

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting
February 22, 2019, 9:30 a.m.
NACO Office
304 S. Minnesota Street
Carson City, NV 89703

AGENDA

Some NACO Board members may attend via video link or phone 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 January 25, 2018 NACO Board of Directors Meeting. **For Possible Action**
6. Recommendation of Three Nominees to Fill the Director of a Social Services Agency Seat on the Board of Trustees of the Fund for Hospital Care to Indigent persons. **For Possible Action**
7. Appointment of Two NACO Representatives to the National Association of Counties (NACo) Western Interstate Region Board (WIR). **For Possible Action**
8. Discussion and Approval of Washoe County to Host the NACO 2019 Annual Conference. **For Possible Action**
9. Discussion of a Request for Support from NACO for the National Horse and Burro Rangeland Management Coalition's 2019 Summit in Nevada. **For Possible Action**
10. Presentation on Juvenile Fee Collection in Nevada, Denise Tanata, Children's Advocacy Alliance and Dagen Downard and Savannah Reid, Policy Advocacy Clinic, University of California, Berkeley School of Law.
11. Presentation on the Revised Rulemaking/Definition Regarding Waters of the U.S. (WOTUS), which Clarifies Federal Authority Under the Clean Water Act, Julie Ufner, Associate Legislative Director of Environment, Energy and Land Use, National Association of Counties. **For Possible Action**
12. Update from the NACO Legislative Committee and Staff on Proposed Legislative Measures, Budget Requests, and NACO Priorities for the 2019 Nevada Legislative Session. **For Possible Action**
13. Update and Discussion on NACO and NACO Members Participation in the National Association of Counties 2019 Legislative Conference in Washington D.C., including Meetings and Events Held During the Conference and Approval of Final NACO Federal Policy Priorities for 2019. **For Possible Action**
14. Introduction and Remarks from John Raby, Director, Bureau of Land Management, Nevada.

15. **Update and Possible Action** Regarding Natural Resources and Public Lands and Issues Affecting Counties Including:
- a. NACO Public Lands and Natural Resources Committee Update.
 - b. Update on NACO's Natural Resources Management Position and Discussion and Possible Approval of an Interim Contract with Resource Concepts, Inc.
 - c. The BLM and USFS Greater Sage Grouse Resource Management Plan Amendments.
 - d. The U.S. Department of the Navy's DEIS for the Fallon Range Training Complex Modernization.
16. National Association of Counties and Western Interstate Region Board Member Updates.
17. NACO Board Member Updates.
18. 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 Evans at (775) 883-7863. Supporting material will be available at the NACO office and on the NACO website at: 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

The Following Pages and/or Links are Support Documentation for
Agenda Item 4

Play icivics county government game: <https://www.naco.org/counties/icivics>

Information on National County Government Month: <https://www.naco.org/what-we-do/national-county-government-month>

The Following Pages and/or Links are Support Documentation for
Agenda Item 5

NEVADA ASSOCIATION OF COUNTIES (NACO)

Board of Directors' Meeting

January 25th, 2019, 1:00p.m.

Clark County Government Center-Organizational Training Center, Training Rm. 3

500 S. Grand Central Parkway

Las Vegas, NV 89155

UNADOPTED MINUTES

Attendance: President Weekly, President Elect Waits, Vice President French, Clark County Commissioner Kirkpatrick, Nye County Commissioner Wichman, Elko County Commissioner Steninger, Esmeralda County Commissioner Keyes, Lincoln County Commissioner Lister, Lander County Commissioner Allan, Mineral County Commissioner Price, Churchill County Commissioner Olsen, Storey County Commissioner Gillman, Lincoln County Commissioner Higbee, and NACO Staff (Dagny Stapleton, Vinson Guthreau and Amanda Evans)

Remote Attendance: Washoe County Commissioner Hartung and Lyon County Commissioner Keller

Other Attendance: Jacqueline Holloway, Anthony Perez, Kaizad Yazdani, Mike Harwell, Katie Walpole and Alex Ortiz, Clark County; Lee Bonner, NDOT; Anthony Perez and Mathew Steadman, Smart Works Partners; Denise Tanata, Children's Advocacy Alliance; Savannah Reed and Dagen Downard, Berkley Law Clinic; Shauna Lemieux and Ivory Lyles, UNR Cooperative Extension, and Chris, Fred and Patrice Stewart.

The meeting was called to order at 1:01 p.m.

- 1. Public Comment.** Denise Tanata of the Children's Advocacy Alliance, Savannah Reed and Dagen Downard of the Berkley Law Clinic addressed the Board with comments on juvenile justice issues, specifically on fees, fines, and restitution and their effectiveness and how they can cause financial difficulties within families. They requested to be placed on a future agenda to further discuss the issue. UNR Cooperative Extension Director, Ivory Lyles informed the Board that Holly Gatsky had taken a position as the new Northern Area Director and that a search is being conducted for her replacement in Lincoln County. He also informed the Board that Nye County would be receiving a new Extension Director and he introduced Shauna Lemieux from the Clark County Extension office.
- 2. Approval of Agenda.** The agenda was approved on a motion by Commissioner Wichman with second by Vice President French
- 3. Investiture of the 2019 NACO Officers.** Lander County Commissioner Patsy Waits was installed as President, Humboldt County Commissioner Jim French was installed as President Elect, and Clark County Commissioner Marilyn Kirkpatrick was installed as Vice President. 2018 NACO President, Clark County Commissioner Lawrence Weekly, administered the Oath of Office.
- 4. NACO President's Report.** President Waits welcomed the seven new members to the Board of Directors and informed the Board that she and Dagny had attended the Presidents and State Executives meeting hosted by NACo earlier in the month. She noted that the panels were informative and engaging and that 79 of the 101 new Congressional representatives have

previous experience in county government. She informed the Board that the Director and Deputy Director of White House Government Affairs were also in attendance. She informed the Board that National County Government Month will be in April and that there is a video game to engage young people in county government functions. She acknowledged the January birthdays of the Board members. President Waits concluded her remarks by informing the Board that she had appointed President Elect French and Commissioner Higbee to Chair and Vice Chair of the Public Lands and Natural Resources Sub-Committee and Commissioner Lucey and Commissioner Wichman to continue serving as Chair and Vice Chair on the Legislative Sub-Committee.

5. **NACO Executive Director's Report.** Dagny congratulated the new officers and welcomed the new Commissioners to the Board. She noted that the Presidents and Executives meeting is an annual event and noted that she will bring more information on the video game President Waits referenced to the February board meeting. She shared information on ways that various counties are looking into helping citizens affected by the federal government shut down and asked the Board to reach out to staff for additional information. Dagny thanked Clark County for the tour of one of the proposed mobile workshops for the 2019 NACo Annual Conference earlier in the day. Dagny reminded the Board that Local Government Day at the Legislature is March 28th and asked the Board to make sure that they have the event on their calendars as an opportunity to meet with Legislators as a group.
6. **Approval of Minutes of the December 14th, 2018 NACO Board of Directors Meeting.** The minutes were approved on a motion by Commissioner Wichman with second by Commissioner Higbee.
7. **Approval of NACO Resolution 19-01 Recognizing January as National Radon Action Month.** The resolution was approved on a motion by Commissioner Wichman with second by Vice President Kirkpatrick. Vice President Kirkpatrick also reminded the Board that Cooperative Extension provides free test kits.
8. **Update and Discussion on New Federal Rules for Counties Regarding Local Regulation of the Installment of 5G Wireless Infrastructure.** Dagny gave the Board an overview of the item and reminded the group of previous discussions surrounding the issue. In those discussions the Board had requested a copy of Clark County's ordinance when that process was complete. Jacqueline Holloway, Clark County's Director of Business Licensing, provided a presentation on Clark County's adopted ordinance. Ms. Holloway outlined the need for counties to preserve their right of ways and manage county assets. She addressed the need for a streamlined permit approval process, stakeholder inclusion and preservation of design standards. She noted that the county's fees collected would be used for capital improvements and to help bridge connectivity gaps. Kaizad Yazdani with Clark County Public Works informed the Board that Clark County had also begun installing 'smart poles' and other infrastructure to allow for co-location of the necessary 5G equipment by multiple providers in way that is in line with the county's design standards. Anthony Perez from Clark County discussed the FCC order that caps permit fees, design requirements and time frames local jurisdictions can charge providers. He noted that legal challenges had been filed and that those actions have been consolidated and transferred to the 9th Circuit. He said that further action would be monitored; he also noted legislation introduced in Washington that would overturn the FCC order. President Elect French noted that current laws and regulations are creating a divide between rural and urban areas based on ROI vs. the needs of communities for internet connectivity. Commissioner Steninger requested clarification on the Order's language regarding the fee caps, it was noted that the Order's language and the FCC's pleadings before the 10th Circuit were contradictory and

leave room for interpretation. President Elect French also inquired as to if the providers were informing the County that they were installing equipment on infrastructure, and it was noted that they are.

9. **Update and Discussion on the 2019 National Association of Counties Annual Conference in Clark County Including Planning, Sponsorships, and Ways that NACO Members Can Provide Support.** Clark County's Katie Walpole and Alex Ortiz reminded the Board that it had been 25 years since the County had hosted the event and that it will be held at the Paris and Bally's Properties on the Las Vegas Strip. They gave an overview of the planning process, preliminary event layout, promotional activities and the sponsorship requirements of the County. Katie thanked the Board for endorsing the sponsorship letter that the County is using while engaging with potential sponsors. President Elect French inquired as to suggestions on how the other counties can assist, and Alex noted that communications with potential local organizations or companies that may be interested in sponsorship opportunities will be welcome. Vice President Kirkpatrick informed the Board that there will be a community service coto engage commissioners from across the country as well. Dagny concluded the item by reminding the Board that NACO would be holding a state dinner and requested the Board to encourage their colleagues to attend. No action was taken.
10. **Presentation and Discussion on Solutions to Wildfire Management Presented by Chris Stewart, Ninety-Six Ranch.** Ms. Stewart addressed the Board about the wildfires which took place earlier in the year and the millions of acres that had burned affecting multiple ranches, private property and public lands across several counties. She noted that as the owner of Nevada's oldest ranch, which was essentially devastated by the fire, she felt it was important to address the causes of wildfire, the need for responsible land management (including grazing) and post fire restoration. She focused on grazing as a solution to reduce wildfires through reduction of fuels including non-native grasses. She outlined her grass roots efforts with local stakeholders to develop a proposed plan to present to federal land management agencies. She also discussed her experiences meeting with the federal delegation and the White House on programs to address the issue on multiple cooperative levels, including the revision of policies to allow for FEMA funds following these disasters. Ms. Stewart also mentioned that an Executive Order was signed by the President that incorporated her proposed steps to curb the threat of wildfire.
11. **Update and Possible Action Regarding Proposed Legislative Measures, Budget Requests, and NACO Priorities for the 2019 Nevada Legislative Session.** Dagny informed the Board that budget hearings had begun and reminded the Board that staff is closely watching the process and is working with DHHS regarding assessments to counties. She informed them that there will be an increase to the Medicaid Match assessment but that the exact amounts had yet to be determined. She informed the Board that although the University had committed to support an increase in funding to Cooperative Extension, that request was not included in the Governor's proposed budget. She requested confirmation that the increased funding is still a priority of the Board. Vice President Kirkpatrick noted that the Extension program is not permitted to lobby the Legislature for increased funding and that it would be important for Commissioners to do so - continued support was confirmed by consensus of the Board. Vinson discussed the bill tracker included in the agenda packet that shows all the legislation that the Association is tracking. He reported that the Legislative Committee meets weekly and reviews an updated version of the document. He asked that the Board members share any bills that they would like to see tracked as well as any potential legislation that they are aware of that may affect counties. He also addressed the summary of the five NACO bills included in the packet and encouraged the Board to use the document when discussing bills with

members of the Legislature. Dagny directed the Board to the draft support resolution template regarding the Association's bill to allow the rural counties to enact a diesel fuel tax. She noted that it will be imperative to gain rural legislator support for the bill to gain traction. President Waits requested that the affected counties consider passing the resolution regardless of the appetite for utilizing the proposed legislation within the county. Commissioner Lister requested clarification on which diesel fuels are included and it was noted that dyed diesel fuel is specifically excluded in the bill. It was clarified for Commissioner Keyes that the legislation that allows Clark and Washoe Counties to receive diesel tax is specific to those counties and that the language in the bill requires the funds raised to remain within the counties. Dagny also spoke a BDR that will be introduced that will make a change to the statute that requires the addition of a Justice of the Peace when a county's population reaches 50K – the proposed legislation would increase the population cap to 75K and make it enabling instead of required, based on case load. Vice President Kirkpatrick noted that she would like to see the population cap removed and the Board agreed by consensus that they support the proposal. No action was taken on the item.

12. **Review and Discussion of NACO's Draft Federal Policy Priorities for 2019.** Dagny reminded the Board of the upcoming National Association of Counties Legislative Conference in March and noted the draft Federal Priorities document included in the agenda packet. She requested the Board review the document, specifically the highlighted portions and provide any feedback to staff for inclusion in the final document. The final document will be reviewed by the Board for approval in February. She also noted that the Public Lands and Natural Resources Committee had worked on that section during their meeting earlier in the day. Dagny requested those planning on attending let staff know as soon as possible. Commissioner Higbee inquired as to the possibility of scheduling meetings with specific committee chairs as well as the Secretary of the Navy, and Dagny stated that it would be investigated. No action was taken.

13. **Update and Possible Action Regarding Natural Resources and Public Lands and Issues Affecting Counties Including:** No actions were taken.

- a. **NACO Public Lands and Natural Resources Committee Update.** Chair French informed the Board that the Committee had discussed WOTUS during their meeting and that there is a need to make comparisons between the first version of the rule and the one that is expected to be published. Other discussion of the Committee included RS2477 roads, a letter of support urging the Governor to have a Public Lands and Natural staff person, the use of RCI during the legislative session for issues that may arise due to the lack of a Natural Resources Manager and the need to suspend the search to fill the position during the legislative session. Dagny noted that due to cost savings with the vacant position it would not create a financial hardship on the Association to use outside resources and that a specific action item would be brought to the Board in February to authorize the use of outside resources.
- b. **The BLM and USFS Greater Sage Grouse Resource Management Plan Amendments.** Chair French noted that the BLM's EIS decision deadline had been delayed by the federal government's shutdown and that NACO and some counties had submitted comments noting concern specifically with the removal of disposal lands. He noted that Jeremy Drew of RCI had spoken with the BLM's representative regarding those concerns and that continued work would need to be done on the issue. Chair French noted that the status of the USFS DEIS is essentially in the same holding pattern due to the shutdown.
- c. **The U.S. Department of the Navy's DEIS for the Fallon Range Training Complex Modernization.** Chair French noted issues with the FRTC DEIS include the loss of AUM's and water rights and lack of mitigation details within the document.

Discussion included the need to continue to reach out to the federal delegation and potentially gain meetings with the Armed Services Committee to discuss the issue prior to them handing down a recommendation for inclusion into the Defense Authorization Act. He noted that once the final plan is released there is a 30-day protest period prior to the plan being considered by the Committee.

14. **National Association of Counties and Western Interstate Region Board Member Updates.** President Elect French informed the Board that there was a WIR meeting scheduled in Washington State. He also noted that there was a meeting scheduled for the Wild Horse and Burro Resource Advisory Committee to present to Congress in February. However, that presentation had been postponed due to the shutdown. He informed the Board that if it is postponed to after the 1st of March that the presentation would not occur because the terms of three of the members of the RAC would be over and there would be no time for reappointments. Vice President Kirkpatrick informed the Board that she would have an update on the activities of the NACo Board of Directors after the Legislative Conference.
15. **NACO Board Member Updates.** Updates were given by members of the Board on activities within their counties.
16. **Public Comment.** None was given.

The meeting was adjourned at 4:27 p.m.

The Following Pages and/or Links are Support Documentation for
Agenda Item 6



Nevada Association of County
Human Services Administrators

January 10, 2019

To whom it may concern;

The Nevada Association of County Human Service Administrators would like to recommend Mike Pawlak, Clark County Social Services Director, be appointed for a second term to serve as representative on the NACO Fund for Accident Care to Indigent Persons Board. Second recommendation would be Karen Beckerbauer, Douglas County Human Services Manager and third recommendation would be Mary Jane Ostrander, Carson City Division Manager.

Sincerely,

Tim Burch
Administrator, Clark County Human Services
Chair, NACHSA

The Following Pages and/or Links are Support Documentation for
Agenda Item 11

<https://www.epa.gov/wotus-rule/step-two-revise>

The Following Pages and/or Links are Support Documentation for
Agenda Item 13



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Nevada Association of Counties (NACO) Federal Priorities

Health & Human Services

Protect the Federal State Local Partnership for Medicaid: NACO supports maintaining the federal-state-local structure for financing and delivering Medicaid services while maximizing or enhancing flexibility to support local systems of care. Counties have made the most of Medicaid's flexibility and have supported health systems that serve a disproportionate share of low-income populations, including the homeless, and those cycling in and out of county jails. Nevada counties are concerned about any measures that would further shift Medicaid costs to counties. In Nevada, counties already provide a significant amount of Nevada's non-federal Medicaid contribution. If Medicaid costs or costs for uncompensated care for indigent individuals were increased, counties in Nevada, who have limited ability to raise revenues, would be hard-pressed to meet new fiscal responsibilities. Medicaid funding also impacts county hospitals - without sustained funding, county hospitals would be forced to shutter their doors. With Nevada's growing Medicaid caseloads and funding challenges counties are concerned about any proposal that increases State or local responsibility for Medicaid funding. Counties do support efforts to improve the efficiency, flexibility and effectiveness of policies and operations.

Promote Economic Mobility and Opportunity Across All Counties:

NACO supports federal investments and policies that help advance and leverage both regional and local strategies focused on serving those most in need, including those addressing the root causes of poverty. While national economic indicators are strong, many communities – defined both as geographic places and as certain demographics – lag the overall national performance. Counties are confronting increased demand and caseloads for workforce skills training, mental health and substance abuse treatment, public hospital services (including county-run hospitals and clinics), child protective services and elder care. At the same time, county governments are increasingly burdened and restricted by mounting federal and state mandates, limitations and oversight. To meet these challenges, counties need a strong federal partner committed to achieving better outcomes through local decision-making, flexibility and accountability.



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Justice and Public Safety

Mental Health and Jails: County jails are not the appropriate place to treat individuals with mental illness, unfortunately, 64% of jail inmates in the United States have a behavioral health issue. In Nevada, our county jails are one of the largest providers of behavioral health services in the State. NACO supports sensible measures that promote and advance the overall safety of the public and the communities we serve. Within this context, we also support new policies and approaches that would enhance the ability of counties to prevent and treat mental illness and substance use disorders, both in the community and within the context of the criminal justice system. NACO also supports programs and legislation that divert non-violent individuals struggling with mental illness and/or substance use disorders from jails and into treatment programs while protecting overall public safety. NACO also supports the extension of Medicaid to individuals detained in county jails pending disposition of charges and the suspension, instead of termination, of benefits during the incarceration period.

Two important federal grant programs upon which counties rely are the Justice and Mental Health Collaboration Program (JMHCPO) and the U.S. Department of Justice's Byrne Justice Assistance Grant (JAG)



Public Lands & Natural Resources

Public Land Management: As Nevada's Congressional Delegation is aware, Nevada has the largest percentage of federal lands (87%) of any state, and some of our counties (Nye, Esmeralda, Lander, Lincoln and White Pine) have 90 to 98 percent of their total county acreage administered by the federal government. As a result, Nevada's counties find their local economies, fiscal condition, and quality of life influenced considerably by federal land management decisions. For example, public access for recreation is critically important; however, the actual economic benefits from recreation on public lands to some rural economies and county revenues are small to none, while the additional number of visitors increases the demand for county services. For many Nevada communities, resource-based industries that are tied to public lands are their lifeblood. And in all counties, staying apprised of and involved in federal land management planning and conservation efforts is critical, as federal agency decisions are inextricably tied to counties' ability to effectively plan for the future and provide mandated services. Counties provide road maintenance, emergency response, law enforcement and other services on public lands and to public lands users, and also manage assets that require federal permits, leases, or easements. For all these reasons, meaningful engagement with counties is crucial and NACO supports the following: efforts to increase federal land managers' engagement with county governments; appropriate revenue sharing; and the transfer of some federal land to states, at the state's request and in consultation with the counties.

Continued Full Funding of PILT (Payment in Lieu of Taxes): The PILT program provides payments to counties to offset losses in tax revenues due to the presence of substantial federal land acreage within their jurisdictions. PILT payments are necessary to support essential local government services that are provided on public lands and to public lands users. Because local governments are unable to collect property taxes on federal lands, Nevada's rural counties are increasingly relying on PILT to balance their budgets and provide essential services. NACO supports restoring full mandatory funding for the Payments in Lieu of Taxes (PILT) program, and also supports extending the Secure Rural Schools (SRS) program as a transitional funding mechanism until the federal government fully implements a sustainable, long-term forest management program with adequate revenue sharing for forest counties and schools.

Funding Wildfire Response: NACO supports federal reforms to improve forest management and hazardous fuels management on federal lands, as well as increased funding for fighting wildfires. NACO also strongly supports prioritizing invasive species treatments and coordination with local government and weed and conservation districts to maximize these efforts.

Military Withdrawals: The National Defense Authorization Act will be introduced to Congress for renewal in 2021. The boundaries for both the Air Force's Nellis Test and



Training Range and the Navy's Fallon Range Training Complex Naval Station in Nevada are subject to reauthorization, and both bases will be asking for Congress's permission to withdraw an additional 604,789 acres of land for Fallon and 220,000 acres for Nellis – an expansion of their boundaries in Nevada. There will be impacts from the proposed withdrawals on county infrastructure and local communities, which counties have outlined in extensive comments. Currently, the Fallon Draft EIS does not include either a plan for funding for the mitigation that will be necessary to pay for impacts of the withdrawal, and counties are dismayed by the Navy's omission of this in their Draft EIS. NACO urges our delegation to support counties during this process by partnering with NACO and counties to require mitigation plans to be included in any published EIS regarding the Fallon Naval Air Station.

Wild Horses and Burros: By large margin, Nevada has the largest population of wild horses and burros on public lands of any State, and wild horses and burros have long been an integral part of the landscape and heritage of Nevada. Unfortunately, wild horse and burro populations have far exceeded Appropriate Management Levels (AMLs) for some time; horse populations have a growth rate of 15 to 20 percent a year, meaning the herds double in size about every four years. The resulting overpopulation has created serious environmental concerns for horses, wildlife, and the ecology of Nevada's rangelands. This situation also has both direct and indirect impacts on counties. NACO urges our congressional delegation to assure that the Department of Interior complies with the WFRWH&BA so that Nevada's rangelands are managed in a thriving ecological balance.

Sage-Grouse: Stakeholders across Nevada have engaged in significant collaborative conservation efforts and species management planning to prevent a potential listing decision for Bi-state and Greater Sage-grouse populations under the Endangered Species Act. The Department of the Interior is currently revising the Greater Sage Grouse Land Use Plan Amendments, and counties hope this revision considers the needs of the species as well as the planning needs of the State of Nevada and Nevada's counties.

Resolution of RS 2477 Rights of Way: RS 2477 are claims of rights of way for roads on federal lands. Counties have many RS 2477 claims across Nevada which include well-traveled county roads that provide both access for the public and important emergency access. Unfortunately, the process for claiming RS 2477 rights of ways is complicated at best as administrative agencies currently will not make binding decisions to determine validity. NACO supports the resolution of public rights of way across federal lands established by RS 2477 by shifting the burden of proof for determining RS 2477 status from counties to the Federal Agencies. Federal agencies should provide clear and convincing evidence that a road is not an RS 2477 right of way prior to any proposed closure or restricted travel on that road.



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Telecommunications & Transportation

Boosting Broadband and Emerging Technologies: Nevada's Counties support the deployment and availability of emerging technologies that enable equitable economic and educational opportunities to all, including support for the development of policies and funding that may help rural counties with broadband deployment. We remain adamantly opposed to efforts and policy that usurps local authority and circumvents longstanding local zoning laws. We urge Federal policymakers to view counties as co-regulators, providers and partners in extending the benefits of advanced telecommunications and broadband technology. Federal policy makers should support local decision-making and accountability of local elected officials and should oppose any actions that would preempt or limit zoning and existing authority of local governments. We believe Nevada's counties are best poised to make decisions on these issues, fulfilling our responsibility as trustees of public property and protectors of public safety and welfare during the deployment process. Considering the recent FCC order limiting certain local government authority to regulate wireless infrastructure, NACO is concerned about any legislation further limiting county authority.

Long-term Transportation Funding and Financing: Nevada's Counties support efforts by the administration and Congress to increase our nation's infrastructure investments to help promote economic development, public safety and overall mobility. Any federal infrastructure package should reflect county priorities, such as: allocating more federal seed capital and matching funds for locally owned infrastructure, increasing local decision-making authority and flexibility, and streamlining and shortening the federal permitting process while still requiring robust public participation and world-class environmental stewardship. Additionally, the long-term solvency of the Highway Trust Fund is critical to meeting these needs and NACO supports efforts to ensure this Fund meets the needs of any proposed reforms.

I-11: NACO supports funding for current and future phases of I-11, including into Northern Nevada. The initial section of I-11 is open to traffic and will provide a significant economic benefit to Southern Nevada as well a significant potential benefit throughout Northwestern Nevada.



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County Financing and Funding

Unfunded Mandates and Preservation of County Revenues: NACO opposes any new unfunded mandates and federal initiatives that fail to protect county revenues. In addition, NACO opposes efforts by any industry seeking to create its own special immunity from state and local taxation. NACO supports efforts that preserve and enable state and local governments to exercise their tax authority.

Support Funding for the Community Development Block Grant (CDBG) Program: NACO strongly supports the Community Development Block Grant (CDBG) program established in the Housing and Community Development Act of 1974. The CDBG program provides increased opportunities for elected county officials to plan, implement, and evaluate local community development and housing assistance programs. For the potential of the CDBG program to be fully realized, it must be fully funded and properly administered.

DRAFT

The Following Pages and/or Links are Support Documentation for
Agenda Item 15b



February 15, 2019

Dagny Stapleton, Executive Director
Nevada Association of Counties
304 South Minnesota Street
Carson City, Nevada 89703

Via Email: dstapleton@nvnao.org

RE: Authorization to Provide On-call Technical Support Related to Public Land and Natural Resources Policy for the Nevada Association of Counties (NACO)

Dear Dagny:

Per your request, this letter and attachments serve as a simple agreement between NACO and RCI to provide on-call technical support services specific to public land and natural resource policy issues. RCI understands that NACO may require support between now and when a new Public Lands Specialist is hired sometime in June of 2019. As such, this agreement would start as of February 1, 2019 and end as of June 30, 2019.

At this time, RCI has developed one Task Order (attached) based on a request for support:

- Task 1 is development of a comment letter specific to the United States Environmental Protection Agency's proposed rule on determination and regulation of Waters of the United States (WOUS). RCI has already participated in a National Association of Counties (NACO) conference call update and will review past NACO and NACO comments pertinent to this subject. When the proposed rule is published, RCI will review and develop comments consistent with past positions taken by both organizations and based on any additional input from both organizations.

Going forward, when you request additional work, RCI will complete a work order that spells out the anticipated budget, deliverables and time-frame to complete the request. Once a work order is approved, RCI tracks its time and expense as a separate Project Phase for invoicing purposes and invoices that work independent of other ongoing work.

If these terms are acceptable to you, please sign this letter and attached Task 1 Work Order, which RCI will consider as approval to proceed. If you have any questions or would like to discuss this further, please feel free to contact me at any time.

Thank you,

A handwritten signature in blue ink, appearing to read "Jeremy Drew", is written over a blue circular scribble.

Jeremy Drew, Resource Project Manager
Resource Concepts, Inc.
(775) 883-1600
jeremy@rci-nv.com

JD/sb

CARSON CITY

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LAKE TAHOE

276 Kingsbury Grade, Ste. 206, Stateline, NV
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Ms. Dagny Stapleton
Nevada Association of Counties
February 15, 2019
Page 2

Attachments: 2018 RCI Fee Schedule for the Nevada Association of Counties
Task 1 Work Order Regarding Waters of the United States Comments

Approved By: W. Marvin Tebeau
W. Marvin Tebeau, Principal, RCI

2/15/19
Date

Dagny Stapleton, Executive Director,
Nevada Association of Counties

Date

Resource Concepts Inc

Fee Schedule

		<u>Billing Rate</u>
NATURAL RESOURCE SERVICES*	Principal Resource Specialist	160.00
	Resource Project Manager	140.00
	Senior Resource Specialist II	130.00
	Senior Resource Specialist I	120.00
	Resource Specialist II	110.00
	Resource Specialist I	100.00
	Resource Technician II	80.00
	Resource Technician I	70.00
	Resource Intern	60.00
<i>*Manager & Resource Specialist disciplines include: Biologist, Botanist, Fluvial Geomorphologist, Geologist, NEPA Specialist, Planner, Wildlife Biologist and Wetland Specialist</i>		
RANGE SERVICES	Principal Range Specialist	140.00
	Range Project Manager	125.00
	Senior Range Specialist II	115.00
	Senior Range Specialist I	105.00
	Range Conservationist II	95.00
	Range Conservationist I	85.00
	Range Technician II	70.00
	Range Technician I	60.00
MAPPING SERVICES (CAD & GIS)	Mapping Specialist II	105.00
	Mapping Specialist I	95.00
	Mapping Analyst	85.00
	Mapping Technician II	75.00
	Mapping Technician I	65.00
ADMINISTRATIVE SERVICES	Accounting/Business Manager	90.00
	Computer Technician	90.00
	Accounting Staff	75.00
	Word Processor	75.00
	Secretary	65.00
	Technical Aide	45.00

Terms of Payment: Invoices are due upon presentation and are past due thirty (30) days from invoice date. Past due accounts are subject to one and one-half percent (1 1/2 %) service charge per month, or the maximum allowed by law. Payment on delinquent invoices will first be applied to accrued interest and then to the principal amount. Time and expenses incurred (including any attorney's fees and collection costs) will be added to the total amount due.

This confidential information is intended only for the use of NACO and is valid for the attached proposal for professional services dated April 9, 2018. This information should not be distributed without the written authorization of RCI.

CARSON CITY
340 North Minnesota St.
Carson City, NV 89703-4152
(775) 883-1600 • fax: (775) 883-1656



LAKE TAHOE
276 Kingsbury Grade, Ste. 206, Stateline, NV
PO Box 11796, Zephyr Cove, NV 89448-3796
(775) 588-7500 • fax: (775) 589-6333

Resource Concepts Inc

Fee Schedule

Expenses

		<u>Billing Rate</u>
<i>Equipment</i>	<i>GPS (hand unit)</i>	50.00 <i>day</i>
<i>Expenses</i>	<i>Survey Drone</i>	600.00 <i>each</i>
<i>Travel</i>	<i>Mileage</i>	68.5¢ <i>mile</i>
<i>Expenses</i>	<i>ATV Use</i>	100.00 <i>day</i>
	<i>UTV Use</i>	150.00 <i>day</i>
	<i>Per Diem B-11 L-12 D-23 I-5</i>	51.00 <i>day</i>
	<i>(in & out of state)</i>	<i>plus lodging</i>
<i>Flash Drives</i>	<i>USB Flash Drive</i>	25.00 <i>each</i>
<i>Copies & Prints</i>	<i>8½" x 11" or 14" b/w copies</i>	10¢ <i>each</i>
	<i>8½" x 11" or 14" color copies</i>	25¢ <i>each</i>
	<i>11" x 17" b/w copies</i>	20¢ <i>each</i>
	<i>11" x 17" color copies</i>	50¢ <i>each</i>
	<i>24" x 36" b/w prints</i>	3.00 <i>each</i>
	<i>24" x 36" color prints</i>	6.00 <i>each</i>
	<i>24" x 36" Mylar prints</i>	10.00 <i>each</i>
	<i>30" x 42" color prints</i>	8.00 <i>each</i>
	<i>36" x 42" color prints</i>	10.00 <i>each</i>
	<i>36" x 50" color prints</i>	15.00 <i>each</i>
<i>GIS Color Prints*</i>	<i>8½" x 11" GIS color prints</i>	1.50 <i>each</i>
	<i>11" x 17" GIS color prints</i>	3.00 <i>each</i>
	<i>24" x 36" GIS color prints</i>	12.00 <i>each</i>
	<i>36" x 42" GIS color prints</i>	15.00 <i>each</i>
	<i>* GIS Color Prints: When using an aerial, photo or quad background</i>	
	<i>Other Reimbursable Expenses</i>	<i>Cost Plus 15%</i>
	<i>Consultants/Contractors</i>	<i>Cost Plus 15%</i>
<i>Legal Services:</i>	<i>Depositions and Preparation</i>	<i>1.5x regular hourly rate</i>
	<i>Expert Witness Testimony and Preparation</i>	<i>2x regular hourly rate</i>

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**Task Order as Requested by the NACO Executive Director for:
Resource Concepts, Inc. Project #XX-TBD Specific to a Scope of Work for:
Phase #1 – On-Call Services:
Task 1 Comments to the EPA’s and Department of the Army’s
Proposed Revised Definition of “Waters of the United States”**

Task Description: Development a comment letter specific to the United States Environmental Protection Agency (EPA) and Department of the Army (DOA) proposed rule on a revised definition of Waters of the United States (WOUS). As requested, RCI has already participation in a National Association of Counties (NACo) conference call update on this matter, and will review past NACO and NACo comments pertinent to this subject. When the proposed rule is published, RCI will review and develop comments consistent with past positions taken by both organizations and based on any additional input from both organizations.

Deliverables:

- Participation in any NACO or NACo coordination calls, webinars, meetings, etc.;
- Draft comment letter for review and input by NACO Staff and Board of Directors; and,
- Final comment letter for submittal to EPA and DOA.

Estimated Cost: Not to exceed \$6,000*

*RCI will invoice monthly on a time and materials basis and will only bill for time and expense needed to complete this task.

Date of Completion: April 15, 2019* (Task Order start date retroactive to Feb. 1, 2019)
*Comment Due Date



Jeremy Drew, Project Manager, RCI

2/15/19

Date

Dagny Stapleton, Executive Director, NACO

Date

The Following Pages and/or Links are Support Documentation for
Agenda Item 15d



Nevada Association of Counties

304 South Minnesota Street
Carson City, NV 89703

775-883-7863
www.nvnaco.org

February 14, 2019

Naval Facilities Engineering Command Southwest
Code EV21.SG
1220 Pacific Highway, Building 1, 5th Floor
San Diego, CA 92132

Captain David Halloran
Commanding Officer
Naval Air Station Fallon
44755 Pasture Road, Bldg. 350
Fallon, NV 89496

Re: Nevada Association of Counties Comments on the Draft Environmental Impact Statement (DEIS) for the Fallon Range Training Complex Modernization (FRTC): Expansion of Land Ranges, Airspace Modifications, and Public Land Withdrawal Renewal (83 Federal Register 66685)

Dear FRTC Modernization EIS Project Team and Captain Halloran,

The Nevada Association of Counties ("NACO") hereby submits this Draft Environmental Impact Statement ("DEIS") comment letter for the Department of Defense ("DOD") Military Land Withdrawals, initiated by the Federal Register for the Fallon Naval Base 81 Fed. Reg. 58919 (August 26, 2016). This letter is timely submitted to the Navy, by the deadline (February 14, 2019) in the subject Federal Register Notice. NACO has been designated as a representative to submit comments on behalf of Lander County, Pershing County, and Mineral County for this project. NACO's role representing these three counties is codified in the signed Memoranda of Understanding ("MOU") between the Navy and those counties, and in the Cooperating Agency Request Letters issued by each county. NACO's role is critical in providing a continuous point of contact as well as the expertise and information needed on this project. NACO does not submit information to the Navy without prior

approval from Lander County, Pershing County, and Mineral County. As a matter of practice NACO coordinates regularly with the designated representatives for Eureka County, Churchill County, and Nye County. This letter also represents the Nevada Association of Counties as the statewide organization that represents all of Nevada's counties, however, if NACO's comments conflict with those provided by associated Counties, NACO would ask the Navy to defer to the County-specific comment as the individual counties better understand their circumstances and needs.

This review and comments were coordinated with counties impacted by the proposed Fallon Range Training Complex Modernization to the extent possible. NACO reserves the right to supplement or revise comments in the future.

For further DEIS specific comments please refer to NACO's comment matrix, attached to this letter.

Mitigation and Impacts

NACO submitted comments during the coordination process and has expressed in conversations and multiple meetings with the Navy and Department of Defense officials our concern with the absence of a full mitigation analysis. To this end, NACO again requests that the EIS include a full impact and mitigation analysis, that seeks to inform the public and decision makers of the impacts of each proposed alternative and outlines the appropriate mitigation measures commensurate with the level of impacts.

NACO believes it is imperative to provide an analysis and a detailed estimate of the costs of the entire scope of the proposed withdrawal, as well as required design features. A mitigation plan must also be included that is based on this analysis, and that plan should include an appropriations package for submittal to Congress that would provide for compensation of the impacts of the proposed withdrawal by replacing or providing substitute resources. Congressional approval is an important aspect of this process, and appropriations will be required to make counties and their local communities whole from impacts that will occur. NACO has asked from the beginning that the Navy mitigate the infrastructure and revenue impacts to local governments and communities.

NACO believes the Navy acted in good faith during our numerous meetings regarding the DEIS and that there are several mechanisms available for the Navy to conduct mitigation (i.e. Taylor Grazing act, Federal Highway funds, etc.); however, discussions and workshops hold little value, if the information is not memorialized in the DEIS and the Record of Decision. For instance, NACO participated in a mitigation workshop to discuss potential



mitigation measures with the Department of Defense. Although a list of potential mitigation measures was offered and discussed, none of these measures are identified in the DEIS.

The State of Nevada Alternative

NACO supports the Navy and their ability to carry-out their training and mission programs effectively. FRTC has national implications with significant local impacts. With this in mind, the State of Nevada, NACO and State agencies developed and supported a Nevada Alternative. As NACO has expressed in previous comments, the “shift and tilt” alternative does not adequately represent what was provided to the Navy and the Department of Defense by the Office of the Governor; however, the Navy continues to present the “shift and tilt”, now the preferred alternative, as the State of Nevada Alternative. This is not the State of Nevada Alternative. We believe the State of Nevada Alternative as, originally, presented, would have allowed the Navy to carry out their mission while avoiding impacts to county roads, airports and other infrastructure. Reducing impacts would reduce the need for additional mitigation to the state and county and would have allowed for continued multiple use of public land for recreation, hunting, public access, grazing allowance, mining resource activity and geothermal development, which helps Nevada meet its alternative energy portfolio requirements.

NACO requested that the Navy consider an alternative that accommodates and meets essential Navy objectives that would offset the impacts imposed on local communities and the environment. The State of Nevada Alternative provided the Navy with an option that strikes this balance and should be comparatively represented as intended by the State.

Significant Impacts Not Addressed

Critically important elements of existing county infrastructure (and rights of way) will be impacted by the preferred alternative. The DEIS proposes the closure of Sand Canyon Road. In Pershing County, Pole Line Road is subject to closure under the preferred alternative. This road provides critical access to the Buena Vista Mine and an important access point to a rail road spur that serves the mining operation. The Gabbs Airport in Nye County will be impacted by severely restricting the airport’s eastern approach and western take-off. This impact while “not regionally specific”, will affect local air traffic, and perhaps more importantly, prevent future growth and expansion. To reiterate, all of these impacts are not outlined in the DEIS with a corresponding impact and mitigation plan.

NACO reiterates our concerns with the following issues:



- Loss of county revenue sources: from grazing, mining, recreation, and other economic sectors.
- Impacts to County-based health and safety services, including emergency services.
- Loss of County permits, ROWs, and access to County assets, including water resources and wells.
- Impacts to key industries, such as mining, grazing, renewable energy, tourism, and recreation
- Takings associated with public land uses, loss of investment-backed licenses associated with mining, grazing, renewable energy, water rights, and other economic activities within withdrawal areas. (including future impact to county revenues and community viability)
- Access to public land uses, especially wildlife restoration projects, recreation, private property, and economic activities

NACO again emphasizes that The EIS must provide a **mitigation plan for each alternative** that would include: (1) a detailed estimate of the costs of the proposed withdrawal; (2) required design features; and (3) an appropriations package for submittal to Congress. This information must be analyzed as if there will be no managed access, possibly with an “up to” amount. While each one of these alternatives includes a “managed access” component, “managed access” is at the full discretion of the Navy and can be terminated by the Commander at will, for any reason. Such a mitigation plan is needed to satisfy Step (5) of NEPA’s Mitigation Hierarchy by compensating for the impact through replacement or providing of substitute resources. (40 C.F.R. §1508.20). During previous discussions, a mitigation working group was proposed to assist the Navy in outlining any impacts.

NACO also requests that the Navy work with counties when considering closing, re-routing, or restricting travel on any highways, whether paved or gravel, and on county designated roads. For example, proposed Alternative 3 will force road closure at Sand Canyon Road, as part of this withdrawal, as well as the relocation of Route 361. NACO supports more specific mitigation analysis and planning as part of the DEIS to address these impacts.

Finally, NACO believes that the Navy has not adequately analyzed wildfire management and mitigation. Addressing the threat of wildfire across Nevada has become a top priority for local governments and communities statewide. The DEIS does not adequately describe the environmental consequences of increased fuel loads and wildfire risk that will result in further grazing losses forced by the proposed withdrawal. Managed livestock grazing can be an important and cost-effective tool to reduce wildfires in Nevada and throughout the West. The socioeconomic analysis does not consider the costs of potential wildfires caused

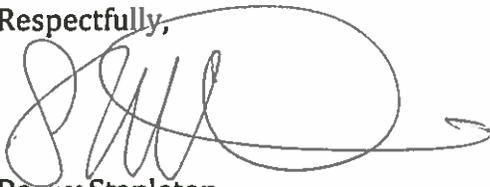


by the reduction in grazing allotments from the proposed withdrawal and is therefore incomplete.

Conclusion

Thank you for your time and consideration of NACO's comments on behalf of Lander, Mineral, Pershing Counties, and NACO. Further, NACO supports the comments provided by Nye County, Eureka County, Churchill County, and the State of Nevada. NACO, and the counties we are representing believe a strong partnership with the Navy is vital to national security - supporting an alternative solution, one that also protects and strengthens the communities in which the Navy operates, is key. We look forward to continuing working with you throughout this important process to achieve these goals.

Respectfully,



Dagny Stapleton
Executive Director

DS/vwg

- Cc: Senator Catherine Cortez-Masto
- Senator Jacky Rosen
- Congressman Mark Amodei
- Congresswoman Dina Titus
- Congressman Steven Horsford
- Congresswoman Susie Lee
- Governor Steve Sisolak

Enclosure



**Nevada Association of Counties (NACO) Comments to:
Fallon Range Training Complex Modernization Draft Environmental Impact Statement (DEIS).
February 14, 2019**

Chapter	Section	Page No.	Paragraph	Line No.	Comment
General Comment					<p>This review and comments were coordinated with associated counties impacted by the proposed Fallon Range Training Complex Modernization to the extent possible. However, NACO reserves the right to supplement or revise comments in the future. If NACO’s comments conflict with those provided by associated Counties, NACO would ask the Navy to defer to the County-specific comment as the individual counties better understand their circumstances and needs.</p>
General Comment					<p>“Significance” is described in the context of NEPA in terms of both context and intensity. The consideration of context does not mean impacts at a regional scale supersede the impacts endured at the local scale. The importance, and significance, of localized impacts must be considered and not merely dismissed because they are not regional-scale impacts. Dismissing the impacts at the local scale simply because they do not affect the regional economy is contrary to the spirit of NEPA and inappropriate in a State as economically and geographically diverse as Nevada. Further, intensity in the context of NEPA can refer to the cumulative impacts brought about by a proposed plan. While the determination of significance was determined for each resource category individually, impacts on the human communities as a whole were not assessed. The cumulative effects from all resource categories impacted by the proposed withdrawal <u>are significant</u> to the human communities affected by this proposed withdrawal.</p>
General Comment					<p>As part of the scoping process, NACO discussed a series of mitigation measures. Although a list of potential mitigation measures was offered by Cooperating Agencies, none of these measures are identified or described in the DEIS.</p> <p>To mitigate the impacts of additional land withdrawal, NACO supports the State of Nevada’s suggestion to release three areas currently designated as Wilderness Study Areas for mitigation purposes. The BLM has determined these areas are not suitable for Wilderness designation and these areas, if released, would mitigate a portion of the impacts to grazing, mining, recreation, and other impacts caused by the withdrawal.</p>

**Nevada Association of Counties (NACO) Comments to:
Fallon Range Training Complex Modernization Draft Environmental Impact Statement (DEIS).
February 14, 2019**

1	1.9	1-33	4	40	Alternative 3 proposes to close 356,400 acres of BLM grazing allotments and 4,187 acres of Bureau of Reclamation livestock grazing areas. Federal grazing permit holders must be compensated for their losses due to the proposed withdrawal. Although the Navy has authority under 43 U.S.C. of the Taylor Grazing Act of 1934 to make payments to federal grazing permit holders for losses suffered as a result of the withdrawal, this payment would only be available if approved by Congress. As the public has yet to see anything regarding an appropriations package for the proposed withdrawal, there is no certainty that these losses will be mitigated. Communities and local economies should be kept “whole” as part of any proposed withdrawal, there is zero to limited assurance that this will be accommodated in the DEIS.
3	3.3.4.5	3.3-65	2		The DEIS does not address if or how mining claimants, in particular patented claims, will be reimbursed should this land be withdrawn. Claimants are required to pay annual fees to the Bureau of Land Management to protect and preserve their mining claims. These fees are even still being paid by claimants, as instructed by the BLM, despite the uncertainty caused by the FRTC Modernization proposal. This proposed withdrawal puts those claims at risk by severely limiting exploration and production, rendering such claims useless. NACO urges the Navy to work with the BLM and claimants to mitigate these impacts appropriately for impacted mining claims. As with grazing, communities and local economies should be kept “whole” as part of any proposed withdrawal, there is zero to limited assurance that this will be accommodated in the DEIS.
3	3.4.1.4	3.4-4	2	11-13	NACO also urges the Navy to work with individual grazing permittees regarding impacts to grazing caused by the proposed withdrawal. The DEIS does not currently provide any plans for mitigating impacts to or loss of grazing revenue caused by the proposed withdrawal.
3	3.4.3	3.4-20	All		The DEIS does not adequately describe the environmental consequences of grazing losses due to the proposed withdrawal, with regards to fuel loads and wildfire. Managed livestock grazing can be an important and cost-effective tool to reduce wildfires in Nevada and throughout the West. Furthermore, as the socioeconomic analysis does not consider the costs of potential wildfires caused

**Nevada Association of Counties (NACO) Comments to:
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					by the reduction in grazing allotments from the proposed withdrawal, the socioeconomic analysis is incomplete.
3	3.5.3.5.1	3.5-40	1		NACO urges the Navy to work with Counties when considering closing, re-routing, or restricting travel on any thruways or county access roads. For instance, there is a proposed road closure at Sand Canyon that would prohibit access to that recreation area as part of this withdrawal as well as Route 361 needing to be moved. NACO supports more specific mitigation analysis and planning as part of the DEIS to address these impacts.
3	3.6.3.5.1	3.6-27	2		The Federal Aviation Administration has awarded Gabbs Airport in Nye County funds for runway rehabilitation as part of the Airport Improvement Program (AIP). The AIP is meant to provide funds for the maintenance of aviation infrastructure necessary to ensure safe travel and maintain connectivity in Nevada. The DEIS does not mention this grant awarded to Gabbs Airport nor does it mention how the proposed alternatives intend to work with Nye County and Gabbs Airport to ensure this grant can and will be used for its intended purposes.
3	3.13.3.2.3	3.13-33	2	17-18	NACO would suggest adding to this discussion: According to the Uniform Appraisal Standards for Federal Land Acquisitions, any changes in the market value of the property, caused by the proposed government project, prior to the appraisal must be disregarded when determining the appraisal. "The appraiser must disregard changes...brought about by the government's project for which the subject property is being acquired."
	[NEED SECTION NO.]				NACO is concerned that the proposed increase in operation hours including the increase in number of military flights proposed (4-5 times the current level) in the DEIS would severely limit commerce and civilian traffic within the FRTC airspace. This would significantly impact Gabbs Airport and could potentially impact additional local airports as well (Austin, Eureka, Kingston, etc.). Further, previous conversations with the Navy indicated Gabbs Airport would be unaffected as it would be "cut out" of the impacted area caused by restricted areas and expansion of the firing ranges. That is not currently depicted in the DEIS.

**Nevada Association of Counties (NACO) Comments to:
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	[NEED FIGURE NO.]				Existing maps seem to indicate there is restricted airspace over the VFR Corridor. Please revise to show civilian and commercial access to the VFR Corridor.
	[NEED FIGURE NO.]				US 95A appears to be overlapping Restricted Area R4810. NACO requests the Navy add a provision in the EIS to allow further development of US 95A as well as US 95, US 50, and I-11.
3	3.14.2.1.2	3.14-5	All		Resources available to State and local agencies to fight wildfires is limited. Control of fires caused by FRTC activities should be the responsibility of the FRTC.
6	6.1	6.1	1		Churchill County's Master Plan is referenced, but no other County planning or land use documents are referenced throughout the DEIS. Were any other County Plans reviewed prior to development of this EIS? At a minimum, Eureka County, Lander County, Lyon County, Mineral County, Nye County, and Pershing County Master Plans and/or Land Use Plans should also be reviewed and referenced in the EIS.