

STATE LAND USE PLANNING ADVISORY COUNCIL

MINUTES

September 8, 2017

Great Basin Science Sample and Records Library
UNR Bureau of Mines and Geology
2175 Raggio Pkwy, Reno, Nevada 89512

Members Present

Lee Plemel, Carson City
Eleanor Lockwood, Churchill County
Nancy Amundsen, Clark County
Jake Tibbitts, Eureka County (Chair)
Art Clark, Lander County
Varlin Higbee, Lincoln County (Membership pending)
Harold Ritter, Lyon County
Lorinda Wichman, Nye County (Vice Chair)
Austin Osborne, Storey County
Jeanne Herman, Washoe County
Laurie Carson, White Pine County
Roger Mancebo, Pershing County
Tori Sundheim, NACO

Members Absent

Delmo Andreozzi, Elko County
Jim French, Humboldt County
Jerrie Tipton, Mineral County

Others Present

Sami Real, Clark County Department of Comprehensive Planning
Tim Mueller, NDOT Planning, Nevada Department of Transportation
Richard Perry, Administrator, Nevada Division of Minerals
Jack Hursh, Cartographic Technician, Nevada Bureau of Mines and Geology
David Davis, Geologic Information Specialist, Nevada Bureau of Mines and Geology
Frank Whitman, Lander County Planning Commissioner
Cheva Gabor, US Forest Service
David Pritchett, Bureau of Land Management
Wayne Howle, Nevada Attorney General's Office
Lori Story, Nevada Attorney General's Office
Charles Donohue, Administrator, Nevada Division of State Lands
Skip Canfield, NDSL, State Land Use Planning Agency

CALL TO ORDER

The meeting was called to order at 9:05am and self-introductions were made. The Agenda was reviewed and approved, motion by **Lorinda Wichman**, second by **Eleanor Lockwood**, approved unanimously.

PUBLIC COMMENTS

None.

AGENDA/APPROVAL OF MINUTES

The Draft Minutes of the February 10, 2017 meeting in Carson City were approved as presented, motion by **Laurie Carson** and a second by **Lorinda Wichman**. The Draft Minutes of the August 14, 2017 meeting in Carson City were approved as presented, motion by **Varlin Higbee** and a second by **Eleanor Lockwood**.

ELECTION OF FOURTH MEMBER TO THE SLUPAC EXECUTIVE COUNCIL

The Executive Council (NRS 321.755) consists of four SLUPAC members and the Administrator of Nevada Division of State Lands and is charged with, upon request, resolving inconsistencies in land use plans between two or more adjacent or overlapping local governmental entities which cannot be resolved between them. Current members are **Nancy Amundsen** (Clark – 5/23/2018), **Jim French** (Humboldt – 5/23/2018) and **Austin Osborne** (Storey – 5/23/2018). There was one vacancy for a two-year term. A brief discussion ensued detailing need to ensure a “broad spectrum” of members across the State. Recognizing this fact, a motion by **Varlin Higbee**, seconded by **Roger Mancebo**, proposed **Laurie Carson** as the fourth member of the Executive Council, with her term expiring on 9/8/2019. Motion passed unanimously.

UPDATE ON ISSUES RELEVANT TO THE NEVADA DIVISION OF MINERALS

Richard Perry, Administrator, Nevada Division of Minerals, gave a presentation on the state of affairs of minerals in Nevada. A lively discussion ensued regarding the status of mining in Nevada, some interesting takeaways include:

- Pershing County is Nevada’s biggest silver producer.
- There is no copper smelter in Nevada, one is needed.
- Mining of Barite is a function of the price of oil.
- Gypsum mining in Clark County follows the construction cycle.
- The historic gypsum mine in Empire is planning to reopen and focus on agricultural aggregate, shipping most out of state.
- Gabbs has been mining Magnesium since 1941.
- Diatomaceous earth is used as a filtering product.
- Silica is mined in Overton and is used in making glass.
- Nevada is a dual permitting state for oil and gas – federal (common), state (due to water law).
- Wabuska had the first geothermal well in the state.
- Most energy produced from geothermal in Nevada goes to California.
- Nevada per capita, is the largest geothermal producer.
- In 2016, Churchill County had the most geothermal production in the state.
- Nye County has the most oil production in the state but production has continued to decline.

Rich Perry’s presentation:

Nevada Division of Minerals (NDOM)

- State Agency and part of the Commission on Mineral Resources (7 members appointed by Governor)
- Administrator reports through Commission and Governor’s office
- Mission Statement: *To encourage and assist in the responsible exploration for and the production of minerals, oil, gas, and geothermal energy which are economically beneficial to the State.*
- Offices in Carson City (8 employees) and Las Vegas (3 employees)
- No general fund monies, all revenue from mining claim fees, geothermal and oil permit and production fees, surface disturbance fee, reclamation bond pool administrative fee, BLM and USFS assistance agreements for AML securing activities.

Nevada Gold 2016: 5.47 million ounces, 2.4% increase over 2015, 33 operations, 22 producers, price up to \$1400/ounce in 1997, hovering around \$1000/ounce today.

Nevada Silver 2016: 8.89 million ounces, 6% decrease over 2015, 23 operators, 16 producers, price up to \$33/ounce in 1997, today \$12/ounce.

Nevada Copper 2016: 1.77 million pounds, 10% decrease over 2015, 2 producers.

Nevada Barite 2016: 230,144 tons shipped, 55% less than 2015, 3 producers.

Nevada Gypsum 2016: 3.2 million tons, 6% less than 2015, 5 producers.

Other Industrial Minerals Produced, 2016:

- 9,334,629 lbs of lithium compounds
- 110,000 tons of magnesium compounds
- 240,654 tons of diatomaceous earth
- 1,000,000 tons of silica products
- 19,110 tons of salt

Active claims in Nevada 2016: 180,000, peaked at 360,000 in 1989, low point was 105,000 in 2002.

Nevada Geothermal Power Production 2016: 3.4 million megawatt hours, 7.4% increase over 2015, began producing in 1985. Areas of active exploration are focused in northwestern Nevada.

Nevada Oil Production 2016: 278,599 barrels, 5 producers, 63 wells. Oil production began in 1954, peaked in 1990 (4 million barrels), almost all in Railroad Valley. Some in Pine Valley.

Nevada Hydraulic Fracturing (HF):

- Regulations developed by NDOM and NDEP in 2014.
- Nevada's HF regulations are one of the most stringent in the U.S.
- Wells drilled on Federal lands must adhere to NV regulations. Dual-permitting state.
- 5 wells had HF treatments in 2014.
 - 1 is a producing well in Eureka County.
 - 2 produced oil but are capped due to economics.
 - 4 of wells drilled by Noble in 2014 being produced in 2017.
- No HF treatments in 2015-2016.
- Higher oil price is necessary to see exploration of tight shale targets.
- Tight shale targets exist in Elko, Eureka, Nye and White Pine Counties.

Nevada Lithium Exploration: 13,381 claims staked in playas, 18 different hydrographic basins, 25 exploration entities, one producer, centered in Clayton Valley.

- Is a locatable mineral on Federal land under the general Mining law?
- Placer claims are used to locate potential lithium brine deposits.
- Lode claims are used to locate potential lithium clay deposits.
- Uses in energy storage are expanding
 - 3rd element on periodic table "the lightest metal".
 - 12 % world-wide increase in production in 2016 to 37,800 tons.
 - Batteries 39%, ceramics and glass 30%, casting and polymers 5%, air treatment 3%, other including pharma 10% (*USGS Commodity Summaries, 2016*).
 - 4 major suppliers world-wide that produce lithium carbonate and hydroxide compounds to users under contracts. Chile, Argentina, US, Australia production.
 - A critical high-tech mineral.
 - U. S. is a net importer, Tesla (Panasonic) factory will require increased imports.
- Nevada has the only operating lithium mine in the U.S. – located in Clayton Valley, Esmeralda County.
 - Operated since 1967, employs 85 people.
 - Produces lithium carbonate.
 - Uses surface evaporation ponds to concentrate lithium pumped from brine aquifers in valley.

- Geologic Model for a lithium brine deposit:
 - Salar deposits – a salt flat that may represent the basin of a salt lake.
 - Accumulations of saline groundwater that are enriched in dissolved lithium.
 - Exploration by drilling and sampling of brine aquifers.

Nevada Mineral and Energy Production Values (total) 2016: \$8 billion. Peaked in 2012 at 10.75 billion.

Development of Regulations for Dissolved Mineral Resources:

- A.B. 52 from 2017 legislative session directed NDOM, NDEP and NDWR to jointly develop regulations for dissolved mineral resource exploration:
 - Allows for sampling of brines from boreholes
 - Requires a permit to drill a dissolved mineral resource exploration well; one-time 5 acre-foot test is allowed per project
 - Requires a licensed water well driller for boreholes and wells to ensure protection of fresh water and geothermal resources
 - Restrictions on drilling in active geothermal areas being developed in regulations
 - Regulation development in progress, legislation becomes active 1-1-2018

Abandoned Mine Lands Public Safety Program:

- Created the Abandoned Mine Lands Program in 1987
- Regulated by NRS 513 and NAC 513
- Funded by claim fees
- Three program activities mandated:
 - Statewide Inventory of Sites
 - Securing of Hazardous Mines
 - Public Awareness Campaign

Each year hazard areas are prioritized for field work based on a rating system for degree of danger and accessibility. Over 20,000 hazards have been inventoried, and 16,842 have been secured. Hard closure projects include backfills, bat compatible closures, polyurethane foam plugs.

Positive results: Securing and public education efforts have resulted in no reportable accidents or injuries at any mitigated site. However, increasing vandalism of fencing and gates requires re-visits for maintenance.

UPDATE ON THE ONE NEVADA TRANSPORTATION PLAN

Tim Mueller, NDOT Planning, Nevada Department of Transportation presented a status on the One Nevada Transportation Plan.

Vision Statement:

“The vision of the One Nevada Transportation Plan is a safe and connected multi-modal transportation system that links Nevadans and supports the state’s economic vitality. The plan balances the need to preserve existing investments with strategic increases in mobility while embracing Nevada’s natural resources, attractions and emerging technologies. The ongoing plan process will be collaborative, unified, adaptive and transparent.”

Issues being focused on: Urbanization, diversifying economy, tourism and attractions, aging infrastructure, transportation behavior, new technologies.

Multiple existing plans to be reviewed and incorporated including:

- State Highway Preservation Report
- Transportation Asset Management Plan
- State Freight, Rail and Bicycle Plans
- MPO Regional Transportation Plans

- Transportation Business Investment Plan
- Connecting Nevada Plan
- Unified Transportation Investment Plan

Socioeconomic and Market Overview:

- Commercial real estate dynamics
- Economic development potential
- Population and employment forecasts
- Potential military expansions
- Existing conditions

Outreach activities will occur Statewide Fall 2017.

Lorinda Wichman expressed the need for partnering in public safety/emergency services, a very critical lacking resource in Nye County. Currently there is no EMT available. White Pine, Esmeralda and Lincoln are in the same position and need assistance from the State and the Department of Defense. **Austin Osborne** commented that the boundary of the “metro area” in northwestern Nevada needs to expand to include the Tahoe Reno Industrial Center (TRI), Fernley and USA Parkway. **Eleanor Lockwood** concurred with **Austin Osborne** and stated that TRI-associated development is impacting the whole area, including Churchill County. NDOT needs to look at the cumulative effect in their planning.

FOLLOW UP TO THE SPECIAL SLUPAC CALL-IN MEETING OF AUGUST 14, 2017 REGARDING BLM'S DIRECTION TO STREAMLINE THE NEPA AND RESOURCE MANAGEMENT PLAN PROCESSES

This was a follow up to a special meeting in August where a discussion was had regarding the March 27, 2017 action whereby President Trump signed H.J. Resolution 44, immediately nullified BLM's proposed rule “*Planning 2.0*”. Subsequently, the Secretary of Interior issued a directive to BLM to “*begin a focused effort to identify and implement results-oriented improvements to its land use planning and NEPA processes*”. The directive requires a BLM report to the Secretary by September 27, 2017. (This deadline lapsed with no status on the report to the Secretary as of mid-November 2017.)

The discussion resulted in a comment letter from SLUPAC that was included in the official State of Nevada comments being submitted to the BLM's Washington D.C. office in coordination with the Nevada Association of Counties, who were also submitting feedback.

Any report to the Secretary will be provided to the SLUPAC members once available.

RS2477 ROADS WORK SESSION

Jake Tibbitts stated that, in lieu of pending and ongoing legislation working its way through Congress, the sub group created at the SLUPAC meeting in Eureka on November 4, 2016 consisting of himself, **Lorinda Wichman** and **Eleanor Lockwood** will continue moving forward with the first two bullets of the assignment:

- Start with Utah and Nye County process and identify Nevada specifics.
- Review and adjust processes that are working for Nevada.

A discussion also ensued regarding issues of BLM Title 5 R-O-W processes, specifically in how to access mines and do regular maintenance on roads, and most importantly, how the sage grouse land use plan amendment affects these roads, access, and maintenance. The mitigation measures being placed on counties will be onerous.

Wayne Howle stated that he will continue to work on a draft legal protocol and will review the relevant parts of the established Nye County protocols for inclusion as well as all of the work done by Kathy Davis in Utah on their process and the concept of “bell weather roads”.

A long discussion ensued on the importance of documenting use on the roads, maintenance records, newspaper records, late 1800 original plat maps, freight wagon advertisements, etc.

COUNTY PLANNING ISSUES

Charlie Donohue announced the creation of the Walker River State Recreation Area, consisting of 12,155 acres on the east fork of the Walker River.

Harold Ritter, Lyon County:

Residential proposals increasing, a lot in Dayton but there are access concerns with only one bridge over the river.

Roger Mancebo, Pershing County:

The Humboldt Sink is full of water.

Jeanne Herman, Washoe County:

The land bill is moving forward but there are concerns about the impacts of wilderness designations on access to ranching areas.

Varlin Higbee, Lincoln County:

First home at Coyote Springs expected early 2018.
County now owns the dump.

Jake Tibbitts, Eureka County:

Discussed historic lead smelting remediation and the need for future development regulations. Concern for future Super Fund designation. The large lithium battery market is creating demand for new extraction sites, one potentially located at the Nye/White Pine/Eureka boundary. A plan of operation has been submitted to BLM.

Laurie Carson, White Pine County:

County supports HR 2374, Eastern Nevada Economic Development Act (with Lincoln County) includes wilderness boundary adjustments to improve access and changes the SNPLMA formula to allow for industrial park funding.
Gridflex water power LLC. Feasibility study for closed loop pumping.
Cummins Lake has invasive Pike reintroduced after expensive eradication project.

Austin Osborne, Storey County:

Brief overview of the Virginia City sewer system reconstruction using a government guaranteed loan from the USDA; USGS ongoing county-sponsored groundwater study in the Virginia City Highlands area; county working with Carson Water Subconservancy District and Lyon County on regional flood study in the Mark Twain area; USA Parkway (SR 439) just opened from I80 to Highway 50, and some reduction in truck traffic reported on I80; county looking at prospective residential PUD at Painted Rock and will consider applications upon approval of zoning and subdivision ordinance update; summary of new companies at the Tahoe-Reno Industrial Center.

Eleanor Lockwood, Churchill County:

Lahontan Reservoir is completely full, releases are needed downstream after emergency clean out of some areas of the river channel are made.

Lorinda Wichman, Nye County:

Special use permit for oil and gas.
Sandstone Solar project.

Nancy Amundsen, Clark County:
Raiders stadium land use application approved by the County Commission.
Fountainbleu sold to New York firm.

Tori Sundheim, NACO:

National NACO is working with BLM on their land use planning processes.

LUNCH PRESENTATION

Jack Hursh, Cartographic Technician, Nevada Bureau of Mines and Geology gave a highly entertaining local interest presentation entitled "*Discover Nevada--Whimsical Names and Uplifting Places...or the Great Adventures of Junebug*". This talk focused on unusual and interesting facts about Nevada's place names.

COUNCIL MEMBER COMMENTS

COUNCIL DISCUSSION AND RECOMMENDATIONS/CHECK IN ON SLUPAC GOALS

It was agreed that at the next meeting the members would revisit the focus areas delineated for 2015-2017 and update them where necessary.

Primary 2015-2017 SLUPAC focus areas:

- RS2477 Roads Protocol (SB 456)
- County NEPA Consistency Review Assistance
- Public Land Policy Plan Update Assistance and Outreach
- SLUPAC and Counties Role and Inclusion in Development of a Statewide Water Management Plan (AB 198)
- ACEC Procedures (AB 144)

Next meeting will be Friday February 9, 2018 in Clark County.

PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 1:38 pm for a tour of the Great Basin Science Sample and Records Library by David Davis, Geologic Information Specialist, Nevada Bureau of Mines and Geology.

Respectfully submitted,

Skip Canfield

/s/

Meeting Recorder

Please note that minutes should be considered draft minutes pending their approval at a future meeting of the State Land Use Planning Advisory Council. Corrections and changes could be made before approval.

The meeting was digitally recorded. Anyone wishing to receive or review the recording may call (775) 684-2723. The recording will be retained for three years.