place?

SENATOR DALY:
There are other game or other animals that do not have a tag and you can shoot them and leave them as you would like. But just a clarification on the game animal part—why do people only take the head or the cape? Is it their preference? That is the trophy-hunting portion of the sport. Most people who are hunting are looking for a sizable animal trophy or whatever, but they are also going to use the meat. Some people are just interested in the trophy and they leave the meat; this would no longer be allowed if this bill passes.

CHAIR CRUZ-CRAWFORD:
I do not know if you have this information now, but if we could get it later on; do we have any type of numbers of what hunters are currently taking or not taking? That would tell us how much of the animal population this bill would affect.

SENATOR DALY:
I would have to refer you to NDOW for that information. I suspect they would know how many tags are out and how many tags are filled. I do not know if they collect the information on whether or not hunters harvest the meat, but that would be a NDOW question. I certainly would not have that, or even know where to start.

CHAIR CRUZ-CRAWFORD:
No, I figured you did not have it offhand. But, if we are able to get that information, I would really like to put some numbers with that.

MR. JOHNSON:
We need to understand that NDOW has a very detailed requirement for retrieval of portions of bears and mountain lions. It has to be checked with NDOW so that they can complete their record-keeping on the number of animals, age of the animal, et cetera. So normally the skull, the pelt—whatever is taken—is

catalogued. I think they receive a seal for the mountain lions hide as well. There are requirements for retrieval of parts of those animals. And again, we are talking about sport harvest.

CHAIR CRUZ-CRAWFORD:
That sounds like the information is likely to exist. I appreciate that. Okay. It looks like there are no other questions. We will now hear testimony in support of S.B. 101.

ASHTON CASELLI (Northern Nevada Safari Club):
A good steward is someone who manages and cares for land that has been entrusted to them with responsibility and thoughtfulness. The expectation of sportsmen is to be the best example of a good steward to the natural resources and the land that we enjoy. In the practice of good stewardship, we have a majority stake in the role of ethical hunting, respecting wildlife, the environment and the law. Harvest responsibility falls under this ethical rule of thumb. Maximizing consumption of a harvested species is our ethical practice. The Safari Club supports this revision, as suggested, prohibiting the waste of animals to include edible portions of bears and mountain lions. We appreciate the thoughtfulness of these revisions and encourage all to join us on March 17 for the wild harvest brunch to enjoy some of the wild species you may not have eaten before.

ANDREW MACKAY (Great Basin Wildlife Conservancy):
The Great Basin Wildlife Conservancy was formed to promote and safeguard the integrity of the North American model of wildlife conservation. To echo what my colleague said, this is, in my opinion, a simple commonsense matter. Quite honestly, I always thought that you had to take parts if you harvest a bear. I was quite shocked to find out that you did not. By reclassifying these big game animals, it creates consistency across the board. I would encourage the committee's support of this matter. I am speaking not only as a representative for Great Basin Wildlife Conservancy, but also as fourth-generation native Nevadan, and a proud sportsman. I have been hunting my whole life; it is a passion of mine. I hope that the committee will agree with the amendment and consider passage of the bill.

PAUL YOUNG (Partner, Tom Clark Solutions):
We're here today in support of S.B. 101.

BRYCE POLLOCK (Nevada Chapter, Backcountry Hunters and Anglers):
I would like to testify in support of S.B. 101. We see this as a commonsense opportunity for hunters and anglers to continue a long legacy of self-regulation.

CHAIR CRUZ-CRAWFORD:
Since there is no testimony in opposition or in neutral of S.B. 101, I invite the sponsor to present closing remarks.

SENATOR DALY:
Just a clarification: this bill is only going to apply to people who get a tag and go out and harvest an animal. It is not going to apply to depredation or predation or any of those other categories or to the federal government. Only if you get a tag to hunt, must you remove the entire carcass of the animal.

I will follow up with NDOW to figure out how they want to handle the amendment on regulation versus statute and get back with you and legal to get this squared away.

CHAIR CRUZ-CRAWFORD:
I will close the hearing on S.B. 101 and open the hearing on S.B. 106.

SENATE BILL 106: Revises provisions relating to the operation of vessels. (BDR 43-371)

SENATOR MELANIE SCHEIBLE (Senatorial District No. 9):
I am happy to be joined by Devin Middlebrook and Julie Regan, both from the Tahoe Regional Planning Agency (TRPA) to help present S.B. 106. I was on an interim committee that was chaired by Senator Daly. It was the Legislative Committee for the Review and Oversight of TRPA and the Marlette Lake Water System, better known as the Tahoe Committee. By way of background, that committee met several times throughout the last interim, and at the final meeting the committee voted unanimously to request the drafting of what has now become S.B. 106, which is a bill to prohibit the operation of any watercraft vessel at a speed in excess of five nautical miles per hour within 600 feet from the shoreline of Lake Tahoe. In other words, it would bring the wake zone in Lake Tahoe to 600 feet around the entire lake.

While I know this is a policy committee, I would like to address the small fiscal note that was submitted by the NDOW. They are being careful in ensuring that

they have enough money to cover the cost of updating their handbooks. There's no cost for enforcement. The only cost would be if we truly cannot find a way around spending thousands of dollars to reprint a couple of manuals.

JULIE REGAN (Executive Director, Tahoe Regional Planning Agency):
Joining me today is Devin Middlebrook, TRPA Government Affairs Manager, and Scott Lindgren, the fire chief of our local Tahoe-Douglas Fire Protection District, who is going to wrap up our comments.

Last week, you heard an overview of the TRPA, our bi-state compact, our current priorities and Lake Tahoe's environmental improvement program. We are here to discuss a specific aspect of our jurisdiction; management of the shoreline of Tahoe and recreational activities on the lake.

Historically, much of the shoreline of Tahoe was privately owned. In 1971, for example, only 13.5 miles of Lake Tahoe's 72 miles of shoreline were in public ownership. That figure has more than doubled to 34 miles. Our bi-state compact directs the agency to develop plans for two areas related to the shoreline and waters of the lake. First, we must plan for the conservation of the shoreline and submerged lands. Second, we must create a recreation plan for development and use of recreation areas, including beaches, marinas and protecting the environment.

During the summer, nothing beats spending the day at the beach around the crystal-clear waters of Tahoe to boat, paddle board, kayak or use the giant inflatable flamingos that you might see on the lake. We want to ensure that people can safely access and recreate on the public beaches and waters of the lake.

Relevant to today's hearing presentation (Exhibit E) and taking us back 28 years ago, our governing board adopted a two-stroke carbureted engine ban and established a 600-foot no-wake zone from the shoreline of the lake to mitigate boating impacts to noise, safety, water quality, wildlife and fisheries. Following this adoption of the rules, the Nevada Legislature passed S.B. 510 of the 70th Session in 1999. This bill codified TRPA shoreline regulations into NRS 277.215, and the language referenced back to our own code of ordinances.

Fast forwarding a couple of decades, we've collaborated with stakeholders at the lake to update our shoreline plan and in 2018 that passed. This guides shoreline development, including marinas, piers, buoys, and recreation along the Tahoe shoreline. Our 2018 Shoreline Plan continues Tahoe's 600-foot no-wake zone. In the adoption of the updated plan, we updated the code of ordinances sections, which created an error in Nevada law—referencing our old shoreline chapter.

So, this brings us to where we are today at S.B 106. The intent of the bill is to amend NRS to match our new code sections. The requested changes would ensure that existing TRPA shoreline regulations are accurately reflected in State law, technically cleaning up the law.

In recent years, there's been an increase in popularity of paddling at Tahoe. For example, in 1997, stand up paddle boards were a rare sight on the lake. Today recreation surveys have found that paddle boarding is one of our more popular summer activities. The increase in people swimming and paddling near the Tahoe shoreline emphasizes the public safety importance of our 600-foot no-wake zone.

In researching the history and implementation of these regulations for today's hearing, we noticed that our 600-foot no-wake zone is not included in the *Handbook of Nevada Boating Laws*. This causes confusion for the public about how to safely recreate on the lake. It also hampers public safety agencies who patrol Tahoe's waters in partnership with TRPA to educate and enforce our boating laws in Tahoe.

The TRPA has a new Boating and Safety and Navigation app. If you download the app, you will see that there is a map showing the 600-foot wake zone. We are updating the app on a regular basis in order to keep the public up to date on how to safely boat on the lake.

The requested changes in S.B. 106 include the 600-foot no-wake zone be added to NRS 488.600 and adding the requested language update in existing NRS 277.215, which fix the now outdated references to TRPA shoreline code sections. This chapter contains other boating regulations and provides clarity on boating rules. This should reduce confusion and ensure consistency for all of our partners in the law enforcement community.

The TRPA has worked with many interested partners at Tahoe, including public safety agencies, boat rental companies, nonprofits and lakefront property owners to ensure clarity of boating rules at the lake. We will all be able to enjoy Lake Tahoe safely—while preserving and protecting the environmental health for the future.

SCOTT LINDGREN (Fire Chief, Tahoe Douglas Fire Protection District):
We provide one of the primary fire and rescue services on the lake—with water and fire from our rescue boat. The boat stays on the water year-round. There are other rescue boats that will come on during the season but the Tahoe Douglas boat stays on year-round. It protects the entire lake, both the California and the Nevada side for water and fire emergencies. I am also the chairman of the Lake Tahoe Regional Fire Chiefs Association.

I am here to speak in support of S.B. 106. Simply put, it is going to make it safer at the lake and safer for everybody if we can control where the paddle boards, the swimmers and everybody is.

SENATOR PAZINA:
Are we looking to amend NRS just to be in line with the current TRPA code of ordinance? Does California have this in statute as well?

MS. REGAN:
Yes, we are looking to be consistent between TRPA and Nevada, which had been done previously; we need to clean up those references. We are doing the same thing in California—working with the Legislature there to correct references so that it is uniform state to state.

SENATOR PAZINA:
How often do you see people breaking those ordinances on the lake?

MR. LINDGREN:
It actually depends on the time of year. The Fourth of July and the celebrity golf week on the Nevada side is very, very busy for us and we see lots of violations during that period of time. There's lots of enforcement by the law enforcement agencies including NDOW's boat; we work with them a lot. But we do have quite a few incidents where we have to perform water rescue year-round, especially in the summer. And to be honest, one of our biggest offenders is all the rental boats and the rental jet skis because people come and rent those

things, and they might not be really good boaters or jet skiers. Sometimes they have alcohol, and it creates lots of problems when they do not follow the rules around other people. So, lots of people running into each other and that kind of thing.

SENATOR ELLISON:
It is such a beautiful lake, so obviously you want to save it. Are there markers out there that state where you can't create waves? I see red things on the pictures; is that how you determine where the 600-foot boundary is?

DEVIN MIDDLEBROOK (Government Affairs Manager, Tahoe Regional Planning Agency):
Currently, there's not a buoy on every square inch of our shoreline. We obviously also want to preserve that scenic beauty. Just prior to this hearing, I was having a conversation with Fire Chief Lindgren about that and there are currently buoys at 200 feet around the main boat ramp at Sand Harbor, Cave Rock, Zephyr Cove and other popular ramps. We are discussing how we can work together to support making sure that the 600-foot buoys are clearly delineated in accordance with Nevada statute and Nevada law and balance that. That is also why we have our boating app that we recommend to people. It has GPS locations and shows that big red zone in those 600-foot zone. People can pull up their boating app and see exactly where they are on the lake and whether they are in or out of those 600 feet.

SENATOR ELLISON:
Do you write tickets out there, like a traffic ticket? Do you pull them over and give them a ticket—a waterproof ticket? Is it like a speeding ticket on the highway? Is that how that works?

MS. REGAN:
I will defer to the fire chief to jump in, but first, it is a wonderful question, and it is important to note for the committee that our agency, the TRPA, does not have law enforcement powers—we educate.

We have a watercraft crew that is on the lake all summer, from Memorial Day to October—and we are educating. We have signage that is held up to tell boaters to slow down, no-wake zone, et cetera. If it is an egregious violation, Steve Sweet, the compliance team manager for TRPA who manages the boat crew can get the boat registration numbers, send correspondence and we can

bring that to our governing board for a penalty-settlement discussion. That is why this bill is so important. It allows those with law enforcement powers in local jurisdictions to operate from the same set of rules, and they have more enforcement powers than we do.

MR. LINDGREN:
Obviously, Lake Tahoe is a little bit complicated with multiple agencies and five counties in two states. There are a number of law enforcement jurisdictions that all come into play. On top of that, the United States Coast Guard also has a station there, and actually has the navigable waterways responsibility. They do, however, defer a lot of the accidents, rescues, sinking boats and stuff like that to the other agencies at the lake. Most of the tickets written are for speeding, drunk driving of a watercraft and littering—that kind of stuff. But most of the time, for the no-wake zone and stuff like that, it is to educate the boaters; it is to get them to slow down and be safe, that kind of thing. We like to try to educate them first unless it is something really bad.

SENATOR HANSEN:
Of the 34 miles that are publicly owned, how much is in Nevada?

MS. REGAN:
I will get back to you on that figure; I don't want to give you bad information.

SENATOR HANSEN:
I like to learn, so that is more out of curiosity. I'm old enough to remember when Nevada, through eminent domain, got what we now call Sand Harbor. Actually, it was just before my time. In fact, most of the east shore of the lake was in private ownership. I want to find out, have you guys been using eminent domain? That's question one. But if you can get back to me on that, fine.

The other question: I know on the California side of Tahoe, the shoreline that people can legally use is halfway to the high-water mark. On the Nevada side though, because we raised the elevation artificially by six feet when they built the dam, there's apparently some questions about that. What is the legal right of the public to take a boat and go on to a shoreline that is public but at some point, is it private? Where is the public's right, on the Nevada side, to use those beaches?

MR. MIDDLEBROOK:
On the first question about the public shoreline access, you did note correctly that most of the east shore, at least the northern part of the east shore of Lake Tahoe is publicly owned and really one of the largest uninterrupted stretches of publicly owned beaches at the lake. We will follow up on the specifics for you.

For access to the lake, you rightly pointed out about the dam in Tahoe City on the Truckee River that added six feet to the lake. So, on the Nevada side, we refer to that public easement. Public access is defined as below the low water line, which is the original rim of Lake Tahoe at 6,223 feet in elevation. Anything below that elevation is owned by the State and that is where the public is allowed to go. So, in a year like now, where the lake is at 6,227.43 feet, currently, that low-water mark is covered by water. Consequently, there is nowhere on the Nevada side that people could use that public easement for public access.

And then as you said, you were correct on the California side that it is the halfway point between low water and high water.

SENATOR HANSEN:
I wonder why the difference because honestly, except in drought years, you have huge sections of what theoretically should be publicly accessible water, and beaches that touch the water that people can't use, except very wealthy people that get the opportunity to own those private lands. This has been a contentious issue for me for a long time. I think people should be allowed to use the shoreline of a public lake and in California they did it right; on our side, we have not. A lot of legal questions in that.

MS. REGAN:
I am not aware of any imminent domain actions for the shoreline and TRPA. As I mentioned, we do not have any power of imminent domain—that would be a local government. The acquisitions over time have been supported through land and water conservation fund dollars, Santini-Burton Act dollars or southern Nevada public land management with willing sellers over the period of many decades. So that is my understanding, and we will run down your other question and get back to you.

CHAIR CRUZ-CRAWFORD:
As a boater myself, with the GPS tool, is there a system in there where you have to watch it, or is there an alarm that will go off if you are heading toward the 600-foot no-wake zone? And, what if there's no service? Does it still alert you?

MR. MIDDLEBROOK:
Great question. We'll follow up with our technical team that built the app and let you know.

CHAIR CRUZ-CRAWFORD:
We will now hear testimony in support of S.B. 106.

BECKY BELL (Project Manager, Lake Tahoe Water Trail):
I am here today to state our support on behalf of paddlers for the no-wake zone ordinance and on behalf of the Lake Tahoe Water Trail Oversight Committee, which is a bi-state partnership of land managers including Nevada State parks, lakefront owners and our conservation and regulatory agencies.

The Lake Tahoe Water Trail is a TRPA lake access infrastructure and public education environmental improvement program project for non-motorized watercraft users, primarily paddlers. The Water Trail infrastructure connects designated public launch and landing sites along the 72-mile shoreline trail that includes facilities and educational way-finding signage to help paddlers to safely access and navigate our multi-use lake, learn how to prevent the spread of AIS [aquatic invasive species] and to protect the lake.

No-wake zones are a key component of our water safety education program that we call Paddlers Are Boaters Too that are targeted at visitors and residents. It promotes life jacket usage and compliance with Nevada boating and regulation rules. It is also designed to support our coast guard, NDOW and the Tahoe Fire District, water rescue division, public safety campaigns and operations. Above all, the no-wake zones help our Tahoe Basin paddle businesses and land manager partners to promote and encourage the safety benefits of staying closer to shore. Paddlers and lake users, especially beginners, can feel more confident and learn how to navigate and follow the Water Trail mapped paddle route. They can find public beaches with facilities to rest, check the weather and check their gear for aquatic invasive species, where

paddlers and users can protect the lake. Thank you for continued support of TRPA, nonmotorized boating public education and the Lake Tahoe Water Trail.

CHAIR CRUZ-CRAWFORD:
Since there are no more testifiers for S.B. 106, we will hear closing remarks.

MS. REGAN:
We appreciate the thoughtful questions of this committee, and we will make sure to run down any last-minute questions that came up during the meeting. We appreciate your continued support for Lake Tahoe.

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CHAIR CRUZ-CRAWFORD:
We have a letter in support (Exhibit F) of S.B. 106 from Gavin Feiger, policy director, The League to Save Lake Tahoe.

There is no public comment. This meeting is adjourned at 4:46 p.m.

RESPECTFULLY SUBMITTED:

_____
Donna Crawford Kennedy,
Committee Secretary

APPROVED BY:

_____
Senator Michelee Cruz-Crawford, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
	C	2	Alan Jenne, Nevada Department of Wildlife	Agency Overview
S. B. 101	D	6	Senator Skip Daly	Proposed Amendment
S. B. 106	E	15	Julie Regan Tahoe Regional Planning Agency	Bill Presentation
S. B. 106	F	23	Gavin Feiger, The League to Save Lake Tahoe	Support Letter