

Resolution

of the Nevada Association of Counties

Resolution Calling for the Restoration of the County Share of Geothermal Lease Revenue, Consideration of Changes to the Formula Used to Distribute Revenue from Geothermal Leases and Expansion of the Lease Revenue Sharing Program to Include Other Renewable Energy Sources

Whereas, the Energy Policy Act of 2005 specifically dedicated a portion of the revenue derived from the lease of public lands for the production of energy from geothermal resources to the counties in which the resource was located;

Whereas, the 2010 Interior Appropriations bill passed by Congress reverted the distribution of monies received from such leases to the formula in place prior to the passage of the Energy Policy Act of 2005 eliminating the county share of geothermal lease revenues;

Whereas, the 2011 Budget for the Department of the Interior submitted to Congress contains a provision that would make the repeal of the county share of geothermal lease revenue permanent;

Whereas, the counties in which the geothermal or other renewable energy resources are located are impacted by the increased demand for services to support energy generating facilities;

Whereas, the governing body of the county in which the renewable energy resource has an integral role in the development of the facilities to process the resource,

Whereas, counties derive limited tax revenue from energy generating facilities located on public lands within the county's borders;

Whereas, the funding formula contained in the Energy Policy Act of 2005 funneled the counties' share of lease revenue through the respective state government to be distributed "as the legislature of the State may direct giving priority to those subdivisions of the State socially or economically impacted by the development of minerals leased" (30 U.S.C.191(a));

Whereas, the Legislature of the State of Nevada saw fit during the 25th Special Session of the Legislature to retain for use by the State Twelve Million Dollars of geothermal lease revenue that would have normally gone to the counties,

Whereas, legislation has been introduced by members of Nevada's Congressional Delegation, (S.2607 sponsored by Senator Harry Reid and H.R. 4060 co-sponsored by Representative Dean Heller), seeking to restore the county share of geothermal lease revenue.

Now, Therefore be it Resolved that the Nevada Association of Counties urges that, at a minimum, Congress takes action to restore the county share of geothermal lease revenue,

Be it Further Resolved that the restoration of the county share be made retroactive to the date of passage of the Interior Appropriations Act of 2010,

Be it Further Resolved that the federal government expand the lease revenue sharing program to include other renewable energy sources,

Be it Further Resolved that the governing body of the county be recognized as an equal partner in the development of renewable energy generating facilities,

Be it Further Resolved that NACO urges Congress to consider making the formula for the distribution of revenues derived from the lease of public lands containing geothermal or other renewable energy resource more equitable by changing the distribution of revenues so that one-third is retained by the federal government, one-third is allocated to the State, and one-third is allocated to the county in which the resource is located,

Be it Further Resolved that the county share be distributed directly to the county and be free of direction from the State Legislature on its use,

Adopted by the Board of Directors of the Nevada Association of Counties this Fifth day of February Two Thousand Ten.

Attest:

Robin Williamson

Robin Williamson
President

Jeff Fontaine

Jeff Fontaine
Executive Director

NACO Resolution 10-01

