

ASSEMBLY BILL NO. 242—ASSEMBLYMEMBERS
DELONG, GURR; AND KOENIG

FEBRUARY 17, 2025

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the Sagebrush Ecosystem Council. (BDR 18-214)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the management of land; requiring the Sagebrush Ecosystem Council in the Department of Conservation and Natural Resources to establish by regulation a program to mitigate damage to sagebrush ecosystems; requiring the Council to set forth in regulation any method or formula used by the habitat quantification tool developed by the Council as part of the program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Sagebrush Ecosystem Council within the Department
2 of Conservation and Natural Resources. Existing law requires the Council to
3 establish a program to mitigate damage to sagebrush ecosystems by creating a
4 system to award credits to certain persons and entities to protect, enhance or restore
5 sagebrush ecosystems. (NRS 232.162) This bill requires the Council to establish the
6 program by regulation. In establishing the program, this bill further requires the
7 Council to: (1) develop a habitat quantification tool; and (2) set forth in regulation
8 any method or formula used by the habitat quantification tool for calculating debits
9 and credits.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 232.162 is hereby amended to read as follows:
2 232.162 1. The Sagebrush Ecosystem Council is hereby
3 created in the Department. The Council consists of:



1 (a) The following nine voting members appointed by the
2 Governor:

- 3 (1) One member who represents agricultural interests;
- 4 (2) One member who represents the energy industry;
- 5 (3) One member who represents the general public;
- 6 (4) One member who represents conservation and
7 environmental interests;
- 8 (5) One member who represents mining interests;
- 9 (6) One member who represents ranching interests;
- 10 (7) One member who represents local government;
- 11 (8) One member who acts as a liaison for Native American

12 tribes; and

13 (9) One member of the Board of Wildlife Commissioners or
14 his or her designee.

15 (b) In addition to the members appointed pursuant to paragraph
16 (a), the following nonvoting members:

17 (1) The Director of the State Department of Conservation
18 and Natural Resources;

19 (2) The Director of the Department of Wildlife;

20 (3) The Director of the State Department of Agriculture;

21 (4) The State Director of the Nevada State Office of the
22 Bureau of Land Management;

23 (5) The State Supervisor of the Nevada State Office of the
24 United States Fish and Wildlife Service;

25 (6) The Forest Supervisor for the Humboldt-Toiyabe
26 National Forest; and

27 (7) Any other members appointed by the Governor as
28 nonvoting members.

29 2. The provisions of subsection 6 of NRS 232A.020 do not
30 apply to the appointment by the Governor of the members of the
31 Council.

32 3. After the initial terms, each member of the Council
33 appointed pursuant to subparagraphs (1) to (8), inclusive, of
34 paragraph (a) of subsection 1 and subparagraph (7) of paragraph (b)
35 of subsection 1 serves a term of 4 years, commencing on July 1.

36 4. A vacancy in the membership of the Council must be filled
37 in the same manner as the original appointment for the remainder of
38 the unexpired term. A member may be reappointed.

39 5. While engaged in the business of the Council, each voting
40 member is entitled to receive a salary of not more than \$80 per day,
41 as established by the Council, and the per diem allowance and travel
42 expenses provided for state officers and employees generally.

43 6. The Council may:

44 (a) Adopt regulations to govern the management and operation
45 of the Council;



1 (b) Establish subcommittees consisting of members of the
2 Council to assist the Council in the performance of its duties; and

3 (c) Consider and require the recovery of costs related to
4 activities prescribed by paragraph (d) of subsection 2 of NRS
5 321.594 pursuant to NRS 701.600 to 701.640, inclusive, or any
6 other authorized method of recovering those costs.

7 7. The Council shall:

8 (a) Consider the best science available in its determinations
9 regarding the conservation of the greater sage grouse (Centrocercus
10 urophasianus) and sagebrush ecosystems in this State;

11 (b) Establish and carry out strategies for:

12 (1) The conservation of the greater sage grouse and
13 sagebrush ecosystems in this State; and

14 (2) Managing land which includes those sagebrush
15 ecosystems, taking into consideration the importance of those
16 sagebrush ecosystems and the interests of the State;

17 (c) Establish and carry out a long-term system for carrying out
18 strategies to manage sagebrush ecosystems in this State using an
19 adaptive management framework and providing for input from
20 interested persons and governmental entities;

21 (d) Oversee any team within the Division of State Lands of the
22 Department which provides technical services concerning sagebrush
23 ecosystems;

24 (e) Establish *by regulation* a program to mitigate damage to
25 sagebrush ecosystems in this State by authorizing a system that
26 awards credits to persons, federal and state agencies, local
27 governments and nonprofit organizations to protect, enhance or
28 restore sagebrush ecosystems;

29 (f) Solicit suggestions and information and, if necessary,
30 prioritize projects concerning the enhancement of the landscape, the
31 restoration of habitat, the reduction of nonnative grasses and plants
32 and the mitigation of damage to or the expansion of scientific
33 knowledge of sagebrush ecosystems;

34 (g) If requested, provide advice for the resolution of any conflict
35 concerning the management of the greater sage grouse or a
36 sagebrush ecosystem in this State;

37 (h) Coordinate and facilitate discussion among persons, federal
38 and state agencies and local governments concerning the
39 maintenance of sagebrush ecosystems and the conservation of the
40 greater sage grouse;

41 (i) Provide information and advice to persons, federal and state
42 agencies and local governments concerning any strategy, system,
43 program or project carried out pursuant to this section or NRS
44 321.592 or 321.594; and



1 (j) Provide direction to state agencies concerning any strategy,
2 system, program or project carried out pursuant to this section or
3 NRS 321.592 or 321.594 and resolve any conflict with any direction
4 given by another state board, commission or department jointly with
5 that board, commission or department, as applicable.

6 8. *In establishing a program to mitigate damage to sagebrush*
7 *ecosystems pursuant to paragraph (e) of subsection 7, the Council*
8 *shall:*

9 (a) *Develop a habitat quantification tool; and*

10 (b) *Set forth in regulation any method or formula used by the*
11 *habitat quantification tool for calculating debits and credits.*

12 9. On or before June 30 and December 31 of each year, the
13 Council shall submit a written report to the Governor. The report
14 must include, without limitation:

15 (a) Information concerning the overall health and population of
16 the greater sage grouse within this State and in the United States and
17 the overall health of sagebrush ecosystems within this State,
18 including, without limitation, information concerning any threats to
19 the population of sage grouse and any sagebrush ecosystems within
20 this State;

21 (b) Information concerning all strategies, systems, programs and
22 projects carried out pursuant to this section and NRS 321.592 and
23 321.594, including, without limitation, information concerning the
24 costs, sources of funding and results of those strategies, systems,
25 programs and projects; and

26 (c) Any other information specified by the Council.

