



Public Lands Planning and Policy Development Activities of the Nevada Division of State Lands

*A Report to the Legislature
February 1, 2013*

Prepared by the Nevada Division of State Lands
State Land Use Planning Agency

www.lands.nv.gov

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1. Introduction

This report summarizes the activities of the State Land Use Planning Agency (SLUPA) of the Nevada Division of State Lands (NDSL) within the last two years related to public lands planning and policy development. This report complies with the requirements of Section 321.7355 of the Nevada Revised Statutes (NRS), which provides: *"Plan or statement of policy concerning lands under federal management. ... 3. The state land use planning agency shall: ... (c) On or before February 1 of each odd-numbered year, prepare and submit a written report to the legislature concerning any activities engaged in by the agency pursuant to the provisions of this section during the immediately preceding biennium, including, without limitation: (1) The progress and any results of its work; or (2) Any plans or statements of policy prepared pursuant to this section."*

2. Activities Relating to Lands Under Federal Management and Other Projects During the Last Two Years

This section summarizes the participation of SLUPA in activities relating to lands under federal management for 2011 and 2012, emphasizing public land plans and statements of policy.

SLUPA is actively involved in federal land actions that occur statewide. During the past biennium, SLUPA provided State policy comments on a wide range of issues affecting the State's public lands. Many of these activities also affect private lands. SLUPA has a primary role in ensuring that proper transparent dialogue is fostered between local, State and federal agencies as well as all interested stakeholders. SLUPA adheres to an open and public collaborative planning ethic.

The following is a summary of notable activities:

Local Public Lands Policy Plan Updates (NRS 321.7355)

- **Esmeralda County Public Lands Policy Plan**

SLUPA initiated the update to the Esmeralda County Public Lands Policy Plan and the Esmeralda County Public Land Users Advisory Committee (PLUAC) was created. SLUPA worked with the PLUAC during 2011 and 2012 the final Plan is pending approval by the County Commission. SLUPA coordinated the update to the Esmeralda County Master plan as part of this effort.

County's desire for update: A Congressional land bill was discussed for Esmeralda County in late 2007 and early 2008. Initial informational public meetings were very contentious. In an effort to be proactive, the County realized that they would benefit from a public land policy plan to give them a stronger voice on activities proposed for public lands if and when the land bill proceeded. Although the land bill was ultimately put on hold indefinitely, the policy plan process moved forward rapidly to ensure that if the land bill ever started anew, the County would be more prepared to work with the federal agencies during NEPA consultation.

Potential Listing of the Greater Sage-Grouse as an Endangered Species

SLUPA was the single point of contact for the State's effort to submit an alternative to the Bureau of Land Management for analysis in their Draft Environmental Impact Statement (DEIS), that will be released for public review in April 2013. The State alternative represents a concerted and diligent effort by many State agencies to come together with a unified voice that explains how to protect this valuable resource while maintaining the integrity of the economies and cultures of Nevada. As part of the proposal is the creation of the Sagebrush Ecosystem Advisory Council, Technical Team, and Mitigation Bank Program.

Nevada State Clearinghouse

During this biennium, SLUPA became the program manager of the Nevada State Clearinghouse. Authorized by gubernatorial executive order in 1989, the State Clearinghouse, within the Department of Conservation and Natural Resources, Division of State Lands, exists to inform Executive Branch agencies of significant federal projects and policy initiatives that affect our state and is the most efficient manner in which State agencies stay connected to public lands-related activities.

The Nevada State Clearinghouse is the single point of contact (SPOC) for National Environmental Policy Act (NEPA) proposals statewide. Pursuant to NEPA, federal agencies must consult with the State and other agencies whenever a project or policy initiative is proposed on public lands. The Clearinghouse ensures that pertinent State agencies and other local governments are notified about the projects and then provides their comments back to the federal agencies to help facilitate the consultation process. In an average year, the Clearinghouse facilitates over 250 projects and a number of agency briefings on the highest-profile proposals.

In addition to managing the Clearinghouse itself, SLUPA reviews and comments on those actions proposed for public lands, many requiring in depth analyses,

dialogue and collaboration with our sister agencies, federal and local governments, stakeholders and other interested publics.

Some of the many notable Clearinghouse projects SLUPA has commented on or participated in include:

- Coordinated with BLM to review and provide comments on BLM Las Vegas District RMP update, which is ongoing.
- Coordinated with BLM to review and provide comments on multiple pending renewable energy projects including the Dry Lake Solar Energy Zone.
- Provided comments on multiple Notice of Reality Actions (NORAs) in the Las Vegas Valley and how those sales affect State needs for land and Recreation and Public Purposes (R&PP) needs.
- Conducted State agency briefing on the Lake Tahoe Resource Management Plan Update.
- Participated as a cooperating agency in the DEIS process for the Transwest Express power line, the largest proposal of its kind in the United States.

The Nevada Joint Military Affairs Committee (NJMAC)

NJMAC is held twice a year and is facilitated by SLUPA through the Nevada State Clearinghouse. NJMAC is composed of personnel from the military, federal land managers, state agencies, Congressional staff and one representative from the Nevada Association of Counties. The intent of NJMAC is to meet and discuss topics of mutual interest, increase dialogue and be proactive regarding emerging issues of importance to Nevada.

Congressional Land Bills

Land bills are a continuing trend in Nevada. Clark, White Pine and Lincoln Counties have all experienced the adoption by Congress of land bills affecting their areas. One of the most famous and far-reaching bills of note is the Southern Nevada Public Lands Management Act (SNPLMA). This bill has defined growth in Las Vegas and has had multiple benefits statewide. Most recently, Carson City's land bill was adopted, which, among other things, helped re-designate US Forest Service and City lands to create a more logical land management pattern of ownership. Other counties such as Clark, Douglas, Humboldt and Lyon are in the land bill process while some counties such as Elko and Esmeralda are adamantly opposed to any bill at this time.

NDSL maintains a positive working relationship with Nevada's Congressional delegation staff in matters related to new land bills in the state. This relationship

is strengthened by an open and efficient dialogue that is maintained with the federal planning partners.

SLUPA, in partnership with the Congressional delegation, has helped with the coordination of federal and state agencies, local governments and interest groups as county land bills are proposed and developed. SLUPA has taken the lead role in facilitating State agency briefings to gather input. SLUPA prepares unified State response letters that are provided to the Governor's office for final editing, approval, and distribution to the Congressional delegation.

Floyd Edsall Training Center Joint Land Use Study

SLUPA assists other State agencies in planning matters. SLUPA was awarded, a federal Department of Defense planning grant to facilitate the development of a Joint Land Use Study (JLUS) for the National Guard's Floyd Edsall Training Center in North Las Vegas. Historically Floyd Edsall was relatively far-removed from the urban development of the Las Vegas Valley. In the last two decades, new development has encroached and an increased concern over impacts to base mission has emerged. The JLUS is a tool to address the relationship between the mission of the National Guard and surrounding existing and proposed land uses. A primary goal of the JLUS is for all of the stakeholders to reach some type of consensus on how to develop around Floyd Edsall in a way beneficial to all. A memorandum of understanding was approved and signed by the major stakeholders to work together towards an outcome that would protect the center's mission and allow for logical development of the surrounding community. The JLUS was formally adopted by the members of the MOU in late 2011.

SLUPA Collaborative Planning Involvement

The BLM Resource Advisory Councils (RACs), the Tri County Working Group, as well as other venues such as the NJMAC are effective means to gather productive comments and foster transparent dialogue. The Nevada Division of State Lands values these partnerships and strives to maintain an active presence. These venues are extremely valuable resources for State agencies and the local governments to stay apprised of land use and natural resource activities occurring statewide, both on public and private lands. SLUPA's Senior Planner has represented the State on one of the three RACs, the Mojave-Southern Great Basin RAC. In addition the Senior Planner represented the State on the Recreation Sub Committee, charged with reviewing new user fees on public lands.

Southern Nevada Public Lands Management Act of 1998 (SNPLMA)

NDSL plays an active role in the implementation of the SNPLMA. The Administrator has represented the State on the SNPLMA Partners Working Group which reviews proposals for the expenditure of SNPLMA funds, including nominations for the federal acquisition of sensitive lands statewide. The Deputy Administrator represents the State on the Lands Acquisition subcommittee that reports to the Working Group. Also, NDSL and SLUPA work directly with local governments to ascertain local needs, concerns and issues. SLUPA strives to promote transparent and efficient public dialogue.

The act was amended to allow expenditure of SNPLMA funds to implement the Tahoe Environmental Improvement Program; the Administrator also represents the State on the Tahoe Working Group, which reviews proposals for project funding. Due to the economy, land disposals and corresponding revenues from those sales have declined dramatically.

State Land Use Planning Advisory Council

The State Land Use Planning Advisory Council (SLUPAC, NRS 321.740) meets a number of times per year. The focus of SLUPAC is on matters related to local land use planning, including master planning and zoning. Also, many topics are specifically related to public lands due to the planning and demographic makeup of the state. SLUPAC meetings are a unique opportunity to hear the concerns and issues of Nevada's counties on public lands issues because it is the only Governor-appointed entity with representatives from each of Nevada's seventeen counties. SLUPA serves as staff to SLUPAC and performs such duties as research on issues, preparation of agendas and minutes and any other requirements of the open meeting law and hosting of the meeting.

Over the past two years, SLUPAC has heard many public lands agenda items related to topics such as NEPA, wilderness, Sage-Grouse, pending land bills, groundwater pumping, renewable energy, to name a few.

Some notable items and efforts include:

Secretarial Order 3310 - Wildlands: This Order by the Secretary of Interior directed the Bureau of Land Management to designate appropriate areas with wilderness characteristics as "Wild Lands" and to manage them to protect their wilderness values. The Order further directed the BLM inventory lands that have "wilderness characteristics" and create areas designated as "Wild Lands" without Congressional action. SLUPAC passed a resolution in support of the Nevada Association of Counties resolution opposing the Order.

Potential listing of the Greater Sage-Grouse as an endangered species: SLUPAC requested an elevated role in this matter as well as other high priority issues statewide by acting as a conduit of information from the local county level up to the State. Where a county is a cooperating agency, SLUPAC will act as this conduit of information upon request.

Publications

SLUPA publishes the "Laws Related to Planning" every two years, after each Legislative session. This comprehensive document is utilized by local jurisdictions, planning entities, consultants and many others as an invaluable planning tool. The 2012 edition has been published and over 250 copies have been sold.

3. Conclusion

This report summarizes activities of the State Land Use Planning Agency of the Division of State Lands, emphasizing public land plans and policy statements. Those interested in additional information about any aspects of these programs are welcome to contact the Nevada Division of State Lands at 684-2720.