

STATE LAND USE PLANNING ADVISORY COUNCIL
MEETING MINUTES
July 9, 2021

Richard H. Bryan Building
Tahoe Hearing Room. 2nd Floor
901 S. Stewart Street
Carson City, NV

Members Present

Jake Tibbitts, Eureka County (Chair)
Lorinda Wichman, Nye County (Vice Chair)
Sami Real, Clark County
Jim Barbee, Churchill County
Maureen Casey, Douglas County
Wilde Brough, Elko County
De Winsor, Esmeralda County
Jim French, Humboldt County
Art Clark, Lander County
Wes Henderson, Lyon County
Curtis Schlepp, Mineral County
Roger Mancebo, Pershing County
Kathy Canfield, Storey County
Jeanne Herman, Washoe County
Colby Prout, NACO
Sari Nichols, Nevada Indian Commission

Members Absent

Hope Sullivan, Carson City
Kevin Phillips, Lincoln County
Bill Calderwood, White Pine County
Nevada League of Cities & Municipalities

Others Present

Scott Bohemier, Nevada Department of Transportation
Jennifer Taylor, Nevada Governor's Office of Energy
Tony Wasley, Nevada Department of Wildlife
David Pritchett, U.S. Bureau of Land Management
Brett Waggoner, Nye County
Sean Santalla, Federal Highways Administration
Rhiannon Scanlon, the Wilderness Society
Shayna Steingard, Defenders of Wildlife
Jaina Moan, the Nature Conservancy
Jennifer Haley, NAS Fallon
Meghan Brown, Nevada Department of Agriculture
Andrea Moe, Nevada Department of Agriculture
Jordan Hosmer-Henner, Governor Steve Sisolak
Jimmy Lau
Elijah Henley, Federal Highways Administration
Ian Carr, 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

1) CALL TO ORDER

The meeting was called to order by **Jake Tibbitts** at 9:00 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 COMMENTS

Jake Tibbitts called for public comment.

Scott Carey with the Nevada Division of State Lands stated that staff did receive [a letter](#) from the Governor's Office of Energy in support of Item #7 on the agenda.

Shayna Steingard with Defenders of Wildlife provided public comment in support of Item #7 on the agenda.

Jaina Moan with the Nature Conservancy provided public comment in support of Item #7 on the agenda.

There was no additional 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. **Jake Tibbitts** stated that since there were no changes to make, then the Council will proceed with the meeting agenda as submitted.

4) APPROVAL OF MINUTES

Jake Tibbitts provided an overview of the minor changes he proposed to the October 27, 2020 meeting minutes. The proposed changes to page 8 of the meeting minutes included changes to the Eureka County update

Jeanne Herman made a motion to approve the October 27, 2020 meeting minutes with the changes as outlined by **Jake Tibbitts**. The motion was seconded by **Lorinda Wichman**. There was no discussion on the motion. There were no objections to the motion. The motion was approved unanimously by the Council.

5) BUREAU OF LAND MANAGEMENT RESOURCE MANAGEMENT PLANNING IN NEVADA

David Pritchett with the Bureau of Land Management provided the Council with a [presentation](#) about upcoming statewide resource management planning activities in Nevada.

Jim French stated that he serves on the National Wildhorse Advisory Board and that the Board has called for a resource management plan to revise Appropriate Management Level (AML) because they were set over 50 years ago. David Pritchett with the Bureau of Land Management stated that he does not consider the AML a part of the planning process and that these types of issues would be handled later in the implementation phase after a plan is adopted.

Jim French stated that the AML issue triggers land management decisions and that these numbers become relevant in the planning process because they can affect management at the ground level. Jim asked if AML data is incorrect because of other naturally occurring events if this data should be used in developing a Resource Management Plan for an area. David Pritchett with the Bureau of Land Management stated that land health is a broad planning issue and that numbers that go into these types of decision can be affected by many other factors in a Resource Management Plan.

Jim French stated that historically AML has been included in Resource Management Planning decisions and that these issues need to be a part of statewide resource management planning. Jim asked why the 2015 Sage Grouse Management Plan is being included in this planning update instead of the 2019 State of Nevada Sage Grouse Management Plan. David Pritchett with the Bureau of Land Management stated he hoped the legal

process involving these plans gets worked out before the planning process formulates its alternatives. David stated that revising Resource Management Plans to include either of the Sage Grouse management plans makes sense as part of this planning process because they have already been incorporated into resource management plans.

Wilde Brough stated that he agrees with **Jim French** and shares many of his concerns.

Art Clark stated that he does not understand how the Bureau of Land Management can compare the Tuscarora, Mt Lewis, and the Humboldt River field offices because of precipitation. David Pritchett with the Bureau of Land Management stated that the goal of this planning process is make decisions at the field office scale. David stated that a decision made for one field office may not make sense for another field office but that there could be instances where combining decisions for field offices does makes sense.

Art Clark asked if the Bureau of Land Management is working with companies to develop wind and solar in Nevada. David Pritchett with the Bureau of Land Management stated that the agency is working with the industry to properly site energy projects on Federal Land and respond to applications received.

Art Clark asked if the Bureau of Land Management is pushing climate change. David Pritchett with the Bureau of Land Management stated that the agency is trying to abate climate change as directed by the Administration. David stated that climate change will be analyzed in future resource management planning activities across Nevada.

Jim Barbee asked about the Carson City District Office's proposed administrative withdrawal of Federal land for Naval Air Station Fallon and how it may affect the Green Link North project. David Pritchett with the Bureau of Land Management stated that Green Link North project is expected to start its environmental review process within 6 months. David stated that they do anticipate the proposed administrative withdrawal for the Navy to be analyzed in future resource management planning activities in Nevada.

Maureen Casey asked if disposal of Federal Lands is going be included in future resource management planning in Nevada. David Pritchett with the Bureau of Land Management stated that yes future land disposals would be included as part of the planning process.

Maureen Casey stated that she is concerned about the impact of future renewable energy development and lithium mining on rural counties throughout the state. Maureen stated that green energy is not necessarily green and that she does not think these types of activities are good for Nevada in the long run. David Pritchett with the Bureau of Land Management stated that he will keep the Council informed as the planning process progresses. David further stated that part of his work assignment is to work with the Council and keep it informed.

Charlie Donohue with the Nevada Division of State Lands asked if the proposed withdrawals for Naval Air Station Fallon and Nellis Air Force Base don't materialize during the planning process if they would still be analyzed by the Bureau of Land Management. David Pritchett with the Bureau of Land Management stated that they do not assume that a land withdrawal will happen, but they do anticipate that these actions and other proposed actions could influence the planning process.

Jake Tibbitts stated that he is concerned about a statewide resource management planning process because of his experience dealing with other smaller resource management plans. Jake advocated for having separate Records of Decision for each of the separate districts. Jake asked how the local governments perspective would be included in the planning process. David Pritchett with the Bureau of Land Management stated that the Nevada Association of Counties would be included as one of the focus groups to help bring a local government perspective into the planning process.

Art Clark stated that Lander County is not a member of the Nevada Association of Counties, and this organization does not represent the county. David Pritchett with the Bureau of Land Management stated that each county in Nevada would be invited to become a cooperating agency in the planning process.

Jake Tibbitts stated that he believes that it will be important to have one on one engagement with individual counties early and consistently throughout the planning process. David Pritchett with the Bureau of Land Management stated there will opportunities for counties to provide input and be involved before the scoping and review of alternatives processes begin.

Jake Tibbitts stated that he believes that the timeline for the planning process is aggressive and that he hopes that the Bureau of Land Management will have the ability to modify this timeline instead of rushing the planning process through.

6) UPDATE ON AB 52 AND RECAP OF 81st SESSION OF NEVADA LEGISLATURE

Scott Carey with the Nevada Division of State Lands provided the Council with an update on AB 52 and AB 378 which were included as pages that was included as pages 30-41 of the [meeting packet](#). Scott also provided the Council with an overview of other bills of interest that passed during the 81st Session of Nevada Legislature that was included as pages 43-64 of the [meeting packet](#).

7) REVIEW AND APPROVAL OF A LETTER OF ENDORSEMENT OF THE SMART-FROM-THE-START PLANNING CONCEPT

Scott Carey with the Nevada Division of State Lands provided the Council with an overview of the proposed letter of endorsement of the Smart from the Start planning concept which was included as pages 67-69 of the [meeting packet](#).

Maureen Casey stated that she has concerns with the length of the proposed letter and that it may not accurately reflect the Council. Maureen provided the Council with an overview of a [proposed letter](#) that she wrote for the Council to endorse the Smart from the Start planning concept.

Art Clark stated that he agrees with a lot of what **Maureen Casey** is saying that he believes that a lot of rural counties are going to be hurt by renewable energy development. Art stated that he does not agree with renewable energy, specifically windmills because they take more energy to make than they would ever produce. Art stated that he cannot vote on anything this Council votes on without having approval from his County Commission.

Jake Tibbitts called for public comment on this item.

Tony Wasley with the Nevada Department of Wildlife spoke in support of the proposed letter of endorsement of the Smart from the Start planning concept.

There was no additional public comment, and the public comment period was closed.

Sami Real stated that Clark County supports the Smart from the Start planning concept and having more strategic and coordinated relationships on energy projects.

Jim French stated that his County Commission does generally support renewable energy development. Jim stated that there were concerns expressed from the Commission about trying to convert to renewable energy sources without consideration of base load requirements. Jim stated that he does not want to see the Council support a process or program that will put the state in a similar position as California without consideration of base load requirements.

Sari Nichols stated that she has concerns with the proposed letter and would prefer to use the letter proposed by **Maureen Casey**.

Art Clark asked why there is such a push for energy development in Nevada when there is not such a great influx of new population and development.

Jake Tibbitts stated at the last Council meeting there was a presentation from NV Energy about proposed Greenlink West and Greenlink North projects which both highlighted the need for energy development throughout Nevada. Jake also stated that in 2019, the Nevada Legislature approved Senate Bill 254 which mandated that 50% of Nevada's energy must come from renewable energy or energy efficiency measures. Jake stated that these projects and other energy are going to move forward with or without the Council's endorsement. Jake stated that he believes that its important for the Council to engage and promote better planning and coordination on energy projects in the state.

Jake Tibbitts called for additional public comment on this item.

Shayna Steingard with Defenders of Wildlife spoke in support of the proposed letter of endorsement of the Smart from the Start planning concept.

There was no additional public comment, and the public comment period was closed.

Ellery Stahler with the Nevada Division of State Lands stated that staff could take the comments and input from the Council and bring back a revised letter for the Council's consideration at a future meeting.

Jim Barbee asked how attached staff was to the language referencing the state's renewable portfolio standard and other specifics in the proposed letter. Jim asked if the Council could take the introductory paragraph in proposed letter and combine it with Maureen Casey's proposed letter.

Ellery Stahler with the Nevada Division of State Lands stated that staff would be willing to revise any part of the proposed letter as directed by Council.

Jake Tibbitts suggested changing the second sentence of the introductory paragraph of the proposed letter to add the term "where appropriate" before "to already degraded lands". Jake suggested adding a new sentence at the end of the third paragraph of Maureen Casey's proposed letter that states, "We advocate for Nevada's counties and local governments to have active engagement and a primary role in this process consistent with their local plans and policies."

Sari Nichols stated the Tribal Nations are own sovereign nations with their own land use planning authorities and that they should also be specifically referenced in this new sentence as such. **Jake Tibbitts** stated that he agrees with this suggestion to the sentence and thanked Sari for pointing this out.

Jake Tibbitts suggested that given the Council's new authority under AB 52 to issue its own statements of policy that the letter should be addressed to the entities that are listed as a CC in the proposed letter.

Scott Carey with the Nevada Division of State Lands stated that the intent of the original letter was to send a copy of the letter to the multiple entities listed because there are specific energy projects under development and currently being reviewed by these entities. Scott stated that staff is open to any changes to the proposed letter from the Council.

Maureen Casey suggested taking out the first line in her proposed letter and revising the term "close to existing transmission" in the proposed letter.

Jim Barbee suggested changing this phrasing to "existing transmission corridors" and to remove the second paragraph of Maureen Casey's proposed letter.

Jim Barbee made a motion to use Maureen Casey's proposed letter to endorse the Smart from the Start planning concept with the additions and changes as discussed by the Council. The motion was seconded by **Maureen Casey**.

Charlie Donohue with the Nevada Division of State Lands suggested that the Council take a short recess so staff can work on the revised language in the proposed letter.

Jake Tibbitts called for a 5 minute recess.

After the recess, Scott Carey with the Nevada Division of State Lands provided an overview of the changes made to the letter that was discussed by the Council. Scott stated that the letter has been revised to make the letter addressed to Governor Sisolak, the Public Utilities Commission of Nevada, the Nevada Governor's Office of Energy, the Nevada Governor's Office of Economic Development, the Colorado River Commission, and the Nevada State Climate Policy Coordinator. Scott also stated that the letter has been revised to use the language from the first paragraph of the proposed letter and use the term "existing transmission corridors" as discussed by the Council. Scott stated that the second paragraph of the letter proposed by **Maureen Casey** remains unchanged. Scott stated that the third paragraph of the letter includes a new sentence as proposed by **Jake Tibbitts** and **Maureen Casey**.

Maureen Casey suggested in the last sentence of the last paragraph of the letter to change "if you have" to "if there are".

Jim French expressed concern over the use of the term "degraded" lands adjacent to proposed corridors in the letter and questioned how many lands within Humboldt County fall into this category.

Sami Real suggested that the term "degraded" be replaced with "impacted" in the first paragraph of the proposed letter. **Jim French** stated that he agrees with this change.

Jake Tibbitts suggested that this letter also be sent to the Bureau of Land Management, Nevada State Office.

Sami Real asked if the proposed letter includes anything about reducing land use conflicts. Scott Carey with the Nevada Division of State Lands stated that the last sentence of the second paragraph of the letter does address reducing land use conflicts.

Jake Tibbitts suggested replacing the term environmentally sensitive habitat to "sensitive resources" so that this term would include visual and cultural resources.

Wilde Brough stated that he likes the idea of the Smart from the Start planning concept but that he is concerned how reliant the renewable energy industry is on the use of public subsidies. Wilde stated that he does not believe that it is good to support the concept of using public tax dollars for the renewable energy industry.

Jaina Moan with the Nature Conservancy spoke in support of the proposed letter of endorsement of the Smart from the Start planning concept.

Sami Real suggested adding a comma after SLUPAC in the first sentence of the letter, changing the references of "the Council" to "SLUPAC" throughout the letter, and changing the last sentence to begin with "If there are any questions or requests for".

Jake Tibbitts called for a vote on Jim Barbee's motion to use Maureen Casey's proposed letter to endorse the Smart from the Start planning concept with the additions and changes as discussed by the Council. There was no opposition to the motion by those present. (Members, **Jeanne Herman, Art Clark, and Kathy Canfield** were not present for this vote). The motion was approved unanimously by the Council.

8) FEDERAL HIGHWAYS ADMINISTRATION (FHWA) NEVADA PLANNING STUDY: FEDERAL LANDS INTEGRATION

Elijah Henley and Sean Santalla with the Federal Highways Administration provided the Council with a [presentation](#) about the Nevada Planning Study and Federal Lands Integration process.

Jake Tibbitts stated that the Council could be a good medium for the FHWA to get input on the Nevada Planning Study from local governments and Tribal Nations across Nevada.

Sara Nichols stated that Tribal Nations do not receive adequate funding for their transportation needs across Nevada. Sari highlighted the ongoing issues the Duckwater Shoshone Tribe has had with its main road to the community from Ely. Sari stated that this road goes across three separate counties and crosses Federal land and is in poor condition and needs to be improved by the Federal government.

Elijah Henley with the Federal Highways Administration thanked Sari for bringing this issue to the FHWA's attention and clarified the Federal funding process and funding for Tribal roads. Elijah stated that he would like to learn more about this issue and see if there is a program or opportunity within the FHWA to help resolve this issue.

Lorinda Wichman asked if the road **Sari Nichols** was referring to was the main from the Duckwater Reservation to Eureka instead of from Ely.

Jake Tibbitts thanked the FHWA for providing this presentation and stated that he looks forward to hearing more and having the council be involved with the Nevada Planning Study in the future.

9) STATE LAND USE PLANNING AGENCY UPDATE

Scott Carey with the Nevada Division of State Lands provided an overview of the update for the agency which was included as pages 87-88 of the [meeting packet](#).

10) COUNTY AND MEMBER PLANNING UPDATES

In the interests of time this item was dispensed with and referred to a future Council meeting.

11) FUTURE AGENDA ITEMS

Jake Tibbitts stated that it would be good for the Council to hear a presentation in the future about the Bureau of Land Management Statewide Resource Management Plan update and the FHWA Nevada Land Study.

Maureen Casey asked for a future presentation from Colin Robertson about the Nevada Division of Outdoor Recreation and the Dark Skies Program.

12) 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 sometime in October and the next meeting be held in a hybrid meeting format.

Jim Barbee offered the Churchill County Commission Chambers in Fallon as the location for the next Council meeting.

Jake Tibbitts suggested Friday October 15, 2021 in Fallon as the date and location for the next Council meeting. The consensus of the Council was that this date and location would work for its next meeting.

13) PUBLIC COMMENT

Jake Tibbitts called for public comment.

There was no public comment, and the public comment period was closed.

14) ADJOURN

Jim Barbee made a motion to adjourn the meeting. The motion was seconded by **Maureen Casey** and approved unanimously by the Council.

The meeting was adjourned at 12:20 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.