



# **State Land Use Planning Advisory Council**

## **MEETING PACKET**

Friday August 4, 2023  
Eureka, NV

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Save the Date Flyer



NOTICE OF PUBLIC MEETING AND AGENDA FOR THE

# STATE LAND USE PLANNING ADVISORY COUNCIL

A public meeting will be held on:

**Friday August 4, 2023 9:30 AM**

At the following location:

**Eureka Opera House  
31 South Main Street, Eureka, NV 89316**

or

**via Microsoft Teams at  
<http://tiny.cc/SLUPAC-8-23>  
Meeting ID: 222 002 430 459  
Passcode: EDeQ2p**

**Phone: 775-321-6111  
Phone Conference ID: 533 521 3#**

Attendance to this meeting will also be available virtually. For this meeting the State Land Use Planning Advisory Council will be using Microsoft Teams, a third-party app, and does not control its technical specifications or requirements. Your ability to participate in the public comment portions of a meeting may be impacted by factors including but not limited to the type of device you use, the strength of your internet or cellular signal, and the company that provides your internet or cellular service. The State Land Use Planning Advisory Council is not responsible if you are not able to participate in a meeting through Microsoft Teams due to these or any other factors.

Public comment may be submitted via email prior to the meeting, please submit public comments to [scarey@lands.nv.gov](mailto:scarey@lands.nv.gov) by 4 PM on August 3, 2023. For questions or additional information, you may contact Scott Carey, State Lands Planner at 775-684-2723 or at [scarey@lands.nv.gov](mailto:scarey@lands.nv.gov).

**Please note that times listed are estimates.**

- 9:30 am 1) Call to Order**  
Roll Call of the Council and Introductions of staff & guests.
- 9:35 am 2) Public Comment**  
This is an opportunity for the public to provide public comment on any item included on the agenda or any other land use planning and any other related topic not included on the agenda. (Pursuant to NRS 241.020, no action may be taken upon a matter raised under this item until the matter has been specifically included on an agenda).
- 9:40 am 3) Review of Agenda (For Possible Action)**  
(Agenda is reviewed for unforeseen circumstances such as the inability of a scheduled speaker to attend, to move an item to a different time during the meeting to accommodate a speaker, etc.)
- 9:45 am 4) Approval of Meeting Minutes (For possible action)**  
  - Approval of minutes from the June 12, 2023
- 9:50 am 5) County and Member Planning Updates (For Discussion Only)**  
Updates from SLUPAC members on planning and land use related activities within their areas of representation. *Members – State Land Use Planning Advisory Council*
- 10:50 am 6) Eureka County Presentation (For Discussion Only)**  
Eureka County will provide the Council with a presentation about land use planning and other related issues within the county. *Members - State Land Use Planning Advisory Council*
- 11:05 am 7) Review of Proposed Renewable Energy Rule and Approval of Comment Letter (For Possible Action)**  
Staff and other representatives will provide the Council with an overview of the proposed Renewable Energy Rule. Following the overview, the Council will have a discussion and provide input on the proposed rule. The Council will also review and consider approval of a letter providing feedback and formal comments on the proposed rule. *Members - State Land Use Planning Advisory Council*
- 11:50 am 8) Recap of the 82nd Session of the Nevada Legislature (For Discussion Only)**  
The Council will review legislation and other policy matters from the 82<sup>nd</sup> Session of the Nevada Legislature. Following the review, the Council may have a discussion and provide feedback on legislative matters.
- 12:05 pm 9) White Pine Pumped Storage Project Presentation (For Discussion Only)**

Representatives of rPlus Hydro LLLP will provide the Council with an overview of the White Pine Pumped Storage energy project in White Pine County. Following the presentation members of the Council may have a discussion and ask questions regarding the project.

**12:25 pm 10) State Land Use Planning Agency Update (For Discussion Only)**

Staff will provide the Council with an update on agency activities, SLUPAC projects, Federal public lands and other legislation, and other issues of interest to the Council.

**12:40 pm 11) Future Agenda Items (For Possible Action)**

The Council will discuss and recommend items to be placed on a future SLUPAC agenda.  
*Members – State Land Use Planning Advisory Council*

**12:45 pm 12) Scheduling of Future SLUPAC Meeting Dates and Locations (For Possible Action)**

The Council will discuss and recommend dates and possible locations for future SLUPAC meetings. Traditionally, the Council has met four times in a year and has held its meetings in various geographic areas throughout the State. *Members – State Land Use Planning Advisory Council*

**12:55 pm 13) Public Comment**

This is an opportunity for the public to provide public comment on any item included on the agenda or any other land use planning and any other related topic not included on the agenda. (Pursuant to NRS 241.020, no action may be taken upon a matter raised under this item until the matter has been specifically included on an agenda).

**1:00 pm 14) Adjourn (For Possible Action)**

*Members – State Land Use Planning Advisory Council*

**PLEASE NOTE:**

(I) Times listed for all items are estimates.

(II) Items on the agenda may be taken out of order at the discretion of the Chair; the public body may combine two or more items for consideration; and the public body may remove an item or defer discussion of an item on the agenda at any time.

(III) Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Scott Carey in writing at the Nevada Division of State Lands, 901 S. Stewart Street, Suite 5003, Carson City, Nevada 89701 or by calling 775-684-2723 no later than August 2, 2023.

(IV) 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).

(V) In accordance with Attorney General File No. 00-047 (April 27, 2001), as restated in the Attorney General's Open Meeting Law Manual, the Chair may limit or prohibit comments that are willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers.

(VI) Documentation and supporting agenda items are available on the Nevada State Clearinghouse Website at <https://clearinghouse.nv.gov> and on the SLUPAC Meeting website at <http://lands.nv.gov/land-use-planning/state-land-use-planning-advisory-council/slupac-meeting-agendas-and-minutes> and will be available at the SLUPAC meeting. For further information you may contact Scott Carey at 775-684-2723 or at [scarey@lands.nv.gov](mailto:scarey@lands.nv.gov).

Notice of this meeting was posted at the following locations:

Eureka Opera House, 31 South Main Street, Eureka, NV 89316

Division of State Lands, 901 S. Stewart Street, Suite 5003, Carson City, NV 89701

Grant Sawyer State Office Building, 555 E Washington Ave, Las Vegas, NV 89101

Nevada State Library and Archives, 100 N Stewart St, Carson City, NV 89701

Nevada State Clearinghouse Website at: <https://clearinghouse.nv.gov>

Nevada Public Notice Website at [www.notice.nv.gov](http://www.notice.nv.gov)

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

June 12, 2023

Richard Bryan State Building, Carson City

Tahoe Hearing Room

901 South Stewart Street. Carson City, NV 89703

**Members Present**

Jake Tibbitts, Eureka County (Chair)  
 Hope Sullivan, Carson City  
 Jim Barbee, Churchill County  
 Sami Real, Clark County  
 Maureen Casey, Douglas County  
 Wilde Brough, Elko County  
 De Winsor, Esmeralda County  
 Mark Evatz, Humboldt County  
 Mike Reese, Lincoln County  
 Wes Henderson, Lyon County  
 Cassie Hall, Mineral County  
 Roger Mancebo, Pershing 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

**Members Absent**

Lorinda Wichman, Nye County (Vice Chair)  
 Wallace "JR" Thomas, Lander County  
 Charlene Bybee, Nevada League of Cities & Municipalities

**Others Present**

Erin Lewis, Carson City  
 Megan Labadie, Nye County  
 Lindy Walsh, I-80 Gold  
 Joe Lednicky, University of Nevada Cooperative Extension  
 Andy Rieber, Public Lands Consultant  
 Brett Waggoner, Nye County  
 Kerry Rohrmeier, San Jose State University  
 Candance Stowell, Reno-Sparks Indian Colony  
 Larry Shoemaker, Reno-Sparks Indian Colony  
 David Pritchett, U.S. Bureau of Land Management  
 Carolyn Sherve, U.S. Bureau of Land Management  
 Chad Stephens, Nevada Department of Conservation and Natural Resources  
 James Settelmeyer, Nevada Department of Conservation and Natural Resources  
 Dan Nubel, 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 1:01 pm. A roll call was held for members of Council and a quorum was established. Introductions were made by others who were present.

**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)

## **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**

**Jeanne Herman** made a motion to approve the agenda 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 unanimously.

## **4) Approval of Meeting Minutes**

**Wilde Brough** made a motion to approve the April 14, 2023 meeting minutes as submitted. The motion was seconded by **Roger Mancebo**. There was no discussion on the motion. There was no opposition to the motion and the motion was passed unanimously.

## **5) Review of Proposed Public Lands Rule and Approval of Comment Letter**

Scott Carey with the Nevada Division of State Lands provided an overview of the staff memo about the proposed Public Lands Rule that were included as pages 15-21 of the [meeting packet](#).

Scott also provided an overview of the proposed scoping comment letter that was included as pages 15-21 of the [meeting packet](#).

During the meeting the Council discussed and made several modifications to the proposed letter.

**Maureen Casey** made a motion to approve the letter with the changes as discussed at the meeting and authorize the Chair to sign the letter of behalf of the Council. 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.

**Hope Sullivan** left the meeting and was not present for the vote.

## **6) Future Agenda Items**

Scott Carey with the Nevada Division of State Lands stated that staff is working on an item for the next Council meeting to provide a recap of the 82<sup>nd</sup> Session of the Nevada Legislature. Scott stated that rPlus Hydro LLLP will provide the Council with a presentation about the White Pine Pumped Energy Storage Project at the next meeting as well. He also stated that staff is working on agenda items about interstate coordination on land use planning projects and reciprocal state licensing for a future Council meeting.

**Mike Reese** suggested a future agenda item to discuss the 5 counties in Nevada who have declared a state of emergency over wild horses.

**Maureen Casey** suggested a presentation about the Douglas County Transfer of Development Rights program for the Council's meeting in October in Stateline.

## **7) Public Comment**

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

## **8) Adjourn**

The meeting was adjourned at 2:46 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.



Nevada Division of  
**STATE LANDS**

STATE OF NEVADA  
Department of Conservation & Natural Resources

Joe Lombardo, Governor  
James Settelmeyer, Director  
Charles Donohue, Administrator

August 4 2023

To: State Land Use Planning Advisory Council

From: Scott Carey, AICP, State Lands Planner

RE: Review of Proposed Renewable Energy Rule and Approval of Comment Letter

### **Background**

In June, the Bureau of Land Management (BLM) published a [notice in the Federal Register](#) proposing new regulations that would amend its existing right of way regulations and reduce fees for solar and wind energy on public lands. According to the BLM the purpose of these amendments would be to facilitate responsible solar and wind energy development on public lands. The rule would adjust acreage rents and capacity fees for solar and wind energy, provide the BLM with more flexibility in how it processes applications for solar and wind energy development inside designated leasing areas, and update agency criteria on prioritizing solar and wind applications.

The rule would also make technical changes, corrections, and clarifications to the existing ROW regulations. This rule would implement the authority granted to the Secretary of the Interior (Secretary) in the Energy Act of 2020 to “reduce acreage rental rates and capacity fees” to “promote the greatest use of wind and solar energy resources” and achieve other enumerated policy goals. There is currently a 60-day public comment period on the proposed regulations, comments are due to the BLM on August 15, 2023.

For additional information about the proposed Renewable Energy rule please see the attached BLM fact sheet that is attached to this memo.

### **Analysis**

The main intent of the proposed regulations is to incentivize renewable energy development on public lands across the country by reducing fees and streamlining the right of way approval process. 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 by 2030. In recent years, Nevada has made significant strides with the development of innovative renewable energy projects that support Nevada and the Nation’s energy goals. Today, there are nearly 100 renewable energy and transmission projects that are under construction or planned in every county of the state. Additionally, these projects encompass several hundred thousand acres of public lands

and that if completed would nearly achieve the entire desired gigawatt energy capacity of the Energy Act of 2020.

Given the existing and potential new land use planning implications associated with renewable energy development across the state, staff has prepared a proposed comment letter for the Council's consideration. The proposed letter is roughly 6 pages long and contains language that emphasizes the following points taken from previous Council deliberations and approved comment letters.

- 1) Stresses the importance of keeping renewable benefits close to the source.
- 2) Promotes a Smart from the Start approach to renewable energy development.
- 3) Reiterates the need for the BLM to update Resource Management Plans in Nevada
- 4) Stresses the importance of consistency between local land use plans and renewable energy development.
- 5) Expresses concern for the proposed changes to public meetings and input.
- 6) Reiterates the need for the BLM to combat speculative leasing practices.

A copy of the Council's proposed scoping comment letter is attached to this memo. Per NRS 321.750 (4), the Council is authorized to advise any federal or state agency or local government on land use planning and policy. If approved, the Chair would be authorized to sign the letter on behalf of the Council and a copy of the letter would be posted on the Council's website. Additionally, a copy of the letter would be sent to Governor Lombardo, Senator Catherine Cortez Masto, Senator Jackie Rosen, Congresswoman Dina Titus, Congressman Mark Amodei, Congresswoman Susie Lee, Congressman Steven Horsford, the Senate Committee on Energy & Natural Resources, the House Committee on Natural Resources, BLM Director Tracy Stone-Manning, BLM Nevada State Director Jon Raby. Additional copies of the letter may be sent to any other officials or agencies as directed by the Council.

**Recommendation:** *Staff recommends that the Council review and discuss the proposed comment letter and recommend any changes to the letter. If approved, staff recommends that the Chair be authorized to sign the scoping letter and transmit a copy to the individuals and agencies included in the letter and to others as directed by the Council.*



U.S. Department of the Interior  
Bureau of Land Management

# Proposed Renewable Energy Rule

## Fact Sheet

The Bureau of Land Management has announced a proposed update of its renewable energy regulations to promote the development of solar and wind energy on public lands. The proposed Renewable Energy Rule would reduce fees for these projects by around 80%, facilitate development in priority areas by streamlining review of applications, and deliver greater certainty for the private sector.

Following are key provisions of the updated Rule, an amendment to the BLM's existing right-of-way regulations:

### Reduce Costs

- The Energy Act of 2020 authorized the BLM to reduce acreage rents and capacity fees to promote wind and solar development. The BLM initially reduced these fees through [guidance in 2022](#). The proposed rule would codify further reductions, improving financial predictability for developers pursuing long-term projects on public land.
- The proposal would improve predictability of rates long term to spur interest in developing solar and wind energy on public lands, while maintaining appropriate project requirements.
- BLM expects that lower acreage rental rates and capacity fees for solar and wind energy generating facilities will translate into lower costs for energy deployment, increasing the renewable energy share of domestic energy production, while maintaining high environmental standards.

### Streamline Review for Applications

- The proposed rule would clarify and formalize BLM's processes for prioritization, processing, and permitting of applications for proposed solar and wind energy development on public land, providing consistency for project proponents.
- This would provide certainty for developers, while continuing to focus agency efforts on projects capable of delivering clean energy to American communities.

### Facilitate Priority Development

- The proposed rule would provide the option to make public lands inside designated leasing areas available for leasing without a competitive auction. The BLM would retain discretion to conduct competitive auctions where there is a competitive interest, either within or outside of designated leasing areas.
- By allowing this greater flexibility, the BLM believes it can maximize interest in renewable energy leasing in the most environmentally appropriate areas and accelerate deployment of solar and wind energy.
- The proposal seeks input on additional incentives to promote public lands' renewable energy projects developed with American-made parts and materials or constructed using union labor.

Publication of the proposed rule in the *Federal Register* begins a 60-day public comment period, which will include public meetings (times and dates to be announced). For more information, or to provide comment on the proposal, please visit [blm.gov/renewable-energy-rule](https://blm.gov/renewable-energy-rule).

JAMES SETTELMAYER  
*Director*  
Department of Conservation  
and Natural Resources

CHARLES DONOHUE  
*Administrator*

JOE LOMBARDO  
*Governor*



State Land Use Planning Advisory Council  
State Land Use Planning Agency

*Address Reply to*

State Land Use Planning Agency  
901 S. Stewart St. Suite 5003  
Carson City, Nevada 89701-5246  
Phone: (775) 684-2723  
Fax: (775) 684-2721  
Web: [lands.nv.gov/land-use-planning](http://lands.nv.gov/land-use-planning)

STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
**State Land Use Planning Advisory Council**

August 4, 2023

U.S. Department of the Interior  
Director (630)  
Bureau of Land Management  
1849 C Street N.W., Room #5646  
Washington, DC 20240  
Attention: 1004-AE78

Re: 1004-AE78 – Rights-of-Way, Leasing, and Operations for Renewable Energy, Proposed Rule

The Nevada State Land Use Planning Advisory Council (SLUPAC), under my signature, is providing this letter, approved by SLUPAC on August 4, 2023, to comment on the Rights-of-Way, Leasing, and Operations for Renewable Energy, Proposed Rule (1004-AE78).

SLUPAC is the only Governor-appointed council that has a county representative from each of Nevada's seventeen counties as well as the Nevada Association of Counties (NACO), the Nevada League of Cities & Municipalities, and the Nevada Indian Commission. SLUPAC provides recommendations and expertise on land use planning and natural resources issues and advises the State Land Use Planning Agency regarding the development of plans and statements of policy.

SLUPAC appreciates the opportunity to comment on the Proposed Rule which would reduce fees nationwide and facilitate renewable energy development in identified priority areas, while maintaining appropriate flexibility to ensure a fair return for the use of the public's lands.

We note the wide range of viewpoints on the Proposed Rule, including amongst SLUPAC's own councilmembers. Those who support or oppose the Rule have varying reasons and differing interpretations; as drafted, the Proposed Rule can be interpreted to align with the viewpoints and biases of any party or affiliation. Therefore, SLUPAC's first comment is that regulations should be written in a way to remove, as much as possible, subjectiveness and open interpretation.

Furthermore, SLUPAC believes the Proposed Rule puts the cart before the horse. The Bureau of Land Management (BLM) should prioritize completing the update to the Western Solar PEIS/RMP as well as the Nevada-Wide Resource Management Plan (RMP) Modernization Project before implementing the Proposed Rule. Prioritizing these significant land use plan and policy updates will help any additional renewable energy development in Nevada resulting from the Proposed Rule can be programmed within a thoughtful and vetted planning framework. SLUPAC urges the BLM to complete these collaborative

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land use planning projects and establish a plan to guide responsible renewable energy development that balances local and multiple use resources needs before promoting further development under the Proposed Rule.

SLUPAC's comments below are intended to help clarify the intent and application of the Proposed Rule should BLM move it forward.

### **Keep Renewable Benefits Close to the Source**

Renewable energy development on public lands in Nevada should be done in a way that positively contributes to the overall quality of life and economy of the entire state. 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 by 2030. In recent years, Nevada has made significant strides with the development of innovative renewable energy projects that support Nevada and the Nation's energy goals. Today, there are nearly 100 renewable energy and transmission projects that are under construction or planned in every county of the state. Additionally, these projects encompass several hundred thousand acres of public lands that if completed would nearly achieve the entire desired gigawatt energy capacity of the Energy Act of 2020. However, most of these projects will export electricity and their renewable energy benefits out of state. Therefore, any prospective renewable energy development on Nevada's public lands should first benefit the state's renewable energy goals, Nevada's economy, and its citizens.

SLUPAC appreciates the language in the Proposed Rule to consider the full life cycle impacts of renewable energy deployment. The Proposed Rule's promotion of domestically sourced materials for renewable energy is laudable to further reduce land use planning conflicts on Nevada's lands. For example, domestic manufacturing reduces the embodied energy of renewable energy products and ultimately maximizes the overall benefit of the power produced. At the end of a project's life cycle, decommissioning standards, particularly the location and method for disposing of renewable energy equipment, should be set to minimize or avoid end-of-life impacts on host communities.

### **Promote Smart from the Start Energy Development**

At its July 9, 2021 meeting, SLUPAC endorsed the "smart-from-the-start" approach to renewable energy planning. This planning strategy guides renewable energy development to lands that are already impacted, such as former mine sites, brownfields, former agricultural lands that are no longer in production, and other disturbed areas. The BLM should prioritize a smart-from-the-start approach to energy development by speeding up rights of way & leasing approvals and reducing fees in areas that are already disturbed. Taking a smart from the start energy planning approach to renewable energy development on Nevada's public lands will also minimize land use planning conflicts, avoid multiple-use conflicts, reduce the loss of Animal Unit Months (AUM), mitigate wildlife impacts, reduce land consumption, conserve natural resources, address associated waste streams, and beneficially re-purpose disturbed land.

Identifying and prioritizing lower-impact areas where renewable energy generation, storage, and transmission can be reliably deployed with as little impact as possible to Nevada's communities, natural lands, cultural resources, recreation, and other future land uses are critical. Without an updated

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land use plan that promotes a smart-from-the-start approach to renewable energy development, the Proposed Rule will risks creating unnecessary land use planning conflicts and impacts to Nevada's resources. SLUPAC believes Nevada's renewable energy goals can be met through projects sited on previously disturbed areas.

### **First Prioritize Nevada-Wide Resource Management Plan (RMP) Modernization Project**

During our November 10, 2022 meeting, SLUPAC endorsed the Nevada-Wide RMP Modernization Project proposed by BLM's Nevada State Office. The average age of a Nevada RMP is more than 22 years. They are overdue for update. The transparent public process to modernize Nevada's RMPs would establish a land use plan for responsible renewable energy development along with balancing the other multiple use resource needs on Nevada's public lands. SLUPAC believes an RMP modernization that comes with better vetting, tracking and mapping of renewable energy proposed on public lands will help local stakeholders understand the full scope of approved and pending renewable energy projects. SLUPAC again emphasizes that updating the Nevada's RMPs will lead to more responsible renewable energy development and should be completed before further advancing the Proposed Rule.

### **Consistency with Local Land Use Management Plans**

With almost 70% of Nevada's land area under BLM management, the economies and land use plans and policies of Federally recognized Indian Tribes (Tribes), state agencies, and local governments will be impacted by the decisions and land allocations made through, or flowing from, the Proposed Rule. Due to its large Federal land ownership, Nevada will be disproportionately impacted by the proposed public lands rule compared to other states. Some counties in Nevada have as much as 97% of the land within their jurisdiction managed by the federal government which means that these areas are already compromised to be able to generate economic activity and tax base. Renewable energy development on public land has the potential to further burden these local areas.

For example, in recent years, the BLM has processed applications for large scale solar projects in Nevada that do not have any available water resources. Additionally, BLM has approved large scale renewable energy projects on public lands that resulted in the abandonment of conforming, non-public land development projects on adjacent lands due to the conflicting and competing land uses. Instead of promoting and incentivizing renewable energy projects that are inconsistent with local land use plans, the BLM needs to better coordinate renewable energy development with State, Local, and Tribal land use plan & policies, and resource priorities.

The Federal Lands Policy and Management Act (FLPMA) requires cooperative planning and coordination with state and local government land use plans. BLM land management decisions are to be aligned with local land use plans and policies to the maximum extent that is practicable and consistent with federal laws and regulations. SLUPAC appreciates the Proposed Rule states it "would consider whether the proposed project is consistent with relevant State, local, and Tribal government laws, plans, or priorities. The purpose of this determination is not to enforce these State, local, or Tribal but rather to ensure comity and identify projects that are more likely to be successfully approved." SLUPAC reinforces the importance of close coordination with local governments and promoting consistency with local land use master plans. Better coordination and alignment of renewable energy

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development in areas that are consistent with local land use plans will help avoid these land use conflicts, save staff resources, and better achieve both BLM's goals and those of local governments.

Therefore, SLUPAC suggests the BLM clarify and define how the Proposed Rule and actions flowing from it will be coordinated and align with local land use plans and policies. As indicated in the Proposed Rule, SLUPAC recommends that the BLM enter into agreements with State, Local and Tribal Governments as needed to better plan and prioritize renewable energy development in areas that are smart-from-the-start and consistent with local land use plans. Additionally, SLUPAC would like the Proposed Rule to clarify how the BLM will address any inconsistencies with local plans and policies that may arise from new renewable energy development promoted by the Proposed Rule.

### **Proposed Reducing of Public Meetings & Input**

Section 2804.25 of the Proposed Rule would remove the requirement of a public meeting to be held prior to submitting an application to the BLM and make pre-application public meetings discretionary on the part of BLM staff. According to the Proposed Rule,

“The BLM's experience, since its last rulemaking for solar and wind energy in 2016, demonstrates that this unique procedural step is redundant and not necessary to ensure adequate public participation and coordination with Tribal, and local governments. Participation and interest in these pre-processing meetings are not as strong as it was when solar and wind energy development was a relatively unfamiliar use of public lands, and these meetings are often confused with public meetings that are held later during the environmental review process. Removing this provision would reduce costs, shorten processing times, and remove redundant or unnecessary process requirements for these proposals.”

SLUPAC disagrees with the BLM's assessment of these pre-application public meetings for renewable energy projects and strongly believes that public involvement in the issuance of rights of way should not ever be considered “redundant and not necessary”. SLUPAC finds that these meetings are in fact necessary, and an important tool to promote public participation in the planning process and help mitigate land use planning conflicts between local communities and renewable energy projects in Nevada. Although there are many opportunities for the public to become involved during the environmental review of a project, many public meetings are already subject to BLM discretion and overall, the opportunity for public participation can be confusing to local stakeholders. Additionally, recent changes to the National Environmental Policy Act (NEPA) have made significant changes to reduce the timelines for processing projects and have limited input from the public in the process. The BLM should not further limit public involvement and instead bolster opportunities for State, Tribal, Local governments, and the general public to be involved.

### **Need to Combat Current Speculative Leasing Practices**

SLUPAC also encourages the BLM to develop policies that will discourage speculative projects on public land. In recent years across several hundred thousand acres throughout Nevada there has been a rush by developers, private investors, and others to propose large scale renewable energy projects that are speculative in nature. Many of these speculative projects have very little chance of ever being completed and take up the valuable time of BLM field office staff. Better vetting, tracking and mapping

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of speculative renewable energy projects proposed on public lands is needed to help the BLM and local stakeholders better understand and plan for more realistic projects across Nevada. Given the impact of these speculative projects on the demands of BLM field office staff, SLUPAC is concerned the incentives in the Proposed Rule will lead to more speculative energy projects and create unnecessary conflicts with other important land management activities. Therefore, SLUPAC again supports a comprehensive RMP update to balance resource needs and to limit speculation on Nevada's public lands.

Additionally, the BLM estimates the Proposed Rule will reduce payments to the Federal Government from renewable energy developments by \$414 million over the ten-year period from 2023-2032. SLUPAC is concerned about the fiscal impacts to the local District and Field Offices from the loss of this revenue. Throughout Nevada, BLM offices are already understaffed and lack fiscal resources to support their resource management mandates, adequately plan for resource needs, and process applications for multiple uses of public land. SLUPAC does not want to see the anticipated fiscal impacts of the Proposed Rule further reduce the staffing and resource needs of the BLM in Nevada.

**Conclusion**

SLUPAC looks forward to continuing to work with the BLM to meet the renewable energy needs of Nevada and the Nation in a responsible manner that is consistent with local land use plans and goals. We appreciate the opportunity to provide these comments on the Proposed Rule and thank the BLM for its consideration of our concerns while upholding its multiple use and sustained yield mandates of recreation, range, timber, mineral, watershed, wildlife and fish, science and historical values on Nevada's public lands. If you have any questions or would like additional information concerning SLUPAC or this letter, please feel free to contact Scott Carey, State Lands Planner at 775-684-2723 or [scarey@lands.nv.gov](mailto:scarey@lands.nv.gov).

Sincerely,

Jake Tibbitts, Chair  
State Land Use Planning Advisory Council

**DRAFT**

CC:

Governor Joe Lombardo

Senator Catherine Cortez Masto

Senator Jacky Rosen

Congresswoman Dina Titus

Congressman Mark Amodei

Congresswoman Susie Lee

Congressman Steven Horsford

Senate Committee on Energy & Natural Resources

House Committee on Natural Resources

Tracy Stone-Manning, BLM Director

Jon Raby, BLM Nevada State Director



Nevada Division of  
**STATE LANDS**

STATE OF NEVADA  
Department of Conservation & Natural Resources  
Joe Lombardo, Governor  
James Settelmeyer, Director  
Charles Donohue, Administrator

August 4, 2023

To: State Land Use Planning Advisory Council

From: Scott Carey, AICP, State Lands Planner

RE: Recap of Land Use Planning Bills and Other Policy Issues from the 82nd Session of the Nevada Legislature

### Background

Staff monitored the 82<sup>nd</sup> Session of the Nevada Legislature that began on February 6<sup>th</sup> and will run till June 5<sup>th</sup>. During the session staff tracked proposed bills and other policy matters being discussed at the Legislature related to land use planning, zoning, and natural resource issues. The Agency closely coordinated its bill tracking efforts this session with the Nevada Chapter of the American Planning Association (APA) and DCNR leadership to keep a list of bills that are of interest to the Council. The Agency would like to extend its appreciation to Marco Velotta of the City of Las Vegas and Professional Development Officer for the APA for his assistance during the session. A copy of the Agency's BDR list is attached to this memo.

At the meeting staff will provide the Council broad overview of the following land use planning related bills for the Council.

Bill #	Sponsor	Summary	Topic	Status
AB 10	City of Las Vegas	Authorizes the designation of a tax increment area for certain transportation and housing reinvestment purposes.	Housing / Transportation	No Further Action Allowed.
AB 71	Joint Interim Standing Committee on Natural Resources	Creates 2023-2024 interim study relating to environmental justice.	Creates a working group to review environmental justice issues	No Further Action Allowed.
AB 131	Assemblywoman Cohen	Revises provisions governing urban forestry.	Environment	Passed. Signed Into Law by Governor.

AB 213	Assemblywoman Jauregui	Revises provisions governing residential zoning.	Land Use	Passed. Signed Into Law by Governor.
AB 220	Assembly Committee on Natural Resources	Revises provisions relating to water conservation.	Water	Passed. Signed Into Law by Governor.
AB 312	Assemblywoman Sarah Peters	Revises provisions governing environmental justice. Stand up an EJ committee to establish EJ metrics which would be used to conduct EJ Impact Assessment on regulations – similar to the small business impact assessments currently required by law.	Environment	No Further Action Allowed.
AB 314	Assemblywoman Gallant	Revises provisions governing local government licensure and regulation of home-based businesses.	Business	No Further Action Allowed.
AJR 3	Assemblywoman Peters	AJR: Proposes to amend the Nevada Constitution relating to the protection of certain environmental rights.	Constitutional amendment known as the Green Amendment to enshrine protections of natural resources in the constitution.	No Further Action Allowed.
SB 18	City of Fernley	Revises provisions governing meetings of planning commissions in certain counties.	Government Administration	Passed. Signed Into Law by Governor.
SB 19	Clark County	Revises provisions relating to the creation of unincorporated towns.	Government Administration	Passed. Signed Into Law by Governor.
SB 33	Cannabis Compliance Board	Revises various provisions relating to cannabis.	Alcohol / Marijuana	No Further Action Allowed.
SB 81	Senator Daly	Revises provisions governing regional planning.	Zoning / Land Use	Passed. Vetoed by the Governor.

SB 92	Senator Donate	Revises provisions relating to street food vending.	Business	Passed. Signed Into Law by Governor.
SB 169	Joint Committee on Natural Resources	Revises provisions governing master plans adopted by certain local governments.	Environment	Passed. Vetoed by the Governor.
SB 247	Senate Committee on Government Affairs	Revises provisions relating to regional planning in Southern Nevada.	Land Use	Passed. Signed Into Law by Governor.
SB 421	Senator Ohrenschall	Revises provisions relating to energy; revises tax abatements, IRP, and requires interim study on renewable energy.	Energy	No Further Action Allowed.
SB 432	Senator Seevers Gansert	Revises provisions relating to economic development. Creates the account to Mitigate the Regional Impacts of Economic Development.	Economic Development	No Further Action Allowed.

Following staff's overview of these land use planning bills, members of the Council are encouraged to share other bills or policy matters from the 82 Session of the Nevada Legislature with the rest of the Council. The Council may also engage in discussion on other issues and share any insight on potential impacts from legislation. Following the discussion, the Council if desired, is authorized to take a formal position on legislation from the legislative session.

**Recommendation:** *Staff recommends that the Council review the information provided and have a discussion on legislation and other land use planning policy matters from the 82<sup>nd</sup> Session of the Nevada Legislation.*

## SLUPA Bill Tracker

BDR/Bill	Requestor	Summary	Notes	Status
Assembly Natural Resource and Land Use Planning Bills				
AB 1	Esmeralda County	Revises provisions related to the funding of solid waste management operations.	Environment	No Further Action Allowed.
AB 4	Nevada League of Cities	Provides for an accounting of unfunded mandates on local governments.	Government Administration	No Further Action Allowed.
AB 10	City of Las Vegas	Authorizes the designation of a tax increment area for certain transportation and housing reinvestment purposes.	Housing / Transportation	No Further Action Allowed.
AB 14	Lieutenant Governor	Revises provisions relating to state and local business licensing.	Economic Development	No Further Action Allowed.
AB 19	Division of Water Resources of the State Department of Conservation and Natural Resources	Revises provisions relating to water.	Expands eligibility to federally recognized Indian tribes to apply for Channel Clearance funding and to apply to be a state water right surveyor w/out being a licensed professional engineer or land surveyor on equal footing with the federal government	Passed. Signed Into Law by Governor.
AB 20	Division of Environmental Protection of the State Department of Conservation and Natural Resources	Revises provisions related to water.	Aligns the Nevada SRF programs with federal eligibility allowances	Passed. Signed Into Law by Governor.

AB 34	Division of Water Resources of the State Department of Conservation and Natural Resources	Makes various changes relating to water.	Revises noticing requirements and removes requirements that certain water right maps be submitted in mylar or linen material	Passed. Signed Into Law by Governor.
AB 39	State Contractors' Board	Prohibits certain provisions in a contract for improvements to a single-family residence.	Government Administration	Passed. Signed Into Law by Governor.
AB 46	Office of Historic Preservation of the State Department of Conservation and Natural Resources	Makes various changes relating to historical markers.	Assigns marker maintenance and construction responsibilities to state agencies or divisions of the state that currently have markers located on land they manage; clarifies SHPO's role in the program	Passed. Signed Into Law by Governor.
AB 47	Nevada Association of Counties	Revises provisions relating to off-highway vehicles.	Removes existing 2-mile limit on OHV trail connectors to enable local governments to establish their own limits within their communities	Passed. Signed Into Law by Governor.
AB 52	Attorney General	Makes various changes related to the Open Meeting Law.	Government Administration	Passed. Signed Into Law by Governor.
AB 58	Nevada League of Cities	Revises provisions related to the Nevada Air Service Development Commission.	Government Administration	Passed. Signed Into Law by Governor.
AB 60	Nevada League of Cities	Revises provisions governing neighborhood improvement districts.	Government Administration	Passed. Signed Into Law by Governor.
AB 62	Advisory Committee on Housing	Revises provisions governing property tax exemptions for low-income housing projects.	Housing	Passed. Signed Into Law by Governor.
AB 71	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Creates 2023-2024 interim study relating to environmental justice.	Creates a working group to review environmental justice issues	No Further Action Allowed.
AB 102	Assemblyman Watts	Revises provisions governing wildlife.	Environment	No Further Action Allowed.

AB 103	Assemblywoman Dickman	Revises provisions relating to states of emergency or declarations of disaster proclaimed by the Governor.	Emergency Management	No Further Action Allowed.
AB 104	Assemblywoman Dickman	Revises provisions governing the submission of legislative measures for city charters.	Government Administration	No Further Action Allowed.
AB 112	Joint Committee on Natural Resources	Establishes and funds account to create and maintain wildlife crossings.	Environment	Passed. Signed Into Law by Governor.
AB 131	Assemblywoman Cohen	Revises provisions governing urban forestry.	Environment	Passed. Signed Into Law by Governor.
AB 135	Joint Comm. on Health and Human Services	Revises provisions relating to homelessness.	Homelessness	Passed. Signed Into Law by Governor.
AB 136	Joint Comm. on Health and Human Services	Revises provisions governing qualified residential treatment programs. Allows such programs to be included as child care institutions.	Land Use	Passed. Signed Into Law by Governor.
AB 139	Assemblywoman Brittney Miller	Revises provisions governing certain demographic information	Demographics	Passed. Signed Into Law by Governor.
AB 143	Assemblyman O'Neill	Revises provisions governing the transfer of certain land by a county.	Government Administration / Land Use	Passed. Signed Into Law by Governor.
AB 162	Assemblywoman Gorelow	Establishes provisions governing the use of pesticides containing certain chemicals.	Environment	Passed. Signed Into Law by Governor.
AB 177	Assemblyman Gurr	Revises provisions governing parcel datasets.	Government Administration	Passed. Signed Into Law by Governor.
AB 186	Assemblywoman Kasama	Makes various changes governing the provision of water at food establishments. Prohibits the serving of water in restaurants unless requested.	Water	No Further Action Allowed.
AB 189	Assemblywoman Jauregui	Revises provisions governing construction start times.	Nuisance / Land Use	Passed. Signed Into Law by Governor.
AB 191	Assemblyman Delong	Makes various changes to Nevada water law.	Water	Passed. Signed Into Law by Governor.
AB 204	Assemblywoman Hansen	Revises provisions governing mill sites.	Environment	No Further Action Allowed.

AB 213	Assemblywoman Jauregui	Revises provisions governing residential zoning.	Land Use	Passed. Signed Into Law by Governor.
AB 214	Assemblywoman Anderson	Revises provisions governing certain regional transportation commissions.	Transportation	Passed. Signed Into Law by Governor.
AB 219	Assemblywoman Considine	Makes various changes to the Open Meeting Law.	Government Administration	Passed. Signed Into Law by Governor.
AB 220	Assembly Committee on Natural Resources	Revises provisions relating to water conservation.	Water	Passed. Signed Into Law by Governor.
AB 221	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Authorizes the Nevada Department of Wildlife to manage nonpest insects.	Wildlife	No Further Action Allowed.
AB 239	Legislative Commission	Makes various changes relating to state boards and commissions; requires bodies to submit lists to fill vacancies reflecting Nevada's diversity	Government Administration	Passed. Signed Into Law by Governor.
AB 243	Joint Interim Standing Committee on Legislative Operations and Elections (NRS 218E.320)	Revises provisions relating to interim committees. Statutory changes to the Subcommittee on Public Lands related to alternates	Government Administration	Passed. Vetoed by the Governor.
AB 261	Assembly Committee on Natural Resources	Revises provisions relating to water. Ties water use to Economic Development.	Water	Passed. Signed Into Law by Governor.
AB 263	Assemblyman Watts	Revises provisions relating to water quality.	Environment / Water	No Further Action Allowed.
AB 266	Assemblywoman Torres	Revises provisions relating to public notices.	Government Administration	Passed. Signed Into Law by Governor.
AB 298	Assemblywoman Jauregui	Revises provisions governing housing.	Housing	No Further Action Allowed.
AB 310	Assemblywoman Monroe-Moreno	Revises provisions governing affordable housing.	Housing	Passed. Signed Into Law by Governor.

AB 312	Assemblywoman Sarah Peters	Revises provisions governing environmental justice. Stand up an EJ committee to establish EJ metrics which would be used to conduct EJ Impact Assessment on regulations – similar to the small business impact assessments currently required by law.	Environment	No Further Action Allowed.
AB 313	Assemblywoman Peters	Revises provisions relating to mining reclamation	Mining	No Further Action Allowed.
AB 314	Assemblywoman Gallant	Revises provisions governing local government licensure and regulation of home-based businesses.	Business	No Further Action Allowed.
AB 315	Assemblywoman Hardy	Establishes various provisions relating to geothermal energy. Creates the Geothermal Energy Systems Demonstration Program. Commissions an interim geothermal study. Also requires Governor's Office of Energy to coordinate with local governments to develop best practices for geothermal development permitting.	Energy	No Further Action Allowed.
AB 325	Assemblyman O'Neill	Revises provisions relating to water.	Water	No Further Action Allowed.
AB 327	Assemblywoman Considine	Revises provisions governing real property.	Property	No Further Action Allowed.
AB 333	Assemblywoman Duran	Revises provisions governing housing authorities.	Housing	Passed. Signed Into Law by Governor.
AB 340	Assemblywoman Summers-Armstrong	Revises provisions governing certain actions and proceedings relating to real property.	Property	Passed. Vetoed by the Governor.
AB 349	Assembly Minority Leader	Establishes the Nevada Fish and Wildlife Conservation Foundation.	Environment	No Further Action Allowed.

AB 359	Assemblywoman Monroe-Moreno	Revises provisions governing highway funding in Nevada. Allows for fuel tax in Clark County to be annually increased by County Commission after July 1, 2027.	Transportation	Passed. Vetoed by the Governor.
AB 362	Assemblywoman Thomas	Residential Landlord and Tenant Act. Requires the Housing Division to annually calculate and publish a cost-of-living increase; establishing certain requirements relating to increases in rent; providing certain remedies for a violation of certain requirements relating to increases in rent; revising provisions relating to notices of increases in rent; and providing other matters properly relating thereto.	Housing	No Further Action Allowed.
AB 387	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Revises provisions related to water. Clarify the processes and authority for the conjunctive management of surface and groundwater basins, including, without limitation, the public notification processes, appeals processes, and the role of science in modifying management practices within such basins	Water	No Further Action Allowed.
AB 392	Assemblywoman Kasama	Revises provisions governing housing.	Housing	No Further Action Allowed.
AB 416	Assemblywoman Shondra Summers- Armstrong	Provides an exemption from property taxation for accessory dwelling units leased to certain tenants.	Housing	No Further Action Allowed.
AB 423	Assembly Committee on Government Affairs	Revises provisions governing meetings of public bodies.	Government Administration	No Further Action Allowed.

AB 424	Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System (NRS 218E.555)	Provides for the release of the next phase of bonds to carry out Nevada's portion of the Environmental Improvement Program for Lake Tahoe for the 2023-2025 biennium.	Environment	Passed. Signed Into Law by Governor.
AB 426	Assembly Committee on Growth & Infrastructure	Revises provisions governing special event advertising.	Signage	Passed. Signed Into Law by Governor.
AB 429	Assemblyman Gurr	Revises provisions governing economic development. Appropriation to Nevada Air Service Development Corporation.	Economic Development	No Further Action Allowed.
AB 450	Assemblywoman Considine	Revises provisions governing the real property transfer tax.	Taxation	No Further Action Allowed.
AB 516	Assembly Committee on Ways and Means	Revises provisions relating to the Nevada Indian Commission. Creates the Department of Native American Affairs.	Government Administration	Passed. Signed Into Law by Governor.
AB 524	Assemblyman Watts	Revises certain provisions governing electric utilities. Makes changes to the triennially submitted integrated resource planning process for utilities.	Energy	Passed. Signed Into Law by Governor.
AB 528	Assemblyman Yeager	Establishes matching funds to certain qualified projects related to the prevention of homelessness.	Homelessness	Passed. Signed Into Law by Governor.
AJR 3	Assemblywoman Peters	AJR: Proposes to amend the Nevada Constitution relating to the protection of certain environmental rights.	Constitutional amendment known as the Green Amendment to enshrine protections of natural resources in the constitution.	No Further Action Allowed.

ACR 5	Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System (NRS 218E.555)	Expresses support for the Lake Tahoe Transportation Action Plan. The describes project benefits, considerations for climate change and equity, and project cost estimates accompanied by a funding strategy. The Action Plan will accelerate the implementation of transportation projects in the Lake Tahoe Basin using an endorsed multisector funding strategy across local/private, state, and federal partners.	Environment	Passed.
<b>Senate Natural Resource and Land Use Planning Bills</b>				
SB 10	State Treasurer	Revises provisions related to the Nevada State Infrastructure Bank.	Public Works	Passed. Signed Into Law by Governor.
SB 11	Nevada League of Cities	Revises provisions governing the operation of unmanned aerial vehicles by local governments.	Government Administration	Passed. Signed Into Law by Governor.
SB 12	City of Reno	Makes various changes to the Reno City Charter.	Government Administration	No Further Action Allowed.
SB 13	Department of Agriculture	Revises provisions governing the control of pests, noxious weeds and pesticides.	Nuisance	Passed. Signed Into Law by Governor.
SB 16	City of Carson City	Revises various provisions of the Carson City Charter.	Government Administration	Passed. Signed Into Law by Governor.
SB 17	RTC Southern Nevada	Revises provisions relating to certain regional transportation commissions.	Government Administration	No Further Action Allowed.
SB 18	City of Fernley	Revises provisions governing meetings of planning commissions in certain counties.	Government Administration	Passed. Signed Into Law by Governor.
SB 19	Clark County	Revises provisions relating to the creation of unincorporated towns.	Government Administration	Passed. Signed Into Law by Governor.
SB 20	Nevada Association of Counties	Revises the process for filling vacancies on a board of county commissioners.	Government Administration	No Further Action Allowed.
SB 21	Nevada Association of Counties	Revises provisions relating to counties.	Government Administration	Passed. Signed Into Law by Governor.

SB 22	Nevada Association of Counties	Authorizes electronic publication of certain notices.	Government Administration	Passed. Signed Into Law by Governor.
SB 23	City of Boulder City	Revises provisions governing redevelopment areas.	Economic Development	Passed. Signed Into Law by Governor.
SB 25	State Public Works Division	Implements process for long-term state office space planning.	Government Administration	Passed. Signed Into Law by Governor.
SB 27	Senate Committee on Health and Human Services	Revises provisions relating to excavations in areas containing subsurface installations.	Utilities	Passed. Signed Into Law by Governor.
SB 31	Cannabis Compliance Board	Authorizes cannabis establishments to move to a location under the jurisdiction of a different local government in certain circumstances.	Alcohol / Marijuana / Land Use	No Further Action Allowed.
SB 33	Cannabis Compliance Board	Revises various provisions relating to cannabis.	Alcohol / Marijuana	No Further Action Allowed.
SB 40	Nevada Housing Division	Revises various provisions relating to manufactured homes, mobile homes and similar vehicles and factory-built housing.	Housing	Passed. Signed Into Law by Governor.
SB 48	Clark County	Revises provisions relating to air quality.	Environment	No Further Action Allowed.
SB 49	Division of Environmental Protection of the State Department of Conservation and Natural Resources	Revises provisions relating to the control of emissions from engines.	Consolidates compliance monitoring and enforcement of vehicle emission standards within NDEP	No Further Action Allowed.
SB 52	State Public Works Division of the Department of Administration	Revises provisions relating to the standards for the design and construction of buildings or other projects of this State.	Public Works	No Further Action Allowed.
SB 68	Clark Regional Behavioral Health Policy Board	Provides for an additional real property transfer tax to provide funding for affordable housing and behavioral health programs.	Housing	No Further Action Allowed.

SB 76	Senator Neal	Establishes provisions governing certain products that contain intentionally added perfluoroalkyl and polyfluoroalkyl substances.	Environment	Passed. Vetoed by the Governor.
SB 77	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Revises provisions relating to Nevada State Board on Geographic Names.	Allows members of the Nevada State Board on Geographic Names to receive reimbursement for incidental expenses and to be entitled to receive the per diem allowance and travel expenses provided for state officers and employees	No Further Action Allowed.
SB 81	Senator Daly	Revises provisions governing regional planning.	Zoning / Land Use	Passed. Vetoed by the Governor.
SB 87	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Establish the Nevada Natural Resources Corps to help attract professionals to Nevada to work for certain state agencies	Natural Resources	Passed. Signed Into Law by Governor.
SB 88	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Requires that during the 2023–2024 Interim, the Joint Interim Standing Committee on Natural Resources study state agencies that regulate natural resources	Natural Resources	Passed. Vetoed by the Governor.
SB 92	Senator Donate	Revises provisions relating to street food vending.	Business	Passed. Signed Into Law by Governor.
SB 94	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Establish qualifications for the tribal liaison position and adjusts state agency employment standards to help tribal members obtain state employment	Government Administration	No Further Action Allowed.

SB 96	Joint Committtee on Revenue	Revises provisions governing the partial abatement of taxes levied on residential and other property.	Taxation	No Further Action Allowed.
SB 99	Senator Goicoechea	Revises provisions relating to cloud seeding.	Water	Passed. Signed Into Law by Governor.
SB 101	Senator Goicoechea	Makes an appropriation for the restoration of the Gem Theater in Pioche.	Historic Preservation	No Further Action Allowed.
SB 102	Senator Goicoechea	Revises provisions relating to water resource plans; appropriates money to DWR to award grants for water resources plans	Water	No Further Action Allowed.
SB 112	Senator Goicoechea	Revises provisions governing groundwater basin assessments.	Water	No Further Action Allowed.
SB 113	Senator Goicoechea	Revises provisions relating to groundwater management plans.	Water	Passed. Signed Into Law by Governor.
SB 115	Senator Flores	Revises provisions relating to the mitigation of certain projects relating to loss of aquatic resources.	Environment / Water	Passed. Signed Into Law by Governor.
SB 124	Senate Committee on Finance	Revises provisions relating to the tax upon the net proceeds of minerals and royalties of mining operations.	Taxation	Passed. Signed Into Law by Governor.
SB 126	Senator Neal	Revises provisions governing the NV Grow Act.	Economic Development	Passed. Signed Into Law by Governor.
SB 142	Senator Harris	Revises provisions related to homelessness.	Homelessness	No Further Action Allowed.
SB 143	Senator Neal	Revises provisions relating to discrimination in housing.	Housing	No Further Action Allowed.
SB 155	Senator Ohrenschall	Revises provisions regarding homeless persons; prohibiting city/county ordinances that discriminate against homeless persons.	Homelessness	Signed into law by Governor.

SB 156	Senator Ohrenschall	Enacts the Model Public Meetings During Emergencies Act.	Government Adminstartion	No Further Action Allowed.
SB 169	Joint Committee on Natural Resources	Revises provisions governing master plans adopted by certain local governments.	Environment	Passed. Vetoed by the Governor.
SB 175	Senator Spearman	Revises provisions relating to real property.	Property	No Further Action Allowed.
SB 176	Senator Goicoechea	Revises provisions relating to groundwater basins.	Placeholder; potentially address CMAs	No Further Action Allowed.
SB 180	Senator Goicoechea	Revises provisions relating to groundwater boards.	Water	No Further Action Allowed.
SB 181	Senator Pazina	Revises provisions relating to economic development; revises GOED partial tax abatements.	Economic Development	Passed. Signed Into Law by Governor.
SB 186	Senator Goicoechea	Transfers property from the State to City of Ely and NNRR.	State Lands	No Further Action Allowed.
SB 195	Senator Nguyen	Revises provisions governing cannabis relating to transfer of ownership, fees, and disciplinary actions against licensees.	Marijuana	Passed. Signed Into Law by Governor.
SB 205	Sneator Hansen	Revises provisions relating to the registration of off-highway vehicles.	Transportation	Passed. Signed Into Law by Governor.
SB 207	Senator Spearman	Revises provisions relating to ethics in government.	Government Administration	No Further Action Allowed.
SB 208	Senator Flores	Authorizes counties and cities to enact certain ordinances relating to battery-charged fences.	Land Use	Signed into law by Governor.
SB 210	Senate Committee on Government Affairs	Revises provisions governing state boards and commissions.	Government Administration	No Further Action Allowed.
SB 223	Senator Harris	Revises provisions relating to real property; revises landlord/tenant provisions.	Housing	Passed. Signed Into Law by Governor.
SB 224	Senator Goicoechea	Revises the membership of the Board of Wildlife Commissioners.	Environment	No Further Action Allowed.

SB 240	Senator Neal	Revises provisions relating to the Nevada New Markets Jobs Act.	Ecnomic Development	Passed. Signed Into Law by Governor.
SB 247	Senate Committee on Government Affairs	Revises provisions relating to regional planning in Southern Nevada.	Land Use	Passed. Signed Into Law by Governor.
SB 257	Senator Daly	Revises provisions governing tax abatements for certain renewable energy facilities.	Energy	Passed. Signed Into Law by Governor.
SB 258	Senator Ohrenschall	Revises provisions relating to water.	Water	Passed. Signed Into Law by Governor.
SB 260	Senator Dondero Loop	Revises provisions relating to group residential facilities for persons who are aged.	Housing	Passed. Signed Into Law by Governor.
SB 261	Senator Neal	Revises provisions relating to local governments. Makes changes to business impact statement requirements.	Government Administration	Passed. Signed Into Law by Governor.
SB 262	Senator Flores	Revises the qualifications for membership on certain Unicorporated Town Advisory Boards.	Government Administration	Passed. Signed Into Law by Governor.
SB 263	Senator Seevers Gansert	Makes an appropriation to the Children's Cabinet for the purchase and renovation of a parcel of land to carry out the Oddie Project.	Government Administration	Passed. Signed Into Law by Governor.
SB 265	Senator Donate	Revises provisions relating to boards and commissions.	Government Administration	No Further Action Allowed.
SB 269	Senator Ohrenschall	Revises provisions related to wildlife.	Environment	Passed. Signed Into Law by Governor.
SB 272	Senator Spearman	Revises provisions relating to government purchasing and reporting requirements.	Government Administration	Passed. Vetoed by the Governor.
SB 275	Senator Daly	Revises provisions relating to manufactured home parks. Enacts provisions related to maximum annual rent increase.	Housing	Passed. Vetoed by the Governor.

SB 281	Senator Nguyen	Establishes a planning process for natural gas utilities.	Utilities	Passed. Signed Into Law by Governor.
SB 293	Senator Donate	Revises provisions relating to renewable energy and energy conservation.	Renewable Energy	Passed. Signed Into Law by Governor.
SB 301	Senator Lange	Revises provisions governing public works. Provides that “employed at the site of a public work” also includes the delivery or removal of construction material or structures to or from the site of a public work.	Public Works	Passed. Vetoed by the Governor.
SB 311	Senator Hansen	Revises provisions governing wildlife and hunting tags.	Environment / Wildlife	Passed. Signed Into Law by Governor.
SB 312	Senator Hansen	Revises provisions relating to wildlife.	Environment	No Further Action Allowed.
SB 314	Senator Lange	Revises provisions relating to battery storage.	Energy	Passed. Vetoed by the Governor.
SB 317	Senator Scheible	Establishes provisions relating to resources for persons experiencing homelessness.	Homelessness	Passed. Signed Into Law by Governor.
SB 331	Senator Scheible	Revises provisions relating to state and local emergency management plans.	Emergency Management	Passed. Signed Into Law by Governor.
SB 338	Senator Flores	Revises provisions relating to off-highway vehicles.	Transportation	Passed. Signed Into Law by Governor.
SB 353	Senator Pazina	Revises provisions governing energy. Changes how integrated resource plan counts energy efficiency and conservation programs.	Energy	No Further Action Allowed.
SB 356	Senator Lange	Revises provisions governing energy. Changes how integrated resource plan counts energy efficiency and conservation programs.	Energy	No Further Action Allowed.
SB 358	Senator Hansen	Revises provisions relating to real property.	Property	No Further Action Allowed.
SB 361	Senator Stone	Revises provisions relating to recycling.	Environment	No Further Action Allowed.

SB 363	Senator Spearman	Revises provisions relating to affordable housing.	Housing	Passed. Signed Into Law by Governor.
SB 364	Senator Kranser	Makes various changes relating to cultural remains.	Cultural Resources	Passed. Signed Into Law by Governor.
SB 371	Senate Committee on Government Affairs	Revises provisions governing local governments. Allows home rule for rent control and affordable housing.	Government Administration	Passed. Vetoed by the Governor.
SB 381	Senator Harris	Revises provisions relating to housing.	Housing	Passed. Signed Into Law by Governor.
SB 391	Senator Harris	Revises provisions relating to governmental entities; prohibits "Sundown Towns."	Government Administration	Passed. Signed Into Law by Governor.
SB 394	Senate Committee on Revenue and Economic Development	Revises provisions governing property taxes levied for the support of public schools.	Taxation	No Further Action Allowed.
SB 400	Senator Neal	Revises provisions governing taxation relating to funding LVMPD and for programs related to homelessness.	Homelessness	Passed. Vetoed by the Governor.
SB 421	Senator Ohrenschall	Revises provisions relating to energy; revises tax abatements, IRP, and requires interim study on renewable energy.	Energy	No Further Action Allowed.
SB 426	Senator Spearman	Revises provisions relating to affordable housing.	Housing	No Further Action Allowed.
SB 432	Senator Seevers Gansert	Revises provisions relating to economic development. Creates the account to Mitigate the Regional Impacts of Economic Development.	Economic Development	No Further Action Allowed.
SB 450	Senator Neal	Establishes a program for the relocation of persons residing in the Windsor Park neighborhood of the City of North Las Vegas.	Housing	Passed. Signed Into Law by Governor.
SB 451	Senator Neal	Enacts provisions to promote the development and use of clean hydrogen technology in this State.	Energy / Economic Development	Passed. Signed Into Law by Governor.

SB 473	Office of the Governor	Makes an appropriation to the Division of Water Resources for a study of extreme rainfall events.	Water	Passed. Signed Into Law by Governor.
SJR 2	Senator Hansen	SJR: Urges Congress to require the United States Board on Geographic Names to consider renaming the Sheldon Antelope Range.	Environment	No Further Action Allowed.
SJR 3	Joint Committee on Natural Resources	Urges Bureau of Reclamation to consider certain actions to protect and manage the Colorado River.	Water	Passed
SJR 4	Senator Ohrenschall	Urges the Federal Government to use Yucca Mountain for the development and storage of renewable energy.	Land Use	No Further Action Allowed.
SJR 7 (2021)	Senator Dondero Loop	Amends the Nevada Constitution to remove the constitutional provisions governing the election and duties of the Board of Regents	Education	Passed.

## SLUPA Bill Tracker

BDR/Bill	Requestor	Summary	Notes	Status
Land Use Planning And Zoning Bills				
AB 10	City of Las Vegas	Authorizes the designation of a tax increment area for certain transportation and housing reinvestment purposes.	Housing / Transportation	No Further Action Allowed.
AB 71	Joint Interim Standing Committee on Natural Resources	Creates 2023-2024 interim study relating to environmental justice.	Creates a working group to review environmental justice issues	No Further Action Allowed.
AB 131	Assemblywoman Cohen	Revises provisions governing urban forestry.	Environment	Passed. Signed Into Law by Governor.
AB 213	Assemblywoman Jauregui	Revises provisions governing residential zoning.	Land Use	Passed. Signed Into Law by Governor.
AB 220	Assembly Committee on Natural Resources	Revises provisions relating to water conservation.	Water	Passed. Signed Into Law by Governor.
AB 312	Assemblywoman Sarah Peters	Revises provisions governing environmental justice. Stand up an EJ committee to establish EJ metrics which would be used to conduct EJ Impact Assessment on regulations – similar to the small business impact assessments currently required by law.	Environment	No Further Action Allowed.
AB 314	Assemblywoman Gallant	Revises provisions governing local government licensure and regulation of home-based businesses.	Business	No Further Action Allowed.
AJR 3	Assemblywoman Peters	AJR: Proposes to amend the Nevada Constitution relating to the protection of certain environmental rights.	Constitutional amendment known as the Green Amendment to enshrine protections of natural resources in the constitution.	No Further Action Allowed.
SB 18	City of Fernley	Revises provisions governing meetings of planning commissions in certain counties.	Government Administration	Passed. Signed Into Law by Governor.
SB 19	Clark County	Revises provisions relating to the creation of unincorporated towns.	Government Administration	Passed. Signed Into Law by Governor.
SB 33	Cannabis Compliance Board	Revises various provisions relating to cannabis.	Alcohol / Marijuana	No Further Action Allowed.
SB 81	Senator Daly	Revises provisions governing regional planning.	Zoning / Land Use	Passed. Vetoed by the Governor.
SB 92	Senator Donate	Revises provisions relating to street food vending.	Business	Passed. Signed Into Law by Governor.
SB 169	Joint Committee on Natural Resources	Revises provisions governing master plans adopted by certain local governments.	Environment	Passed. Vetoed by the Governor.
SB 247	Senate Committee on Government Affairs	Revises provisions relating to regional planning in Southern Nevada.	Land Use	Passed. Signed Into Law by Governor.
SB 421	Senator Ohrenschall	Revises provisions relating to energy; revises tax abatements, IRP, and requires interim study on renewable energy.	Energy	No Further Action Allowed.
SB 432	Senator Seevers Gansert	Revises provisions relating to economic development. Creates the account to Mitigate the Regional Impacts of Economic Development.	Ecnomic Development	No Further Action Allowed.

# White Pine Pumped Storage Project

Presentation to  
Nevada's State Land Use  
Planning Advisory Council

Friday  
August 4, 2023



*White Pine Waterpower, LLC  
A Subsidiary of rPlus Hydro, LLLP  
201 S. Main St, Suite 2100, Salt Lake City, UT 84111*





# DISCLAIMER

The information in this presentation is provided by rPlus Hydro, LLLP on behalf of White Pine Waterpower, LLC for discussion and illustrative purposes only and is subject to change. Any estimates and projections (financial or otherwise) contained herein involve elements of subjective judgment and analysis based on forward-looking assumptions that may or may not be correct. rPlus Hydro or its advisors make no representation or warranty, expressed or implied, as to the completeness of the information contained in this presentation.





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FOUNDED IN 2018



BASED IN SALT LAKE CITY, UT



SUBSIDIARY OF THE GARDNER GROUP



DEVELOPS LARGE SCALE RENEWABLE ENERGY, WIND, PUMPED STORAGE HYDROPOWER, AND BATTERY PROJECTS



OVER 30 PROJECTS (AND GROWING) ACROSS THE U.S.



SIGNIFICANT EXPERIENCE EXECUTING CORPORATE PPA'S



FIRST PROJECT COMMISSIONED IN 2022, OVER 1 GW TO BE UNDER CONSTRUCTION IN 2023

## COMPANY BACKGROUND

rPlus Hydro, LLLP is a subsidiary of rPlus Energies, LLC. rPlus Energies develops modern power plants to contribute to the rebuilding of America's energy infrastructure. Through partnership with the private sector, municipalities, and utilities, rPlus Energies develops utility-scale power plants to access a region's best mix of renewable resources to enable a more dispatchable and reliable power supply. rPlus Energies has over 30 projects across 15 market areas in the U.S. in active development including solar, wind, pumped storage hydro, and solar plus battery.

rPlus Energies is a subsidiary of The Gardner Group, family owned and operated since 1976, which is dedicated to building better communities through thoughtful, sustainable practices in developing and managing real estate, renewable energy and technology, and providing results-oriented philanthropy.



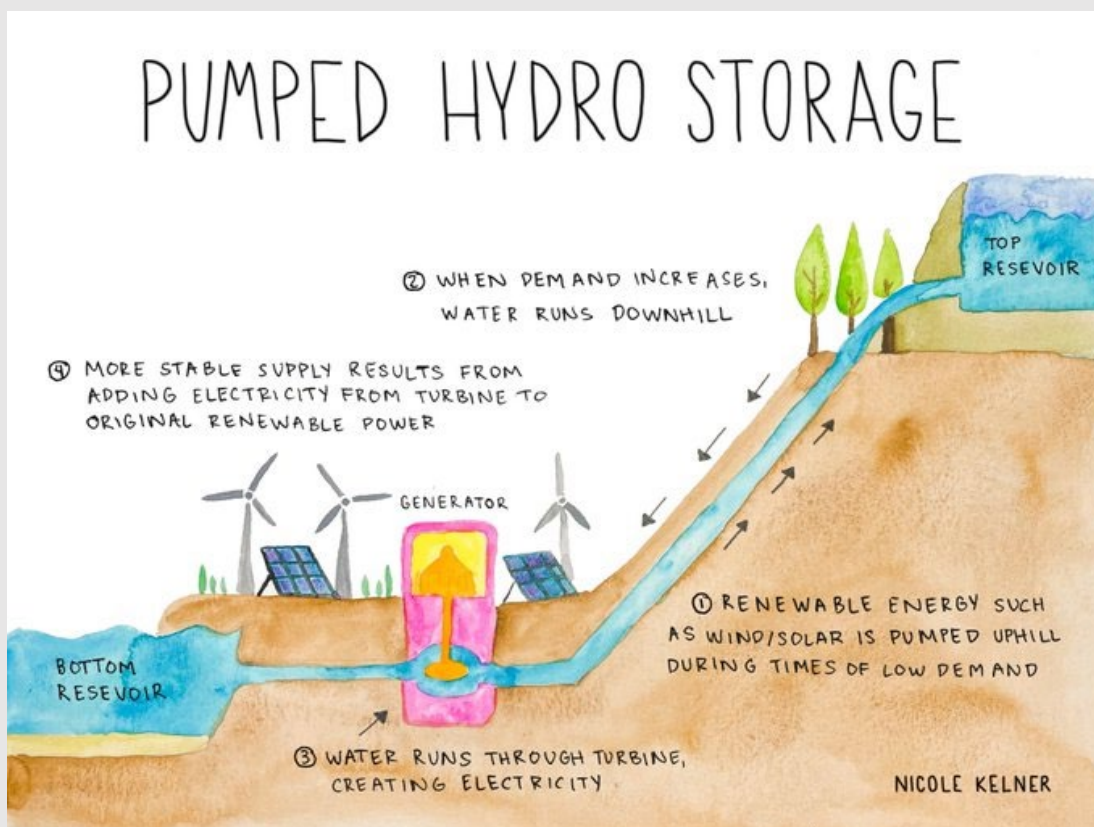
# rPlus Hydro Overview

- Controls 50% of all current interconnection queue for planned or proposed pumped storage projects
- Has 12 pumped storage projects in various stages of development across the U.S.
- White Pine Waterpower, LLC is the license applicant for this project
- Future pumped storage project locations include: Washington, Wyoming, Utah, New Mexico, Oregon, Colorado, California, Kentucky





# What is Pumped Storage?



- The oldest plant in the US was built in 1932 and is still operating.
- 42 existing pumped storage plants in the US and around 150 worldwide.
- Pumped storage plants have the ability to operate flexibly, respond quickly, and to provide a variety of services that help keep an electric system stable.
- 75-79% roundtrip efficiency



# Project Overview

- **Closed-loop project**
  - More than \$2.5 billion capital investment
- **1000 megawatts (MW) of generating and pumping capacity**
  - 8 hours of full-output storage (8,000 MWh/day)
  - Approx. 1/8 of Nevada's peak power demand
- **Rapid dispatchable response generation**
  - from 0 to full power within 90 seconds
- **All water rights have been secured**

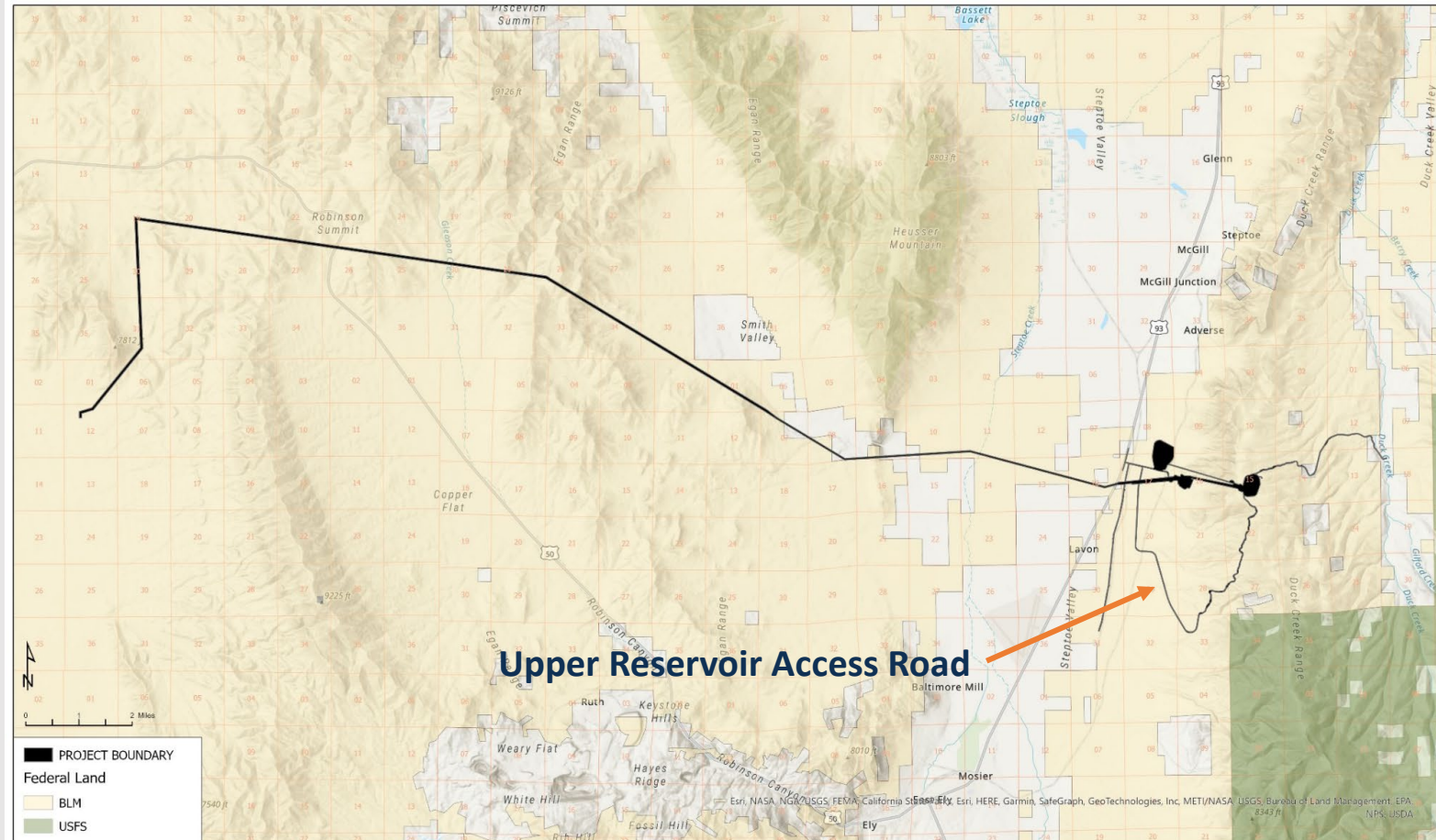


# Project Facilities

<b>Upper Reservoir</b>	4,082 acre-feet active storage capacity	46 -acre footprint	Natural basin closed with lined rockfill dam 167' high at crest
<b>Lower Reservoir</b>	4,082 acre-feet active storage capacity	62.8-acre footprint	Lined earth fill dam, 145' maximum height
<b>Conduits</b>	2,326' vertical; 360' horizontal headrace; 7,610' tailrace; all 20'-22' diameter		
<b>Transmission</b>	25-mile line (H-Frame Structures)	345 kV gen-tie line	
<b>Powerhouse &amp; Equipment</b>	Underground	3 variable speed generating units	1000 MW at POI



# Project Overview and Layout



WHITE PINE PUMPED STORAGE PROJECT  
**PROJECT OVERVIEW**



# Estimated Economic Benefits

- **Estimated Employment**

- Construction Phase:

- Estimated **500 to 600 jobs over a period of 5 years**
    - Mostly skilled labor of the kind that should be able to draw upon area mining expertise (heavy equipment, earth-moving, tunneling)

- Long-Term Operation:

- **More than 35 direct full-time employees**, good income, local spending

- **Estimated Taxes**

- Project capital investment estimated to be more than **\$2.5 billion**
  - **Local tax revenue** is expected to be more than **\$12 million annually** starting after commercial operation and throughout its life





# Energy Policy Goals

- **Nevada Energy Policy Goals**

- Nevada law requires at least 50% renewable energy by 2030, 100% carbon-free by 2050
- This requirement was added to the state constitution

- **Federal Energy Policy Goals**

- Energy Act of 2020 requires DOI to permit 25 GW of renewable energy by 2025
- NV BLM state office land use planning goals for renewable energy support this requirement

**A significant amount of energy storage will be required to facilitate both policy objectives**



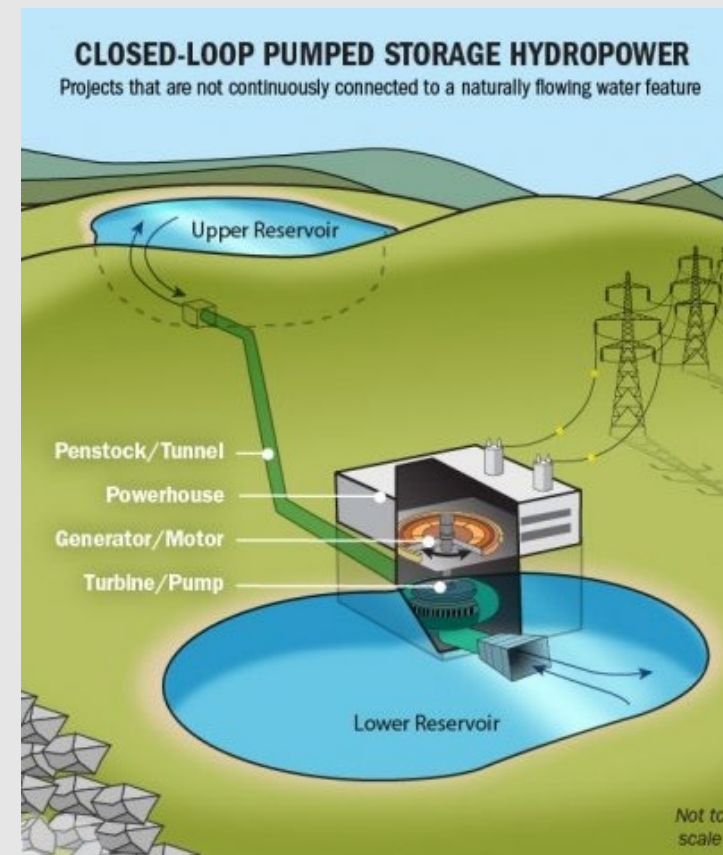
# Need for Interconnection Support

- Needed infrastructure for the region's transmission grid
- Manages non-dispatchable renewable resources and provides grid stabilization
  - Turns variable and intermittent renewable energy into a dispatchable energy source
  - Provides inertia and reactive power for grid stabilization, increasingly important as fossil fuel generation is retired



# Progress Highlights

- In the past six months, the White Pine Pumped Storage project made substantial progress with:
  - Filing the Final License Application (FERC)
  - Survey to assess potential impacts to Northern Nevada Railroad user experience
  - Formation of BLM, NDOW, SETT Technical Working Group to address potential wildlife impacts





# Progress Highlights

## Completed Environmental Study Reports:

- Aquatic Resources Delineation
- Special-Status Plants and Noxious Weeds
- Greater Sage-Grouse Lek and Habitat
- Rare, Threatened, and Endangered Wildlife Species Assessment
- Recreation Resources
  - Supplemental Recreation Resources
- Cultural Resources (*Privileged*)
- Visual and Aesthetic Resources
  - Supplemental Visual and Aesthetic Resource
- Socioeconomic
- Historic Properties Management Plan (*Privileged*)

## Ongoing Studies

- Supplemental Socioeconomic
- Sage Grouse Lek Monitoring



# FERC Licensing Jurisdiction

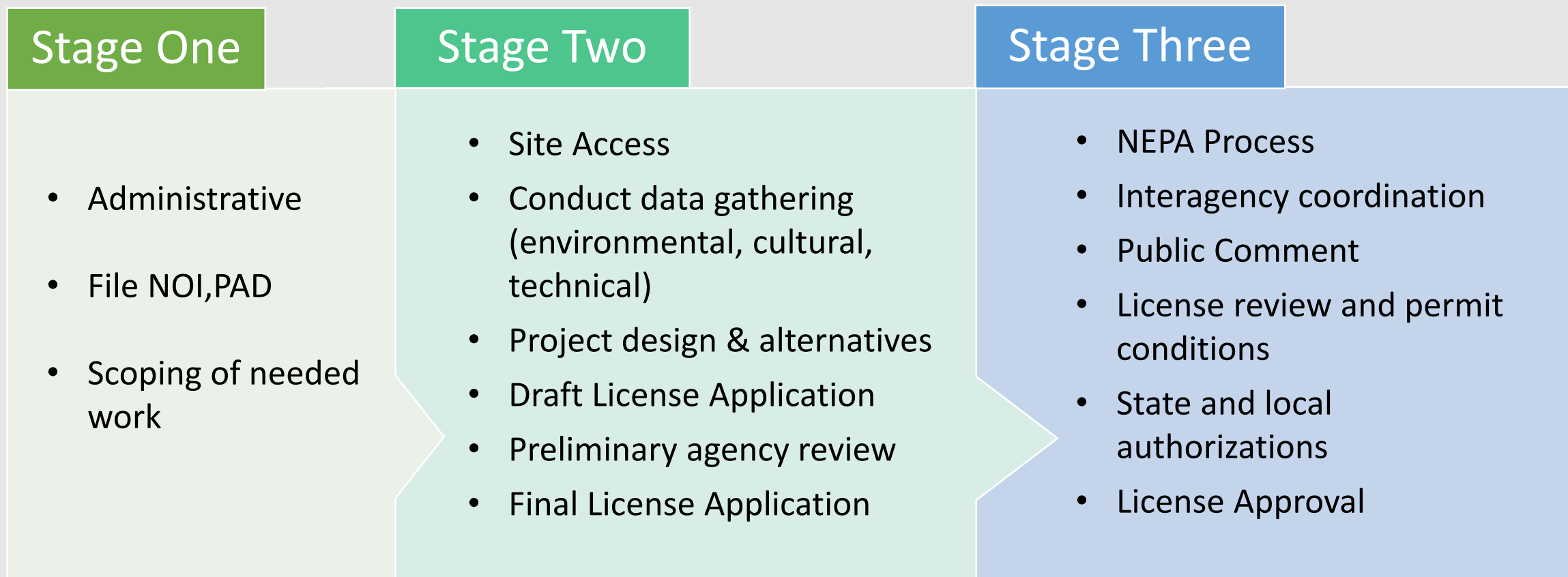
- A hydropower project is subject to FERC's licensing jurisdiction under the Federal Power Act if it:
  - is located on navigable waters;
  - **occupies federal lands or reservations;**
  - uses water from a federal dam; or
  - is located on a Commerce Clause waterway, was constructed after 1935, and affects interstate commerce.
- ***FPA § 23(b); 16 U.S.C. § 817(1)***



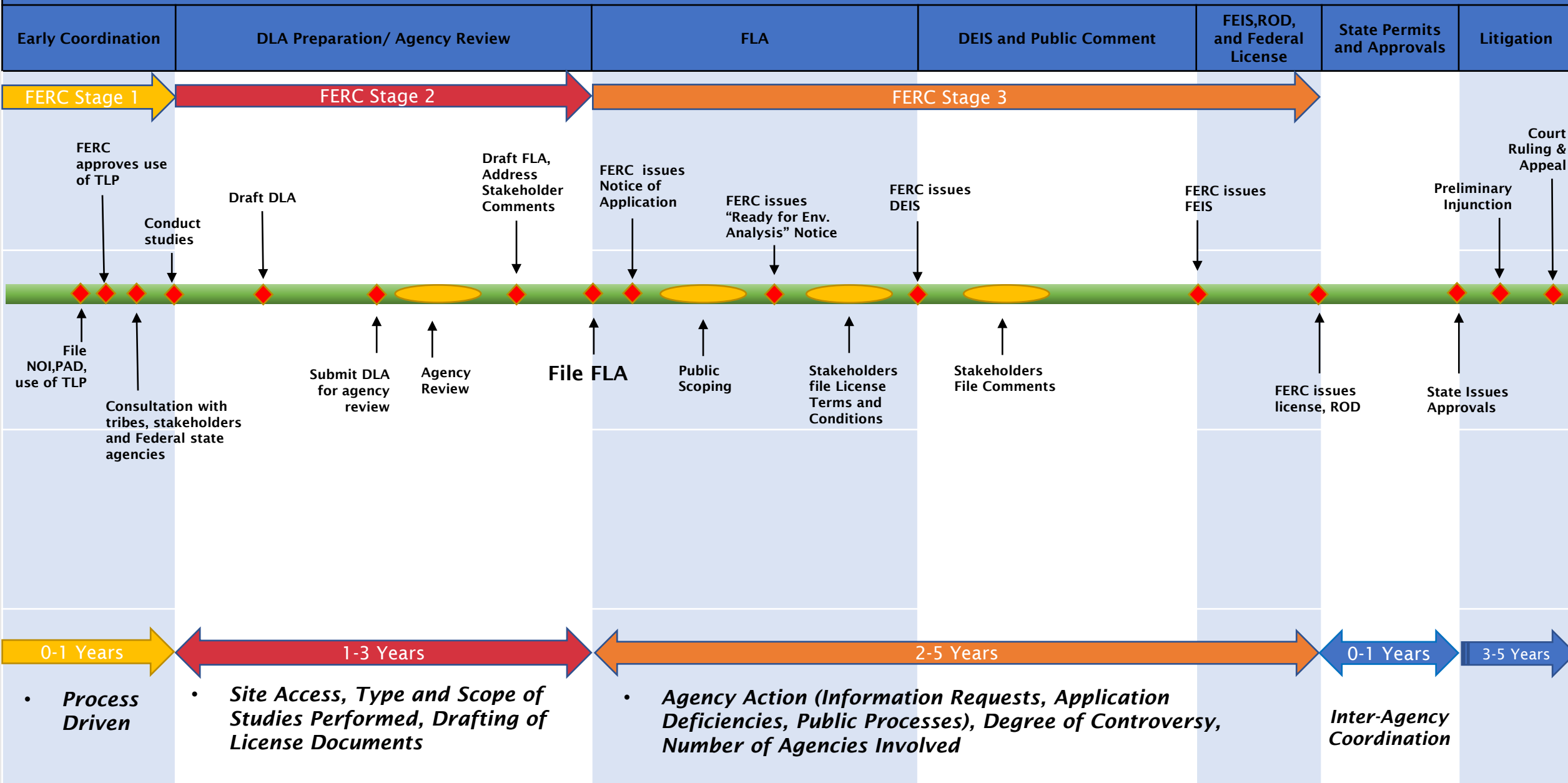


# FERC License Process

(Integrated, Traditional, Alternative, Expedited Closed Loop)



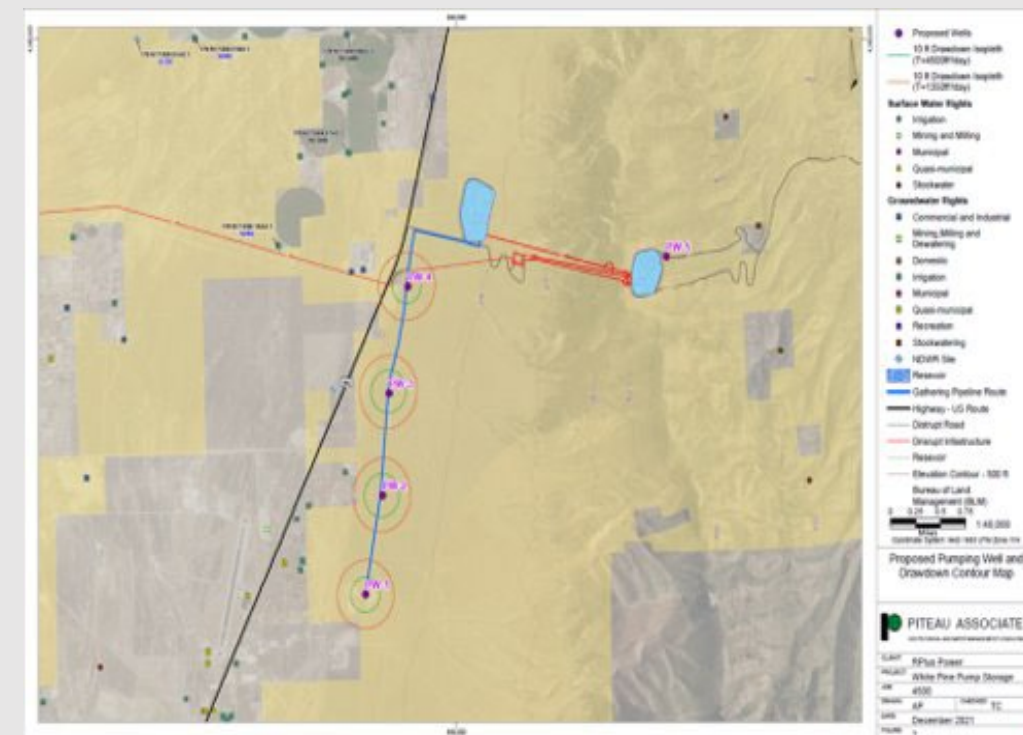
# TLP License Application and NEPA Road Map





# Water Sourcing

- **Water sourcing for the project is under contract**
  - Steptoe Valley water allocated to White Pine County (24,000 AF/Y) for industrial & economic development use (originally for planned coal plants)
  - Water agreement signed with White Pine County in March 2021
- **Water usage**
  - Construction Phase: Up to 900 acre-feet per year for 5 years
  - Initial fill requirement ~4,500 acre-feet
  - Annual make-up water for the life of project, approximately 500-750 acre-feet
- **Approval was received from the Nevada State Engineer's office for a change in permitted usage and the point of diversion for groundwater permits for the purposes of sourcing construction-phase water and reservoir fill water.**





# Water Sourcing

- **Hydrogeological Study**
  - Why? Better understand and describe potential impacts to groundwater
  - What? Initial reservoir fill and the make-up water
  - Next Steps? Mitigate for impacts.
- **BLM approval of the pending Hydrogeologic Testing SF-299 application**
- **Timing of the study will be based on several factors:**
  - Winter seasonal restrictions,
  - wildlife restrictions, and
  - equipment and operational availability.





# Looking Ahead

- **FERC review of Final License Application for Acceptance**
  - FAST-41 Project Status
  - NEPA Process to start by FERC upon license acceptance
- **Update BLM Right-of-Way Application**
- **BLM led Technical Working Group to address potential wildlife impacts**
- **Section 106 Consultation**
- **Development Services Agreement with White Pine County**
- **Continue working with state and federal agencies on additional and/or supplemental cultural, socioeconomic, and environmental topics**





# THANK YOU

Greg Copeland  
*Program Manager, Hydro*  
**rPlus Hydro, LLLP**  
(801) 759-2223  
gcopeland@rplusenergies.com

Matthew Shapiro  
*Chief Executive Officer*  
**rPlus Hydro, LLLP**  
(208) 246-9925  
mshapiro@rplusenergies.com

Luigi Resta  
*President*  
**rPlus Energies, LLC**  
(415) 602-2569  
lresta@rplusenergies.com

Theresa Foxley  
*Chief of Staff*  
**rPlus Energies, LLC**  
(801) 244-3690  
tfoxley@rplusenergies.com

<https://www.whitepinepumpedstorage.com/>



Nevada Division of  
**STATE LANDS**

STATE OF NEVADA  
Department of Conservation & Natural Resources

Joe Lombardo, Governor  
James Settelmeyer, Director  
Charles Donohue, Administrator

August 4, 2023

To: State Land Use Planning Advisory Council

From: Scott Carey AICP, State Lands Planner

RE: State Land Use Planning Agency Update

Since the April 14<sup>th</sup>, meeting the Agency has been working on and tracking various activities, SLUPAC projects, Federal public lands and other legislation, and other issues of interest to the Council. The purpose of this memo and agenda item to provide the Council with an update on the agency and provide an opportunity to answer questions or provide additional information.

- 1) NEPA Reform: Since the last Council meeting, the agency has been informed that Congress has enacted changes to the National Environmental Policy Act (NEPA) for the first time since the law was enacted in 1970. As part of the debt ceiling bill the Fiscal Responsibility Act of 2023 (H.R. 3746) that was passed in June, the bill makes several key changes to NEPA.
  - NEPA Mandate: The new law provides that an Environmental Impact Statement (EIS) must consider the “reasonably foreseeable environmental effects of the proposed agency action” and analysis of a “reasonable range” of alternatives that are “technically and economically feasible” for a project. The law also requires an agency to consider “any negative environmental impacts of not implementing the proposed agency action in the case of a no action alternative”.
  - New EA and EIS Deadlines: Under the new law an agency must complete an EIS no later than two years and complete an Environmental Assessment (EA) in one year.
  - NEPA Applicability: The new law provides clarification on what can qualify for a categorical exclusion and allows for agencies to adopt categorical exclusions from other agencies.
  - Agency Hierarchy: The new law includes a new strong lead agency role with provisions for joint lead agencies and authority to coordinate the preparation of an environmental document and related permits and authorizations. Also of note, the new law creates an appeal process for agencies who have been denied cooperating agency status on a project.
  - Applicant Prepared EA and EIS: The new law require that lead agencies prescribe procedures for project sponsors to prepare an EA or EIS under agency supervision.

The legislation requires the lead agency to independently evaluate an environmental review document and take responsibility for its contents.

- Definition of Major Federal Action: The new law defines a Major Federal Action as “an action that the agency carrying out such action determines is subject to substantial Federal control and responsibility.” The new definition excludes Federal loan or loan guarantee programs where the agency has minimal involvement and does not control the outcome of a project.
- Page Limits: Under the new law the maximum page limit for an EIS is 150 pages with an allowance of up to 300 pages in certain circumstances. The law limits an EA to be 75 pages. Appendices are not counted towards the page limit.

The changes to NEPA are outlined in Sections 321 to 323 of H.R. 3746 (Pages 29-37), a copy of the debt ceiling bill is available [at this link](#).

- 2) Logandale Trails Governor’s Consistency Review: As reported at the April 14<sup>th</sup> Council Meeting the agency has been working with the Governor’s Office on drafting a Governor’s 60 Day Consistency Review letter for the Logandale Trails Special Recreation Management Plan (SRMA) in Clark County. Under the Federal Land Policy and Management Act (FLPMA), prior to the approval of a proposed BLM resource management plan (RMP), or amendment to a management framework plan, the 60-Day Governor’s Consistency Review Process is required and gives the State an additional review opportunity that follows NEPA consultation criteria. Over the past couple of months, the agency has been working with State, Tribal, and Local partners to incorporate any remaining concerns or unresolved issues regarding the Logandale Trails project.

On June 23<sup>rd</sup>, Governor Lombardo signed the consistency review letter from this project and the letter was transmitted to the BLM. A copy of the Governor’s letter for the Logandale Trails SRMA is available [at this link](#).

- 3) 2023 Nevada State Planning Conference: The Nevada Chapter of the American Planning Association (APA) is going to hold its annual conference October 16-18 at the new Tahoe Blue Event Center in Stateline. This year will mark the 51<sup>st</sup> annual Nevada State Planning Conference and the theme for the conference is “Bursting as the Seams”. This year’s conference will be focused on how communities throughout Nevada are dealing with growth and development. Session tracks include; Best Way to Keep Up (interactive & professional development), Track What’s Going On (technical planning & trends), Protecting Nevada’s Resources (natural & cultural resources), and A Place for all Nevadans to Live (housing). Staff has been working closely with the chapter to plan for the conference and has organized several sessions. The chapter has opened up registration

and has included a special \$75 Citizen Planner registration rate for this year's conference, which every member of the Council is eligible to utilize. For additional information or to register for this year's conference please see the attached save the date flyer.

- 4) Federal Public Lands Bills: The Agency continues to track the progress of several Nevada specific public lands and natural resource Federal bills. As the 118<sup>th</sup> Congress and the Biden Administration begin their work, the Agency expects new Federal public land bills to move through the process or resurface over the next year. Below is a listing of the bills that the agency is tracking during the 118<sup>th</sup> Session.

Status of Legislation in the 118<sup>th</sup> Congress.

- Lake Tahoe Restoration Reauthorization Act (H.R. 1274) (S. 612) – [Congressman Amodei introduced the House version of this bill on 3-1-23. Senator Cortez Masto introduced the Senate version of this bill on 3-1-23.](#)
- Maude Frazier Mountain (H.R. 848) – [Congresswoman Titus introduced this bill on 2-21-23.](#)
- Nuclear Waster Informed Consent Act (H.R. 1051) (S. 404) - [Congresswoman Titus introduced this this bill on 2-14-23. Senator Cortez Masto introduced the Senate version of this bill on 2-14-23.](#)
- Wild Horse and Burro Protection Act of 2023 (H.R. 3656) - [Congresswoman Titus introduced this this bill on 5-24-23.](#)
- Public Land Renewable Energy Development Act of 2023 (H.R. 178) – [Congressman Mike Levin \(CA-49\) introduced this bill on 2-21-23.](#)
- Avi Kwa Ame National Monument – [On March 21, 2023, President Biden issued a proclamation under the Antiquities Act to designate Avi Kwa Ame in Clark County as a National Monument. The new national monument spans approximately 506,814 acres of lands managed by the Interior Department's Bureau of Land Management, Bureau of Reclamation, and National Park Service.](#)
- Northern Nevada Economic Development and Conservation Act (H.R. 3173) – [Congressman Amodei introduced this this bill on 5-10-23.](#)
- Sloan Canyon National Conservation Boundary Amendment (S. 2042) – [Senator Cortez Masto introduced this bill on 6-15-23.](#)

- Ruby Mountains Protection Act (S. 706) – [Senator Cortez Masto](#) introduced this bill on 3-8-23.
- Apex Area Technical Corrections Act (H.R. 1504) (S. 1760) – [Congressman Horsford](#) introduced the House version of this bill on 3-9-23. [Senator Cortez Masto](#) introduced the Senate version of this bill on 5-30-23.
- American Broadband Deployment Act of 2023 (H.R. 3557) – [Congressman Buddy Carter \(GA-1\)](#) introduced this bill on 5-22-23.

#### Other Potential Federal Land Bills

- Southern Nevada Economic Development and Conservation Act – [No bill introduced yet.](#)
- Carson City Public Land Correction Act – [No bill introduced yet.](#)
- Elko National Cemetery Act – [No bill introduced yet.](#)
- Truckee Meadows Lands Bill – [No bill introduced yet.](#) Discussion draft of the proposed bill has been circulated to stakeholders and public meetings have been held.
- Nye County Lands Bill – [No bill introduced yet.](#)
- Lyon County Lands Bill – [No bill introduced yet.](#)
- Nevada Test and Training Range modernization & withdrawal – [No bill introduced yet.](#)
- Sunrise Mountains/East Las Vegas National Monument – [No bill introduced yet.](#)
- Bahsahwahbee Swamp Cedars National Monument – [No bill introduced yet.](#)
- Historic Wendover Airfield National Monument. – [No bill introduced yet.](#)

Scott Carey

Subject:

APA Nevada - 51st Annual State Conference - Save the Date

**APA NV** American Planning Association  
NEVADA CHAPTER

**SAVE THE DATE**

**51<sup>ST</sup> ANNUAL STATE CONFERENCE**  
**BURSTING AT THE SEAMS**

Planning for Growth and a Future that unites us all while leading the West in Planning Excellence

**OCTOBER 16-18, 2023**  
**TAHOE BLUE CENTER, SOUTH LAKE TAHOE**

The conference will focus on how communities throughout Nevada are dealing with growth & development. Conference session tracks include

- Best Way to Keep Up**  
(interactive & professional development)
- Protecting Nevada's Resources** (natural & cultural resources)
- Track What's Going On**  
(technical planning & trends)
- A Place for all Nevadans to Live** (housing)

## CONFERENCE REGISTRATION RATES

APA Member Early-Bird Full Registration (Prior to October 1, 2023)	\$250.00
APA Member Late Full Registration (On October 1, 2023 or Later)	\$300.00
Non-APA Member Early-Bird Full Registration (Prior to October 1, 2023)	\$300.00
Non-APA Member Late Full Registration (On October 1, 2023 or Later)	\$350.00
Single Day Registration	\$150.00
Citizen Planner (Elected/Appointed Official)	\$75.00
Banquet only/Banquet Table	\$40.00/350.00
Student	FREE

*NOTE: The Student rate does not include attendance of the awards banquet scheduled for Monday, October 16, 2023.*

## CONFERENCE ACCOMMODATIONS

**Bally's Lake Tahoe**  
*Primary Conference Hotel*  
 Phone: 775.588.3515 ext. 3015  
 Group Code: STAPA3  
 Average Room Rate: \$59.00

**Bally's Online  
Registration**



**Hard Rock Casino Lake Tahoe**  
*Secondary Conference Hotel*  
 Phone: 1.844.588.7625  
 Group Code: APA2023  
 Average Room Rate: \$89.00  
 (Upgrades Available at Discounted Prices)

**Hard Rock Casino  
Online Registration**



**Station House Inn**  
*Non-Gaming Property,  
Limited Number of Rooms*  
 Phone: 1.530.542.1101  
 Mention APA Nevada  
 Average Room Rate: \$143.65  
 Input Discount Code by Clicking "Book Now" >  
 "Add Code" > "Group Attendee" and input  
 "3354574" and click "Add"

**Station House Inn  
Online Registration**

