

**STATE LAND USE PLANNING ADVISORY COUNCIL**  
**DRAFT MINUTES**

December 7, 2018

Kahle Community Center, 236 Kingsbury Grade Rd, Stateline, NV 89449

**Members Present**

Jake Tibbitts, Eureka County (Chair)  
Nancy McDermid, Douglas County  
Jim French, Humboldt County  
Lee Plemel, Carson City  
Sami Real, Clark County  
Sandy Hoover, NACO  
Ralph Keyes, Esmeralda County  
Don Alt, Lyon County  
Jeanne Herman, Washoe County

**Members Absent**

Michael Johnson, Churchill County  
Delmo Andreozzi, Elko County  
Art Clark, Lander County  
Varlin Higbee, Lincoln County  
Jerrie Tipton, Mineral County  
Lorinda Wichman, Nye County (Vice Chair)  
Roger Mancebo, Pershing County  
Austin Osborne, Storey County  
Laurie Carson, White Pine County

**Others Present**

Skip Canfield, State Land Use Planning Agency  
Jerry Elkins, Central Nevada GIS and Cartography Services  
Cheva Gabor Humboldt-Toiyabe National Forest  
Tim Mueller, Nevada Department of Transportation  
David Pritchett, Bureau of Land Management Nevada State Office  
Charlie Donohue, Nevada Division of State Lands  
Denise Castle, JOIN Inc  
Steve Teshara, Tahoe Transportation District  
Lew Feldman, Tahoe Douglas Visitor Authority  
Carol Chaplin, Lake Tahoe Visitors Authority  
Wesley Rice, Commissioner-elect Douglas County  
Kyla Bright, Lander County  
Curtis Moore, Elko County

**CALL TO ORDER**

The meeting was called to order by Jake Tibbitts at 9:15 am and self-introductions were made by those present.

**PUBLIC COMMENTS**

None.

**AGENDA/APPROVAL OF MINUTES**

Due to time and members of the Council's travel needs, the portion of the agenda related to traveling to the Douglas County Community & Senior Center in Gardnerville was removed from the agenda. A motion to

approve the agenda with this change was made by **Jeanne Herman** and seconded by **Nancy McDermid**. The motion was approved.

The draft minutes of the September 7, 2018 meeting in Battle Mountain were reviewed. A motion to approve the minutes as submitted was made by **Nancy McDermid** and seconded by **Jim French**. The motion was approved.

The draft minutes of the October 29, 2019 RS 2477 workshop in Carson City were reviewed.

**Jake Tibbitts** proposed changes to the minutes. On Page 3 in the first paragraph to add “in all respects” at the end of his remarks comparing Utah and Nevada. On Page 3 in the first paragraph to clarify that his remarks about Title V rights of way are in reference to Title V of FLPMA not just Title V. On Page 3 in the first paragraph to clarify that a county does not have to apply to the BLM for acknowledgement, that the rights of way are for Title V under FLPMA and the rights of way are not just for roads. On Page 3 in the last paragraph to clarify that even if there is a congressional or executive order to resolve RS2477 conflicts, that counties will still need to have documentation for those roads outlining why the roads existed, what they are, and for the counties to continue to have those protocols.

A motion to approve the minutes with these changes was made by **Curtis Moore** and seconded by **Jim French**. The motion was approved.

### **RS2477 ROADS WORK SESSION**

**Jake Tibbitts** led the discussion and Skip Canfield introduced Resolution 2018-2.

**Jake Tibbitts** proposed several changes to Resolution 2018-2. The first change was to replace the term conflicts with “cloud of title” in the 6<sup>th</sup> whereas and now therefore be it resolved sections. The second change was in the 3<sup>rd</sup> whereas to change protocols to “protocol” and the cite NRS 405.204 (3) instead of SB456. The third change was in the now therefore be it resolved section to add in “and requests” after supports.

**Jim French** stated that it is important for the Council to support pursuing a congressional action in parallel with obtaining a Presidential Executive Order to seek relief on the RS2477 issue.

**Nancy McDermid** questioned why the phrase “and/or” is included in the now therefore it be resolved section of the resolution. Nancy stated that the phrase “and/or” is ambiguous and provides the Federal Government a way out of taking action on the RS2477 issue.

Following this discussion, **Jake Tibbitts** proposed changing the ending of the now therefore it be resolved section to read, “including but not limited to by Presidential executive action and Congressional action”.

A motion to approve the resolution with the changes as outlined and discussed by the Council was made **Jim French** and seconded by **Don Alt**. The motion was approved.

After the resolution was approved, there was discussion amongst the Council about the ongoing county efforts with respect to RS2477 roads and the next steps needed to work with the Federal government on this issue.

### **UPDATE ON THE RECENTLY ADOPTED ONE NEVADA TRANSPORTATION PLAN**

Tim Mueller with the Nevada Department of Transportation provided the Council with an update on the One Nevada Transportation Plan. Tim provided an overview of the outreach that was conducted throughout the state and shared highlights of plan which was adopted earlier this year by the State Transportation Board.

There was discussion amongst the Council about Interstate 11 and ongoing corridor planning efforts taking place throughout the state. The consensus of the Council was that the Interstate 11 is an important project for the entire state and requested that an update on this project be added as a future agenda item.

### **UPDATE ON THE NEVADA ECONOMIC ASSESSMENT PROJECT**

David Pritchett with the BLM and Cheva Gabor with the US Forest Service provided the Council with an overview of the Nevada Economic Assessment Project (NEAP). David explained that the intent of NEAP is to assist Nevada counties with compiling and analyzing data that can be used statewide for various types of planning and policy assessments. Cheva provided an overview of the Federal government's use of the data that will be collected and how the information collected will be used.

**Jake Tibbitts** suggested that David and Cheva come back at a future meeting and provide an update to the Council on the progress of the NEAP.

### **JOIN INC**

Denise Castle with JOIN Inc provided the Council with an overview of the organization and the workforce development & job training opportunities that Join Inc. provides in Northern Nevada.

### **UPDATE ON STATELINE TRANSPORTATION MATTERS**

Steve Teshara, Chairman of the Board of Directors for the Tahoe Transportation District introduced this item to the Council. He stated that he was filling in for Carl Hasty, District Manager for the Tahoe Transportation District.

Lew Feldman with the Tahoe Transportation District provided the Council with an overview of past and ongoing transportation planning efforts in the Stateline area. The Council reviewed and provided feedback to Lew on the US 50/South Shore Community Revitalization Project.

### **A FEW DOUGLAS COUNTY FACTS FROM PARKS AND RECREATION**

Due to time and members of the Council's travel needs, this portion of the agenda was removed.

### **TRAVEL TO LUNCH**

Due to time and members of the Council's travel needs, this portion of the agenda was removed.

### **LUNCH**

Due to time and members of the Council's travel needs, this portion of the agenda was removed.

### **COUNTY PLANNING UPDATES DURING LUNCH**

Due to time and members of the Council's travel needs, this portion of the agenda was removed.

### **TRAVEL BACK TO KAHLE PARK**

Due to time and members of the Council's travel needs, this portion of the agenda was removed.

### **COUNTY PLANNING UPDATES CONTINUED**

Brief summaries:

**Jim French**, Humboldt County:

Jim stated that Humboldt County is in the final stages of updating the county's master plan which will include a county water management plan. Jim further stated that it's important for other counties to have relevant strategic master plans in place as Federal natural resource planning efforts continue to move forward.

**Lee Plemel**, Carson City:

Lee stated that Carson City did not have an update.

**Nancy McDermid**, Douglas:

Nancy stated that although her term on the council is through 2020, her term is up on the Douglas County Commission and Wesley Rice has been elected to her commission district. Nancy provided an update on the Stateline to Stateline bikeway project at Lake Tahoe and the future phases of the project. Nancy stated that the Nevada Land Trust has purchased the Ascuaga ranch in Jack's Valley. Nancy stated that this will be another addition to the 25,000 acres of conservation easements that have been put in place in the county over the past 12 years.

Wesley Rice, Commissioner elect for Douglas County introduced himself to the Council and talked about ongoing planning issues in Douglas County.

**Curtis Moore**, Elko County:

Curtis stated that Elko County did not have an update.

**Sami Real**, Clark County:

Sami provided an update on the county's marijuana regulations including the licensing of new retail establishments and possible ordinance changes to allow for marijuana lounges. Sami stated that the County is also working on new regulations including fees and design standards to allow FCC approved small scale cell towers on public infrastructure.

**Sandy Hoover**, NACO:

Sandy provided an update on ongoing projects that NACO is working on including: the 2019 Legislature, BLM-Forest Service greater sage grouse plan, and the Fallon NAS modernization plan. Sandy stated that her last day with NACO will be on December 26<sup>th</sup> and that NACO is in the process of recruiting a new Natural Resource Manager.

**Charlie Donohue**, Nevada Division of State Lands:

Charlie stated that a new bill (AB 5) dealing with county master plans has been introduced for the next legislative session. Charlie suggested that the members of the Council take a look at AB 84 which deals with the State's conservation bond.

**Ralph Keyes**, Esmeralda County:

Ralph mentioned that there was a recently a discovery of a large lithium deposit within the county that is very large, readily accessible, and could greatly impact the county.

**Don Alt**, Lyon County:

Don stated that the county is having trouble trying to balance growth and agriculture, particularly in Dayton where a new bridge crossing the river and flood control improvements are needed. Don stated that the Silver Springs water basin is currently 6 times over allocated and that the county working on potential solutions.

**Jeanne Herman**, Washoe County:

Jeanne stated that the county is dealing with a lot of issues dealing with growth including effluent water being pumped into dry lake beds and causing flooding. Jeanne stated that the Truckee Meadows Water Authority recently completed a study that projected to the population of the county to be 563,000 in 20 years. Jeanne stated that the county is in the process of updating its regional plan.

**Jake Tibbitts**, Eureka County:

Jake stated that the county recently completed an inventory of all of the potential mountain biking trails adjacent to the town of Eureka which could lead to the development of new bike trails. Jake provided an update on the Diamond Valley groundwater management plan and the next steps in the approval of the plan.

**Art Clark**, Lander:

Kyla Bright, Lander County Planning Coordinator provided the update for the county. Kyla stated that the master plan update has been approved with the exception of the land use plan due to sewer infrastructure issues. Kyla stated that the county has recently approved three marijuana business in Battle Mountain and one business in Austin.

There was discussion from the Council about the possibility of having a future agenda item on marijuana businesses around the state.

### **COUNCIL MEMBER COMMENTS**

### **COUNCIL DISCUSSION AND RECOMMENDATIONS FOR REVISITING SLUPAC FOCUS AREAS**

**Don Alt** suggested that the counties look into valid and pre-existing rights (VER) on Federal lands with the BLM. **Jake Tibbitts** suggested that the Council staff find a representative from the BLM to bring forward additional information to the Council on this issue at a future meeting.

**Jake Tibbitts** suggested that during the first meeting of 2019 that the Council get together and plan out a strategy session on the focus areas with the new Council members and identify issues to highlight during the 2019 Nevada Legislature.

There was discussion by the Council that the next meeting would be held in mid-March in Carson City, NV.

### **PUBLIC COMMENTS**

None.

### **ADJOURN**

The meeting was adjourned at 1:21 pm.

Respectfully submitted,

Scott Carey

/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.