

SENATE ENVIRONMENT AND PUBLIC RESOURCES COMMITTEE

519

APRIL 24, 1975 - 7:00 P.M.
Room 131

PRESENT: Chairman Wilson
Senator Bryan
Senator Blakemore
Senator Gojack
Senator Neal
Senator Sheerin
Senator Dodge

ALSO PRESENT: Please see Exhibit "A"

Chairman Wilson called the meeting to order, and for the convenience of the large number appearing to testify on SB 540, waived the agenda and called for testimony on same.

SB 540 Requires certain businesses and industries to file environmental information reports.

George Finn, individual, AGAINST, stated nothing "environmentally healthy" could come from the bill; that it would invite injunctions against any projects before they even got started; that he was opposed to the requirements and cost of reporting; and asked the committee to remember that legislation that can't be enforced is void.

Bill Egan, economist, FOR, noted the side effects of unplanned city growth; hoped Nevada could learn from other states' mistakes; and liked the idea of documentation of claims.

Rowland Oakes, Associated General Contractors, AGAINST, stated there were 20% to 30% unemployed in the building industry now, and didn't want to see any more collecting of "rocking chair" money; that he feels impact statements waste 2 or 3 years and prove nothing; and felt the consumer would pay the cost of reporting. He cited several examples of bill language he didn't understand, and also cited the criteria used for reporting at the present time.

Vern Miser, general building contractor, AGAINST, attempted to answer the committee's question regarding present requirements for building projects; referred to zoning ordinance and uniform building code books already being prohibitive; feels it's a "no growth" bill; and stated Nevada wouldn't be able to continue diversification if restrictions continue.

Don Crosby, Nevada Highway Department, AGAINST, submitted a written statement. (Please see Exhibit "B".)

Marjorie Sills, Toiyabe Chapter of the Sierra Club, FOR, (whose executive committee, representing 800 members, voted unanimously to endorse SB 540), stated that California has had a similar bill for

several years with success; that it was important that environmental effects of large developments be assessed; and that, basically, SB 540 is an excellent bill.

Mat Benson, Carson Valley rancher, AGAINST, stated the bill would have a serious effect on agriculture and increase food costs which would amount to millions of dollars.

Ernest Gregory, Chief, Bureau of Environmental Health, FOR, stated impact statements are not to blame for unemployment, but economy is; that impact statements are reviewed by his department; that there is duplication of their work and the highway departments; and stated that Section 10 should include city or county master plans (under "projects", Page 2). He reviewed the various sections of the bill that he wanted to see changed, as well as answering numerous questions from the committee.

Webster Brown, civil and structural engineer, AGAINST, stated that California engineering firms are spending approximately 25% of their time on impact reports (which overlap in context, geographical area and cost billions of dollars); that in lieu of SB 540, he suggested a resolution that would urge Congress to modify the Environmental Protection Act; and that he would like to see the money (that would be used on reports) be spent on improving the environment.

Mr. Wells, Wildlife Federation, FOR, stated that there was not anything in the bill that would inhibit the growth of the state, nor was there anything that would contribute to unemployment in the construction industry.

William Montgomery, Teamsters Union (Construction), AGAINST, cited the legal ramifications of the bill; stated that SB 540 would kill the mining industry; and in rebuttal to Ms. Sills' testimony, stated people could not enjoy ecology when standing in bread lines.

Primo Bertoldi, Reno Carpenters Union, AGAINST, stated the bill would hinder construction; felt the building industry was being "hemmed in" by too many reporting requirements; and disagreed that jobs wouldn't be affected by SB 540, using the example of Kennecott Copper scrapping their proposed acid plant project due to inability to meet Federal E.P.A. requirements.

Gene Milligan, Nevada Association of Realtors, AGAINST, cited direct and indirect costs; effects on the small contractors; and stated there were already considerable controls.

Stanley Detering, individual, FOR, stated that the impact on cost and quality of public services, as well as secondary economic impacts, could be estimated.

Peter Evans, individual, AGAINST, drew the committee's attention to Page 5, Section 21, subsection 4, and noted the language was too broad, and could be interpreted as any project.

Garwin Lorain, individual, FOR, argued against the statement that SB 540 was a "no growth" bill, and noted California had turned down only 3% of the projects since enactment of their Environmental Quality Act five years ago; cited Sparks as an example of not having in-depth studies before construction (children must be bussed to school and play areas inadequate); and stated that California's impact reports cost from less than 1% to 5% of construction costs.

Charles Bruckler, engineer, AGAINST, stated that impact statements were valuable, but objected to language used in various parts of the bill, and reviewed same with committee.

Jerry Hall, Special Projects Manager for Washoe County, AGAINST, stated he was speaking on behalf of the county in expressing his opposition to the bill.

Jim Myers, self-employed California and Nevada developer, AGAINST, stated he had personally experienced detainment, and ultimate death, of a medium to low income housing project (which eventually received a favorable rating on the impact statement) due to costs escalating while awaiting final approval; and further stated that California's pending SB 502 would repeal requirement of environmental statements.

Jean Stoess, member of the executive committee and editor of the Blue Ribbon Reports, stated that the entire project only cost approximately \$1,400.00, and that people were encouraged throughout the project to contribute ideas.

Jack Mitchell, City of North Las Vegas, presented a resolution from the city AGAINST SB 540. (Please see Exhibit "C".)

AB 220

Expands reforestation to involve desert, urban forestry and redefines nursery stock to include other conservation plant materials.

Assemblyman Demers, cosponsor of the bill, explained that this bill would allow southern Nevada to begin researching germination of indigenous species for water and soil conservation, and stated that fiscal approval had been obtained.

George Zappettini, State Forester, FOR, stated that AB 220 clarifies the present law, as well as introducing some new terms.

SB 451 Changes name of department of fish and game to department of wildlife and changes designation of related commissions, boards, employees and funds.

Glen Griffith, Department of Fish and Game, read a statement. (Please see Exhibit "D".)

Mr. Hewitt, Wildlife Federation, stated that the Department of Fish and game needs to concentrate on wildlife, period.

Ira Kent, Fallon, stated it would be too costly to change the name, and wanted his testimony on SB 114 (given at a previous meeting) to be incorporated with SB 451.

A representative of the Nevada Woolgrowers' Association and the Nevada Cattlemen's Association also asked that his remarks on SB 114 be used for SB 451.

SB 559 Prohibits defacing or damaging caves or caverns.

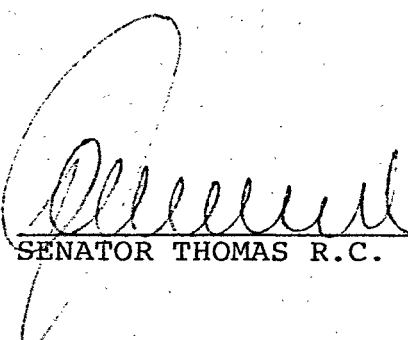
Don Tuohy, Nevada State Museum, cited various sections of the bill he wanted to see amended; agreed with Senator Dodge that enforcement was a problem; and that the public must be educated as to the need to preserve our nonrenewable resources.

There being no additional testimony, Chairman Wilson adjourned the meeting.

Respectfully submitted,

Beth Quilici
Beth Quilici, Secretary

APPROVED:


SENATOR THOMAS R.C. "SPIKE" WILSON, CHAIRMAN

SENATE ENVIRON. & PUBLIC RES. COMMITTEE

ROOM # 131
 DAY THURSDAY DATE APRIL 24, 1975

523

NAME ORGANIZATION ADDRESS PHONE NUMBER

*NOTE: PLEASE PRINT ALL THE INFORMATION CLEARLY.

Dick Cameron Walker Bendini Coast Rene ^{Opposed} # 25-99A
 OPPOSED Bill Winn Painters Local 567 - Reno. 322-5855
 Opposed Donald R. Newton CARP Local 1971 6285 Chimney 673-415
 OPPOSED CHRIS. A TOLLADAY ^{LOCAL 971} 12083 HIMALAYA RENOV
 Opposed Douglas Merojusk - Local #971 840 Akard Dr., Reno
 Donald J. Crooby State High Dept G.C. ✓
 C. P. BRECHLER REGIONAL ST. CLARK CO. L.V. ✓
 D. R. Tuohy Nev St. Mus C.C.
 George C. Turner Box 1506 Zephyr Cove, Nev. ✓
 Howard M. Gilbert Reno Nev 89502
 Debra W. Hatley Reno 5051 N. Virginia St. 3
 Against Sam O'Connell Reno 1054 Holcomb Ave
 NO Anne A. Hays Sparks 1616 Greenview
 NO FOREST DALE Goodman 2357 YORI AVE. - RENO
 NO John H. Pruitt 955 1ST SPARKS NEV.
 NO AB. McPherson 490 Avalon Ct. Reno Nev
 NO Pat McM 417 Host Sparks

Beryl June 635 Cordon Reno, Nev
 James McKinley Jr 25 Colunbine Ct Sparks Nev
 C A Gottrup 501 Arden Way Sparks
 Rene Hovense 3260 Lucerne way Sparks

~~Mr. & Mrs. Daniel R. Bean~~

Daniel R. Bean 1056 Virbel Ln. Reno, Nev.

Carol Bean 1056 Virbel Reno

Paul Intermeier 2695 Blackwood Sun Valley

NO A. A. Nery 2580 1/2 A. HOLCOMB LANE RENO

NO Phelma Winn 1682 Manchester Way Sparks Nevada
 Beer

NO Bob Mackley 4055 So. Virginia Reno Plumbert. N. 35

NO Marty Mery 1210 Dayton way

NO hyle A Dill 208 Park Terrace Sparks

NO E. S. Ridinger (Carpenter) Sparks Nev.

NO W. J. Young 237 Richmond C.C.

NO Elmo B Morano 1694 Oakhurst Ave Reno

NO FULTON L. NELSON DR. 5430 SOVEREIGN. RENO

NO Keith Gardner 1131 S. Arlington "

NO Chas. A. Semmler 1805 - Virginia (Sparks)

NO James E. Martin 1532 N. O'BRIEN SPARKS

NO Ken Palm 625 Saddle Way Reno

STATE OF NEVADA
DEPARTMENT OF HIGHWAYS

MEMORANDUM

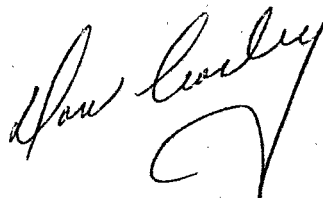
525

April 28, 1975

To Spike Wilson, Chairman
Committee on Environment and Public Resources

From Donald J. Crosby, Deputy State Highway Engineer

Subject: SB 540 pertaining to
Environmental Information Reports



For your information in the consideration of subject bill we are providing the following data on the impact of environmental compliance on the Department's operation costs and project scheduling.

From the standpoint of staffing the Department has:

- a. 13 people directly involved full time
- b. 10% of staff in other divisions indirectly involved ($\frac{1}{2}$ to full time)
- c. Additional need for expertise in Environmental Section to fully satisfy requirements of multi-discipline concept: (not included in the \$500,000 figure)
 1. Archaeology-Historian
 2. Natural Science (wildlife-biology)
 3. Increase Economic-Social research staff
 4. Increase Environmental Engineering & Technical staff
- d. Review of externally prepared environmental documents by other agencies, etc. Time and costs collected in overhead and are not readily retrievable.
- e. Extensive training out of state in air, water and noise quality studies

On the basis of the past fiscal year we estimate that our yearly internal costs associated with environmental study compliance is on the magnitude of \$500,000.

In addition we are under agreement with consultants in the environment area as follows:

Air Quality

AeroVironment

Reno	572,500
Las Vegas	518,500
	<u>1,091,000</u>
Michael Batham	17,500
	<u>1,108,500</u>

EXHIBIT "B"

Environmental Impact Statements

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Reno	501,000
Las Vegas	<u>563,000</u>
	1,064,000

Sub Total	<u>2,172,500</u>
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Nevada State Museum

Archaeological & Historical	<u>110,000</u>
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Total Consultants . . .	2,282,500
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Taking all available cost data and projecting over a ten year period we estimate the cost to meet environmental study regulations will amount to from 30 to 35 percent of our yearly total preliminary engineering budget (currently \$2,777,000).

Using this same base data and estimating that approximately 2/3 of our construction budget (say \$20 to \$25 million) is subject to environmental studies the related environmental study cost is 4% of the construction dollar. This does not include the actual construction cost of many environmental controls and physical features built into the project. The cost of such items is estimated to range from 10 to 25 percent of the construction cost again subject to the type, location and scope of work.

The Department estimates that the requirements of environmental compliance for projects has stretched the planning, design and right of way acquisition phase of activities out a total of from 18 months to three years depending on the nature and scope of a given project.

Typical example - On US 95 from 12½ miles south to ½ mile south of junction US 6 in Tonopah.

A letter of intent to study was mailed out in January 1973. The statement was subsequently prepared and processed and not until August 1974 was the statement approved and the Department authorized to proceed with the design and right of way acquisition which are still proceeding. Comparatively speaking this was considered to be a project with minimum, if any, environmental concerns.

The bill is also not clear in the case of State funded projects which are not subject to the national environmental regulations. If the Department becomes subject to additional State control then our operating costs will increase proportionately.

On the basis of experience at the national level certain types of projects are now classed as non-major actions and are exempt from the national environmental compliance regulations. In our opinion Section 14 is a limited definition of the type of actions requiring environmental study in view of the overall ramifications of the bill.

RESOLUTION NO. 767

527

A RESOLUTION OPPOSING THE
ENACTMENT OF SENATE BILL
NO. 540

WHEREAS, Senate Bill No. 540 has been introduced requiring environmental information reports; and

WHEREAS, Senate Bill No. 540 will create costly time delays for projects, public and private; and

WHEREAS, the implementation of Senate Bill No. 540 will create a financial impact on projects with resultant cost to the taxpayer and the consumer; and,

WHEREAS, the proposed legislation would, in fact, place a state agency and a state commission in the role of reviewing projects within a local government;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Las Vegas, the Council is opposed to Senate Bill No. 540 and requests the Nevada State Legislature refrain from enactment of this legislation.

PASSED, ADOPTED and APPROVED this 21st day of April, 1975.

/s/ C. R. Cleland
C. R. CLELAND, MAYOR

ATTEST:

EXHIBIT "C"

/s/ Shirley A. Hansell
SHIRLEY A. HANSELL, CITY CLERK

STATEMENT BEFORE
the
SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES
RELATIVE TO SB 451

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April 24, 1975

Mr. Chairman, we have no objection to the thrust of this bill. In fact, we would welcome it as we have had, since the 1969 Session, responsibility for all wildlife in the state and the name change would certainly reflect that broad authority.

We have considerable reservations as to the timing, however. We cannot fund a name change during the next fiscal year and probably not in fiscal 1976-77, and possibly public attitudes would be awakened under the name "Wildlife" to pressure us more than we already are without commensurate non-game funding.

The costs involve changing items such as department installation signs throughout the state, shoulder patches and badges, vehicle agency identification strips, department emblems, licenses, tags, stamps, boat titles and registrations, stationary and public use forms and, of course, internal forms eventually.

The first priority would be those items relating to public contact which would be all things other than internal departmental forms. A major cost would be to reword the wooden installation signs at an estimated cost for those and all other signs of \$15,000. Timewise we have out for bid next years licenses with the bid to be awarded pending legislative action on license fees. The new name could be incorporated here, and other documents for bidding are now in the mill.

With SCR 8 and ACR 47 each calling for an interim study of fish and game structure and relationship with other renewable resource agencies and also fish and game funding, we feel this bill should be held in abeyance pending the two year study.

EXHIBIT "D"