

## NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting

April 28, 2023, 9:30am

**NACO Conference Room**

**304 S. Minnesota Street**

**Carson City, NV 89703**

### **NOTICE TO THE PUBLIC:**

The public may provide public comment in advance of a meeting by written submission to the following email address: [info@nvnaco.org](mailto:info@nvnaco.org) For inclusion or reference in the minutes of the meeting, your public comment must include your full name and be submitted via email by not later than 3:00 p.m. the day before the meeting.

*The public may also join the meeting via telephone and provide verbal public comment during designated times by calling: (669) 900-9128 Meeting ID: 882 4365 5159 Passcode: 227436*

### **AGENDA**

Some NACO Board members may attend via remote technology from other locations. Items on the agenda may be taken out of order. The NACO Board may combine two or more agenda items for consideration. The NACO Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

#### **Call to Order, Roll Call and Pledge of Allegiance**

1. Public Comment. Please Limit Comments to 3 Minutes.
2. Approval of Agenda. **For Possible Action.**
3. NACO President's Report.
4. NACO Executive Director's Report.
5. Approval of Minutes of the March 31, 2023, NACO Board of Directors Meeting. **For Possible Action**
6. Discussion and Possible Approval of NACO Resolution 23-02, "Resolution in Support of Historic Routes Preservation Act – Recognize and Honors County Authority Over Historic Roads." **For Possible Action.**
7. Ratification and Approval Regarding NACO Executive Director Appointment to the Joint Operating Committee for Camp Alamo Learning Center, in Lincoln County. **For Possible Action**
8. Possible Approval of the Reappointment of Roger Mancebo to the Nevada Rural Housing Authority, Board of Directors. **For Possible Action**
9. Approval of NACO's Investment Reports for January, February, and March of 2023. **For Possible Action.**

10. Approval of NACO's Financial Statements for January and February of 2023. **For Possible Action**
11. Update Regarding Ongoing Opioid Lawsuits, Settlement Disbursements and The One Nevada Agreement, Mark J. Krueger, Chief Deputy Attorney General, Consumer Counsel, Office of the Attorney General.
12. Update on NACO Bills and Other Policy Issues Affecting Counties During the 82<sup>nd</sup> Session of the Nevada Legislature. **For Possible Action**
13. Update from NACO Public Health Coordinator.
14. **Update and Possible Action.** Regarding Public Lands and Natural Resources Issues Affecting Counties Including:
  - a. Updates from the NACO Public Lands and Natural Resources Subcommittee.
  - b. Discussion and Possible Approval of NACO Comment Letter Regarding Conservation and Landscape Health, Proposed Rule to Bureau of Land Management (BLM). **For Possible Action**
15. Updates from Members of the National Association of Counties Board of Directors and Western Interstate Region (W.I.R.) Board of Directors.
16. NACO Board Member Updates.
17. Public Comment. Please Limit Comments to 3 Minutes.

Adjournment.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify NACO in writing at 304 S. Minnesota Street, Carson City, NV 89703, or by calling (775) 883-7863 at least three working days prior to the meeting.

Members of the public can request copies of the supporting material for the meeting by contacting Amanda Berg at (775) 883-7863. Supporting material will be available at the NACO office and on the NACO website at: [www.nvnaco.org](http://www.nvnaco.org)

*This agenda was posted at the following locations:*

NACO Office 304 S. Minnesota Street, Carson City, NV 89703

Washoe County Admin. Building 1001 E. Ninth Street, Reno, NV 89520

Elko County Manager's Office 540 Court Street #101, Elko NV 89801

POOL/PACT 201 S. Roop Street, Carson City, NV 89701

## Agenda Item 5

### NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting

March 31, 2023, 9:30am

**NACO Conference Room**

**304 S. Minnesota Street**

**Carson City, NV 89703**

#### UNADOPTED MINTUES

**Attendance:** President Higbee, President Elect Giomi, Vice President Hall, Past President Kirkpatrick, Churchill County Commissioner Scharmann, Clark County Commissioner Jones, Douglas County Commissioner Gardner, Elko County Commissioner Andreozzi, Elko County Commissioner Steninger, Esmeralda County Commissioner Holt, Humboldt County Commissioner Tipton, Lander County Commissioner Waits, Lincoln County Commissioner Reese, Lyon County Commissioner Henderson, Nye County Commissioner Boskovich, Pershing County Commissioner Crim, Washoe County Commissioner Herman, Washoe County Commissioner Hill, White Pine County Commissioner Carson, Fiscal Officer Kalt, Humboldt County Comptroller Rackley, Nevada County Fiscal Officers Association; Douglas County District Attorney Jackson, Nevada District Attorneys Association; and NACO Staff (Vinson Guthreau, Jennifer Berthiaume, Jacob Brinkerhoff, Amy Hyne-Sutherland, and Amanda Berg)

The meeting was called to order at 9:30 a.m.

1. **Public Comment.** Humboldt County Comptroller, Gina Rackley thanked the Board for her reappointment to the Committee on Local Government Finance.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Gardner with second by Commissioner Waits
3. **NACO President's Report.** President Higbee remarked on the legislative session and informed the Board that he had recently been in Washington DC to advocate on behalf of the National Association of Counties (NACo), NACO and Lincoln County.
4. **NACO Executive Director's Report.** Vinson reminded the Board of the upcoming NACo Annual Conference in July, discussing the election of their 2<sup>nd</sup> Vice President. He informed the Board that work would be taking place on the NACO office building, specifically that the walkway is scheduled for replacement and that the costs are within the approved budget. Vinson concluded his remarks by noting that the legislative session is halfway complete and that further information on the session would be discussed in a later agenda item.
5. **Approval of Minutes of the February 24, 2023, NACO Board of Directors Meeting.** The minutes were approved on a motion by Commissioner Herman with second by Commissioner Henderson.
6. **Update Regarding Nevada Governor Joe Lombardo's Emergency Declaration, from Severe Flooding in Thirteen Counties, Including Recovery, Mitigation and Federal Funding Efforts, Dave Fogerson, Chief of Emergency Management and Homeland Security, Nevada Division of Emergency Management (DEM) and Tim Robb, Office of**

**the Governor.** After introducing both himself and Mr. Fogerson, Mr. Robb remarked on the abnormally wet winter and informed the Board that they were in attendance to discuss what activities were currently taking place to mitigate flooding effects and what is being planned for future mitigation efforts. Mr. Fogerson gave the Board an overview of his experience including years spent in the service of local governments and outlined the DEM's responsibilities and processes for the distribution of resources during times of need. Utilizing the example of moving flood barriers from Churchill County to Eureka County to protect an area in immediate peril while obtaining new barriers to protect Churchill County from future flooding issues. He discussed the over \$20 million in damage to public infrastructure that has occurred so far and outlined how the Division is working on obtaining and disseminating funding for repairs and mitigation efforts. Mr. Fogerson also informed the Board that the Division is in the process of completing the necessary tasks to request a Federal Disaster Declaration from the President to unlock funding from FEMA and other Federal Agencies. Mr. Fogerson completed his remarks by discussing the issues that may arise with the Spring thaw and how the Division is addressing the acre feet of runoff water expected vs. the current capacity of the area's reservoirs. Commissioner Reese inquired as to how counties were to cover the required matching funds for repair and mitigation grant funding and Mr. Fogerson noted that the State has a disaster relief account that could cover half of the required match, but noted that the process is still being completed for requests for funding from the account for flooding that occurred in 2017. Vice President Giomi echoed that the barrier for access to those State funds is very high. Commissioner Gardner noted that a Douglas County GID [General Improvement District] had already identified \$5 million dollars in damages and inquired as to how those agencies play into the county request process, Mr. Fogerson informed the Board that GIDs are able to apply directly for necessary funding. President Elect Giomi and President Higbee both thanked the gentlemen for attending the meeting and noted that it was welcome to have representatives from the Governor's Office in attendance. Commissioner Henderson thanked them for touring damage in Lyon County as well. The Board provided direction for staff to provide a letter of support for the Divisions Federal disaster declaration request by consensus.

- 7. Update and Discussion Regarding, "Navigating a Path Forward: A Roadmap for NACO's Public Health Coordinator", Including, but Not Limited to Opioid Expenditure Reporting, County Opioid Needs Assessments, and the Fund for a Resilient Nevada.** Amy provided the Board a review of the approved Roadmap and updated them on the progress of completion for the tasks identified within the document, noting that she is available to support counties while assisting in identifying the individual needs of Nevada's unique communities. Amy discussed the conversations taking place with the University to expand the Nevada Economic Assessment Project (NEAP) contract to include the collection of data on the efficiency and needs in county public health services and informed the Board that the Public Health page on the NACO website is live. Noting that the webpage contains resources on the Opioid Needs Assessment process, specifically copies of those Assessments that have already been approved by counties. Amy also reminded the Board that the hiring of contractors to complete the Assessments is an allowable use of awarded funds and that the Assessments are required for counties to request funding from the State. She also discussed the need for county funding applications to the State to be in line with the State's approved plan and stressed that the State's plan contains recommendations for prevention, treatment, recovery, and deflection/diversion in the criminal justice and public safety space. She concluded her remarks by reminding the Board that necessary reporting is due July 1 and that a template is being developed to assist counties with the requirement. Commissioner Andreozzi stated that the Public Health Coordinator position and Amy are both great assets to NACO and thanked Amy for her work in support of Elko County.

- 8. Presentation and Update Regarding the Central Nevada Health District (CNHD), Shannon Ernst Director Churchill County Social Services, Dr. Antonina Capurro Administrator Central Nevada Health District, and Caleb Cage Interim Administrator Central Nevada Health District.** Ms. Ernst apologized for the absence of Mr. Cage, noting that he was working on flood mitigation efforts in Churchill County. She then introduced the Board to Ms. Capurro and gave an overview of the creation process of the District. She reviewed the timeline of completion for the organizational tasks and informed the Board that District is scheduled to be fully funded and operational on July 1. Ms. Ernst completed the presentation by outlining the creation of office locations in each of the member counties and how the District will establish fee and permitting structures for the necessary programs and processes the District will be tasked with. Commissioner Scharmann inquired as to whether there would be a mental health component within the District and Ms. Ernst noted that mental health is covered under the cloak of behavioral not public health services but that the District will work in concert with other agencies to address those issues. Commissioner Andreozzi noted that he had been skeptical of the District's creation at first but that the process and plan appears solid, specifically in the differences between the statutory language of shall vs. may regarding the required activities of the District. Ms. Ernst assured the Board that the District will be concentrating on effective coverage of the required items before looking at any programming for coverage of optional items. President Elect Gioni requested clarification on how the representatives to the Board are determined and Ms. Ernst noted that the Commissioners of each county assign members to the Board. The item was concluded with Ms. Capurro thanking the Board for their time, noting that she looks forward to working with them in the future.
- 9. Update on NACO Bills and Other Policy Issues Affecting Counties During the 82<sup>nd</sup> Session of the Nevada Legislature.** Jennifer gave the Board an overview of the session timeline and Vinson discussed the layout of the Bill Tracker included in the agenda packet, with Jennifer noting that staff is currently tracking 314 bills. She then updated the Board on the status of the Association's Bills. Specifically noting that AB47 regarding OHV trails was fully passed in the Assembly and transmitted to the Senate, and SB41 regarding child welfare services was scheduled for a committee work session the following week. The Board was informed that there were 67 days remaining in the Session and reminded that the first deadline (1<sup>st</sup> Committee Passage) was April 14<sup>th</sup> with the second deadline following a week later. The Board was given an overview of other bills affecting counties including several regarding workers compensation that, if passed, would have large collective impacts. Other proposed legislation discussed included bills staff testified in opposition to that contained unintended consequences, which staff continues to work with the sponsors on amendments, and bills that would affect tax revenues, and override local authority. The Board discussed possible reasoning behind some of the proposed legislation and Vinson thanked the individual county lobbyists for their partnerships with NACO to ensure the best outcome for counties. No action was taken on the item.
- 10. Update on Planning Activities NACO's 2023 Annual Conference, hosted by Elko County.** Amanda reminded the Board that the Conference would take place September 26-28<sup>th</sup> and directed the Board's attention to the Save the Date flyer included in the agenda packet. She announced that staff had worked with Elko County to determine the event's theme Nevada's Counties – Unified and Unique and informed the Board that sponsor information would be released within the next couple of weeks, with attendee registration following in late May or early June. Vinson concluded the item by thanking Elko County for hosting and their staff for assistance with the planning efforts.

11. **Consideration and Possible Approval of the Recommended Appointment from the Nevada Association of County Human Service Administrators (NACHSA) to The Fund for Hospital Care to Indigent Persons (IAF) Board of Directors to Serve as the Human Services Agency Representative.** Vinson gave the Board an overview of the IAF and informed them that the vacancy was due to the resignation of Mr. Tim Burch from Clark County. He then directed the Board's attention to the letter from NACHSA included in the agenda packet with their recommendations for appointment. Per the recommendation made by NACHSA, Lyon County Human Services Director was appointed to the position on a motion by Past President Kirkpatrick with second by President Elect Giomi.
12. **Approval of a NACO Resolution in Support of National County Government Month, and Direction to NACO Staff to Draft and Submit an Op-Ed to Recognize the Efforts of Nevada's Counties.** Vinson read the resolution into the record and remarked that the submission of an Op-Ed was timely due to the active Legislative Session. President Higbee suggested to the Board that they have citizens "shadow" Commissioners to provide a broader scope of the responsibilities they carry. The resolution and Op-Ed were approved on a motion by Commissioner Henderson with second by Past President Kirkpatrick.
13. **Update and Possible Action. Regarding Public Lands and Natural Resources Issues Affecting Counties Including:**
  - a. **Updates from the NACO Public Lands and Natural Resources Subcommittee.** Vice President Hall gave the Board an overview of the Subcommittee's discussion the previous day including environmental assessments regarding the Lahontan Cutthroat Trout and grazing, centrally assessed property taxes for public lands projects, and the Avi Kwa Ame National Monument designation in Southern Nevada. Jacob also noted that the group discussed Sage Grouse LUPA, drinking water regulations, and submitted comments. He also informed the Board that both Senators Cortez Masto and Rosen had voted in favor of a Joint Resolution to block the President's new WOTUS rule. President Higbee discussed work being done a federal proposal to introduce a bill that would streamline counties being given title on RS2477 roads. The item was concluded by Commissioner Steninger requesting support for Elko County's lands bill.
14. **Updates from Members from the National Association of Counties Board of Directors and Western Interstate Region (W.I.R.) Board of Directors.** President Higbee reminded the Board of the WIR request for funding for the National Center for Public Lands. Vinson reminded the Board that they had previously approved support of the Center and that invoices had been sent for the suggested 1% of LACTF funds in February. He noted that the Center is an initiative of the National Association and that the LACTF funds are one time funds secured by NACo. He then reiterated that the funds collected are pass through dollars and that NACO would not benefit financially from the county's contributions to the Center.
15. **NACO Board Member Updates.** Members of the Board gave updates on activities within their counties.
16. **Public Comment.** None was given.

The meeting was adjourned at 12:21 p.m.

# Resolution

## *of the Nevada Association of Counties*

### **23-02**

#### **RESOLUTION IN SUPPORT OF HISTORIC ROUTES PRESERVATION ACT**

(Recognizes and Honors County Authority over Historic Roads)

**WHEREAS**, the federal Bipartisan Infrastructure and Jobs Act (“Infrastructure Act”) recognizes that, due to decades of disinvestment, county and local roads, especially in underserved and rural areas of local communities, are in poor condition which has had a negative effect on those economies and has diminished economic connectivity, and led to the occurrence of rates of higher accidents; and

**WHEREAS**, the Infrastructure Act has made funds available to county and local governments for the repair, maintenance, and safety of local roads, bridges, and last mile connectivity; and

**WHEREAS**, these funds are available to counties for infrastructure and connectivity only if the counties hold title to the roads and bridges, and

**WHEREAS**, title to thousands of county roads in our underserved rural and remote communities is held up because of costly and prolonged litigation with the federal government under R.S. 2477, or is otherwise questioned or disputed; and

**WHEREAS**, most of these county roads are badly in need of repair and maintenance to ensure the safety of the travelling public, and

**WHEREAS**, most of these roads would qualify for funding under the Infrastructure Act, and

**WHEREAS**, the objectives of the Infrastructure Act cannot be achieved so long as county title to R.S. 2477 roads is questioned or tied up in federal litigation, and

**WHEREAS**, the proposed Historic Routes Preservation Act attached hereto would create and mandate an efficient administrative process for the adjudication of county R.S. 2477 rights-of-way claims, and

**WHEREAS**, the proposed Historic Routes Preservation Act requires that this administrative adjudication process incorporates a judicial test established by the judicial system for R.S. 2477 determinations.

**NOW THEREFORE BE IT RESOLVED** that the Board of Directors, of the Nevada Association of Counties, by and through its elected federal representatives, supports the introduction and passage of the Historic Routes Preservation Act by the United States Congress.

**PASSED, APPROVED AND ADOPTED** this 28th day of April, 2023 by the Board of Directors of the Nevada Association of Counties.

**Attests:**

/\_\_\_\_\_  
Varlin Higbee  
President

/\_\_\_\_\_  
Vinson W. Guthreau  
Executive Director

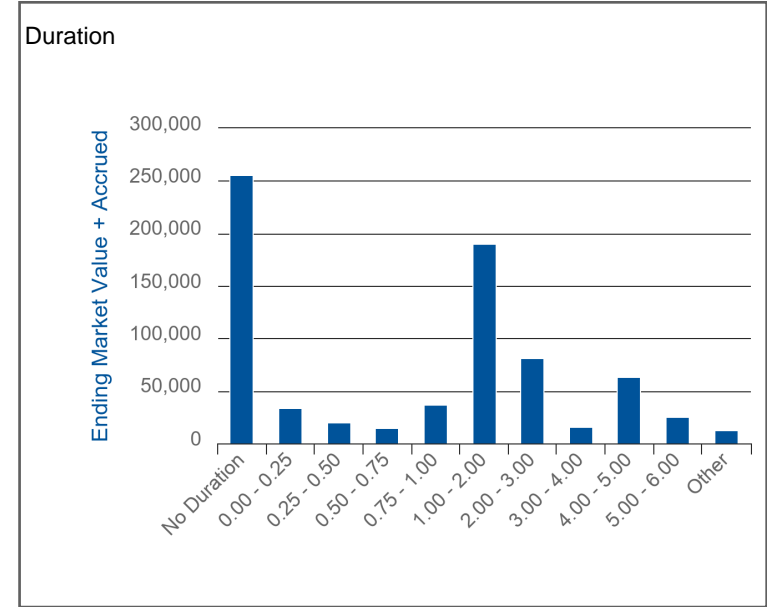
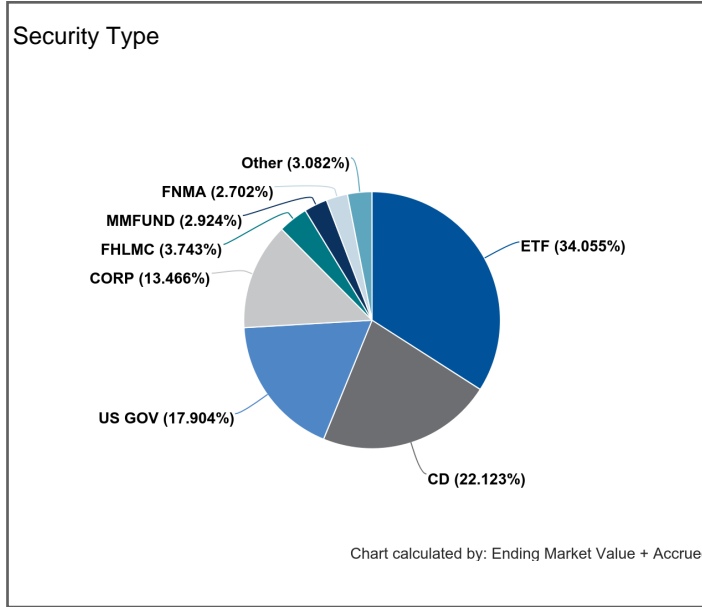
# Account Review

01/01/2023 - 01/31/2023

# Moreton-NACO

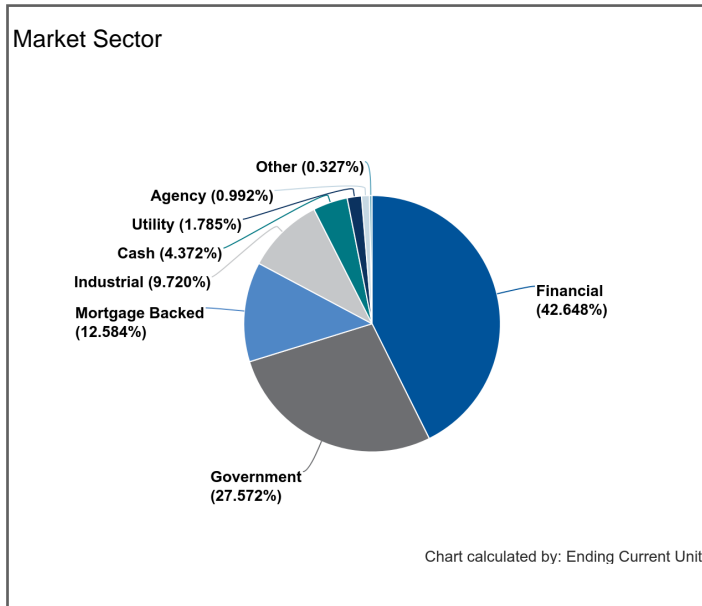
Dated: 02/03/2023

| Balance Sheet            |            |
|--------------------------|------------|
| Book Value + Accrued     | 703,441.99 |
| Net Unrealized Gain/Loss | 46,846.98  |
| Market Value + Accrued   | 750,288.98 |



### Cash and Fixed Income Summary

| Risk Metric                 | Value      |
|-----------------------------|------------|
| Cash                        | 99.22      |
| MMFund                      | 21,941.92  |
| Fixed Income                | 472,734.90 |
| Duration                    | 2.244      |
| Convexity                   | 0.074      |
| WAL                         | 2.491      |
| Years to Final Maturity     | 2.785      |
| Years to Effective Maturity | 2.489      |
| Yield                       | 4.485      |
| Book Yield                  | 3.688      |
| Avg Credit Rating           | AA/Aa2/AA  |



### Issuer Concentration

| Issuer   | % of Market Value + Accrued |
|--|-----------------------------|
| Other  | 38.079%                     |
| United States Department of The Treasury               | 17.904%                     |
| Vanguard Index Funds - Vanguard Mid-Cap ETF            | 8.680%                      |
| Vanguard Index Funds - Vanguard Large-Cap ETF          | 8.380%                      |
| Vanguard Index Funds - Vanguard Small-Cap ETF          | 7.222%                      |
| Vanguard Index Funds - Vanguard Total Stock Market ETF | 6.730%                      |
| USAlliance Federal Credit Union                        | 6.718%                      |
| Federal Home Loan Mortgage Corporation                 | 6.287%                      |
| ---  | 100.000%                    |

Footnotes: 1,2



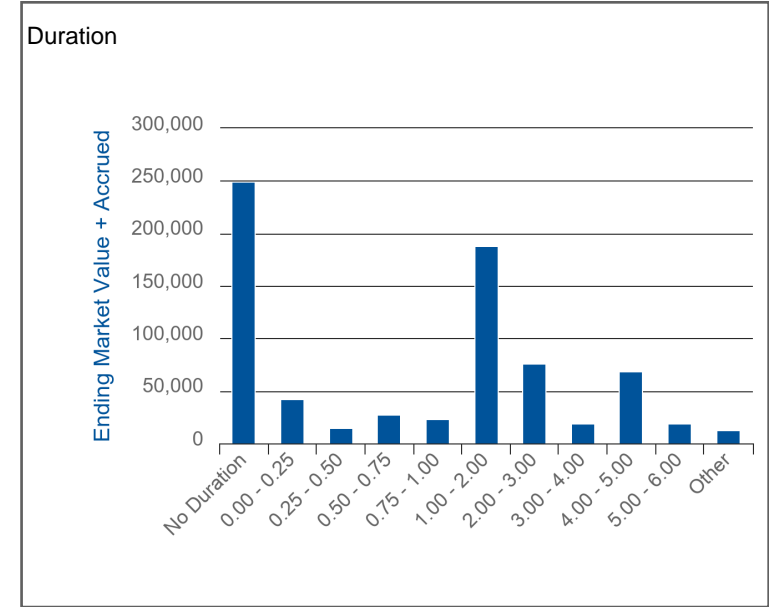
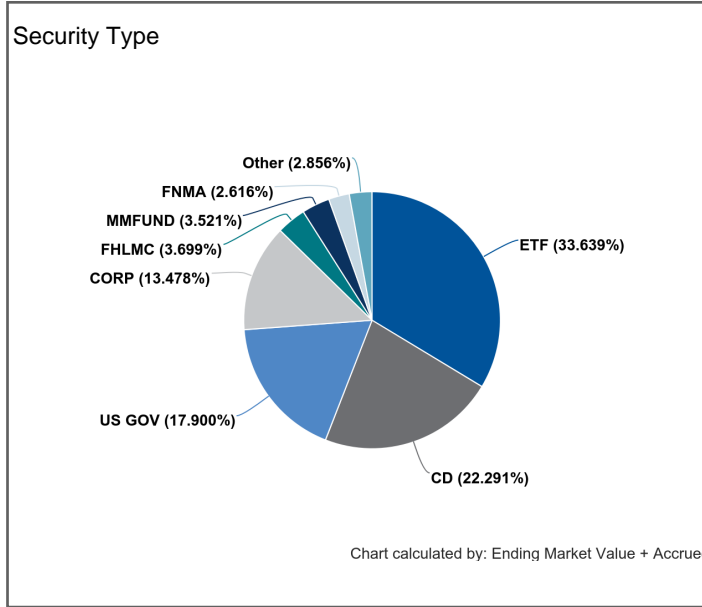
# Account Review

02/01/2023 - 02/28/2023

# Moreton-NACO

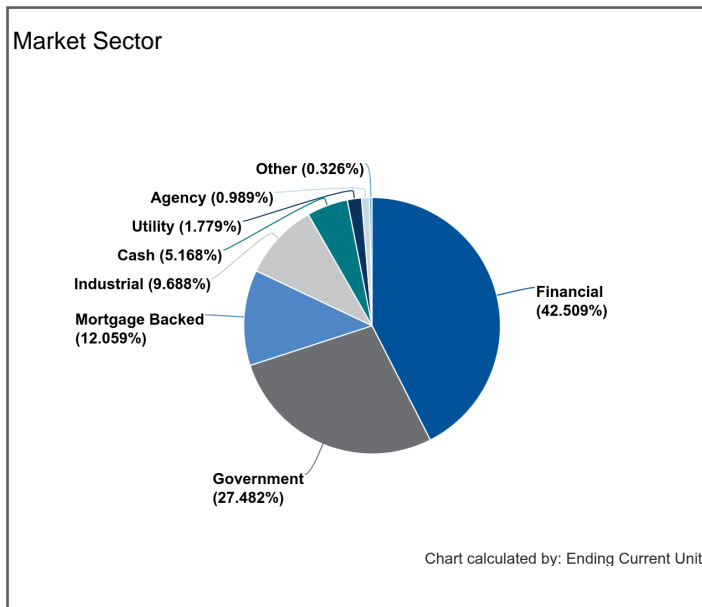
Dated: 03/06/2023

| Balance Sheet            |            |
|--------------------------|------------|
| Book Value + Accrued     | 704,748.85 |
| Net Unrealized Gain/Loss | 35,446.92  |
| Market Value + Accrued   | 740,195.77 |



### Cash and Fixed Income Summary

| Risk Metric                 | Value      |
|-----------------------------|------------|
| Cash                        | 76.14      |
| MMFund                      | 26,061.23  |
| Fixed Income                | 465,067.31 |
| Duration                    | 2.158      |
| Convexity                   | 0.080      |
| WAL                         | 2.392      |
| Years to Final Maturity     | 2.674      |
| Years to Effective Maturity | 2.391      |
| Yield                       | 4.921      |
| Book Yield                  | 3.711      |
| Avg Credit Rating           | AA/Aa/AA   |



### Issuer Concentration

| Issuer   | % of Market Value + Accrued |
|--|-----------------------------|
| Other  | 38.652%                     |
| United States Department of The Treasury               | 17.900%                     |
| Vanguard Index Funds - Vanguard Mid-Cap ETF            | 8.561%                      |
| Vanguard Index Funds - Vanguard Large-Cap ETF          | 8.290%                      |
| Vanguard Index Funds - Vanguard Small-Cap ETF          | 7.152%                      |
| USAlliance Federal Credit Union                        | 6.772%                      |
| Vanguard Index Funds - Vanguard Total Stock Market ETF | 6.658%                      |
| Federal Home Loan Mortgage Corporation                 | 6.015%                      |
| ---  | 100.000%                    |

Footnotes: 1,2

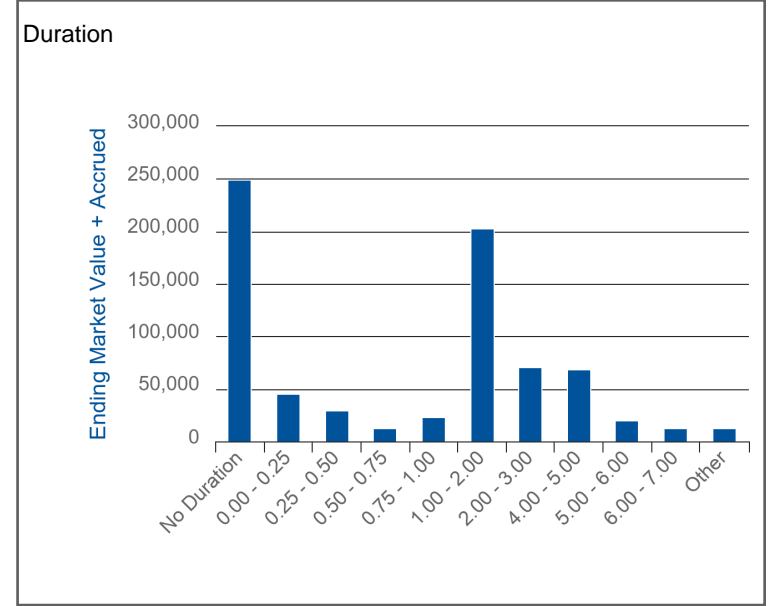
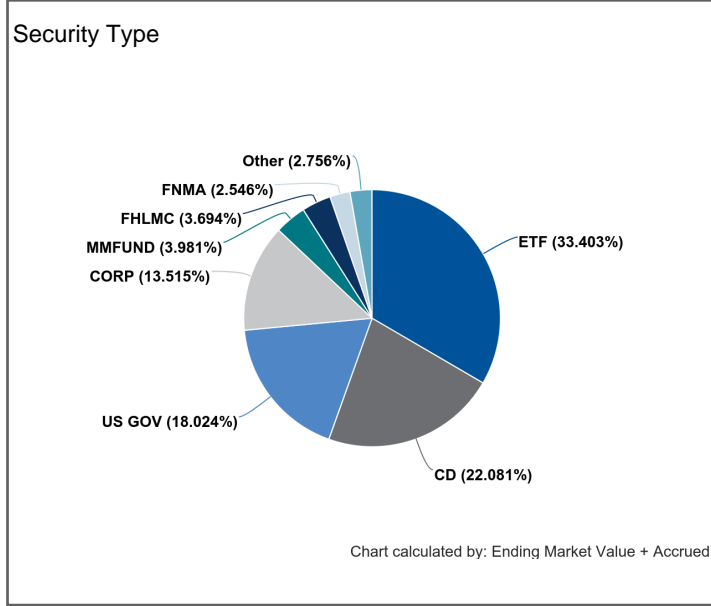
# Account Review

03/01/2023 - 03/31/2023

# Moreton-NACO

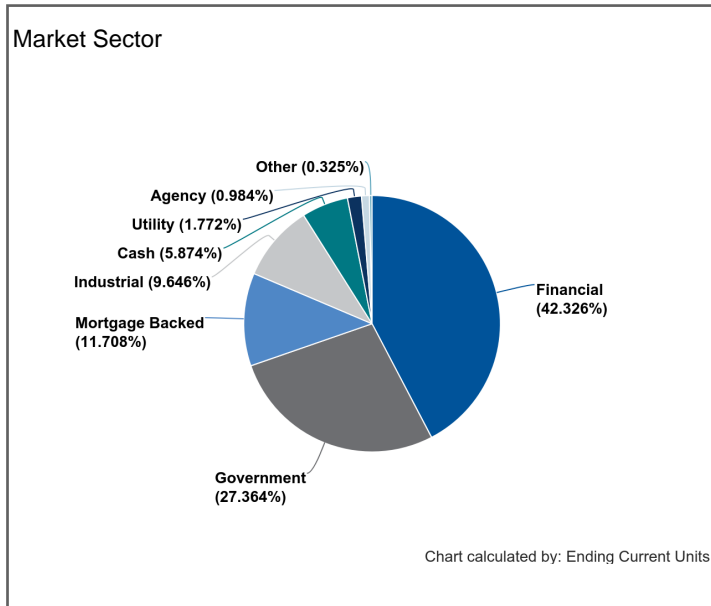
Dated: 04/05/2023

| Balance Sheet            |            |
|--------------------------|------------|
| Book Value + Accrued     | 707,125.93 |
| Net Unrealized Gain/Loss | 39,858.57  |
| Market Value + Accrued   | 746,984.51 |



### Cash and Fixed Income Summary

| Risk Metric                 | Value      |
|-----------------------------|------------|
| Cash                        | 102.53     |
| MMFund                      | 29,735.74  |
| Fixed Income                | 467,630.72 |
| Duration                    | 2.092      |
| Convexity                   | 0.072      |
| WAL                         | 2.315      |
| Years to Final Maturity     | 2.582      |
| Years to Effective Maturity | 2.313      |
| Yield                       | 4.644      |
| Book Yield                  | 3.730      |
| Avg Credit Rating           | AA/Aa2/AA  |



### Issuer Concentration

| Issuer   | % of Market Value + Accrued |
|--|-----------------------------|
| Other  | 38.985%                     |
| United States Department of The Treasury               | 18.024%                     |
| Vanguard Index Funds - Vanguard Large-Cap ETF          | 8.478%                      |
| Vanguard Index Funds - Vanguard Mid-Cap ETF            | 8.358%                      |
| Vanguard Index Funds - Vanguard Small-Cap ETF          | 6.801%                      |
| Vanguard Index Funds - Vanguard Total Stock Market ETF | 6.749%                      |
| USAlliance Federal Credit Union                        | 6.692%                      |
| Federal Home Loan Mortgage Corporation                 | 5.914%                      |
| ---  | 100.000%                    |

Footnotes: 1,2

## Agenda Item 10

Nevada Association of Counties  
Income Statement/Budget  
For the One Month Ending January 31, 2023

|   | Current Month     | Year to Date      | Budget            | Y-T-D % Budget |
|---|-------------------|-------------------|-------------------|----------------|
| <b>Revenues</b>                           |                   |                   |                   |                |
| Membership Dues                           | 411,702.00        | 411,702.00        | 377,208.00        | 109.1%         |
| Public Lands Assessment Dues              | 0.00              | 0.00              | 140,179.00        | 0.0%           |
| Conference Revenues                       | 0.00              | 0.00              | 80,000.00         | 0.0%           |
| IAF/Supplemental Funds                    | 0.00              | 0.00              | 70,000.00         | 0.0%           |
| Interest Income                           | 6.02              | 6.02              | 15,000.00         | 0.0%           |
| National Programs                         | 0.00              | 0.00              | 5,000.00          | 0.0%           |
| Associate Memberships                     | 6,750.00          | 6,750.00          | 15,000.00         | 45.0%          |
| Unrealized Gain/(Loss)-Investments        | 23,099.15         | 23,099.15         | 0.00              |                |
| <b>Total Revenues</b>                     | <b>441,557.17</b> | <b>441,557.17</b> | <b>702,387.00</b> | <b>62.9%</b>   |
| <b>Expenses</b>                           |                   |                   |                   |                |
| Salaries                                  | 24,428.92         | 24,428.92         | 320,750.00        | 7.6%           |
| Retirement: PERS                          | 0.00              | 0.00              | 106,388.00        | 0.0%           |
| Employee Health Insurance/Life            | 105.06            | 105.06            | 40,000.00         | 0.3%           |
| FICA, ESD, and Medicare Expense           | 698.08            | 698.08            | 7,500.00          | 9.3%           |
| Audit                                     | 0.00              | 0.00              | 9,000.00          | 0.0%           |
| Board Meetings                            | 0.00              | 0.00              | 8,000.00          | 0.0%           |
| Building Capital Projects                 | 0.00              | 0.00              | 6,000.00          | 0.0%           |
| Building Operating Expenses               | 214.16            | 214.16            | 19,000.00         | 1.1%           |
| Conference Expenses                       | 0.00              | 0.00              | 38,000.00         | 0.0%           |
| Contract Services                         | 0.00              | 0.00              |                   |                |
| County Leadership Institute               | 0.00              | 0.00              | 3,500.00          | 0.0%           |
| Depreciation Expense                      | 0.00              | 0.00              |                   |                |
| Donations/Sponsorships                    | 0.00              | 0.00              | 1,500.00          | 0.0%           |
| Equipmnet Lease & Maintenance             | 320.92            | 320.92            | 4,500.00          | 7.1%           |
| Equipment Purchases                       | 0.00              | 0.00              | 4,500.00          | 0.0%           |
| IT Support                                | 0.00              | 0.00              | 2,500.00          | 0.0%           |
| Internet Service                          | 0.00              | 0.00              | 9,000.00          | 0.0%           |
| Legislative Expense                       | 0.00              | 0.00              | 14,500.00         | 0.0%           |
| Liability & Auto Insurance                | 432.00            | 432.00            | 5,500.00          | 7.9%           |
| Management Consultant & Training          | 0.00              | 0.00              |                   |                |
| Member Services                           | 0.00              | 0.00              | 3,000.00          | 0.0%           |
| Office Supplies                           | 101.20            | 101.20            | 3,500.00          | 2.9%           |
| PEHB Liability                            | 202.48            | 202.48            | 6,000.00          | 3.4%           |
| Postage                                   | 0.00              | 0.00              | 500.00            | 0.0%           |
| Printing                                  | 0.00              | 0.00              | 500.00            | 0.0%           |
| Professional Fees                         | 758.04            | 758.04            | 15,500.00         | 4.9%           |
| Property Taxes                            | 0.00              | 0.00              |                   |                |
| Publications, Dues, Registrations         | 0.00              | 0.00              | 4,000.00          | 0.0%           |
| Recruiting & Advertising                  | 0.00              | 0.00              |                   |                |
| Representative Travel                     | 0.00              | 0.00              | 15,000.00         | 0.0%           |
| Special Studies/Litigation                | 0.00              | 0.00              | 5,000.00          | 0.0%           |
| Actuarial Study Medicaid Match            | 0.00              | 0.00              |                   |                |
| Staff Travel                              | 0.00              | 0.00              | 21,249.00         | 0.0%           |
| Sub Grant Employee Expense                | (14,234.47)       | (14,234.47)       |                   |                |
| Telephone                                 | (10.17)           | (10.17)           | 6,000.00          | -0.2%          |
| Vehicle Registration Maintenance          | 0.00              | 0.00              | 3,000.00          | 0.0%           |
| Web-based Hosting & Subscription Software | 0.00              | 0.00              | 10,000.00         | 0.0%           |
| WIR Dues                                  | 0.00              | 0.00              | 9,000.00          | 0.0%           |
| <b>Total Expenses</b>                     | <b>13,016.22</b>  | <b>13,016.22</b>  | <b>702,387.00</b> | <b>1.9%</b>    |
| <b>Net Income</b>                         | <b>428,540.95</b> | <b>428,540.95</b> | -                 |                |

Nevada Association of Counties  
Income Statement/Budget  
For the Two Months Ending February 28, 2023

|   | Current Month      | Year to Date      | Budget            | Y-T-D % Budget |
|---|--------------------|-------------------|-------------------|----------------|
| <b>Revenues</b>                           |                    |                   |                   |                |
| Membership Dues                           | 0.00               | 411,702.00        | 377,208.00        | 109.1%         |
| Public Lands Assessment Dues              | 0.00               | 0.00              | 140,179.00        | 0.0%           |
| Conference Revenues                       | 0.00               | 0.00              | 80,000.00         | 0.0%           |
| IAF/Supplemental Funds                    | 35,000.00          | 35,000.00         | 70,000.00         | 50.0%          |
| Interest Income                           | 5.27               | 11.29             | 15,000.00         | 0.1%           |
| National Programs                         | 0.00               | 0.00              | 5,000.00          | 0.0%           |
| Associate Memberships                     | 1,550.00           | 8,300.00          | 15,000.00         | 55.3%          |
| Unrealized Gain/(Loss)-Investments        | (10,093.21)        | 13,005.94         | 0.00              |                |
| <b>Total Revenues</b>                     | <b>26,462.06</b>   | <b>468,019.23</b> | <b>702,387.00</b> | <b>66.6%</b>   |
| <b>Expenses</b>                           |                    |                   |                   |                |
| Salaries                                  | 27,948.15          | 52,377.07         | 320,750.00        | 16.3%          |
| Retirement: PERS                          | 7,267.60           | 7,267.60          | 106,388.00        | 6.8%           |
| Employee Health Insurance/Life            | 450.73             | 555.79            | 40,000.00         | 1.4%           |
| FICA, ESD, and Medicare Expense           | 1,185.90           | 1,883.98          | 7,500.00          | 25.1%          |
| Audit                                     | 0.00               | 0.00              | 9,000.00          | 0.0%           |
| Board Meetings                            | 582.24             | 582.24            | 8,000.00          | 7.3%           |
| Building Capital Projects                 | 0.00               | 0.00              | 6,000.00          | 0.0%           |
| Building Operating Expenses               | 2,419.00           | 2,633.16          | 19,000.00         | 13.9%          |
| Conference Expenses                       | 0.00               | 0.00              | 38,000.00         | 0.0%           |
| Contract Services                         | 0.00               | 0.00              |                   |                |
| County Leadership Institute               | 0.00               | 0.00              | 3,500.00          | 0.0%           |
| Depreciation Expense                      | 0.00               | 0.00              |                   |                |
| Donations/Sponsorships                    | 0.00               | 0.00              | 1,500.00          | 0.0%           |
| Equipmnet Lease & Maintenance             | 0.00               | 320.92            | 4,500.00          | 7.1%           |
| Equipment Purchases                       | 0.00               | 0.00              | 4,500.00          | 0.0%           |
| IT Support                                | 292.50             | 292.50            | 2,500.00          | 11.7%          |
| Internet Service                          | 799.00             | 799.00            | 9,000.00          | 8.9%           |
| Legislative Expense                       | 179.38             | 179.38            | 14,500.00         | 1.2%           |
| Liability & Auto Insurance                | 432.00             | 864.00            | 5,500.00          | 15.7%          |
| Management Consultant & Training          | 0.00               | 0.00              |                   |                |
| Member Services                           | 0.00               | 0.00              | 3,000.00          | 0.0%           |
| Office Supplies                           | 595.99             | 697.19            | 3,500.00          | 19.9%          |
| PEHB Liability                            | 202.48             | 404.96            | 6,000.00          | 6.7%           |
| Postage                                   | 13.59              | 13.59             | 500.00            | 2.7%           |
| Printing                                  | 0.00               | 0.00              | 500.00            | 0.0%           |
| Professional Fees                         | 312.40             | 1,070.44          | 15,500.00         | 6.9%           |
| Property Taxes                            | 965.03             | 965.03            |                   |                |
| Publications, Dues, Registrations         | 76.99              | 76.99             | 4,000.00          | 1.9%           |
| Recruiting & Advertising                  | 0.00               | 0.00              |                   |                |
| Representative Travel                     | 4,961.68           | 4,961.68          | 15,000.00         | 33.1%          |
| Special Studies/Litigation                | 0.00               | 0.00              | 5,000.00          | 0.0%           |
| Actuarial Study Medicaid Match            | 0.00               | 0.00              |                   |                |
| Staff Travel                              | 1,106.68           | 1,106.68          | 21,249.00         | 5.2%           |
| Sub Grant Employee Expense                | 8,980.35           | (5,254.12)        |                   |                |
| Telephone                                 | 327.80             | 317.63            | 6,000.00          | 5.3%           |
| Vehicle Registration Maintenance          | 0.00               | 0.00              | 3,000.00          | 0.0%           |
| Web-based Hosting & Subscription Software | 0.00               | 0.00              | 10,000.00         | 0.0%           |
| WIR Dues                                  | 0.00               | 0.00              | 9,000.00          | 0.0%           |
| <b>Total Expenses</b>                     | <b>59,099.49</b>   | <b>72,115.71</b>  | <b>702,387.00</b> | <b>10.3%</b>   |
| <b>Net Income</b>                         | <b>(32,637.43)</b> | <b>395,903.52</b> | -                 |                |



# Nevada Association of Counties

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April 28, 2023

Tracey Stone-Manning, Director  
Bureau of Land Management, U.S. Department of Interior  
1849 C Street NW #5646  
Washington, DC 20006

Submitted at: <https://www.federalregister.gov/documents/2023/04/03/2023-06310/conservation-and-landscape-health>

**RE: 1004-AE-92 – Conservation and Landscape Health, Proposed Rule**

Dear Director Stone-Manning:

The Nevada Association of Counties (NACO) greatly appreciates the opportunity to provide comments on the Bureau of Land Management's (BLM) Proposed Rule on Conservation and Landscape Health. Our membership includes all 17 of Nevada's counties. The BLM manages public lands in every county in Nevada – a land acreage that totals 48 million acres and approximately 67% of Nevada's total land area. As such, the proposed rule has the potential to dramatically impact available land uses for large numbers of Nevada's citizens as well as the economies of our counties.

NACO is very concerned about the definition of conservation leases as an eligible use on public lands, and the proposition to place these leases on par with other economically productive uses in this proposed new rule. We believe this conflicts with the BLM mandates to manage for multiple, sustainable uses of our nation's public lands. The emphasis on increasing the designation of new Areas of Critical Environmental Concern (ACEC's) within this new rule is equally concerning. While the idea of conservation leases and ACECs may seem like a positive step towards protecting our environment, we strongly believe that this "seismic shift" in public land management protocols may have many harmful and unintended consequences, especially when considered in combination with other resource management plan amendments that the BLM currently has underway in Nevada and across the west, namely the Greater Sage grouse Resource Plan amendment, Grazing Regulation Amendments, and updates to the Western Solar Plan. Taken together these changes to land management protocols have the potential to significantly impact environments and economies across Nevada. Because this is a significant shift in land management policy with many potential socioeconomic impacts, promulgation of this new rule should undergo a thorough programmatic Environmental Impact Statement (PEIS) as mandated by the National Environmental Policy Act (NEPA) in the following sections:

- 42 U.S.C. 4332(2)(C) - Major Federal actions significantly affecting the quality of the human environment: This section of NEPA establishes the general requirement for federal agencies to prepare an EIS for major federal actions significantly affecting the quality of the human

environment. Creating an entirely new category of use under the BLM's Federal Land Management multiple use mandate to be available across all the millions of acres that the BLM manages certainly qualifies as a "major federal action significantly affecting the quality of the human environment." This section also states that agencies shall include in the EIS a detailed statement on the environmental impact of the proposed action, including considerations of alternative actions. In this case we believe that the BLM has ownership to consider the no action alternative and/or disposals of lands for conservation as opposed to leases.

- 42 U.S.C. 4332(2)(D) - Cumulative impacts: This section of NEPA requires that agencies evaluate the cumulative impacts of proposed actions, which includes the aggregate effects of past, present, and reasonably foreseeable future actions. As mentioned above, grazing regulation changes, Greater Sage grouse plan amendments, and the western solar programmatic EIS update are all significant BLM actions which are in various stages of the NEPA process now and should be considered carefully for their cumulative impacts when combined with this proposed new rule, particularly to economies in public lands states. These BLM actions taken together have an alarming potential to significantly restrict available land uses in Nevada, and within each of our counties. Some counties in Nevada have as much as 97% of the land within their jurisdiction managed by the federal government which means they already have too little land on which to generate economic activity. This rule could further restrict uses of our public lands those to those do not generate economic activity that benefits the county, the community, or the nation, (e.g. conservation, and solar uses) and further, will cause significant fiscal challenges for Nevada counties.

Furthermore, BLM has an obligation to give socioeconomic impacts careful consideration under the Council on Environmental Quality's (CEQ) regulations. Thorough, peer reviewed, data-based socioeconomic analysis is frequently lacking in BLM and other federal land management agency decisions, but it should be of quintessential importance for this administration given the economically tenuous post pandemic era that we find ourselves in. Our counties are already reporting tight fiscal conditions which in many instances can be correlated to federal land management decisions that are constraining certain local industries like agricultural production (related to declining grazing AUMs), revenue sharing from mining (related to tighter mining permitting and litigation), and declines in certain sectors of outdoor recreation revenues such as big game tag sales. These socioeconomic impacts resulting from federal land management decisions and actions deserve much closer and more thorough analysis by the BLM and other federal agencies. The following sections of the CEQ regulations highlight the need for the BLM to consider socioeconomic impacts of this proposed rule and other cumulative actions:

1. 40 CFR 1502.16 - Economic and technical considerations: This section requires that the EIA analyze the economic and technical feasibility of alternatives, which includes evaluating socioeconomic impacts. It states that the EIA shall "include appropriate economic and technical analyses of the alternatives which are relevant to evaluating the environmental impacts of the proposal." This implies that socioeconomic impacts, such as economic effects on local communities, employment, and economic activities, should be considered in the analysis of project alternatives.
2. 40 CFR 1502.24 - Socioeconomics: This section specifically addresses the consideration of socioeconomic impacts. It states that the EIA shall "include a detailed statement on the environmental impacts of the proposed action and alternatives. This shall...include discussions of...socioeconomic...impacts." This requirement highlights the need to provide a detailed analysis of the socioeconomic impacts associated with the proposed action and its alternatives as part of the EIA.



3. 40 CFR 1502.25 - Environmental justice: This section emphasizes the consideration of environmental justice in the NEPA process, which includes evaluating the socioeconomic impacts on minority and low-income populations. This underscores the importance of considering socioeconomic impacts, particularly in relation to vulnerable and disadvantaged populations, as part of the EIA. Many of Nevada’s rural counties qualify as low-income and are disproportionately affected by federal land management decisions given the majority federal land ownership within their jurisdictions.

In sum, the recent cumulative actions and proposed actions by the BLM and other federal land management agencies raise socio-economic and environmental concerns for the counties of Nevada. We oppose the creation of conservation leases and the elevation of such leases to equal consideration with the other “sustained yield” uses like mining, grazing, and outdoor recreation which do in fact offer tangible socioeconomic benefits. The BLM has adequate mechanisms already in place for the protection and conservation of areas of critical environmental concern. At a minimum, if BLM wishes to move forward with this proposed rule, it must be subject to a full programmatic EIS process under NEPA, and a period of robust public scoping.

We appreciate the opportunity to provide input and thank you for your careful consideration of NACO’s comments regarding this proposed rule change.

Respectfully,

Vinson Guthreau  
Executive Director

