



THE NATURE CONSERVANCY

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August 22, 2022

Assemblyman Howard Watts, Chair  
Joint Interim Standing Committee on Natural Resources  
[NRInterim@lcb.state.nv.us](mailto:NRInterim@lcb.state.nv.us)

Re: Support for work session recommendations 2, 6, 8, 9, and 10

Dear Chair Watts and Members of the Interim Committee on Natural Resources,

Thank you for considering The Nature Conservancy's recommendations to the Committee that are reflected in items 6, 9, and 10 on the work session document. We would like to offer the following comments in support of these items and for additional items 2 and 8 on the Work Session agenda.

**Regarding Recommendation 6,** *"Request the drafting of a bill to require local governments to include in their master plan a plan for heat mitigation during their urban planning and local code development efforts. Heat mitigation may include, without limitation, the use and promotion of: (1) urban tree canopies and other means to provide shade over paved surfaces; (2) cool pavement; and (3) access to public cool spaces and drinking water."*

The Nature Conservancy appreciates this proposed bill and can provide support to help implement heat mitigation planning efforts. As an example, The Nature Conservancy, the School of Landscape Architecture and College of Science at UNLV, and the Nevada Division of Forestry are pursuing a project that will provide strategic planning support to maximize the success of tree canopy implementation strategies in southern Nevada. Additional likely partners on the project include City of Las Vegas, Office of Sustainability, Clark County, Sustainability Division, Nevada Division of Forestry, RTCN, and Southern Nevada Water Authority. The partners will work to convene parties and stakeholders who are currently participating in tree plantings and other urban greening efforts so that resources can be coordinated and effectively deployed.

Expanding tree canopy can also be an effective strategy to address increasing heat in rural communities and natural areas in Nevada. For example, planting trees along riparian corridors can provide refuge for wildlife species and ecosystems to adapt to climate change. Additionally, urban tree canopies represent an opportunity to tackle the issues of extreme heat and nature inequity in our communities simultaneously. Recent science has consistently indicated that the hottest neighborhoods have the least urban tree canopy cover and are also frequently considered disadvantaged.<sup>1</sup> These studies have

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<sup>1</sup> Danford, Rachel S.; Cheng, Chingwen; Strohbach, Michael W.; Ryan, Robert; Nicolson, Craig; and Warren, Paige S. (2014) "What Does It Take to Achieve Equitable Urban Tree Canopy Distribution? A Boston Case Study.," *Cities and the Environment (CATE)*: Vol. 7: Iss. 1, Article 2. Available at: <https://digitalcommons.lmu.edu/cate/vol7/iss1/2>;

revealed statistical correlations that are not causal relationships, but which can indicate an equity problem. Acknowledging this disparity will help direct public investment first to where it is most needed. This investment will help to lift up our community as whole by addressing rising temperature while also enhancing the beauty and livability of our community.

**Regarding Recommendation 9,** *“Draft a position statement in the Committee’s final report expressing support for the concept of “Smart from the Start” planning to encourage renewable energy development on already disturbed lands.”*

The renewable energy build-out, if implemented hastily and without planning, will have a disastrous effect on Nevada’s wildlife and open spaces. However, studies by The Nature Conservancy show that it is possible, with careful planning to build the clean energy infrastructure we need while preserving our natural and working lands.<sup>2</sup> As such, The Nature Conservancy would like to offer the following definition for “smart-from-the-start” energy planning: “a smart-from-the-start plan for renewable energy identifies where renewable energy generation, transmission, and storage can be deployed with as little impact as possible to natural lands, cultural resources, recreation, and other conservation values.”

We appreciate the Committee’s consideration of a position statement in support of smart-from-the-start planning. We would like to share examples of previous support for this concept.

- The 2020 Nevada Climate Strategy highlighted the need for smart from the start planning in its complex challenges section. *“As siting of energy development in Nevada is predominantly on federally-managed public lands, the state’s role in decisions is largely confined to agency comments and reviewing land management plans for consistency with state and local plans under the National Environmental Policy Act (NEPA) and the Federal Land Policy and Management Act (FLPMA). Better coordination of this engagement in federal processes by state agencies should be supported. In addition, this engagement should shift to a more-proactive “smart from the start” planning posture to enhance the state’s support of optimized siting that better balances clean energy goals with impacts to natural lands, cultural resources, recreation, wildlife, and other conservation values.”* (Nevada Climate Strategy, Complex Challenges, <https://climateaction.nv.gov/policies/complex-challenges/>)
- In July 2021, the State Land Use Planning and Advisory Council (SLUPAC) issued a letter of endorsement in support of the concept of smart from the start planning. The letter is published on the SLUPAC website: [https://lands.nv.gov/uploads/documents/SLUPAC\\_Endorsement\\_of\\_Concept\\_Smart-From-the-Start\\_Letter\\_\(As\\_Approved\).pdf](https://lands.nv.gov/uploads/documents/SLUPAC_Endorsement_of_Concept_Smart-From-the-Start_Letter_(As_Approved).pdf).

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Nyelele, C., & Kroll, C. N. (2020). The equity of urban forest ecosystem services and benefits in the Bronx, NY. *Urban Forestry & Urban Greening*, 53, 126723. Available at: <https://www.sciencedirect.com/science/article/abs/pii/S161886671930500X>.

Schwarz, K., Fragkias, M., Boone, C.G., Zhou, W., McHale, M., Grove, J.M., O’Neil-Dunne, J., McFadden, J.P., Buckley, G.L., Childers, D. and Ogden, L., (2015). Trees grow on money: urban tree canopy cover and environmental justice. *PLoS one*, Vol. 10 Iss. 4, p.e0122051. Available at: <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0122051>.

Volin, E., Ellis, A., Hirabayashi, S., Maco, S., Nowak, D. J., Parent, J., & Fahey, R. T. (2020). Assessing macro-scale patterns in urban tree canopy and inequality. *Urban Forestry & Urban Greening*, 55, 126818. Available at: <https://www.sciencedirect.com/science/article/abs/pii/S161886672030635X>.

<sup>2</sup> 1) Grace C. Wu, Emily Leslie, Douglas Allen, Oluwafemi Sawyerr, [D. Richard Cameron](#), Erica Brand, Brian Cohen, Marcela Ochoa, Arne Olson. June 2019. “Power of Place: Land Conservation and Clean Energy Pathways for California.” <https://www.scienceforconservation.org/products/power-of-place> 2) Six Pathways to a Clean and Green Renewable Energy Buildout. 2019. <https://www.nature.org/en-us/what-we-do/our-insights/perspectives/clean-green-renewable-energy-buildout/>.

To better explain the smart-from-the-start concept, please find the enclosed correspondence that The Nature Conservancy recently sent to the Nevada State Office of the Bureau of Land Management (BLM). This letter outlines specific steps the BLM can take now to ensure that we protect our lands and waters as we deploy massive amounts of infrastructure across our public lands to meet our climate goals. Specifically, it calls on the BLM to develop an Energy Siting and Transmission Infrastructure Plan that would direct the responsible development of renewable energy and transmission statewide. It calls for focused amendments to existing resource management plans (RMPs) to designate new priority renewable energy development areas (PREDAs). Collectively, the PREDAs would establish a comprehensive framework for smart-from-the-start siting of renewable energy projects and transmission infrastructure by identifying the locations where renewable energy development and transmission could occur with the least potential for impacts on other resource values and uses. The letter also calls on Department of Interior to fund BLM State Office's budget request for resource management planning. This funding is urgently needed and could support planning efforts for concurrent focused amendments for an energy siting and transmission infrastructure plan. In addition to a position statement, we hope the Committee will consider drafting a letter to the Department of Interior to support a statewide energy transmission and infrastructure plan and funding BLM's planning efforts in Nevada.

Nevada has preferred land assets that could serve as ideal locations for renewable development, including mine lands, brownfields, and checkerboard lands and other low-impact public lands. Already disturbed lands could and should be considered as priority renewable development areas for a smart-from-the-start approach. Attached is a 1-page document that summarizes the opportunity for renewable development on mine lands and brownfields.

**Regarding Recommendation 10,** *"Draft a position statement in the Committee's final report expressing support for adequate funding for the Division of Water Resources, DCNR, to update its data collection efforts, studies of water basins, and adjudication of water rights."*

Thank you for considering a position to support adequate funding for DWR. This is critically important as the drought in Nevada has already had significant impacts to ecosystems and communities and is projected to continue. The Nature Conservancy offered detailed recommendations for this support in its June 24, 2022 letter of recommendations for how the State can support DWR. In our water-limited state, it is critical that the agency that oversees water in the state has the resources needed to make science-based decisions to ensure there is water to support people, plants and wildlife for future generations.

The Nature Conservancy would like to express support for the following work session items recommended by others:

- Item 2 *"Draft a bill to establish and fund an account with the purpose to identify, construct, and maintain wildlife crossings. wildlife crossings."* Nevada has emerged as a leader in wildlife crossing construction and has demonstrated the effectiveness of this infrastructure for preventing animal-vehicle collisions. Mule deer, elk, pronghorn, carnivores, reptiles, and small mammals have a history of using wildlife-only overpasses and underpasses. More needs to be

done to protect migration corridors, especially along the increasing number of man-made barriers exemplified by I-80 and along the proposed I-11 corridor. Constructing wildlife crossings can happen now and can employ local contractors and laborers while protecting wildlife populations and preventing accidents.

- Item 8, *“Request the drafting of a bill to require that the Division of Environmental Protection, DCNR, work with the Office of Minority Health and Equity, DHHS, and other relevant agencies, to identify areas that are most at risk from cumulative environmental impacts, convene a working group with stakeholders to define environmental justice focus areas, and make recommendations to reduce these risks.”* Climate change is forcing us to re-think how we power our economy. As we embark on the road to a new, net-zero carbon economy, we can ensure a just transition by incorporating standards of equity in our institutional norms and decision-making processes. To get there, we must first understand where present environmental injustice is experienced and felt in Nevada. The inter-agency effort proposed shows could provide the framework for Nevada to address equity concerns that will inevitably arise as we continue to build the structure for a clean energy economy.

Thank you for considering these comments. Please contact Jaina Moan at [Jaina.moan@tnc.org](mailto:Jaina.moan@tnc.org) if you have any questions about our recommendations.

Sincerely,



Mauricia M. M. Baca  
Nevada State Director

encs. 1) TNC July 18, 2022 letter to BLM requesting an energy siting and transmission infrastructure plan, 2) 1-page fact sheet to re: opportunity for renewable energy on mine lands



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July 18, 2022

Director Jon Raby  
Bureau of Land Management  
1340 Financial Boulevard  
Reno, NV 89502  
jraby@blm.gov

**RE: Support for Nevada RMPs Modernization Project and Recommendation for Nevada Energy Siting and Transmission Infrastructure Plan**

Dear Director Raby:

The Nature Conservancy (TNC) commends the Bureau of Land Management (BLM) Nevada State Office (NVSO) for pursuing a resource management plan (RMP) modernization project that would result in 12 RMPs capable of providing a current planning framework for BLM-administered lands in Nevada. TNC recognizes that agency-wide, the BLM has many priorities, including the need to develop, revise, or amend RMPs for other areas throughout the country. We strongly support the BLM prioritizing planning in Nevada. The average age of a RMP in Nevada is 23 years old. RMPs published in the 1980s or 1990s do not provide the necessary planning framework to guide complex decisions on BLM-administered lands in Nevada. Modern RMPs are critical for the BLM to effectively manage public lands pursuant to the agency's multiple use and sustained yield mission under the Federal Land Policy and Management Act.

TNC recognizes that Nevada needs modern RMPs to underpin comprehensive and effective land and water conservation, climate resilience, and associated benefits to nature and people. At the same time, there is an urgent need to plan for energy generation and transmission build out. Accordingly, we are recommending the BLM prepare a statewide energy siting and transmission infrastructure plan as part of the broader RMP modernization project under a standalone environmental impact statement (EIS) and record of decision (ROD). This approach has many benefits, which we outline below.

We urge the BLM to allocate the necessary funding and commit the staff resources to fully implement the RMP modernization project, including a statewide energy and infrastructure plan, as quickly as possible. TNC is prepared to work with the BLM and provide the necessary support to help implement the project.

### **Recommendation for a Nevada Energy Siting and Transmission Infrastructure Plan**

One of the fundamental needs for modern RMPs is to guide renewable energy project siting and transmission infrastructure alignments. This need is immediate. The ongoing build out of renewable energy generation, battery storage, and transmission infrastructure in Nevada is directly influencing the future condition of all other resources and resource uses for which the BLM manages in Nevada. Accordingly, TNC recommends the BLM develop a Nevada-wide energy siting and transmission infrastructure plan as part of the RMP modernization project. The purpose of the plan would be to direct the responsible development of renewable energy and transmission statewide. The outcome of the plan would be focused amendments to existing RMPs to designate new priority renewable energy development areas (PREDAs) and revised or new utility corridors to align with the PREDAs. The PREDAs would include existing designated leasing areas (DLAs) and solar energy zones (SEZs) with potential amendments to those areas. Collectively, the PREDAs would establish a comprehensive framework for smart-from-the-start siting of renewable energy projects and transmission infrastructure by identifying the locations where renewable energy development and transmission could occur with the least potential for impacts on other resource values and uses.

We hope the Department of the Interior's (DOI's) Fiscal Year 2023 budget includes sufficient funding for the BLM Nevada to initiate the full RMP modernization project. Under a fully funded RMP modernization scenario, the BLM could analyze the PREDAs and corridor amendments as part of the broader RMP modernization project EIS and include energy and infrastructure decisions as part of the suite of other planning-level decisions within each ROD.

Alternatively, the BLM could move forward with the energy and infrastructure plan in parallel with the RMP modernization project EIS. Under this scenario, the BLM would develop two EISs, one specifically analyzing the PREDAs and utility corridors, and the other for the remaining elements of the RMP modernization project. TNC estimates the BLM could complete the energy and infrastructure-focused EIS and issue a ROD within 18 months following the publication of a Notice of Intent. The BLM could proceed with the full RMP modernization project EIS process concurrently with the energy and transmission infrastructure plan or stagger the process so that the RMP modernization project EIS could incorporate by reference the National Environmental Policy Act (NEPA) analysis prepared for the energy and transmission infrastructure plan EIS.

Developing a standalone energy siting and transmission infrastructure plan EIS and ROD would have the following benefits:

- ***Address an urgent and dynamic planning need in the near term***

Even with committed partners and multi-level support within the agency, it will be several years before the BLM is able to complete the RMP modernization project EIS and publish RODs for the RMPs. In the meantime, many RMP planning areas will continue experiencing profound changes resulting from individual energy and infrastructure projects. Once the RODs for the RMPs are in place, it could be too late to meaningfully address the energy build out because project-level EISs would already be in progress or RODs issued. Under this scenario, project-level decision making would drive the planning process. Initiating the energy and transmission planning process independently would allow the BLM to complete the NEPA process and establish the planning framework for renewable energy and transmission build out sooner, ideally by late-2024. The energy and transmission infrastructure plan and ROD would contribute to a more robust and informed RMP modernization process because the BLM would have a better basis from which to understand the interactions and cumulative implications of energy and transmission build out on other resources and uses.

- ***Save time and costs by establishing the environmental baseline for full RMP project***

TNC estimates the two-pronged approach could reduce the time and costs for the full RMP by up to 50% compared with the single EIS approach. This is because of efficiencies gained in the NEPA process. As part of an energy and transmission plan EIS process, the BLM would conduct public scoping to identify issues; describe the affected environment; and analyze the direct, indirect, and cumulative impacts of the PREDA and utility corridor designations. The issues identified through scoping and the associated NEPA documentation would directly inform the full RMP modernization project EIS. In many cases, the full project EIS could incorporate by reference the information from the energy and transmission EIS, thereby reducing the workload, costs, and timeline associated with the full project. Additionally, the narrower scope of the energy and transmission EIS would minimize the potential for delays during the NEPA process.

- ***Support streamlined permitting of new energy and infrastructure projects***

Currently, the BLM is reacting to project applications and reviewing them one-by-one. This is inefficient. For any solar energy application submitted for a project outside of a DLA, pursuant to Instruction Memorandum 2022-027, the BLM must first screen the project and determine its priority level. Then, for higher priority projects, the BLM conducts the variance process, which includes initial analysis and internal and external engagement. Following those steps, the project is ready for the NEPA process. A statewide plan that includes more PREDAs would expand the capacity for projects in

low-conflict areas. Projects proposed in PREDAs would by default be high priority and avoid the variance process. With an energy and transmission infrastructure plan, more projects could proceed directly to the NEPA phase, resulting in shorter permitting timelines and a smarter and faster transition to clean energy.

- ***Maximize RECO staff time***

Now is the perfect time for the BLM to initiate an energy and transmission infrastructure planning process. As the Nevada BLM staffs up its Renewable Energy Coordination Office (RECO), subject matter experts will be in place to help identify PREDAs and utility corridors. RECO staff, especially in the Southern Nevada District and NVSO, are already well versed in identifying resource conflicts associated with energy development. Identifying PREDAs state-wide would use the same logic framework as the current project-level prioritization process. Instead of identifying these conflicts project-by-project, the process of identifying and designating PREDAs would proactively identify areas with lower potential for resource conflicts. Allocating a portion of RECO staff time to plan for future energy and transmission siting will save time and resources compared with a project-by-project approach.

- ***Consistent permitting requirements and timelines***

TNC applauds the BLM for re-establishing the RECOs and implementing a priority screening process for new energy applications. These are important steps toward achieving the Administration's goal of 25 gigawatts of renewable energy permitted on federal lands by 2025. At the renewable energy roundtable hosted by DOI Secretary Haaland and the BLM, during which Secretary Haaland announced the creation of the RECO, industry participants expressed a common frustration about the lack of consistent permitting requirements and mitigation standards from project to project. A centralized RECO team contributes to a more consistent permitting process. TNC's recommendation for an energy and transmission plan would lead to even greater consistency because the BLM would review and analyze applications in PREDAs according to the same standards. Like the current DLAs, TNC recommends the BLM establish clear mitigation requirements and design guidelines as part of the process for designating each PREDA. Establishing these standards at the plan level would set clear expectations for industry looking to develop in the PREDAs.

Similarly, the planning process is an opportunity to understand and address concerns regarding energy and transmission development in certain areas without the pressure of a specific project. This provides an opportunity for broader community-level and other stakeholder support around proposed PREDAs and utility corridors. Subsequent projects in these areas would be less prone to opposition that can delay project approval and



implementation. The outcome is a more predictable permitting timeline for projects in PREDAs and corridors.

- ***Implements recommendations in the Section 368 Energy Corridor Review Report***

In April 2022, the BLM released the Energy Policy Act of 2005 Section 368 Energy Corridor Review Final Report for Regions 1-6. The report includes several recommended utility corridor revisions and deletions in Nevada. A Nevada energy and transmission infrastructure plan approach would allow the BLM to prepare one EIS that would comprehensively evaluate and implement the report's recommendations. This would avoid the need for multiple costly and time-consuming environmental assessments for individual corridors. Because transmission location and capacity are fundamental factors influencing the location and success of renewable energy projects, evaluating the corridor revisions concurrently with the PREDA designations would ensure there are appropriately sized and appropriately sited corridors connecting to the PREDAs.

The RMP modernization project is critical for establishing a current planning framework for BLM-administered lands in Nevada. A successful RMP modernization project requires commitment within all levels of the BLM and support from partner local, state, and federal agencies and bodies, tribes, and nongovernmental organizations. TNC strongly supports this project and urges the DOI to allocate the necessary funding to implement it. Our recommendation to prepare a statewide energy siting and transmission infrastructure plan as part of the broader RMP modernization project but under a standalone EIS and ROD has multiple benefits. Most importantly, it will provide a smart-from-the-start framework that effectively balances the energy and transmission development with the conservation and protection of biodiversity, cultural resources, recreation opportunities, and the many other resources and uses on BLM lands in Nevada.

Please feel free to contact Peter Gower at (775) 446-5525 or [peter.gower@tnc.org](mailto:peter.gower@tnc.org) if you have any further questions or would like to schedule a time to meet and discuss in more detail.

Sincerely,



Mauricia M.M. Baca  
State Director  
Nevada Chapter  
The Nature Conservancy



Peter Gower, AICP  
Energy, Infrastructure, and Land Use Strategy Director  
Nevada Chapter  
The Nature Conservancy

cc: Carolyn Sherve, RMP Modernization Project Manager  
David Pritchett, Senior NEPA Planner

## Repurpose Nevada Minelands and Brownfields For a Clean Future



THERE ARE  
**694**  
potential sites in Nevada



These sites could:

.....  
**GENERATE**  
**4,669**  
megawatts of electricity



which could

.....  
**PROTECT**  
**396,065**  
acres of open space from  
potential energy development



and could

.....  
**POWER**  
**747,061**  
homes



.....  
to keep our desert  
and sagebrush  
valleys pristine



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