

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

February 10, 2022

University of Nevada Cooperative Extension Office

Room #E

8050 Paradise Road, Las Vegas, NV

**Members Present**

Jake Tibbitts, Eureka County (Chair)  
Lorinda Wichman, Nye County (Vice Chair)  
Hope Sullivan, Carson City  
Sami Real, Clark County  
Jim Barbee, Churchill County  
Maureen Casey, Douglas County  
Jim French, Humboldt County  
Curtis Schlepp, Mineral County  
Roger Mancebo, Pershing County  
Jeanne Herman, Washoe County  
Bill Calderwood, White Pine County  
Marla McDade Williams, Nevada Indian Commission  
Charlene Bybee, Nevada League of Cities & Municipalities  
Jeremy Drew for Vinson Guthreau, Nevada Association of Counties

**Members Absent**

Wilde Brough, Elko County  
De Winsor, Esmeralda County  
Art Clark, Lander County  
Kevin Phillips, Lincoln County  
Wes Henderson, Lyon County  
Kathy Canfield, Storey County

**Others Present**

Brett Waggoner, Nye County  
Jeremy Drew, Resource Concepts Inc.  
Lyndi Renaud, Storey County  
Rob Beltramo, Washoe Tribe of Nevada and California  
Darren Daboda, Moapa Band of Paiutes  
Ryan Loomis, City of Henderson  
Brian Adams, City of Henderson  
Richelle Liston, City of Henderson  
Joesph Lednicky, University of Nevada Cooperative Extension  
Buddy Borden, University of Nevada Cooperative Extension  
Sheila Bray, University of Nevada Cooperative Extension  
Bill Bayne, University of Nevada Cooperative Extension  
Jordan Hosmer-Henner, Governor Steve Sisolak  
David Pritchett, U.S. Bureau of Land Management  
Dan Nubel, Office of Attorney General  
Greg Ott, Office of Attorney General  
Charlie Donohue, Nevada Division of State Lands  
Ellery Stahler, Nevada Division of State Lands  
Scott Carey, Nevada Division of State Lands

**Nevada Division of State Lands**

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**1) Call to Order**

The meeting was called to order by **Jake Tibbitts** at 9:31 am. A roll call was held for members of Council and a quorum was established. Introductions were made by others who were present.

**2) Public Comment**

**Jake Tibbitts** called for public comment. There was no public comment, and the public comment period was closed.

**3) Review of the Agenda**

Scott Carey with the Nevada Division of State Lands stated that there were no changes needed for the meeting agenda. There were no other changes to the agenda suggested by the Council. **Jake Tibbitts** stated that since there were no changes to make, then the Council will proceed with the meeting agenda as submitted.

**4) Election of Chair and Vice Chair for 2022**

Scott Carey with the Nevada Division of State Lands stated that that NRS 321.740 and the Council's bylaws outline that the Chair and Vice Chair be elected at the first meeting of the year. Scott stated that the main roles of the Chair and Vice positions are to run the meetings, assist staff with the development of meeting agendas, and sign letters of support or comments letter on behalf of the Council. Scott stated that the terms of the new Chair and Vice Chair would run through February 10, 2023, and that staff is recommending that the Council elect a Chair and Vice Chair for 2022. Scott also stated that **Jake Tibbitts** and **Lorinda Wichman** are both eligible to be re-elected if the Council desires.

**Lorinda Wichman** made a motion to elect **Jake Tibbitts** as Chair for a one-year term ending on February 10, 2023. The motion was seconded by **Jeanne Herman**. There was no discussion on the motion. The motion was approved unanimously by a voice vote of the Council.

**Jeanne Herman** made a motion to elect **Lorinda Wichman** as Vice Chair for a one-year term ending on February 10, 2023. The motion was seconded by **Roger Mancebo**. There was no discussion on the motion. The motion was approved unanimously by a voice vote of the Council.

**5) Approval of July 9, 2021 SLUPAC Meeting Minutes**

**Jeanne Herman** made a motion to approve the July 9, 2021, SLUPAC meeting minutes as submitted. The motion was seconded by **Maureen Casey**. There was no discussion on the motion. There was no opposition to the motion and the motion was passed. **Hope Sullivan** abstained from voting on the motion.

**6) County and Member Planning Updates****Jake Tibbitts, Eureka County**

Jake stated that Eureka County continues to work on several high-profile water issues throughout the county. Jake stated that two thirds of the county's population currently receive water from the Diamond Valley basin. He stated that the county continues to go through the adjudication process for the water in Diamond Valley and multiple hearings are scheduled soon before the District Court.

Jake stated that Eureka County like many areas throughout the state is struggling with affordable housing. He stated that there is currently no housing at all in southern Eureka County due to existing mining and new mining projects. He stated that home values in the county continue to rise overall and that in some cases the value of a home will rise weekly. He stated that the county is working with mining companies to develop multi-family housing opportunities and single-family homes. He stated that county previously worked with another mining company to develop a subdivision that could accommodate additional single-family homes right away. He stated

that the county is also looking to develop transitory housing opportunities to accommodate workers from the mining industry.

**Jim French**, Humboldt County

Jim stated that Humboldt County is also experiencing a housing crunch. He stated that the new salmon farm in Pershing County has created increased demand for construction workers and engineers to live in Humboldt County. He stated that the Lithium Nevada project in Orvada is nearing the final permitting phase and is also creating increased demand for housing in the county. He stated that overall, the housing crunch in the county is being fueled by a lack of skilled labor in the construction industry and a lack of housing supply. He stated that the county is working with companies in the area to provide short term as well as longer terms housing needs.

Jim stated that the county has completed the final draft and in the final stages of updating its Natural Resources Public Lands Master Plan including a comprehensive water resources plan. Jim stated that the county has also recently submitted comments to the Air Force concerning the Mountain Home Air Force Base airspace modernization project. He stated that the county is concerned about the impact of the modernization project to the northern areas of the county.

Jim stated that the county has completed its review of the Environmental Impact Statement (EIS) for the Sage Grouse 2015-2019 plan rewrite. He stated that the EIS calls for additional Areas of Critical Environmental Concern (ACEC) designations within the county.

Charlie Donohue with the Nevada Division of State Lands asked where the proposed ACEC's are being proposed in the county.

**Jim French** stated that the Department of Interior has issued a call for private entities to recommend where ACEC's should be designated within the Sage Grouse Special Focal Areas (SFAs). Jim stated that he believes this is a new concept and that each new ACEC that is designated will come with its own habitat designation and set of restrictions. He further stated that any new ACEC will come with its own management plan and require additional management requirements for the Department of Interior. He stated that the Department of the Interior's call for new ACEC designations is a new concept and something the Council should be aware of and keep an eye out for around the state. He stated that the designations of an ACEC could impact thousands of acres within a county and impact the county's land use plan for that area.

**Curtis Schlepp**, Mineral County

Curtis stated that housing is also an issue in Mineral County. Curtis stated that the county is in need of additional multi-family housing in order to support the county's workforce. He stated that there was a home builder that came into the area and has built one new home and that it has not sold yet. He stated that when this new home does sell it will likely be one of the most expensive homes built in the county.

Curtis stated that the Hawthorne Army Depot is a major driver of housing demand for the county. He stated that Mineral County like the rest of the state currently has a lot of employment opportunities that cannot be filled. He stated that the county was recently looking to fill 10-12 positions and was having a hard time filling the vacant positions. He stated that statewide housing is a major issue and is something that needs to be addressed.

Charlie Donohue with the Nevada Division of State Lands stated that the state recently disposed of Walker Lake State Recreation Area to Mineral County. Charlie asked about the status of the county's plan to improve this recreational area.

**Curtis Schlepp** stated that there have been recent discussions about improving some of the beaches in this area. Curtis stated that he believes the county received a grant from the state for this project back in 2015. He stated that the County Commission recently discussed some potential issues around this grant and the county's required match for the project. He stated that Mineral County is currently not in a great position financially to provide for the required matching funds for this project. He added that the county continues to discuss this project and sees the need to improve recreation at Walker Lake in the face of declining lake levels.

**Lorinda Wichman, Nye County**

Lorinda stated that Nye County continues to work on a lands bill as a way to provide some mitigation from the proposed expansions of the Nellis Air Force Base, the Nevada Test and Training Range, Department of Energy, NASA, and Naval Air Station Fallon. She stated that county wants to have a draft of the lands bill to the congressional delegation by the first of April.

Lorinda stated that Tonopah continues to face a housing crunch. She stated that resolution to this issue is challenging because Tonopah is land locked and does not have land available to build. She stated that part of the county's land bill provides for additional land east and south of Tonopah to build new housing. She added that the Bureau of Land Management (BLM) is experiencing staff retention and attraction issues due to the housing situation in Tonopah. She stated that she is working on amendments to the county's master plan which was last updated in the early 2000's.

Lorinda stated that there are currently solar projects 30 proposed in Nye County along the proposed Greenlink West project corridor. She stated that many of these projects are proposed in the same locations on public land. She stated that the county has requested to the BLM State Director that the agency put these public lands up for competitive bid. She stated that the county recently executed a professional services agreement for a new manager for the Tonopah Conservation District.

Scott Carey with the Nevada Division of State Lands asked if the county had an update on NASA's proposed land withdrawal in the Railroad Valley. Scott also asked about the Northern Nye County housing summit planned for next week in Tonopah.

**Lorinda Wichman** stated that she is unable to attend the Northern Nye County housing summit next week but is encouraged to see everyone attend. Lorinda stated that NASA has denied the county's request to become a cooperating agency on the proposed land withdrawal in the Railroad Valley. She stated that this decision has upset many people within the county and within the local BLM offices. She stated that the county continues to work with the congressional delegation to have NASA reconsider this decision and allow the county to become a cooperating agency on this proposal. She stated that NASA was originally looking to withdrawal 23,000 acres in the Railroad Valley but is now looking at withdrawing 500 or 1000 less acres.

**Hope Sullivan** asked for additional information about the Northern Nye County housing summit planned for Tonopah.

Scott Carey with the Nevada Division of State Lands stated that he was planning to attend the Northern Nye County housing summit in Tonopah next week. Scott stated that the two-day summit is being facilitated by the University of Nevada, Reno College of Business and is going to focus on housing issues in Esmeralda County and Northern Nye County. He stated that the purpose of the summit is to examine solutions to the areas current housing needs as well as increased housing needs from new lithium and gold mining projects coming to the area. He stated that he will provide the Council with an update on the results of the summit before the next meeting.

Charlie Donohue with the Nevada Division of State Lands offered his congratulations to Nye County on hiring a new manager for the Tonopah Conservation District.

**Roger Mancebo, Pershing County**

Roger stated that Pershing County is in the process of updating its master plan which includes the water resources plan. Roger stated that the county is looking forward to the opening of the new salmon farm which is scheduled to open by July 1<sup>st</sup>. He stated that housing within Pershing County and in the Lovelock area is challenging like it is elsewhere in the state. He stated that all available RV spots in the county are currently full. He stated that the outlook for the county's water remains dry and the county remains concerned about prolonged drought conditions in Rye Patch reservoir.

**Jake Tibbits** stated that he shares Roger's concerns for more moisture in the region and remarked that December 2021 was the second wettest December on record followed by January 2022 being the second driest January on record.

**Cathy Canfield**, Storey County

Cathy was unable to attend the meeting but did provide the Council with a [Storey County Update](#) prior to the meeting.

**Jeanne Herman**, Washoe County

Jeanne stated that the county's lands plan is currently being working on in Washington DC. She stated that she has never seen the plan and was not sure of what is in the plan at this time.

Jeanne stated that at yesterday's Board of County Commissioners meeting over 350 citizens attended the meeting and provided nearly 5 hours of public comment concerning elections and election integrity. She stated that there was no media attention or coverage of yesterday's meeting and wanted to share this with the rest of the Council.

**Bill Calderwood**, White Pine County

Bill stated that he echoes the concerns of the other Council members with respect to housing and the shortage of labor across the state. He stated that the County Commission is looking into unmaintained private roads throughout the county and trying to find a way to fund and provide maintenance for these roads. He said that poorly maintained private roads in the county has been a barrier for some of these properties to be sold and be developed for housing. He stated that the labor shortage has been a challenging for the police department, who is currently 5 officers short of its normal staffing levels.

Bill stated that the hydro pump storage project in the county is currently on hold until the spring. He stated that the project developers are going to conduct additional testing of the grounds to determine compatibility and costs for the project.

Bill stated that the White Pine Commission recently voted to implement a \$0.05 per gallon diesel fuel tax. He stated that from July 2020 through November 2021, this tax has generated over a half million dollars in funding to the Regional Transportation Commission. He stated that this tax revenue has been a huge help to provide maintenance on roads in the county.

**Marla McDade Williams**, Nevada Indian Commission

Marla stated that before the meeting she sent out an email to the Nevada Indian Commission to ask the Tribe's throughout the State to provide any input or updates for the Council. She stated that she heard back from Rob Beltramo with the Washoe Tribe of Nevada and California and Darren Daboda of the Moapa Band of Paiutes.

Wendy Loomis with the Washoe Tribe of Nevada and California stated that she was asked by Chairman Serrell Smokey to attend today's meeting. Wendy stated that they are learning some good information from today's meeting and thanked the Council for allowing the Tribe to attend today's meeting.

Marla stated that there is concern amongst Tribal Nations in southern Nevada concerning the proposed public lands bills. She stated that the Tribe's are in a different position than counties when it comes to resources available. She stated that one of the main concerns for Tribe's on the public lands bills is trying to balance the resources available with future development in this area especially with respect to water resources. She stated that Tribal Nations do support the protection of Avi Kwa Ame from solar development and its designation as a national monument. She stated that Tribe's remain concerned about the proposed expansion of Nellis Air Force Base and saving the Red Rock National Conservation Area.

Marla stated that in Northern Nevada there is concern from Tribe's about efforts to mitigate and protect pinyon juniper forests. She stated that wildfires can be devastating to these areas, and that Tribes are concerned about clear cutting these forests and allowing commercial pine nut harvesting. She stated that as a cultural practice, people need to be respectful of the pinyon trees. She stated that commercial pine nut operators in this area are not respectful of the cultural practices and do not promote the regeneration of pine nuts. She stated that it would be appreciated if counties in this area would be considerate of this issue.

Marla stated that off-road recreation is degrading certain tribal lands in the state. She stated that this use has led to increased erosion and has caused impacts to cultural & archeological sites in these areas. She also stated that abandoned mine sites remain a problem. She stated that superfund sites and ongoing mining has creating ongoing conflicts and impacts for Tribe's throughout the state. She stated that there is a desire to determine what resources are needed and determine the best way to provide those resources while respecting the Tribe's and the traditional areas where they live.

Marla stated that there is an issue with an abandoned state highway in Mineral County. She stated that she is willing to help facilitate discussions and resolution with the Tribe involved with this issue.

**Jake Tibbits** thanked Marla for the update and stated that it would be good the Council to stay connected with the Nevada Indian Commission on any lingering issues. He stated that it would be good for the Council to stay updated on any remaining issues so it can work more collaboratively with the Tribe's and move forward with a common voice.

Jake noted in the [meeting chat room](#), comments provided by Darren Daboda of the Moapa Band of Paiutes that the Tribe does not have Federally reserved water rights and that the Tribe is working on a new 69 kv transmission line to the Moapa Paiute Travel Center. In the meeting chat room, Darren also provided an update on the Tribe's solar projects and that its working with NDOT on the "Jornado del Muerto" historical marker on Interstate 15.

**Curtis Schlepp** asked which state highway has been abandoned in Mineral County.

**Marla McDade Williams** stated that its her understanding the abandoned state highway is a portion of US 95 that goes through the Walker River Paiute Tribe's reservation.

**Curtis Schlepp** stated that he will follow up with Chairwoman Amber Torres on this issue,

**Vinson Guthreau**, Nevada Association of Counties

Vinson was unable to attend today's meeting, Jeremy Drew with Resource Concepts Inc. provided the update for the Nevada Association of Counties (NACO).

Jeremy stated that NACO Board in January approved submitting comments to the Federal government on the proposed definition of Waters of the United States. He stated that there is a Supreme Court case on a parallel track with the proposed definition that could affect this issue.

Jeremy stated that NACO provided comments for round 3 of the Greater Sage Grouse land use planning amendment proposed by the BLM. He stated that the comment period for this plan closed earlier in the week and NACO has requested to become a cooperative agency for the project. He stated that Resource Concepts Inc has been filling in while NACO recruits for its Natural Resources Public Lands Manager position. He stated that the position has closed and NACO plans to hold interviews with candidates over the next couple of weeks.

**Hope Sullivan** asked for clarification and the name of the Supreme Court case that Jeremy mentioned.

Jeremy Drew with Resource Concepts Inc stated that the Supreme Court case is called Sacketts vs the EPA. Jeremy stated that he would drop an article about this case into the [meeting chat room](#).

**Charlene Bybee**, Nevada League of Cities and Municipalities

Charlene stated that she does not have an official update from the Nevada League of Cities and Municipalities but offered to provide an update on regional issues and the City of Sparks. She stated that both small and large cities are challenged with the current housing situation across the state. She stated that the City of Sparks is now over 108,000 people and that the city cannot build fast enough housing despite a lot of new multi-family construction. She stated that the city been trying to encourage developers to construct missing middle housing in the city. She stated that everyone is building luxury residential housing and that there is a real need for workforce housing that is affordable and attainable within the city. She stated that the city is beginning to see more duplexes, townhouses, condominiums, and tiny houses being developed where the price point is lower.

Charlene stated that within the city the 5 Ridges development is currently underway. She stated that this project takes place on a former aggregate materials pit and is being repurposed for residential. She stated that the city for the first time allowed a special improvement district to be created for this development. She stated that is a tool allowed by Legislature that allows for fees to be collected within the district and be used towards infrastructure improvements. She stated that over the next 30 years fees will be collected within the district and that this is a new and innovative concept for the city. She stated that the fees collected will help the developer with the infrastructure costs needed to serve the new development and will benefit future residents of the district.

Charlene stated that the City of Sparks is involved in the county lands bill and that the city is promoting the lands bill and the road on the east side of the city connecting to the Tahoe-Reno Industrial Center. She stated that the city needs to get its industrial land uses off of the Truckee River and transitioning the area to new land uses.

Scott Carey with the Nevada Division of State Lands asked about the Economic Development Authority of Western Nevada (EDWAN) recent regional lands study that was completed.

**Charlene Bybee** stated that she was aware the EDWAN recently held a large economic forum about the state of the economy but that she has not had a chance to review the regional lands study yet.

Scott Carey with the Nevada Division of State Lands stated that the EDWAN regional lands study looked at the availability of developable land within the Truckee Meadows for housing and industrial development. He stated that the report recommended that federal lands bill to support future housing and industrial growth in the region. He stated that after the meeting he will provide the Council with a copy of this report.

#### **Hope Sullivan, Carson City**

Hope stated that Carson City continues to update its zoning ordinance with city staff and without the help of outside consultants. She stated that she meets quarterly with the builders in the city and earlier this week they met with Brian Bonnenfant with the Center for Regional Studies at the University of Nevada. She stated that Carson City had 204 housing starts last year and that the city's growth management ordinance would have allowed over 600 new units. She stated that the builders in this meeting talked a lot about how statewide there is a lack of construction workers due to workers aging out and that there is also a lack of building materials. She stated that Carson City continues have a lot of discussions about housing and the obstacles to housing and what other states are doing. She suggested a future agenda topic for the Council to look into and discuss housing and the related challenges across the state.

#### **Jim Barbee, Churchill County**

Jim stated that Churchill County has two planned unit developments that are moving through the planning process. He stated that all available and buildable lots within Fallon have been developed. He stated that DR Horton has purchased most of the buildable lots within the City of Fallon and the county expects those lots to be developed soon. He stated that the two planned unit developments would encompass about 1,400 single family residential units within the county. He stated that the county is working with a developer to develop a 420 multifamily unit project on a county owned property.

Jim stated that the Rafter 3C Arena in Fallon is scheduled to open on June 1<sup>st</sup>. He stated that the arena is 75,000 sq ft in size and that they have events scheduled in the facility starting in March. He stated that the county is planning to release the request for proposals for a new 2 story district court building in Fallon.

**Sami Real**, Clark County

Sami stated that Clark County has adopted the update to the county's master plan. She said that the county has not completed a comprehensive update to the master plan since it was written in the 1970's. She stated that the county is still working on the update to its zoning ordinance. She stated that the county is working on this update in three installments and that the first installment would come out in early March. She stated that the All in Clark County sustainability plan continues to be implemented throughout the county. She stated that the county is looking at setting up a similar program like the City of Reno has to encourage more urban trees and forests to address heat island effects in the county. She stated that the county continues to work with the Southern Nevada Water Authority on more long-term restrictions for water use and evaporative cooling units for commercial buildings in the county to save water.

Sami stated that the county recently selected a developer to construct an affordable housing project on a county owned property. She stated that the county continues to work through the logistics and remaining legal issues with the BLM to complete this affordable housing project. She stated that the county is looking to develop another affordable housing project on another county property because they are not getting affordable housing projects coming in from the private sector. She stated that the county's approach is to incentivize affordable housing projects in the county by providing the land.

**Jake Tibbitts** stated that it was his understanding that many public facilities throughout the county were built on Federal land under the Recreational and Public Purposes (RP&P) process. He asked what process the county is going through with the BLM to transfer the county's property to affordable housing developers.

**Sami Real** stated that the county has acquired this land from the BLM and the county is trying to figure out how to transfer this property into the hands of a developer for affordable housing. Sami stated that this is new territory for the county and there have been a lot of conversations with the BLM and others as to how to transfer this land. She stated that if the Council has a future agenda item on this topic, that she could provide and update on these projects and the transferring of the land.

**Hope Sullivan** stated that Carson City has also made land available to developers for affordable housing and that they have completed the land transfer. Hope stated that a challenge for the city is to ensure that the operation of the facility remains in good condition and remains affordable in the future. She stated that the city is not in the affordable housing business, but it is making the land available with the intention that it would be used for affordable housing. She stated that it would be good the Council to discuss this issue at future meeting.

**Maureen Casey**, Douglas County

Maureen stated that Douglas County was the recipient of the 2021 Outstanding Rural Planning Award from the Nevada Chapter of the American Planning Association for the county's 2020 master plan update. She stated that last week the county approved the first ever special use permit for a synagogue. She stated that this will be the first synagogue in Douglas County and will be located at the top of Kingsbury Grade. She stated that there is an educational program going on within the Lake Tahoe and Carson River basins to promote not dumping oil into the river and to pick up pet waste.

Maureen stated that 20-30 years ago Douglas County approved deed restrictions on properties to promote affordable housing. She stated that out of area investors were coming into the county and purchasing properties to rent them out at above market prices. She stated that this is a big issue in South Lake Tahoe, where local residents are being pushed out by investors who are also renting the properties for Vacation Home Rentals. She stated that one strategy the county has employed when properties in this area are being redeveloped is to place a deed restriction on the property for affordable housing.



Maureen stated that the average age group for Douglas County is above 50 years old and that older residents in the county are generally opposed to affordable housing. She stated that the county is working on updating its communications and messaging when it comes to affordable housing. She stated that the county is trying to educate the public about affordable housing not being only subsidized government housing but its housing for workforce and county residents. She stated that the housing remains a key challenge for the county to recruit and retain its workforce. She asked for suggestions and ideas from the Council on how to properly message affordable housing to remove false perceptions from the community.

**Sami Real** stated that its important to break down misconceptions in the community when it comes to affordable housing. Sami stated that one way to do this is to equate the costs of affordable housing with the real salaries of a job. She stated that for one of Clark County's affordable housing projects, the county used a teacher's starting salary to make the case for the need for the project. She stated that its important to tie the salary for a job that the county will need and wants to help build support in the community for an affordable housing project.

Joesph Lednicky with University of Nevada Cooperative Extension stated that as part of the Nevada Economic Assessment Project (NEAP) they have been working with the Nevada Rural Housing Authority and Nevada Housing Coalition on affordable housing issues. Joesph stated that the Nevada Housing Coalition can help assist communities with breaking down misconceptions and through its messaging help build support for affordable housing.

## **7) NEAP Presentation**

Joesph Lednicky with University of Nevada Cooperative Extension provided the Council with a [presentation](#) about the Nevada Economic Assessment Project (NEAP).

Buddy Borden with University of Nevada Cooperative Extension stated that he is pleased to interact with the Council on the NEAP. Buddy stated that the goal of the NEAP is to provide a consistent and statewide tool that communities can use to analyze the economic impacts of a project. He stated that the team is working with the Nevada Division of State Parks to conduct a survey of park visitors and help the agency analyze the economic impacts of state parks.

Sheila Bray with University of Nevada Cooperative Extension thanked the Council for the opportunity to host today's meeting.

Buddy Borden with University of Nevada Cooperative Extension encouraged the Council to visit the [NEAP website](#) and check out the fact sheets the project has developed for each county.

**Marla McDade Williams** asked for a copy of the [NEAP presentation](#) to be shared with the Council. Marla asked how the project determined who the stakeholders were for the Payment in Lieu of Taxes (PILT) analysis.

Buddy Borden with University of Nevada Cooperative Extension stated that the PILT analysis section for the NEAP was completed by Dr. Tom Harris of the University of Nevada, Reno. He stated that he believes the stakeholders were determined by the percentages of the payment formula in the PILT statute. He stated that he would need to investigate further in order to provide a better answer. He stated that the project team would like to take a closer look at the Tribal Nations across the state and provide these areas with better information to make their decisions.

Charlie Donohue with the Nevada Division of State Lands stated the NEAP is a very useful tool for the entire state. Charlie stated that the Division removed the NRS demographic reporting requirements a few legislative sessions ago within the State Land Use Planning Agency due to staffing limitations. He stated that it is great to see the University of Nevada Cooperative Extension program undertake this effort through the NEAP and provide valuable information to local communities across the state. He asked how the University of Nevada Cooperative Extension can make the NEAP a sustainable program into the future.

Buddy Borden with University of Nevada Cooperative Extension stated that seed money provided for the NEAP by the Bureau of Land Management (BLM) is running out soon. Buddy stated that the project has been fortunate to enter into agreements with Nevada State Parks and Nevada Rural Housing Authority to perform specific studies using the NEAP data that will help support keeping the program running. He stated that the NEAP would like to see more agencies and partners around the State inform the Legislature of the value of the project and be included within the State budget. He stated that the main goal of this project is to provide useful data to support communities around the state make good decisions based on the real economic impacts of projects.

Charlie Donohue with the Nevada Division of State Lands stated that the Nevada Division of Outdoor Recreation recently was awarded American Rescue Plan Act (ARPA) funding to support projects of the Division and look at the economic impact of the recreation industry statewide. Charlie offered to connect the staff with the Nevada Division of Outdoor Recreation with the NEAP.

Buddy Borden with University of Nevada Cooperative Extension stated that NEAP has been connected with the Nevada Division of Outdoor Recreation and they look forward to utilizing their economic data and combining it with data gathered by other partners.

**Jake Tibbits** stated that the NEAP data has been useful to Eureka County to examine the economic impact of proposed mines. Jake stated that it his preference that Federal agencies conducting environmental reviews use the local NEAP data to determine socio-economic impacts as opposed to using out of state data. He stated that it would be good for the BLM to provide direction to its field offices to use the NEAP data when reviewing projects.

Charlie Donohue with the Nevada Division of State Lands asked if the Council would see value in reviewing and considering a resolution or letter supporting the NEAP.

**Jake Tibbits** stated that he would see value in the Council considering such an action, but noted that today's item was listed on the agenda for discussion only.

Charlie Donohue with the Nevada Division of State Lands stated that staff would be happy to bring forth a future agenda item for the Council to consider a letter or resolution supporting the NEAP.

**Jake Tibbits** stated that he would like to see a future agenda item to this effect and that he believes it would help advance the NEAP overall.

## **8) Vacation Home Rental Discussion**

**Jake Tibbits** stated many local governments throughout the state are dealing with this issue and are trying different measures to regulate and manage vacation home and short-term rentals. Jake stated that he believes this issue is related to many of the affordable housing challenges that were discussed earlier in the meeting,

Scott Carey with the Nevada Division of State Lands provided an overview of the staff memo that was prepared for this agenda item and included on pages 13-14 of the [meeting packet](#). Included in the staff memo was a publication on Short Term Rentals in Nevada that was prepared by the Nevada Legislative Counsel Bureau's Research Division in March of 2021. Scott stated that staff recommends that the Council review the information provided in staff memo and have a discussion on the best practices to regulate short term and vacation rentals throughout the state.

Ryan Loomis with the City of Henderson provided an overview of the city's short term rental ordinance and efforts to regulate this use within the city. Ryan stated that the city's ordinance has been in place since July 2016 and that it did not originally include a buffer provision. He stated that in 2020, the city amended its ordinance to require a 1,000 ft buffer from other short-term rentals. He stated that the new buffering requirement created a lot of legal non-conforming short-term rental uses within the city. He stated that the City Council will soon be considering another amendment to its ordinance to implement the new requirements from AB 363. He stated that the amendment to the ordinance includes a new 2,500 ft buffer from short term rentals

with a non-restricted gaming use and new state licensing requirements. He stated that as of February 15<sup>th</sup> the City will be requiring documentation from short term rentals that their local homeowners association allows for short term rentals.

Ryan encouraged members of the Council to visit the city's [Short Term Rental website](#) and check out the information available if a local government is considering its own short term rental ordinance. He stated that some of one most common code enforcement issues involving short term rental compliance is with the city's 200 ft radius neighborhood noticing requirement. He stated that the notices are required to provide contact information for the short-term rental owner as well as the hotline for residents to call in complaints. He stated that after a receiving a complaint through the hotline, the city may issue a citation if the short-term rental is operating not in compliance with the city's ordinance. He stated that other common code enforcement issues are operating outside of permitted hours and exceeding occupancy requirements. He stated that on average the city will collect \$2,154 per month in fines for non-compliance with the city's short term rental ordinance.

Ryan stated that prior to the distance buffering requirements being implemented there was a high concentration of short-term rentals located near another. He stated that the buffering requirement has helped reduce the concentration and reduce complaints from residents. He stated that the city's inspection program for reviewing a new short term rental use or renewal has really helped compliance with the city's ordinance. He also stated that city has maintained a Frequently Asked Questions (FAQ) section on its [Short Term Rental website](#) to help provide information to the public and assist operators with compliance.

Wendy Loomis with the Washoe Tribe of Nevada and California asked how many short-term rentals permits the City of Henderson issues annually. Wendy also asked what annual fees the city charges for short-term rental permits now and how the city used to collect taxes prior to the ordinance.

Ryan Loomis with the City of Henderson stated that he wasn't sure how many permits are issued annually by the city, but he stated that the city currently has 350 permitted short-term rentals. Ryan stated that the city charges a \$820 fee each time a short-term rental registers with the city. He stated that each month a short-term rental property owner must report their taxes each month to the city and if they don't pay the required taxes for two months that city can issue citations.

Brian Adams with the City of Henderson stated that the required monthly reports are sent to the city's Finance Department and that the Department will provide the Planning Department with a list of property owners who are out of compliance. Brian stated that even if an owner does not rent out the home during that month, they still must report to the city and pay any required taxes.

Wendy Loomis with the Washoe Tribe of Nevada and California asked if the city has received a reduction in fees and taxes coming into the city from implementing its ordinance.

Ryan Loomis with the City of Henderson stated that the city has always required that taxes be paid for any short-term rental use. Ryan stated that since the adoption of the buffering requirements they have seen a reduction in the number of short-term rentals within the city.

Joesph Lednicky with University of Nevada Cooperative Extension how the city cracks down on non-registered short-term rental units.

Ryan Loomis with the City of Henderson stated the city maintains a map of where regulated short term rental units are located. He stated that the city's code enforcement will respond to complaints of unregulated short term rental units and will issue citations and work with third-party booking sites to ensure compliance with the city's ordinance.

Brian Adams with the City of Henderson stated that the city uses Host Compliance as its vendor to enforce the city's short term rental ordinance. Brian stated that the city uses this company to track third-party booking sites to see which properties in the city are being offered for rent. He stated that this company allows the city to see which properties available for rent that are in registered with the city and those that are not registered. If a

property is not registered, the city will issue a notice of violation to the property owner through the Host Compliance company.

Scott Carey with the Nevada Division of State Lands expressed his appreciation to the City of Henderson staff for participating in today's meeting and for sharing their experience with regulating short term and vacation home rentals.

**Maureen Casey** stated that Douglas County has an agency that handles permitting and collects fees for vacation home rentals in South Lake Tahoe. Maureen stated that this agency has done a wonderful job for the county. She stated that the County Commission recently voted to fund a full-time position within the District Attorney's Office that will be paid for using the fees collected for the vacation home rentals in the county. She stated that the county's Vacation Home Rental (VHR) Board has been working to process code enforcement and permit violations. She stated that this Board does have the authority to issue fines of up to \$5,000 per violation. She stated that very few within the county have contested these fines and when they are contested the County Commission has usually upheld the maximum fines. She stated that the County Commission has only reduced two fines that were contested, one of which was for a bed & breakfast in the Carson Valley.

Maureen stated the Douglas County has been successful in weeding out the bad apples with respect to compliance with the county's vacation home rental ordinance. She stated that the county currently has 200 people on the waiting list for vacation home rental permits. She stated that county staff has been directed that it's not up to them to remind permittees of renewal requirements. She stated that the county will send one letter to a permittee and if the property owner fails to act, they will lose their permit and then go to the bottom of the waiting list. She stated that the [Douglas County Vacation Home Rental website](#) includes a lot of helpful information about the county's regulations.

**Jake Tibbitts** thanked the Council for today's presentation and stated that it would be good for members of the Council to keep the group updated as new ordinances and regulations are put into place. He stated that every community in Nevada is likely affected by this issue, and it would be good to share information about how to successfully regulate this use.

### **9) State Land Use Planning Agency Update**

Scott Carey with the Nevada Division of State Lands provided an update of the State Land Use Planning Agency that was included as pages 22-26 of the [meeting packet](#). Scott expressed his appreciation to the University of Nevada Cooperative Extension for hosting today's meeting and encouraged all members of the Council to visit this facility in the future.

**Jake Tibbitts** stated that he is looking forward to working with the Nevada Department of Wildlife (NDOW) on the implementation of AB 211 and the new tentative map review requirements for wildlife.

Charlie Donohue with the Nevada Division of State Lands stated that staff has working with the Department of Business and Industry and the Governor's Office to put together a list of possible state-owned lands that could be used for affordable or transitional housing. Charlie expressed his appreciation to the members of the Council for their comments regarding affordable housing across the state

Bill Bayne with the University of Nevada Cooperative Extension thanked the Council for its work throughout the state. Bill stated that he values the NEAP and the University of Nevada Cooperative Extension's involvement with the project. He stated that the project began over 4 years ago with a small budget of around \$20,000 and that it has been a continual struggle to maintain financial support for the project every year. He stated that it is imperative we find a way to sustain the NEAP so that the project team can spend more time gathering and updating economic data around the state. He stated that the NEAP team is currently pursuing different funding strategies and he hopes that the Governor and Legislature will find value in the project and dedicate funding to support the program. He stated that any letters of support or other actions from the Council would be a great help towards finding a sustainable funding source for the NEAP.

### **10) Future Agenda Items**

**Nevada Division of State Lands**  
State Land Use Planning Agency  
901 S. Stewart Street, Suite 5003  
Carson City, NV 89701

Telephone: (775) 684-2723  
[www.lands.nv.gov/land-use-planning](http://www.lands.nv.gov/land-use-planning)

**Jake Tibbitts** stated during today's meeting he has heard the following future agenda items suggested, a presentation on the impacts of drought and climate change on agriculture, and a support letter for the NEAP.

**Hope Sullivan** suggested a future agenda item about affordable housing around the state. Hope stated that each member of the Council knows the challenges of this issue, but they don't know all of the solutions. She stated that it will be important for the Council to relate this issue back to the workforce and water resources available within their area of the state.

**Maureen Casey** stated that it would be good for the Council to hear a presentation about Douglas County's transfer of development rights program. She stated that this would be a good agenda item for the Council if it were to meet in Douglas County and could involve a field trip.

Scott Carey with the Nevada Division of State Lands stated that staff will also look the agenda items suggested. In addition, he suggested the following future agenda items; appointments for members of the SLUPAC Executive Council, and a presentation from NDOW about the implementation of AB 211 and the new tentative map review requirements for wildlife.

### **11) Scheduling of Future SLUPAC Meeting Dates and Locations**

Scott Carey with the Nevada Division of State Lands stated that staff was hoping to finalize a date and location for the next Council meeting. Scott suggested that the Council set a date and location for its next meeting around the upcoming Nevada Rural Planning Conference organized by the Nevada Chapter of American Planning Association and scheduled in Elko for June 2-3.

**Jake Tibbitts** suggested Friday June 3, 2022 at 9:00 AM in Elko as the date for the next Council meeting. The consensus of the Council was that this date would work for its next meeting.

### **12) Public Comment**

**Jake Tibbitts** called for public comment.

Rob Beltramo with the Washoe Tribe of Nevada and California expressed his appreciation to Chairman Sarrell Smokey and Marla McDade Williams for the invitation to join today's meeting. Rob stated that its good to reconnect with members of the Council & staff and that its good to know that the Tribe is not alone in dealing with similar issues.

**Jake Tibbitts** called for additional public comment. There was no additional public comment, and the public comment period was closed.

### **13) Adjourn**

The meeting was adjourned at 12:28 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.