

NAC 232.460 Applicability. (NRS 232.162)

1. Except as otherwise provided in this section and to the extent it is not prohibited by federal law, the provisions of NAC 232.400 to 232.480, inclusive, apply to any person or entity that proposes an activity or project on public lands subject to state or federal review, approval or authorization, that will cause an anthropogenic disturbance.

2. The provisions of NAC 232.400 to 232.480, inclusive, do not apply to:

- (a) A direct anthropogenic disturbance on private lands;
- (b) An activity or project which was approved by all relevant federal agencies and state agencies before December 7, 2018, so long as the activity or project maintains compliance with any condition or requirement for any such approval;
- (c) An activity or project using a mitigation agreement or framework agreement for greater sage-grouse signed by the United States Fish and Wildlife Service before December 7, 2018, and any amendments thereto;
- (d) A mineral exploration project which is limited to a surface disturbance of not more than 5 acres;
- (e) An activity or project that:
 - (1) Is necessary to protect public health or safety; or
 - (2) Will have a de minimis impact to greater sage-grouse and sagebrush ecosystems in this State; or
- (f) Any emergency activity or routine administrative activity that:
 - (1) Is performed by a federal agency, state agency, local government or utility for a public purpose; and
 - (2) Does not require any additional approval from the Federal Government or the State.

(Added to NAC by Sagebrush Ecosystem Council by R024-19, eff. 10-30-2019)