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ASSEMBLY CONCURRENT RESOLUTION NO. 3—ASSEMBLYMEN  
PETERS; AND WATTS

MARCH 8, 2021

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Referred to Committee on Legislative Operations and Elections

SUMMARY—Requires the Legislative Commission to appoint an interim committee to conduct a study concerning environmental justice. (BDR R-568)

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

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ASSEMBLY CONCURRENT RESOLUTION—Requiring the Legislative Commission to appoint an interim committee to conduct a study concerning environmental justice.

1 WHEREAS, Technological progress has advanced society  
2 bringing economic prosperity to some, but also resulting in  
3 significant degradation to the environment, the effects of which  
4 have been disproportionately borne by a subset of the population  
5 globally and in the State of Nevada; and

6 WHEREAS, The United States Environmental Protection Agency  
7 defines environmental justice as the fair treatment and meaningful  
8 involvement of all people regardless of race, color, national origin  
9 or income with respect to the development, implementation and  
10 enforcement of environmental laws, regulations and policies; and

11 WHEREAS, Environmental justice will be achieved only when all  
12 people have the same degree of protection from environmental and  
13 health hazards and an equal opportunity to have meaningful  
14 involvement in the development, implementation and enforcement  
15 of environmental laws, regulations and policies; and

16 WHEREAS, The State has not historically contemplated  
17 principles of environmental justice, especially with regard to the  
18 exploitation of its natural resources, the appropriation of land from  
19 indigenous communities and pollution from various industries; and

20 WHEREAS, The State has broad powers related to natural  
21 resources, technological progress and environmental equity,  
22 including powers related to permitting, proposing legislation,



1 promulgating regulations and enforcing such laws and regulations  
2 which impact the air, climate, land and water of this State; and

3 WHEREAS, In the exercise of such powers, the State must  
4 examine the impact of state and local decision making to determine  
5 whether the actions of the State and local governments degrade the  
6 quality of the environment, in order to provide the information  
7 necessary to ensure such actions minimize habitat and ecosystem  
8 destruction, respect community perspectives and promote  
9 environmental justice; and

10 WHEREAS, Given the State's unique environment, natural  
11 resources and indigenous and other underserved communities, a  
12 state-level environmental review process incorporating  
13 environmental justice principles and broad input from a diverse  
14 array of stakeholders would enable the State and receive much  
15 needed input from experts on environmental impact review, state  
16 and federal agencies and local communities resulting in a more  
17 transparent and consistent process; and

18 WHEREAS, the Legislature has an inherent interest in the health,  
19 safety and general welfare of all Nevadans; now, therefore, be it

20 RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE  
21 SENATE CONCURRING, That the Legislative Commission is hereby  
22 directed to appoint an interim committee composed of three  
23 members of the Assembly and three members of the Senate, one of  
24 whom must be appointed by the Legislative Commission as Chair of  
25 the interim committee, to conduct an interim study concerning  
26 environmental justice in this State; and be it further

27 RESOLVED, That the study must include, without limitation, an  
28 examination of:

29 1. Recommendations for legislation to develop an  
30 environmental justice review process in any environmental action or  
31 review undertaken by the State or political subdivision of the State,  
32 which may include a consideration of additional costs resulting from  
33 the review process and the subsequent need to revise any associated  
34 fees;

35 2. Criteria to trigger a state, county or other local review  
36 process, including projects that are subject to Federal review under  
37 the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321  
38 et seq.;

39 3. Gaps in existing programs, policies or activities that may  
40 impede the achievement of environmental justice, with special  
41 attention to identifying any reasons for a lack of engagement from  
42 marginalized communities;

43 4. Procedures to ensure public documents, notices and public  
44 hearings relating to human health or the environment are concise,  
45 understandable and readily accessible to the public;



1 5. Procedures for the review of projects that provide for  
2 effective coordination with local governments, consistency in the  
3 review process and accountability to affected communities, project  
4 proponents and regulators;

5 6. Procedures for collecting, maintaining, analyzing and  
6 coordinating information relating to an environmental justice  
7 strategy in this State;

8 7. Barriers to developing an interagency environmental justice  
9 strategy for the State; and

10 8. Any other matters related to environmental justice; and be it  
11 further

12 RESOLVED, That the interim committee shall, in a series of  
13 public hearings conducted throughout the State, consult with and  
14 solicit the input of state, federal and local agencies, affected  
15 communities, the public as a whole and other interested  
16 stakeholders, including, without limitation:

17 1. State and local government agencies which oversee state,  
18 local or regional air quality regulations, environmental protection  
19 requirements, housing, land use planning, natural resources and  
20 transportation;

21 2. Representatives from environmental organizations;

22 3. Representatives from the business community; and

23 4. Representatives from community organizations, including  
24 indigent populations and other underserved communities; and be it  
25 further

26 RESOLVED, That the interim committee shall conduct such  
27 hearings in a manner that allows for optimal public engagement and  
28 the sharing of perspectives; and be it further

29 RESOLVED, That the Chair may appoint such subcommittees or  
30 technical advisory groups as the Chair determines necessary to assist  
31 the interim committee in carrying out the duties prescribed by this  
32 resolution; and be it further

33 RESOLVED, That the members of any technical advisory group  
34 appointed pursuant to this resolution are not required to be members  
35 of the interim committee and any members who are not members of  
36 the interim committee serve without compensation; and be it further

37 RESOLVED, That any recommended legislation proposed by the  
38 interim committee be approved by a majority of the members of the  
39 Assembly and a majority of the members of the Senate appointed to  
40 the interim committee; and be it further

41 RESOLVED, That the Legislative Commission submit a report of  
42 the results of the study and any recommendations for legislation to  
43 the 82nd Session of the Nevada Legislature; and be it further



1 RESOLVED, That this resolution becomes effective upon  
2 adoption.

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