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Testimony of Doug Hunt Before Assembly Natural Resources Committee  
4/7/03 on A.B. 372

Good afternoon Mr. Chairman and members of the Committee. For the record, my name is Doug Hunt, Habitat Bureau Chief for the NV Division of Wildlife.

First I would like to thank Assemblyman Marvel for his continued insight and concern for Nevada's wildlife with the introduction of AB 372. This bill will set in place a proactive program to not only protect Nevada's wildlife and their habitats, but encourage the development of renewable energy in the State, in a manner consistent with the needs of our wildlife.

This bill has come before you today following nearly two years of evaluation, monitoring and study of potential effects of renewable energy projects on wildlife. In cooperation with Mr. Tim Carlson, of the Governor's Renewable Task Force, the language of this bill has been crafted to meet both, the needs of wildlife and the renewable energy industry. The goals set out in the bill would provide consistent, across the board policies for renewable energy developers and assist the developer up front and result in a more cohesive development environment while protecting the state's wildlife resources.

This bill is modeled after similar legislation passed in 1989 that has for the past 14 years protected wildlife and assisted the mining industry in developing environmentally sound projects. NRS 502.390 provides for the protection of wildlife from industrial artificial ponds. The highly successful program developed by the Division of Wildlife and the mining industry has all but eliminated wildlife mortalities associated with mining artificial ponds. In 1986 for example, the effects of cyanide solutions on waterfowl were little understood with the subsequent loss of significant numbers of birds in the early years of the rebirth of mining in the State. The Division and the mining industry confronted the problem head on and were successful in reducing mortalities by greater than 98% in the past 14 years, a success in anyone's book. Today we have three Biologists statewide that are responsible for industrial artificial pond permitting and evaluation. The annual permit and assessment fee supports the wildlife/mining program as well as providing funding for special wildlife protection projects such as the Pallid Bat bat-gate project recently completed in Humboldt County in cooperation with Apollo Gold, The Nevada Mining Association and Bat Conservation International.

*before you today*  
The ~~current~~ legislation is a proactive attempt by the Division and the Renewable Energy industry to create the same success in protecting wildlife and their habitats in Nevada.

The bill sets in place a concise permit and assessment process and will document any required mitigation for impacts on wildlife habitat early on in project development. This will encourage communication with renewable energy developers early on in the siting process to insure that wildlife and their habitats are protected and the project developer is aware of and can deal with wildlife needs from the outset. Mitigation, if required, would be consistent with Commission Policy 62 which seeks to involve the project proponent in on the ground projects for wildlife rather than creating a "bank account". This policy has worked well with the mining industry and resulted in the protection and rehabilitation of thousands of acres of wildlife habitat, particularly those burned by wild land fires.

This concludes my prepared remarks and I would be happy to answer any questions that the committee may have.

*if it pleased the chairman*

Before I conclude my remarks and answer any questions Mr. Carlson and I would like to introduce a minor amendment designed to correct an error in the assessment fee and clarify the basis of the assessment. 35 mills and "... for each megawatt hour of net energy produced..."

#### Geothermal Plants:

14 statewide

Currently permit 2-3 plants under the IAAP program

Estimated on average less than \$3500 annually per plant for assessment fee

#### Wildlife Concerns:

Physical contact; birds, bats with towers, blades, superstructure, or cooling towers

Habitat fragmentation; terrestrial game species (bighorn sheep, mule deer), birds such as sage grouse, and any of the sensitive species of mammals, reptiles and amphibians

#### Revenue Generated:

Estimate year one of the program \$48-65,000

\$12,000 annually for a 100 megawatt plant compared with the current \$10,000 for comparable size mine in the IAAP program.