



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

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

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Table of Contents

	Page
1. Introduction	3
2. Activities Relating to Lands Under Federal Management and Other Projects During the Last Two Years	3
Local Public Lands Policy Plan Updates (NRS 321.7355)	3
Lincoln County	3
Esmeralda County	4
Churchill County	4
Congressional Land Bills	5
Floyd Edsall Training Center Joint Land Use Study	5
Austin Master Plan	6
SLUPA Collaborative Planning Involvement	6
Nevada State Clearinghouse	6
Southern Nevada Public Lands Management Act of 1998 (SNPLMA)	7
State Land Use Planning Advisory Council (SLUPAC)	7
Mt. Charleston License Plate Program	8
Publications	10
3. Conclusion	10

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 2009 and 2010, 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)

▪ Lincoln County Public Lands Policy Plan

SLUPA initiated the update to the Lincoln County Public Lands Policy Plan in October, 2008. The Lincoln County Public Land Use Advisory Committee (PLUAC) worked with SLUPA during 2009 and 2010 on a monthly basis and the final Plan was adopted by the County Commission in January 2011.

County's desire for update: Reflecting on the results of Congress's adoption of the Lincoln County Conservation, Recreation and Development

Act of 2004 "Land Bill", residents and elected officials wanted more of a voice in how public lands are managed and disposed of. The bill, among other things, designated many acres for wilderness and many other areas for disposal. The public land policy plan gives the County a stronger say in the National Environmental Policy Act (NEPA) consultation process whereby federal agencies are required to review adopted plans and policies and explain how proposed projects on public lands affect the county and its citizens.

- **Esmeralda County Public Lands Policy Plan**

SLUPA initiated the update to the Esmeralda County Public Lands Policy Plan in March, 2008. The Esmeralda County PLUAC was created and worked with SLUPA during 2009 and 2010 on a monthly basis and the final Plan is scheduled for presentation to the County Commission in early 2011. SLUPA coordinated the update to the Esmeralda County Master plan as part of this effort.

County's desire for update: A similar "land bill" was being 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.

- **Churchill County Public Lands Policy Plan**

Churchill County has been following the progress of land bills throughout the State. None has been proposed for the County yet. There is an active citizens group reviewing adopted public land policy plans and determining what might best fit for their county. SLUPA has offered advisory assistance in this process and will continue to do so. This process may continue for a year or more with a possible draft plan available in 2012.

Congressional Land Bills

As mentioned above, 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 Washoe, Douglas and Lyon are considering bills 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.

Austin Master Plan

Austin was in need of a master plan that could address a number of challenges for the community. For one, the old recorded town plat consists of a grid system of lots and streets that do not necessarily match the built environment and the steep topography of the community. Many homes lie directly on top of recorded roads, for example. This has caused problems for citizens who try to buy or sell property. SLUPA facilitated a comprehensive public process with the Austin Chamber of Commerce to develop the Austin Master Plan, ultimately endorsed by the planning commission and adopted by the county commission. SLUPA then followed through by assisting in the implementation of policies within the master plan. Implementation of master plan policies is achieved by the adoption of ordinances.

SLUPA Collaborative Planning Involvement

The BLM Resource Advisory Councils (RACs), the Tri County Working Group, as well as other venues such as the Joint Military Affairs Committee (JMAC) 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 represents the State on one of the three RACs, the Mojave-Southern Great Basin RAC. In addition the Senior Planner represents the State on the Recreation Sub Committee, charged with reviewing new user fees on public lands.

Nevada State Clearinghouse

The Nevada State Clearinghouse is the most efficient manner in which State agencies stay connected to public lands-related activities. The "single point of contact" role of the Clearinghouse is vital in how SLUPA comments on actions proposed for public lands. In a given year, SLUPA reviews an average of 150 Clearinghouse items and at least one third of those require 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 Mojave Southern Great Basin RAC to review and provide comments on BLM Las Vegas District RMP update, which is ongoing.

- Coordinated with Mojave Southern Great Basin RAC to review and provide comments on multiple pending renewable energy projects.
- Sought and received support from BLM to institute proactive mitigation measures to address night sky light pollution on public lands.
- US Forest Service Roadless Policy, travel management planning and Forest Plan revisions.
- 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.
- Lake Mead NRA General Plan Amendments and Facilities Upgrades.
- In depth review of the Walker River Basin Acquisition Program DEIS

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. Although the focus of SLUPAC is on matters related to local land use planning, including master planning and zoning, 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 entity advising SLUPA and the Department of Conservation and Natural Resources 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, groundwater pumping, renewable energy, wild horses, cooperating agency process and US Forest Service planning updates, to name a few. An item regarding Nevada Division of Environmental Protection's air quality program drew considerable interest in regard to dirt roads. Specifically, counties were concerned that interpreting the regulations too literally would mean the need to pave every dirt road in the county, which would not be feasible. In reality, other measures would have to be considered, such as signs limiting speeds on the roads.

Some notable items and efforts include:

The Mining Townsite Conveyance Act: This bill would rectify the property ownership question for Ione and Goldpoint. For decades, Nye and Esmeralda Counties taxed all real property in the two communities. In the 1980's, BLM found that the lands were never patented and declared a trespass issue, resulting in the inability to prove ownership of the land and putting residents in limbo. Sponsored by Senators Reid and Ensign, the bill has not been successful in the last three Congressional sessions, never making it out of committee. SLUPAC passed a resolution in favor of the act and sent it to Nevada's Congressional delegation.

Resolutions regarding grazing and wilderness: In the 75th session of the Nevada Legislature, there were two Senate resolutions that SLUPAC wished to support. One dealt with the need to address wilderness study area status as soon as possible so that appropriate lands could be released to multiple use activities. The second dealt with frivolous lawsuits being lodged against grazing permittees resulting in bureaucratic red tape and a loss of economic activities vital to Nevada's culture and economy. SLUPAC passed resolutions in support of these two legislative proposals.

Mt. Charleston License Plate Grant Program

The Mount Charleston License Plate fund (NRS 321.5959) is administered by SLUPA for projects and programs that support the natural environment of Mount Charleston. These funds are available as grants and must be used for:

- ***The support of programs for the natural environment of the Mount Charleston area, including, without limitation, programs to improve the wildlife habitat, the ecosystem, the forest, public access to the area and its recreational use, and must not be used to replace or supplant money available from other sources. The***

Administrator may provide grants from the account to other public agencies and political subdivisions, including, without limitation, unincorporated towns, to carry out the provisions of the program.

SLUPA received nine project requests during Round 2 of the program in early 2010 and six were approved after review by the Technical Advisory Committee. SLUPA continues to fund five of the six projects awarded in Round 1 and one project in Round 1 has been completed. The total grant award for Round 2 amounted to \$132,847.94, which includes a 3% allowance for administrative purposes that is in addition to the grant award.

The Conservation District of Southern Nevada (CDSN) has graciously offered to sponsor the majority of the projects. This partnership with SLUPA has enabled reimbursement of funds in an efficient and timely manner and greatly improved the success of the program. SLUPA plans to open Round 3 in early 2011.

The Round 2 projects can be summarized as follows:

Cold War Memorial: \$30,000.00

Construction of "The Silent Heroes of the Cold War National Memorial" recognizing the importance of military activities in Nevada, specifically as they relate to the historic plane crash on the mountain.

Wilderness Stewardship Continued, Friends NV Wilderness: \$25,000.00

Friends of Nevada Wilderness in partnership with the Forest Service is managing the Volunteer Spring Mountain Wilderness Ranger Program.

De-Icing Effects on Ecosystem, UNLV: \$29,320.00

Quantifying the impact of de-icing salt on roadside soils and native vegetation in the Mt. Charleston Area; with special emphasis on formulating optimum salt mixtures based on plant response and cost.

Ski Bus, Las Vegas Ski and Snowboard Resort: \$28,375.00

Provision of shuttle buses from Las Vegas to the mountain to alleviate severe traffic congestion.

www.mtcharleston.info: \$4,619.31

The current SMNRA.com and MtCharleston.Info websites are a valuable tool for the exchange of information and ideas regarding the Spring Mountains National Recreation Area and grant funds expand this program and improve the website.

Visitor Interaction, Las Vegas Ski and Snowboard Resort: \$4,000.00

Grant funds are used to further refine and print one-hundred thousand copies of a bi-lingual flyer distributed by the Las Vegas Metropolitan Police Volunteer Program for distribution at information checkpoints on S.R. 156 and S.R. 157 where they intersect S.R. 158. Volunteers talk to passengers in each vehicle about where to recreate, where to park, what facilities are available, and what safety precautions are necessary for safe travel on the state routes.

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 2010 edition has been published and many 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.