

STATE LAND USE PLANNING ADVISORY COUNCIL
MEETING MINUTES

April 14, 2023

Nevada Association of Counties, Carson City

NACO Conference Room

304 South Minnesota Street. Carson City, NV 89703

Members Present

Jake Tibbitts, Eureka County (Chair)
Hope Sullivan, Carson City
Jim Barbee, Churchill County
Maureen Casey, Douglas County
Wilde Brough, Elko County
De Winsor, Esmeralda County
Mark Evatz, Humboldt County
Wallace "JR" Thomas, Lander County
Mike Reese, Lincoln County
Wes Henderson, Lyon County
Cassie Hall, Mineral County
Kathy Canfield, Storey County
Jeanne Herman, Washoe County
Janet VanCamp, White Pine County
Marla McDade Williams, Nevada Indian Commission
Jacob Brinkerhoff, Nevada Association of Counties
Charlene Bybee, Nevada League of Cities & Municipalities

Members Absent

Lorinda Wichman, Nye County (Vice Chair)
Sami Real, Clark County
Roger Mancebo, Pershing County

Others Present

Kris Sanchez, Nevada Governor's Office of Economic Development
Bob Potts, Nevada Governor's Office of Economic Development
Erin Hasty, Nevada Governor's Office of Economic Development
Joe Lednicky, University of Nevada Cooperative Extension
Peter Gower, The Nature Conservancy
Jeremy Drew, Resource Concepts Inc.
Sondra Rosenberg, Nevada Department of Transportation
Candance Stowell, Reno-Sparks Indian Colony
Dave Weeks, Real Estate Broker
Brett Waggoner, Nye County
Dan Nubel, Office of Attorney General
Ellery Stahler, Nevada Division of State Lands
Scott Carey, Nevada Division of State Lands

1) Call to Order

The meeting was called to order by **Jake Tibbitts** at 9:01 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

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

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

3) Review of the Agenda

Maureen Casey made a motion to approve the agenda as submitted. The motion was seconded by **Wes Henderson**. There was no discussion on the motion. There was no opposition to the motion and the motion was passed unanimously.

4) Approval of Meeting Minutes

Maureen Casey made a motion to approve the February 3, 2023 meeting minutes as submitted. The motion was seconded by **Jeanne Herman**. There was no discussion on the motion. There was no opposition to the motion and the motion was passed unanimously.

5) County and Member Planning Updates

Jacob Brinkerhoff, Nevada Association of Counties

Jacob stated that NACO is busy with the Legislative session and that they are currently tracking over 400 bills this session. He stated that NACO wrote a letter to the Federal Emergency Management Administration (FEMA) advocating for a statewide emergency declaration for the flooding around Nevada.

Maureen Casey, Douglas County

Maureen stated that County Manager Patrick Cates is going to retire in May and that the county is looking for a replacement. She stated that the County Commission recently had a public meeting in Lake Tahoe to review the county's Vacation Home Rental ordinance. She stated that the county is opposed to SB 319 and prohibiting the use of sirens across the state. She stated that Mono County in California recently approved a cannabis farm along the Douglas County border without notifying the county. She stated Alpine County in California was also not notified by Mono County for a similar farm along its border.

Wes Henderson, Lyon County

Wes stated that the County Commission received a presentation from the Walker River Irrigation District, and they reported that a lot of the snowpack won't be melted until September. He stated that the district has begun to release water out of Topaz Lake and other reservoirs to make room for future storage of the additional water later in the season. He stated that Lyon County continues to work on a lands bill. He stated in May the County Commission will hear a presentation from the National Association of Counties about creating a western lands center. He also stated that the county recently hired a lobbyist to advocate for its interests in Washington DC.

Charlene Bybee, Nevada League of Cities & Municipalities

Charlene stated that Wesley Harper is no longer the Executive Director, and that Mayor Lori Bagwell is the acting director for the Nevada League of Cities & Municipalities. She stated that 5 representatives from Nevada recently attended the National League of Cities Conference in Washington DC. She stated that delegations advocated for more Federal support for homeless, housing, and workforce development issues. She stated that Senator Rosen has released a discussion draft of the Washoe County Lands Bill and is currently seeking comments from the public. She stated that the bill proposes to dispose of 17,000 acres of public lands and to transfer 4,700 acres to different agencies. She stated that all proceeds from the sale of these lands would stay in Washoe County, with 85% of the proceeds going towards conservation and recreation.

Jeanne Herman, Washoe County

Jeanne stated that she has a different perspective of the proposed Washoe County Lands Bill than the City of Sparks and other supporters. She stated that she is concerned about the bill's proposed closure of lands to

multiple use in Northern Washoe County and the impact these closures will have on the mining & ranching industries of the county. She stated that the county has started work on its budget and that residents near Swan Lake are concerned about flooding again. She stated the County Commission voted against the proposed geothermal project near Gerlach.

Hope Sullivan, Carson City

Hope stated that Carson City is updating its zoning code and design standards with the goal of bringing these items for consideration to the Board of Supervisors in July. She stated that the city is also in the middle of its annual Business Improvement District assessment process. She stated that the city is targeting fiscal year 2024 to update its master plan.

Jake Tibbitts, Eureka County

Jake stated that the two General Improvement Districts in the Diamond Valley continue to flood and that the United State Geological Service (USGS) has installed gauges to help Eureka County monitor flows. He stated that the county is seeing new impacts from these flooding events in areas that have been developed since the last big floods in the 1980's. He stated that FEMA is working to remap these areas and that the county expects new flood insurance rates once the new maps are completed. He stated that the flooding has pushed the county to look at its flood planning efforts and new infrastructure that may be needed to mitigate the impacts of future floods. He stated that State Route 278 has been closed for the past couple of days due to a washout the was caused by flooding. He stated that this road provides the main connection from Eureka to Carlin and that NDOT is working to repair the road. He stated that the county is currently involved as a cooperating agency for the environmental review for 6 mining projects. He stated that the county has also been invited to become a cooperating agency for the Stagecoach wind energy project in White Pine County, the Western Solar PEIS, the Sage Grouse land use plan amendments, and the proposed grazing regulations. He stated that he believes that the Council should have a future discussion about helping build capacity for the State Land Use Planning Agency and for local governments to help review all the NEPA projects around Nevada.

Hope Sullivan asked how long a typical NEPA review for a project would take.

Jake Tibbitts stated that on some of these projects it can take years to complete the NEPA review process and that the county will also participate in the process outside of being a cooperating agency.

Jacob Brinkerhoff asked what the 6 mining projects currently under review in the county are.

Jake Tibbitts stated that there is the Goldrush Mine near the El Cortez Range, the Gibellini Vanadium Project near the Nye County border, the Robertson Mine in Crescent Valley, the Juniper Expansion to the Bald Mountain Mine in White Pine County, underground expansion to the Ruby Hill Mine, and the South Railroad project in Elko County.

Maureen Casey asked how the current flooding is affecting the mines throughout the county.

Jake Tibbitts stated that the flooding has not affected the underground mines at this point but that the Gold Barr Mine has been flooded out and damaged roads in the area. He stated that the flooding had stranded miners at the facility who had to be rescued by boat.

Jim Barbee, Churchill County

Jim stated that Churchill County has begun preparations for spring flooding including the construction of a new weir to divert flood waters around Fallon. He stated that the county opened up the existing weir constructed during the 2017 flood event and this weir has already diverted 60,000-acre feet of water from Lake Lahontan. He stated that FEMA did not recognize the county as part of the Statewide disaster declaration issued by Governor Lombardo. He stated that the county is moving forward with \$5 to \$5.5 million worth of flood mitigation projects without the support of FEMA. He stated that with these projects complete, the county will be able to divert the maximum capacity of water that is let out of the Lahontan Dam. He stated that the county is raising

the berm at the Carson Lake Pasture to allow for more water to be diverted to this area during floods. He stated that most of the flood maps for the county were completed in the 1970's and that the county has been working with FEMA to update its flood maps for the past 6 years. He stated that the county continues to work implementing its lands bill and is coordinating with the BLM to develop processes for land conveyance and for checkerboard property resolutions along Interstate 80.

Wilde Brough, Elko County

Wilde stated that a new Love's truck stop has opened in Jackpot and that the community continues to see strong sales at the cannabis dispensary. He stated that the City of Wendover has started construction of its new downtown and that retail lots are now available for sale. He stated that there is a new owner of the Winecup Gamble Ranch, and that the county expects to see large scale solar development after the completion of a transmission line in this area. He stated Elko has started the planning phase for a new events center that would include new swimming pools. He stated that there is an effort underway to designate the historic Wendover Airfield as a national monument.

De Winsor, Esmeralda County

De stated that county experienced large snowfalls in the Dyer area which resulted in the county having to dig some residents out. He stated that despite large snowfall in the mountains Esmeralda County has not experienced the large flooding that was expected. He also stated that Rhyolite Ridge lithium project continues to go through the permitting process with the BLM.

Mark Evatz, Humboldt County

Mark stated that all of the SNOTEL sites across Humboldt County have received or exceeded record snowfall during this winter. He stated that this increased snowfall has resulted in localized flooding and impacts to the county's roads. He stated that Lithium Nevada has broken ground on its project at Thacker Pass and that construction should last about a year. He stated that Sam Burton started in late March as the new BLM Winnemucca District Office Manager. He stated that the county continues to work on a sewer treatment facility for the Grass Valley community to address nitrate issues and groundwater impacts. He stated the goal of the project is to connect 40% of the septic systems in the community into the new sewer treatment facility. He stated that the City of Winnemucca is working with Lithium Nevada to purchase land at the Winnemucca airport to construct a transload railroad facility. He stated that this proposal has created some concern within the community about developing heavy industrial uses in the area. He also stated there have been new large scale solar projects proposed throughout the county.

Marla McDade Williams, Nevada Indian Commission

Marla stated that that the Commission has been active on several pieces of legislation during the legislative session. She stated that there is currently an environmental justice bill that would require the Nevada Office of Minority Health and Equity to conduct a review to consider the impacts of certain projects on disparate populations. She stated that there is a cultural resources bill that would establish a process for local law enforcement to notify Tribe's when there is an inadvertent finding of human remains. She stated that the Legislature is considering funding for a new school for the community of Owyhee in Elko County. She also provided an update on SB391 which would prohibit the use of sundown sirens and the importance of this bill to the Tribe's throughout the state.

Wallace "JR" Thomas, Lander County

JR stated that yesterday the County Commission declared a state of emergency for the feral horses in the county. He stated that the County Commission also declared a state of emergency for flooding taking place in southern Lander County. He stated that the county met with BLM and the mines regarding the permitting process for the Robinson Mine south of Battle Mountain.

Jake Tibbitts asked what the county's goal is by declaring a state of emergency for feral horses.

JR Thomas stated that the wild horses greatly exceed the Appropriate Management Level (AML) for the ranges throughout the county. He stated that the wild horses are destroying the water holes and the range and that the county hopes that this declaration will help reduce the population of the horses.

Mike Reese, Lincoln County

Mike stated that the County Commission declared its second state of emergency in the past month over flooding caused by melting snow. He stated that Lincoln County does not have its own gas tax and that 100 percent of the county's road funds come from the state gas tax. He stated that the county is concerned about the Governor's proposal to freeze the state gas tax and that it may cause a potential loss of revenue to the county's road budget. He stated that the BLM Caliente District Manager is leaving at the end of April and that the county is looking forward to working with the new District Manager moving forward.

Kathy Canfield, Storey County

Kathy stated that Storey County has been busy during the current Legislative session and that the County Manager and Commissioners have been very active tracking bills. She stated that the county is working on its master plan update which is being completed by staff. She stated that the county will be seeking assistance for a consultant to assist with a housing needs assessment as part of its master plan update. She stated that Mike Bullian started last month as the county's new Emergency Management Director and that he has been busy with flood events. She stated that the county is working with the Carson Water Subconservancy District on a new drainage plan for the Virginia City and Six Mile Canyon areas. She stated that the county has experienced a lot of road damage from all the snow this winter and that the roads will be repaired in the summer. She stated that the county is working on a new flood hazard mitigation plan for the Long Valley Creek area using a planning grant received from the Nevada Division of Emergency Management.

Janet VanCamp, White Pine County

Janet stated that White Pine County has been dealing with flooding in Lund and in the Cross Timbers area and that flooding in these areas has been kept under control by the county's road department. She stated that housing continues to be a huge need throughout the county. She stated that along with Eureka County, the county has been approached by the developers behind the Stagecoach Wind project in the Newark Valley. She stated that the developers of the White Pine Pumped Storage Project filed an expedited application with the Federal Energy Regulatory Commission in March.

Cassie Hall, Mineral County

Cassie stated that Mineral County is grateful to be included in the ongoing discussions concerning land use planning issues throughout the state and in the rural areas. She stated that the county has been busy having discussions on how to spend state and federal pandemic and infrastructure funds that have been received. She also stated that the county is navigating issues with the BLM and Payments In Lieu of Taxes (PILT) and trying to identify creative solutions to plan long terms to generate revenue.

6) Nevada Association of Counties Presentation

Jacob Brinkerhoff with the Nevada Association of Counties (NACO) provided a [presentation](#) to the Council about NACO and the support they provide to counties on natural resource related issues.

7) Governor's Office of Economic Development Presentation

Kris Sanchez, Bob Potts, and Erin Hasty with the Nevada Governor's Office of Economic Development provided a [presentation](#) about the state's Economic Development Plan and strategy to diversify Nevada's economy.

Following the presentation, the Council asked questions to the Nevada Governor's Office of Economic Development staff and discussed how current efforts to diversify the state's economy can impact a local land use plan.

8) Update on Land Use Planning Bills and Other Policy Issues from the 82nd Session of the Nevada Legislature

Scott Carey with the Nevada Division of State Lands provided an overview of the staff memo and legislation that the State Land Use Planning Agency is tracking that was included as pages 13-34 of the [meeting packet](#).

Following the presentation, the Council had a discussion on land use planning bills and other policy issues that are being considered during the legislative session.

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 35-37 of the [meeting packet](#).

10) Future Agenda Items

Jake Tibbitts suggested a future agenda item about Interstate coordination on land use planning projects that are on the border or impact Nevada. Jake also suggested a future agenda item for the Council to review the proposed Public Lands Rule and submit formal comments.

Hope Sullivan suggested a future agenda items to review the legislation from the 82nd Session of Nevada legislation. Hope also suggested a future agenda item to discuss state licensing reciprocity between Nevada and other states.

Wes Henderson suggested a future presentation about the Federal Historic Routes Preservation Act and to consider a letter of support for this legislation.

Maureen Casey suggested a future presentation from FEMA, Nevada Department of Emergency Management, or Nevada Division of Environmental Protection concerning the flood mapping process.

Scott Carey with the Nevada Division of State Lands stated that since the last meeting the Council received a request from rPlus Hydro LLLP to provide the Council with a presentation about the [White Pine Pumped Energy Storage Project](#) at a future meeting.

11) Scheduling of Future SLUPAC Meeting Dates and Locations

Jake Tibbitts recommended that the Council schedule a special meeting to review and comment on the Proposed Public Lands rule before June 20th. The consensus of the Council was to schedule this special meeting on Monday June 12th at 1:00 PM in Carson City.

Scott Carey with the Nevada Division of State Lands reminded the Council that future meetings are scheduled for the morning of Friday August 4, 2023 in Eureka and Wednesday October 18th at 2:00 PM in Stateline in conjunction with the Nevada State Planning Conference.

12) Public Comment

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

13) Adjourn

The meeting was adjourned at 12:26 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. Meeting minutes and recordings of the meeting are available for inspection by the public within 30 working days after the adjournment of the meeting, the minutes and recordings are retained for at least five years in accordance with NRS 241.035(2). Anyone wishing to receive or review the recording may call (775) 684-2723.