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11/14/00 TUE 16:00 FAX 7756878120

NV PUC STAFF/LANSON

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Judy Stockey

POWER GENERATION PERMITTING

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**BACKGROUND**

The four major county and state generation permitting agencies within the State of Nevada are the Clark County District Health Department (CCDHD), the Washoe County District Health Department (WCDHD), the Nevada Division of Environmental Protection (NDEP), and the Nevada Public Utility Commission (PUCN). Health Department or NDEP jurisdiction depends on the location of the proposed facility and type of generation. NDEP has jurisdiction for all steam units in the state. New generation also requires local county government approval. If the proposed facility is located on or impacts federal land, the Bureau of Land Management becomes a major permitting agency, which may require an Environmental Assessment or Environmental Impact Statement. This federal involvement impacts permitting schedules significantly by adding up to 24 months to the process. In Nevada, the United States Forest Service has never permitted a generation facility.

**PERMITS REQUIRED AND AGENCY REVIEWS**

Numerous environmental permits and agency reviews are required prior to construction of new facilities. These permits or reviews address air quality, water quality, water usage, hazardous materials, and archaeological, historical, wildlife, aquatic, and vegetative impacts.

A typical listing of agency reviews includes: Nevada Division of Environmental Protection, Nevada Division of Water Resources, Nevada Division of Wildlife, Nevada Division of State Lands, Nevada State Historic Preservation Office, Nevada Public Utility Commission, local county governments, i.e. health departments, planning commissions, and county commissions, Bureau of Land Management, U.S. Fish and Wildlife Service, Army Corp of Engineers, and the U.S. Environmental Protection Agency.

Major permits typically required for new generation include:

- Air Emissions Permit issued by NDEP, CCHD, or WCDHD (4-36 months)
- Special Use Permit issued by local county commission (3-12 months)
- Process Water Discharge Permit issued by NDEP (3-6 months)
- Archaeological and Historical Preservation Review issued by State Historic Preservation officer (2-3 months)
  - Utility Environmental Protection Act review by PUCN (2-3 months)
  - BLM Conditional Use Permit (12-36 months)

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ASSEMBLY NATURAL RES., AGRICULTURE & MINING  
DATE: 4/9/03 ROOM: 3161 EXHIBIT F 1-4  
SUBMITTED BY: Judy Stockey

11/14/00 TUE 16:01 FAX 7756876120

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These permits require public notice and schedules can be dramatically impacted by public and agency intervention.

Other minor permits that may be required include:

- Wetlands Disturbance Permit issued by U.S. Army Corp of Engineers (1-3 months)
- Wetlands, Stream and River Impact Permits issued by Nevada Division of State Lands (1-3 months)

### PERMITTING SCHEDULE

Permit acquisition times vary depending on generation, fuel source, location of the air basin of the proposed facility, projected air emissions, and BLM involvement. Generally, natural gas fired generation can be permitted quicker than coal generation. As a rule of thumb, coal fired power plants require an additional 12 months to permit and the BLM approval process adds 12-24 months to permitting schedules.

A natural gas fired simple (peaking) or combined cycle (base loaded) combustion turbine without BLM involvement and unlimited hours of operations requires from 18-36 months to permit depending on the factors identified above. The permitting time for a simple cycle combustion turbine (peaking unit) can be drastically reduced if the owner is willing to reduce hours of operation of the facility and not trigger significant air emission impacts. Under the limited operating hour scenario, permitting times range from 4-9 months. This strategy has been used in the past by Sierra and, currently, is being utilized by independent power producers to reduced permitting time.

# **CURRENT / PROPOSED TRANSMISSION LINE PERMITTING PROCESS WHEN A FEDERAL APPROVAL IS REQUIRED**

	Federal Environmental Review (EA) Process - 12 to 18 Months												Month 30
	Month 19	Month 20	Month 21	Month 22	Month 23	Month 24	Month 25	Month 26	Month 27	Month 28	Month 29	Month 30	
<b>Current Process<sup>1, 2, 3</sup></b>													
<b>Revised Process Require Concurrent Review</b>													

## **Footnotes:**

- 1) Denial or changes to a proposed project location by a Local Agency would lead to repeating the entire Local and State process, increasing the approval time.
- 2) If Federal Agencies require an Environmental Impact Statement, then the timeframes stated above would increase by 6 to 18 months.
- 3) The PUCN has the ability to complete UEPA concurrently under existing statutes, and has exercised this authority to the benefit of several recent transmission projects.

