

JOE LOMBARDO
Governor



Sagebrush Ecosystem Program

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STATE OF NEVADA
Sagebrush Ecosystem Program

June 25, 2026

Jake Brunson
Mt. Wheeler Power
1600 Great Basin Blvd.
Ely, NV 89301

Dear Mr. Brunson,

The Sagebrush Ecosystem Program (SEP) has reviewed the three-phase distribution powerline in Dolly Varden Valley and Antelope Valley that goes to both the Goshute Radar Tower and the local communities for a public safety exemption per NAC 232.460, quoted below.

NAC 232.460 Applicability. ([NRS 232.162](#))

2. The provisions of [NAC 232.400](#) to [232.480](#), inclusive, do not apply to:...
- (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.

The SEP has determined that neither of the proposed activities qualifies for an exemption under NAC 232.460. The first request, concerning the construction of a new powerline to support the Ibapah community, does not meet this criterion, as the activity primarily addresses standard infrastructure reliability rather than an immediate and necessary public health or safety concern. Neither is it an emergency activity that does not require approval from the Federal or State governments.

The second request is regarding the power connection to the Goshute Radar Site to support national defense operations and mitigate risks associated with reliance on generator power. Although national security is important, activities that support defense infrastructure or national security objectives do not automatically qualify for exemption unless they directly address urgent threats to the health or safety of the public. In this case, the activity is primarily related to operational continuity and defense training, which are not encompassed within the scope of NAC 232.460's exception.

Therefore, these activities do not meet the exemption criteria outlined in NAC 232.460, and as such, the requirement to offset the Conservation Credit System's debit obligation remains applicable.

Please do not hesitate to reach out if you require further clarification.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen Steele". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Kathleen Steele
Program Manager
Sagebrush Ecosystem Program