

ASSEMBLY ENVIRONMENT & PUBLIC RESOURCES COMMITTEE MEETING

MINUTES

DATE: Wednesday, April 16, 1975

MEMBERS PRESENT: Chairman Bremner, Messrs Jeffrey, Weise, Jacobsen, Banner, Heaney, and Chaney;

MEMBERS EXCUSED: Mr. Price

MEMBERS ABSENT: Mr. Coulter

GUESTS: See attached Exhibit "A"

Chairman Bremner called the meeting to order at 3:35 p.m. Mr. Bruce Arkel, State Planning Coordinator, testified on SCR 8, a bill directing the governor's office to study organization of agencies involved with renewable and nonrenewable natural resources. He stated that the Federal requirements are now more attuned to land use than health related aspects; that he has been working with the Department of Conservation and Natural Resources who, under this resolution, would control the enforcement arm of the State Environmental Commission and that re-organization of the various agencies involved with natural resources should be carefully studied before any changes are made. This resolution will authorize this study which should provide better administration and avoid overlapping of control. (See Exhibit "B" for Mr. Arkel's complete remarks.)

Mr. Elmo J. DeRicco, Director, Department of Conservation and Natural Resources, stated that this proposed study would ensure that each agency, the Department of Conservation and Natural Resources, Agriculture, Fish and Game and Human Resources, involved in administering basic resources, must provide the greatest efficiency in achieving its goals and objectives. (See attached Exhibit "C" for Mr. DeRicco's complete remarks.)

Mr. Roger Trounday, Director of the Department of Human Resources, spoke in favor of SCR 8, but also pointed out that adequate time must be allowed to study the various needs of the various agencies.

Mr. Glen Griffith, Director of the Department of Fish and Game, stated that he supports the intent of SCR 8; that there is a great need to define the responsibilities of the various departments.

Mr. H. R. Conrad of the Nevada Prospector's Association stated that the resolution should be amended to state that any rules and regulations promulgated by the Department of Conservation and Natural Resources should first be submitted to the various county commissions for them to accept or reject. He stated that he would submit his suggestions in writing to the Committee.

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Mr. M. Douglas Miller, president of the Miners and Prospectors Association, stated his support for the resolution and his interest in natural resources.

Mr. Weise asked Mr. Arkel his feelings about the Ways and Means Committee attempts to cut funds from the budgets of the various agencies included in this resolution. Mr. Arkel stated that he felt it would be a mistake to re-organize the agencies without a study since so many agencies are involved; he felt that there were other agencies involved in the same problem not included in this resolution which he would request to be included to be investigated at the next legislative session.

Regarding AB 620, a bill empowering the state engineer to adjudicate claims of injury to fish habitat, Assemblyman Joe Dini presented the following amendment:

3. The permit application requirement set forth by regulation of the Nevada Department of Fish and Game, issued pursuant to NRS 501.105 and 501.181 shall be of no force and effect insofar as operation under this section is concerned. If the Department determines that a fish habitat is threatened or that any proposed or actual construction or activity on a stream will be deleterious to fish, it shall deliver a certificate, asserting such determination to the State Engineer and requesting an adjudication of the matter.

Mr. Dini also stated that the logical person to adjudicate these claims is the State Engineer. He introduced Mr. Herb Roundtree of the Walker River Irrigation District who described some of the problems the District attempts to solve such as flood threats, and re-channelling of rivers diverted from main channels by sand. He described disputes arising between the Irrigation District and the Department of Fish and Game and felt that irrigation districts should have the authority to maintain their own channels and allow them to erect new channels without the interference of the Department of Fish and Game. He also agreed that the State Engineer would be the appropriate person to adjudicate problems that may arise between the agencies.

Mr. Louis Bergevin, a rancher from Carson Valley, stated that he is not sure if this resolution takes care of anyone but the irrigation districts of which they have no need in Carson Valley because the ranchers take care of their own problems. He also felt that the spring run-off was more deleterious to the fish habitat

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than re-channelling rivers and streams. He also stated that the Department of Fish and Game have "tunnel vision".

Mr. Weise asked if Mr. Bergevin felt that adding the words, "or any individual" in line 9 of Section 1, sub-section 2, would expand the intent of the resolution. Mr. Bergevin stated that he felt it would.

Mr. Bremner stated that the intent of the resolution was to insure that disputes arising between agencies be settled by "neutral hands".

Mr. Jacobsen asked Mr. Bergevin if he had ever noticed any dead fish or disturbance of fish on his property in Carson Valley. Mr. Bergevin stated that with 13 diversions of the Carson River on his property he had never seen any mass of dead fish on the banks of the river. Mr. Jacobsen also asked Mr. Roundtree if the Walker Riyer Irrigation District had ever run across dead fish and Mr. Roundtree stated that they had not.

Mr. Griffith of the Department of Fish and Game stated that he has no qualms with the bill and felt that Mr. Westergaard, State Water Engineer, would fairly adjudicate any problems that might arise. He felt that the State Environment Commission should also be recognized in this bill. He felt that the State Engineer should also adjudicate disputes arising between "water quality" people and felt this should be added to Section 1.

Mr. Weise asked if the State Environmental Commission doesn't already have authority without this being added to the bill. Mr. Griffith stated that they do and hoped that they would become active if they were specifically included in the resolution. Mr. Weise stated that he did not want any more government entities involved than was necessary. Mr. Griffith pointed out that the only appeal from decisions made under this resolution was to the courts and that the Environmental Commission should be included. Mr. Weise stated that appeals could be made to Mr. Gregory, Chief of Environmental Health.

Mr. Dini felt that the Environmental Commission is already built into the resolution and that no new language was necessary.

Mr. Jacobsen asked Mr. Griffith if the Department of Fish and Game makes "on-the-spot" judgments. Mr. Griffith stated that when an application is made, they require plans having the least deleterious effect on fish. He also stated that fish and fish habitats were inseparable except if there was some catastrophic event such

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as a flood. Mr. Heaney stated that perhaps Mr. Griffith had a valid point in requesting the inclusion of the Environmental Commission in the resolution since water quality standards are established by them.

Mr. Griffith pointed out that under Mr. Dini's proposed amendment, Fish and Game Department permit application regulations as set forth in NRS 501.105 or 501.181 shall "be of no force and effect... under this section".

Mr. Jacobsen asked Mr. Westergard if he saw any problems with the resolution. Mr. Westergard stated that he did not and that his office would develop regulations to administer it.

Mr. Roundtree stated that he had no objection to including "any individual" in the resolution.

Mr. Hewitt C. Wells representing the Wildlife Federation and Trout, Unlimited, stated that the resolution would be very helpful in granting immediate action in cases of dispute. He cited a case in point regarding the Truckee River and the many delays encountered through the courts. He stated that there are many circumstances which arise requiring immediate action such as contractors creating sediment or disturbing a stream bed. Mr. Roundtree stated that the Walker River Irrigation District obtains the permission of owners before doing any work on the rivers adjacent to private property.

Mr. Heaney, the sponsor of AJR 20 which requests the Bureau of Land Management to keep federal lands in Nevada open for public use, stated that he introduced the bill as a result of in-put and complaints he had received while campaigning; that many people he encountered indicated their desire to use federal lands and that he had heard rumors of the Bureau of Land Management closing lands to public use. He was unable to confirm the rumor with the Bureau and concluded that this simply confirmed his suspicion of federal bureaucracy. This resolution, he continued, recognizes the public right to the use of federal lands for economic productivity and recreational uses. The resolution also recognizes mining, agricultural and multiple use of land. He spoke of AB 466 which deals with the Department of Conservation and Natural Resources establishing a State Multiple Use Authority on federal lands and that AJR 20 is very consistent with these two bills, including SJR 11, already approved by both houses, which requests an increase in funds to the Bureau of Land Management to improve public lands.

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He agreed with a suggested amendment by the Sierra Club on page 2, line 4, after "feasible", add: "and consistent with the land and wildlife capabilities to absorb human use."

Mr. Doug Miller of the State Miners and Prospectors Association spoke in support of the resolution and stated that he felt the language was not strong enough. He criticized the Federal government for their domination over public lands and hoped that there would be no further land withdrawals unless they are properly surveyed to make certain that no mineral bodies are in the areas which would be taken from the state.

Mr. Bob Alkair representing Kennecott Copper and the Nevada Mining Association stated that he was in favor of both AJR 20 and SCR 8. Mr. Griffith also stated that he supports the concept of AJR 20.

Mr. Heaney next spoke on AJR 17, which would request the Department of Interior to preserve the Stillwater National Wildlife Refuge. Mr. Heaney stated that the Stillwater National Wildlife Refuge is very unique in that it has the largest marsh area in the state and that water cut-backs from the Department of the Interior are seriously affecting the area. He introduced an article "Native Marshes.." by Norm Saake of the Department of Fish and Game from DUCKS UNLIMITED, March-April, 1975 issue. (Attached as Exhibit "D")

Mr. Griffith stated that this was one of the most important nesting areas in the state and is in favor of the resolution.

Mr. Jacobsen asked if there was some way to arouse more public interest and support through sportsmens' clubs or the general public to give more emphasis to the importance of this resolution.

Mr. Griffith stated that he had spoken to the Secretary of the Interior who indicated that his office considered it more important to take care of the Pyramid Indians who "claim that the decline in the level of Pyramid Lake was brought about by wasteful diversions of water from the Truckee River..."¹

Mr. Hewitt Wells stated that he had heard of some geothermal exploration in the Stillwater area and wondered what effect it would have. He criticized the Bureau of Land Management for their lack of attention to existing problems.

Mr. Heaney read the last paragraph of Exhibit "D" which pointed out that if water is properly utilized there would be enough to go around.

¹
DUCKS UNLIMITED, March-April, 1975 issue, page 28

ASSEMBLY ENVIRONMENT & PUBLIC RESOURCES COMMITTEE MINUTES

DATE: Wednesday, April 16, 1975

Regarding SB 119, a bill which would increase fees, change notification requirements and make other revisions in the Nevada Boat Act, Mr. Griffith presented his written testimony, explaining the proposed changes. His full remarks are attached as Exhibit "E".

Chairman Bremner adjourned the meeting at 5:00 p.m.

Respectfully submitted,

PHYLLIS BERKSON, Secretary

ASSEMBLY

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AGENDA FOR COMMITTEE ON ENVIRONMENT & PUBLIC RESOURCES

Date Wed., April 16 Time 3:00 p.m. Room 214

Bills or Resolutions
to be considered

Subject

Counsel
requested*

| | | |
|--------|---|--|
| SB 119 | Increases fees, changes notification requirements and makes other revisions in Nevada Boat Act; | |
| AJR 17 | Memorializes Congress and United States Department of the Interior to declare preservation of Stillwater National Wildlife Refuge to be in public interest and deserving of immediate action to assure its continued existence; | |
| AJR 10 | Memorializes Congress, the Secretary of the Interior, the Director of the Bureau of Land Management, and the Chief of the Division of Technical Services of the Nevada Office of the Bureau of Land Management to keep federal lands in Nevada open for public use; | |
| SCR 8 | Directs governor's office of planning coordination to study organization of agencies involved with renewable and nonrenewable natural resources. | |

ASSEMBLY

AGENDA FOR COMMITTEE ON ENVIRONMENT & PUBLIC RESOURCES

Date Wed., April 16 Time 3:00 p.m. Room 212

1-327

| <u>Bills or Resolutions to be considered</u> | <u>Subject</u> | <u>Counsel requested*</u> |
|--|---|-------------------------------|
| SB 119 | Increases fees, changes notification requirements and makes other revisions in Nevada Boat Act; | |
| AJR 17 | Memorializes Congress and United States Department of the Interior to declare preservation of Stillwater National Wildlife Refuge to be in public interest and deserving of immediate action to assure its continued existence; | |
| AJR 20 | Memorializes Congress, the Secretary of the Interior, the Director of the Bureau of Land Management, and the Chief of the Division of Technical Services of the Nevada Office of the Bureau of Land Management to keep federal lands in Nevada open for public use; | |
| SCR 8 | Directs governor's office of planning coordination to study organization of agencies involved with renewable and nonrenewable natural resources; | |
| * AB 620 | Empowers state engineer to adjudicate claims of injury to fish habitat; | |

* added

*Please do not ask for counsel unless necessary.

ASSEMBLY ENVIRONMENT & PUBLIC RESOURCES COMMITTEE MEETING

DATE: Wednesday, April 16, 1975

GUEST LIST

| <u>Name</u> | <u>Representing</u> |
|-------------------|--|
| Keith Sherwood | Dept of Fish and Game |
| William Parsons | |
| Steve Robinson | State Planning Coordinator Office |
| Bruce Arkel | State Planning Coordinator |
| Elmo DeRicco | Director, Department of Conservation & Natural Resources |
| George Zapattini | Division of Forestry |
| Roland Westergard | Division of Water Resources |
| H. R. Conrad | Nevada Prospector's Club |
| M. Douglas Miller | State Miners and Prospectors Assn. |
| Roger Trounday | Department of Human Resources |
| Glen Griffith | Dept of Fish and Game |
| Hewitt C. Wells | Wildlife Federation and Trout Unlimited |
| Bob Alkire | Kennecott Copper, Nevada Mining |
| Louis Bergevin | Nevada Cattlemens Assn. |
| Tom Young | Sierra Pacific Power Co. |
| Joe Diñi | Assemblyman |
| Herb Roundtree | Walker River Irrigation District |

Testimony of Bruce D. Arkell, State Planning Coordinator, at Hearing before Environment and Public Resources Committee concerning S.C.R. 8 - April 16, 1975.

During the past several months, I worked with the Director of the Department of Human Resources, as well as the Director of the Department of Conservation and Natural Resources, in an attempt to place the staff for the State environmental programs in the Department of Conservation and Natural Resources, where the State Environmental Commission is located.

Concurrently with this, I was working with the Department of Conservation and Natural Resources concerning their renewable resource programs, which are closely allied and related to the Department of Fish and Game and the Department of Agriculture.

It became evident in the fall of 1974 that the overall structure of the Department of Conservation and Natural Resources should be examined since that department was attempting to plan, regulate and manage not only the natural resources of the state, but also some of the renewable resources, as well as some agricultural programs through the Division of Conservation Districts.

Although it was possible to have prepared the necessary legislation for introduction this session, it was our opinion that because the Legislature would not have been involved in its development, and the individuals affected by the reorganization were not involved, that step was premature. In my opinion, any legislative action taken without a study involving the affected departments and the Legislature would have pre-supposed the results.

Testimony on S.C.R. 8
by Bruce Arkell, 4/16/75
Page two

This resolution will authorize a study to examine the possibility of aligning the functions of the Departments along the lines of renewable and nonrenewable resources with the underlying goal to provide better administration, more efficient service, and prevent overlap. We anticipate that if this resolution passes, this office will be in a position to present to the next session of the Legislature not only a study, but recommended legislation to implement the goal just mentioned, if that is appropriate.

If you have any questions, I would be more than happy to answer them.

STATEMENT OF ELMO J. DeRICCO, DIRECTOR, DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES, REGARDING S.C.R. 8

Bruce Arkell, the State Planning Coordinator requested the introduction of S.C.R. 8 because of a proposal to transfer the enforcement arm of the State Environmental Commission from the Department of Human Resources to the Department of Conservation and Natural Resources.

Transferring this function to the Department of Conservation and Natural Resources would enable the Department to control both the quality and quantity of the basic resources of air, land and water.

In addition to the basic resource divisions, the Department would include the Divisions of Parks; Soil Conservation Districts; and Forestry, none of which administer basic resource programs.

The Divisions of Parks and Conservation Districts are special interest units, which poses a question of equity by including these divisions in a Department whose prime responsibility is administering basic resources. Basic resources must be administered under law with impartiality and fairness to all users and interests.

The Division of Forestry, although broad in scope, is basically a management agency and works closely with the Division of Parks and the Department of Fish and Game.

S.C.R. 8 proposes to study the organizational structures of the Departments of Conservation and Natural Resources; Agriculture; Fish and Game; and Human Resources. All state agencies encompassed by this study would be affected. The goal as defined in the

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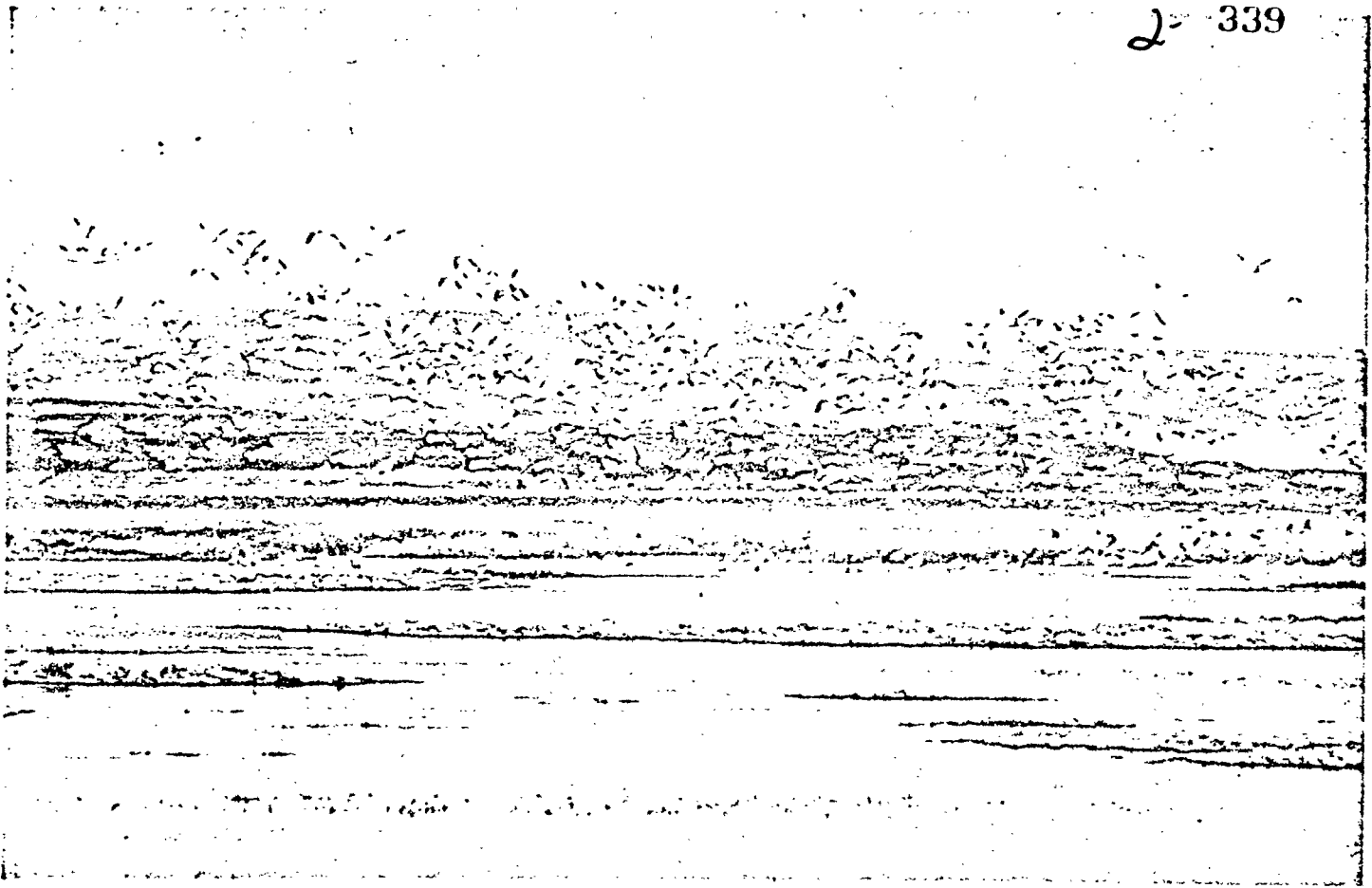
Statement of Elmo J. DeRicco, Director, Department of Conservation and Natural Resources Regarding S.C.R. 8.

Resolution would be to report the results of the study to the Governor and the 59th Session of the Nevada Legislature.

We must ensure that each agency is within a structure that will provide the greatest efficiency in achieving its goals and objectives.

This can only be done by a thorough and objective study as proposes in S.C.R. 8 and I strongly recommend its approval.

Thank you for the opportunity to appear before you. I will be happy to answer any questions you may have.



Over 90% of the snow geese which migrate through Nevada are found on the Lahontan Valley marshes. Nevada Fish and Game photo.

NATIVE MARSHES . . .

By Norm Saake
Department of Fish & Game
Fallon, Nevada

Hunters and conservationists of Nevada are presently in a desperate fight to preserve the state's most important waterfowl habitat. Decisions that will be made in the next few months will have the greatest impact upon a wildlife resource so far made in Nevada. The wetlands located in Lahontan Valley are being seriously affected by changes in water usage on the Newlands Irrigation Project, brought about by the Pyramid Lake dispute. Because of proposed new water operations to the Newlands Project, drastic reductions have been made in the amounts of water available to these wildlife areas and over 50,000 acres of wetland habitat is presently at stake.

The two most important and largest marshes in Nevada are the Stillwater

Wildlife Management Area which normally contains over 22,000 acres of prime marsh, and Carson Lake with 14,040 acres of prime marsh. Both of these extensive wetlands are native marshes, remnants of the great pre-historic Lake Lahontan, which covered much of northern Nevada. Both areas have provided habitat for large numbers of local and migrating birds long before white man ever set foot on this continent.

The problem stems from a water dispute between the Pyramid Lake Paiute Indians and the upstream water users, among them the Truckee-Carson Irrigation District, who currently manages the Newlands Project. The Pyramid Lake Indians claim that the decline in the level of their lake was brought about by wasteful diversions of water from the Truckee River to farms and ranches in Lahontan Valley. In 1969, the Pyramid Lake Task Force was organized to make investigations and recommendations

which would help stabilize the level of the lake. After two and one half years of intensive study, the Task Force recommendations were submitted and approved by the Governors of the States of Nevada and California and by the U.S. Secretary of the Interior. The Task Force recommended several improvements in the operation of the Newlands Project, which included abandonment of selected regulating reservoirs, lining large portions of several canals, automation of the irrigation system and converting sections of the project to sprinkler irrigation. It also recommended that as these procedures were implemented, the water saved would be subtracted from the Newlands Project water allotment of 406,000 acre-feet. An estimated saving of 95,000 acre-feet of water would then be diverted to Pyramid Lake. The Task Force also recommended that if these water savings caused extensive losses to Lahontan Valley's wildlife, part of the water



Typical marsh in 1974 after loss of life-giving water. Nevada Fish and Game photo

TO MAN-MADE DESERT

saved be directly allocated to the main wetland areas. The Task Force recommendations were based on the premise that the improvements would be made first and the allocation of water saved would follow.

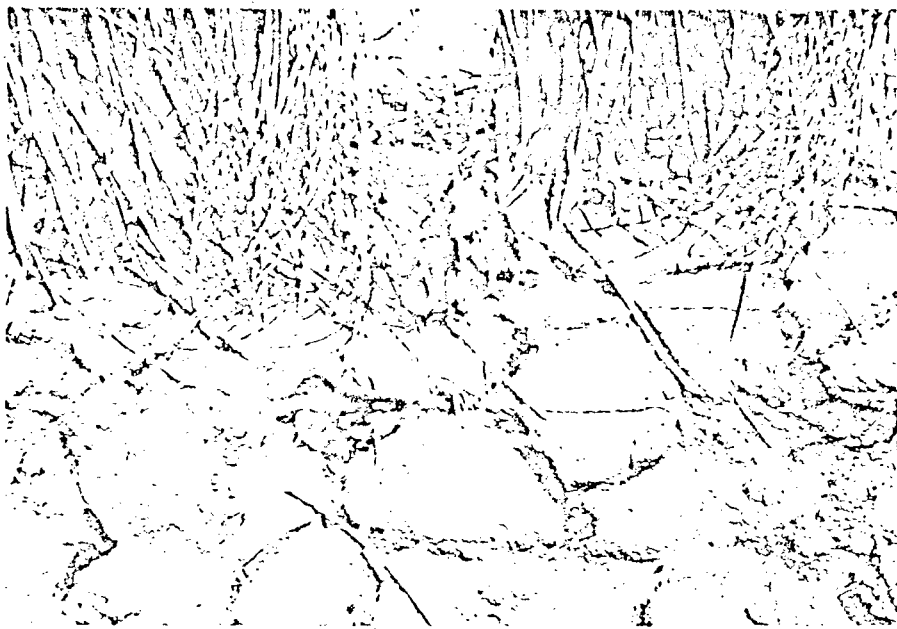
These recommendations were disregarded because in 1972 a suit entitled, "Pyramid Lake Paiute Tribe of Indians—Plaintiff, versus Rogers C. B. Morton, Secretary of the Interior, et al—Defendant (Civil Action No. 2506-70)" was filed in U.S. District Court of the District of Columbia, presided over by Judge Gerhart Gesell. On February 20, 1973, Judge Gesell handed down his decision, and issued operating criteria and procedures for the controlled operation of the Truckee and Carson River drainages. Under this action, the Truckee-Carson Irrigation District was allocated 350,000 acre-feet of water in 1973 and 288,120 acre-feet in 1974 followed by 288,000 acre-feet for each succeeding year. No provision was made for any

improvements to the irrigation system before the water cuts were made. There were also no provisions whatever to alleviate the impact on the wildlife resource caused by the cut-backs of water. Because of the Truckee-Carson Irrigation District's inability to meet the designated water reductions and still maintain its commitment to the Valley's residents, the Secretary of the Interior has given notice that the Bureau of Reclamation will take over and operate the Newlands Project under the new guidelines.

The wetland areas, up to now supplied with waste water from return flows from the Newlands Project, are the most important marsh areas found in the State of Nevada. These areas provide habitat for the largest concentrations of wildlife found within the State. During peak migration periods, over 70% of the state's ducks, 50% of the Canada geese, 90% of the snow geese and 65% of

the whistling swans are found on the Newlands Project. As mentioned previously, the Stillwater Wildlife Management Area and Carson Lake are located within the Newlands Project and are completely dependent on its many-times used waste irrigation water. Both are native marshes, totalling over 70% of the available habitat in the valley and both have continued in existence after man appropriated their upstream water sources only because of the waste water that flowed to them after man had used it repeatedly for farming.

The Stillwater Wildlife Management Area (with over 22,000 acres of marsh) was created in 1948 and is located on the old Stillwater marshes. The Management Area was created by a tri-party agreement between the Nevada Department of Fish and Game, Bureau of Sports Fisheries and Wildlife and the Truckee-Carson Irrigation District for the purpose of preserving this highly productive



Production of ducks dropped 50% at the Stillwater W.M.A. and 89% at the Carson Lake during the spring and summer of 1974. Nevada Fish and Game photo.

marsh and its splendid waterfowl population. Stillwater Wildlife Management Area is the most important area within the state in terms of habitat for nesting, resting and feeding of migratory waterfowl. In 1970, over 200,000 ducks were counted on the area during October of that year. In addition, a total of 1,500 Canada geese, 2,300 snow geese and 4,390 whistling swans were counted. Prior to disruptions and cutbacks in the water supply, over 35 million waterfowl use-days were provided.

Canvasback populations have been low for the past several years and these birds have been given added protection from hunting. These magnificent birds normally congregate in large numbers on the Stillwater Wildlife Management Area, taking advantage of the normally extensive beds of sego pondweed, one of the canvasback's favorite food plant. During past years, over 30% of the canvasbacks in the Pacific Flyway were found on this area. In 1970, 27,000 canvasbacks were counted, amounting to over 50% of the total Pacific Flyway population. Even though only about 1/2 of the water needed to maintain the Stillwater Marsh was received in 1974, there were still over 17,000 canvasbacks using this area. Because of the problems these birds are having, special consideration was given to provide as much canvasback habitat as possible. It will not be possible to maintain this type of habitat in the future under the new water allocations and this will result in the loss of another important canvasback concentration area.

Stillwater also has had the distinction of being the most important

waterfowl production area in the state, with over 15,000 waterfowl normally produced in past years, when water levels were adequate. The major species produced on the marsh were redheads, cinnamon teal, gadwalls and mallards. In fact, this area's history of production of large numbers of redheads, along with its use by migrating canvasbacks, led to the original creation of the Stillwater Wildlife Management Area and Refuge. Stillwater is the second largest production area of nongame birds in Nevada. Large number of avocets, black-necked stilts, killdeers, long-billed curlew, great blue herons, eared grebes, western grebes and Wilson's phalaropes have nested on the area annually.

Carson Lake, located at the south-east end of Lahontan Valley, contains over 14,000 acres of native marsh and is the second largest marsh in the state. One unique feature of this marsh is that the country is extremely level and very little of its water depth exceeds 15 inches; most of the marsh is covered with less than 8 inches of water. This makes the area especially desirable for both ducks and other marsh birds, which are able to easily feed over the entire area. Vegetation, rather than being restricted to the edges of the units, grows over the entire area, forming large numbers of ponds interspersed with islands of cover. This condition is ideal for both hunters and waterfowl.

Lower water receipts and poorer water quality in the past three-to-four years have caused salt concentrations to increase to the point that large areas of alkali bulrush (nutgrass) and hardstem bulrush (tule) have

died; however, there are still thousands of acres in which this form of vegetation is still surviving. 2, 341

Carson Lake provides nesting habitat for large numbers of redheads, cinnamon teal, gadwalls and good numbers of mallards, pintails and ruddy ducks. Although it is the second largest producer of waterfowl in Nevada, its principal claim to fame lies in the production of nongame marsh birds. It is one of the top producers (in the Pacific Flyway) of nongame birds such as avocets, black-necked stilts, snowy and American egrets, Wilson's phalaropes, long-billed curlew, long-billed dowitchers, snowy plovers, Forrester's and black terns, eared and western grebes and great blue herons. Normally, an estimated 20,000 marsh-associated nongame birds are produced annually.

One of the most important species which nests on the Carson Lake is the white-faced ibis, which is presently on the "threatened species" list, under undetermined status. This rookery is one of the three largest breeding colonies in the United States. It has also been important because of sharp declines in the Utah and Texas populations but until recently this colony has continued to increase. In 1973, an estimated 3,300 nests were located in this colony with over 2,980 broods and 8,940 fledglings produced. In 1974, because of very low water receipts to the marsh, the rookery was abandoned and no more than 30 young were produced. This is the first year on record that this colony has failed to nest, in large numbers, on the Carson Lake. If present trends in water shortages continue, this important breeding colony will be completely lost.

As in the case with the Stillwater Wildlife Management Area and other wetlands, Carson Lake provides habitat for large populations of waterfowl and nongame birds. The main waterfowl species present during fall and spring migrations are pintails, green-winged teal, shovelers, widgeon, gadwall and snow geese. Migrating populations, during normal water years, vary between 80,000 to 125,000 ducks and between 7,000 to 11,000 snow geese. Approximately 10 million waterfowl use-days are provided when adequate water is available. In addition to large populations of waterfowl present during migration periods, well over 100,000 nongame birds were present on this marsh at one time.

In addition to the extensive marsh located on the Stillwater Wildlife Management Area and Carson Lake,

Continued on page 38

Desert—Continued from page 30
other marsh areas within the Newlands Project include the Fernley Wildlife Management Area with over 4,900 acres of habitat, the Canvasback Gun Club with over 3,500 acres of marsh and numerous other wetlands which vary in size from 1 to 1,000 acres of habitat. In all, there are over 57,000 acres of good habitat on the project, most of which are historical native marshes, with the newer remainder created as a side benefit of the irrigation project.

In 1973, water receipts to both

Stillwater Wildlife Management Area and Carson Lake were lower than had been received in past years and some units were dry in late August. In 1974, large water cutbacks were made and, with little water reserves from 1973, conditions became critical.

By late August of 1974, 65% of the Stillwater Wildlife Management Area had dried and 90% of Carson Lake was dry. An estimated loss in duck production (compared to 1973 figures) of 50% was recorded on the Stillwater Management Area and an

88% loss was experienced on Carson Lake. When the number of young produced was compared to previous production years, the losses loom much larger. Canada goose production this year decreased approximately 40%. Waterfowl, of course, were not the only species to feel the pinch of lost habitat. The losses for most marsh associated nongame birds varied from 40% to 99% when compared to 1973 totals. Most of these species suffered losses in excess of 65%.

If 1974 had been a drought year for western Nevada, some of these reductions could have been explained as natural causes, but this was not the case in 1974. The projected spring stream flows for both the Carson and Truckee River drainages were in excess of 110% of normal and the reservoir storage on the Truckee River, which contains most of the upstream storage, was 135% of normal. Normally under such conditions the Lahontan Valley marshes would have been at optimum levels and wildlife numbers would have been plentiful. If conditions continue in the direction they are heading at present, Nevada's most important waterfowl areas will be placed in permanent man-made drought, with a projected permanent loss of over 38,000 of the 57,000 acres of wetland habitat normally present. Most of the remaining marshes will continue to deteriorate because there will be inadequate water flows to flush the high concentrations of alkali salts. This build-up will cause the loss of most important waterfowl food and cover plants. Salt concentrations have already increased with levels, on one area of Stillwater Management Area, showing concentrations twice that of normal sea water.

Many people who have worked on the water problem feel there is enough water available for both the Pyramid Lake fishery and the Newlands Project farms, with enough left over to maintain most of the major marsh areas. It is going to take a willingness to compromise on both sides, plus the expenditure of some large sums of money to update the irrigation system. If these steps are taken and an annual allocation of water is provided to preserve the quality of these prime wetland areas, then the Lahontan Valley will continue to provide habitat for hundreds of thousands of birds and mammals as it has for centuries. However, if the trend continues in its present direction, the Lahontan Valley marshes will be turned into a large, man-made desert with nothing remaining of the vast flocks of wildfowl but lingering memories. ■



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STATE OF NEVADA
DEPARTMENT OF FISH AND GAME

2- EX 343 "E"

Proposed Legislation - 1975

SUBJECT: S. B. 119 - Increases fees, changes notification requirements and makes other revisions in Nevada Boat Act.

S. B. 119 would provide an increase of \$2 for each annual motorboat registration certificate and certificate of ownership or title; consolidate the reporting period for abandonment of motorboats, change of address, and transfer of ownership of motorboats; require a fire extinguisher on all motorboats, and require an observer when a vessel is towing a water skier on any of the waters of this State.

Fee Changes

The Department of Fish and Game issues approximately 22,000 motorboat registrations annually through its boat registration desks in Reno, Fallon, Elko, and Las Vegas. In addition, applications for motorboat titles are initially processed through these facilities and the titles issued by computer through our State office.

The moneys received for the issuance of registrations and titles are used for the Department's boating safety program. This program includes the active patrol of Lake Tahoe, Lahontan Reservoir, Pyramid Lake, Walker Lake, Ryepatch Reservoir, Wildhorse, Lake Mead, Lake Mohave, the Colorado River and other waters of the State. Our primary objective is to maximize the protection of persons and property associated with recreational boating; watercraft patrols insure that motorboats are operated in a safe manner and are equipped in accordance with State laws and regulations. Accident prevention receives high priority. Wardens participate in search and rescue on a first call basis or in cooperation with local governmental agencies. In addition, wardens when on boating safety patrol - check fishing licenses, equipment and other angler activities to obtain compliance with Fish and Game Laws - the boating program is directly compatible with our wildlife program responsibilities.

Funds derived from the increased registration fees will enable the Department to maintain its current level of program activity and supplement the program at Lake Tahoe and Lahontan Reservoir.

Change in status of motorboat

Presently, there are several reporting dates varying from 5 days to 15 days, for persons to report to the Department changes in boat status. It is recommended that reporting dates for (a) abandonment of motorboats, (b) change of address, and (c) transfer of ownership of a motorboat be amended to 10 days for simplicity.

Sale of motorboat

The total value of consideration must now be provided for the sale or other transfer of a motorboat. This requirement does not serve any useful function in the registration and titling process; therefore, S. B. 119 would authorize its deletion.

Fire extinguishers

All motorboats without exception should be equipped with the appropriate size and type of fire extinguisher for public safety. Provisions of S. B. 119 would require that racing boats, and all others be properly equipped.

Water skiing

If approved, an observer would be required when a vessel is towing a water skier on any of the waters of the State. The use of a rearview mirror as a substitute for an observer on noncongested waters, as now permitted, is unsatisfactory for purposes of safety of the skier and other persons using the waters.

In conclusion, the Department recommends that the effective date of S. B. 119, be January 1, 1976 rather than July 1, 1975. This would permit a more orderly adjustment in fee changes since registrations expire on December 31 of each year.