
From: Vanessa Robertson <Vanessa@geothermal.org>
Sent: Sunday, January 25, 2026 4:53 PM
To: Interim Natural Resources
Subject: Nevada 109- Comments from Geothermal Rising
Attachments: Formal comments- Interim Nat Resource Committee Hearing-1-28-26-NV AB109-FINAL.docx.pdf

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Dear Committee on Natural Resources,

Please find attached Geothermal Rising Action's formal comments ahead of the AB109 hearing on the 28th.

Thank you for the opportunity to comment and present on this important subject.

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GEOTHERMAL RISING ACTION

January 26th, 2026

RE: Geothermal Rising Comments on Nevada Assembly Bill 109 (2025)

To the Members of the Nevada Joint Interim Standing Committee on Natural Resources,

Geothermal Rising Action, an affiliate of Geothermal Rising; America's largest and longest-running geothermal trade association, representing over 100 organizations committed to advancing geothermal energy, writes today to respectfully express our concerns with Nevada Assembly Bill 109 (AB109).

Firstly, we commend the bill's intentions to clarify water rights and promote sustainable resource management—goals that align with our shared vision for a cleaner, sustainable future for Nevada. However, a strong geothermal energy industry is vital to this vision—delivering clean, reliable, 24/7 power with minimal environmental impact. Therefore, we believe that AB109, in its current form, unintentionally risks undermining the state's leadership in geothermal energy and environmental stewardship by imposing new regulatory requirements on a sector that already operates under extensive oversight. Accordingly, we respectfully urge the Committee to consider striking this proposed legislation.

Nevada's Geothermal Industry: Key to the Economy

As of year-end 2024, Nevada has approximately **847 MW** of installed geothermal electricity-generating capacity across **26 power plants**. This makes Nevada the second-largest producer of geothermal power in the United States, following California. Revenue from geothermal continues to increase: in 2024, revenue for geothermal electricity sales was estimated at **\$324 million¹**, while land-lease sales provided over **\$7.4 million²** to the Bureau of Land Management in 2025.

In addition to driving hundreds of millions in revenue, the industry directly supports an estimated **2,000–3,000 jobs**, often in rural communities³. As demand for clean, reliable energy rises, our industry is poised to scale—providing the promise of additional jobs and a strengthened tax base.

Geothermal Brine: A Distinct Resource

A central concern with AB109 is its treatment of geothermal brine as equivalent to potable water. Unlike water for drinking or irrigation, geothermal brine is a naturally hot, mineral-rich fluid unsuitable for traditional consumptive uses. It is extracted to capture the earth's heat and then reinjected back into the same geothermal reservoir, maintaining long-term equilibrium.

Geothermal reservoirs are geologically and hydrologically distinct from shallow aquifers that supply drinking or irrigation water. Reinjection ensures that geothermal development does **not** deplete water supplies or compete with other beneficial uses. Many modern facilities, including air-cooled binary plants, operate with little to no external water consumption.

Applying traditional water appropriation requirements to these closed-loop, non-consumptive systems adds complexity without advancing water-resource protection. Instead, it risks slowing



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projects that help Nevada meet its clean-energy, economic-development, and grid-reliability needs.

Modern Geothermal Development Avoids Surface Impacts

While historic geothermal projects developed decades ago occasionally influenced hot springs or geyser systems, modern geothermal development is intentionally designed to avoid such impacts. Today's practices incorporate reservoir modeling, pressure management, directional drilling strategies, and monitoring tools that ensure surface expressions remain protected.

Additionally, many geothermal prospects under development in Nevada are “blind systems,” meaning they have **no** hot springs or other surface manifestations. These resources can be responsibly developed without affecting cultural, recreational, or ecological assets.

Adequate Regulatory Framework Already Exists

Nevada's geothermal industry already navigates a comprehensive and well-established regulatory environment. State and federal agencies oversee drilling, well integrity, reservoir management, reinjection practices, and environmental compliance. These safeguards have proven effective across decades of development.

AB109 would layer a second, redundant water-rights permitting requirement onto geothermal projects—even when those projects have **no consumptive water use**. This duplicative process would extend project timelines, increase cost and risk, and introduce uncertainty at early stages of development where predictability is crucial.

These additional regulatory hurdles provide no clear environmental or water-resource benefit beyond what existing processes already ensure.

Legal and Practical Uncertainties

Under current practice, property owners may lease or sell rights to geothermal resources underlying their land unless those rights have been severed. Adding a separate water-appropriation requirement introduces unnecessary legal ambiguity around existing titles, agreements, and previously permitted operations.

This raises important questions about how AB109 would apply to existing leases, long-standing rights, or projects currently permitted under Nevada Division of Minerals authority. The bill risks creating confusion for landowners, industry, and state agencies alike.

Risks to Nevada's Long-Term Energy Competitiveness

Nevada has earned national recognition for its geothermal leadership. AB109, however, risks diminishing that advantage by introducing new “stop-go” approval points that slow routine geothermal drilling and testing, increase capital costs, and make Nevada less competitive compared with neighboring states actively streamlining clean-energy permitting.

Because geothermal development requires multi-year planning and significant upfront



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investment, regulatory uncertainty has a disproportionate impact. AB109 risks discouraging early-stage exploration, delaying new project development, and reducing long-term economic benefits in rural communities.

Path Forward

While Geothermal Rising respectfully opposes AB109 in its current form, we remain committed to working with Nevada policymakers on balanced resource-management solutions.

We recommend that any future legislative approach:

- Provide **clear definitions** distinguishing potable water from geothermal brine;
- Recognize the **non-consumptive, reinjection-based nature** of geothermal systems;
- Strengthen coordination across agencies **without** duplicating authority;
- Maintain Nevada's competitive position in attracting clean, firm geothermal investment;
- Support continued responsible development of a resource essential to the state's long-term energy reliability and economic future.

We thank the Committee for its leadership and thoughtful consideration of these comments. Geothermal Rising and its members stand ready to collaborate with legislators, regulators, and community partners to protect Nevada's water resources while ensuring the continued success of the state's geothermal industry.

Please do not hesitate to contact us should you have any questions or wish to continue this discussion.

Sincerely,

Caity Smith
Board President
Geothermal Rising Action

¹ Nevada Division of Minerals (NDOM). <https://data-ndom.opendata.arcgis.com/>

² Office of Natural Resources Revenue. <https://revenue.data.onrr.gov/>

³ Geothermal Energy Association. (2021). *Geothermal Energy Industry Employment Survey: Results and Analysis*.