



STATE OF NEVADA
SAGEBRUSH ECOSYSTEM COUNCIL
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MINUTES

Action was taken to approve minutes October 10, 2013.

Date: Thursday, September 12, 2013 8:30 a.m.
Time: The Nevada Legislative Building
Place: 401 S. Carson Street, Room 1214, Carson City, Nevada 89701

Video Conference was made available to: Winnemucca – Humboldt Co. Cooperative Extension, 1085 Fairgrounds Rd Winnemucca; Ely – White Pine County Cooperative Extension, 995 Campton St Ely, NV.

A full recording of this meeting is accessible through the following website -
http://sagebrusheco.nv.gov/Meetings/Sagebrush_Ecosystem_Council_Meeting/

Council Members Present: Allen Biaggi, Steven Boies, Doug Busselman, Jeremy Drew, Leo Drozdoff, Bill Dunkelberger, JJ Goicoechea, Ted Koch, Starla Lacy, Amy Lueders, Tina Nappe, and Tony Wasley.

Council Members Absent: Jim Barbee, Gerry Emm, Kent McAdoo

Others Present: Robert Little, representing Dept. of Ag on behalf of Jim Barbee

1. **CALL TO ORDER** – Chairman Goicoechea called the meeting to order at 8:35 am.
2. **PUBLIC COMMENT** – No public comment in Ely or Winnemucca.
Carson City public comments:
 - a. Debbie Struhsacker, representing the Nevada Mineral Resources Alliance. Ms. Struhsacker requested the Council give consideration to the letter she submitted pertaining to agenda item 9. The letter states concerns regarding the SETT and Council's authority outlined in AB461 and the State Plan developed by the Advisory Committee to be in the best interest of the state.
 - b. Fred Fulstone, Smith Valley, NV – presented a packet to the council and noted his concerns regarding livestock and the possible impacts of a listing by the USFWS.
 - c. Cliff Gardner, representing Rural Heritage Preservation Project. Mr. Gardner read a statement into the record and provided the statement to staff. He expressed his

concerns that the Council has not considered the best available science presented by his organization. He noted there is no transparency in the Council and the process.

- d. Floyd Rathbun, Fallon ranching consultant. Mr. Rathbun discussed points outlined in Mr. Fulstone's packet presented earlier to the council.
- e. Bob Clifford, representing the Fallon Tea Party. Expressed his disappointment in the direction of the Council.

3. **REVIEW AND CONSIDERATION OF APPROVAL OF AGENDA** – Mr. Rubald noted a request from the Dept. of Agriculture to move agenda item #10 before agenda item #9 in consideration of time. Member Nappe moved to approve the agenda with the suggested amendment; seconded by Member Busselman, motion passed unanimously. ***Action**

4. **REVIEW AND CONSIDERATION OF APPROVAL OF MINUTES**

A. *Approval of minutes from the meeting held July 30, 2013.* Member Koch proposed a correction of the spelling of Salena Werdon's name to the recording secretary. Member Boies made a motion to approve the July 30 minutes, as amended; seconded by Member Drew, motion passed unanimously. ***Action**

5. **COUNCIL MEMBER ITEMS AND CORRESPONDENCE:**

A. Member Busselman provided an update on the Nevada Cheatgrass Action Team's tour and his participation.

6. **FEDERAL AGENCY UPDATES – UPDATES OF AGENCY ACTIVITIES SINCE LAST MEETING:**

A. US Fish and Wildlife Service – Member Koch provided an update on the USFWS timeline. The Service is working closely with BLM and USFS on their NEPA process and developing the Draft EIS. The Bi-State decision will be released the first or second week in October. Member Koch clarified the timeline of the documents that have and will be released. He noted all the documents are taken into consideration by the Service when making a decision whether to list or not.

B. Bureau of Land Management – Member Lueders provided a update on BLM planning efforts on the Greater Sage-grouse; the Draft EIS is expected to be published October 11, 2013 and released for a 90 day public comment period. The public comment period will end in early January. There will be public meetings held in early November; those meetings will be held in the same locations as the public scoping meetings. The Draft EIS is for the rangewide grouse population in Nevada and northern California.

C. US Forest Service – Mr. Dunkleberger introduced Jim Winfrey, Land Management Planner, Region 4, Humboldt-Toiyable National Forest. Mr. Winfrey provided an overview presentation to the Council on the Bi-State Draft EIS. A discussion ensued regarding the Draft, and RMP standards. Results thus far include: 17,000 acres of PJ removal, habitat restoration work, and private land coordination. The Draft EIS comments are due by November 12; and the draft includes standards, guidelines and objectives, it addresses wildfire and restoration activities.

D. Other – No other agency updates.

7. **STATE AGENCY UPDATES – UPDATES OF AGENCY ACTIVITIES SINCE LAST MEETING:**

A. Department of Conservation and Natural Resources – Member Drozdoff noted Member Wasley would be attending the meeting and will arrive in time to participate in the discussion associated with agenda item 9. He noted discussions with agencies and delegations, have noted concepts are evolving, rather than a written plan in place. It has been expressed that the State plan will be a key, viable component to whatever they are putting together. He addressed the outfall regarding the work completed by the SETT on 3.0, and clarified the team takes direction from the Council and are not decision makers.

B. Department of Wildlife – Member Wasley noted that the 2013 Sage-grouse Lek database has been updated – trend Lek analysis from the 2013 lek count data indicates male attendance in Nevada declined by 22% from 2012 data; and male attendance was down 34% from the long term average. NDOW subgrant agreements and some amendments were developed for the Virginia Mountain Sage-grouse research project and the Sheldon Hart Masacre research projects; these amendments provide funding for FY14. They continue to see some degraded habitat conditions within important Sage-grouse habitats, especially near wet meadows and springs – a by-product of drought conditions and horse numbers. Staff developed a summary write up to the Western Association of Fish & Wildlife Agencies (WAFWA) Fire and Invasive Species working group to convey the effects of exotic grasslands on Greater Sage-grouse vital rates and habitat selection.

C. Department of Agriculture – Robert Little, representing Jim Barbee, provide a brief update regarding the department pursuing a pesticide registration fee increase from \$100 to \$125; if approved, this will create a new funding source of approximately \$200,000 per year to fund invasive plant activities on the ground. The department has hired a new Animal Industry Administrator, Flint Wright. Mr. Little will provide additional updates to the council under agenda item 10.

D. Sagebrush Ecosystem Technical Team – Mr. Rubald updated the council on the SETT participation with the Science Work Group. Twenty-five to thirty people, including UNR, private industry groups and DRI participated. Meetings are posted on the website under the Staff tab. The next meeting will be held September 19, at DRI. Mr. Rubald noted the Nevada Cheatgrass Action Team (NCAT) tours will also be posted under the Staff tab. At this time, the next tour has not been scheduled.

Jeff White, with Newmont Mining noted he is currently working on coordinating the next NCAT meeting that will be hosted by Newmont in October.

E. Other – Cory Hunt from the Governor’s Office was not in attendance.

8. DISCUSSION OF THE USFWS’ OBSERVATIONS ON MAXIMIZING SAGEBRUSH ECOSYSTEM COUNCIL EFFECTIVENESS

A. Ted Koch, State Supervisor, USFWS provided a credit concept handout to the Council for review. He provided a PowerPoint presentation to the Council; the presentation is available on the website. The Council discussed and reviewed some of the USFWS’ suggestions on effectiveness. Member Koch emphasized the Services’ support of the state led process. He suggested maximizing the Council’s effectiveness by submitting comments to the draft EISs in a timely manner. In September 2014 the USFWS will request a datacall to identify what we’re doing and where. He noted by utilizing the USGS habitat models being developed by Dr. Peter Coates, and incorporating best science with existing data this fall, will provide a good foundation and data gaps will be addressed in the second phase.

Member Lueders urged the importance of the Conservation Credit System and the criteria of how it applies to all lands; noting it must demonstrate effectiveness. BLM will need a fleshed out State Alternative by February 2014.

Member Koch said the priority is to complete the plan where it demonstrates a value to the habitat so it can be considered in the Services' decision.

9. PRESENTATION ON INVASIVE SPECIES

A. Kelly McGowan, SETT; Robert Little, Noxious Weeds Coordinator, Nevada Department of Agriculture, and Jaime Greer, Weed Free Certification and Grant Programs Coordinator, Nevada Department of Agriculture provide a PowerPoint presentation and discussed noxious and invasive plant species, reviewed the State definitions and regulations, and potential mapping features offered through EDDMapS. Presentations are available on the website.

The Council recessed for a lunch break.

10. DISCUSSION OF RESPONSES TO THE SETT'S SUGGESTED CHANGES TO SECTION 3.0 GOALS AND OBJECTIVES TO THE STATE PLAN. CONSIDERATION OF ITEMS FOR INCORPORATION INTO AN UPDATED VERSION OF SECTION 3.0, WILL BE DISCUSSED.

A. A discussion and possible consideration of issues related to "Avoid, Minimize and Mitigate". A discussion of the Council ensued relating to the definition of avoid, minimize and mitigate.

Member Biaggi made a motion to adopt the following definition: The definition of avoid does not include new mandatory set asides or exclusion zones, yet identifies and recognizes the highest quality habitat, as mapped and verified on the ground, and provides for a system through mitigation ratios, habitat quality, distance criteria and other factors determined by the Council to ensure the protection and conservation of that habitat.

Motion was seconded by Member Busselman. Vote was six in favor with one abstention by Member Nappe.

B. A discussion and possible consideration of the goal regarding "no net loss" and determination of the parameters and definitions involved. ***Item deferred to October meetings.**

C. A discussion and possible consideration of processes and definitions regarding issues with the concept of Maximum Allowable Disturbance. ***Item deferred to October meetings.**

D. A discussion and possible consideration of indirect impacts and determination of a process to determine the parameters of these issues. ***Item deferred to October meeting.**

11. DISCUSSION OF MODIFIED SAGEBRUSH ECOSYSTEM PROGRAM DETAILED TIMELINE

A. The SETT briefly discussed changes made to the work timelines pertaining to the Conservation Credit System and the USGS Habitat Suitability Mapping since the Council's review at the July 30, 2013 Council Meeting. The Council was provided a copy of the updated timeline for review and collaboratively accepted the changes.

12. REVIEW OF ACTION ITEMS AND FUTURE AGENDA ITEMS DRAFTED ON FLIP CHARTS DURING THIS MEETING

A. The Council, with staff assistance, reviewed items discussed as well as items acted upon during this meeting, and determined which of those they wished to direct staff to further work on, as well as which items the Council wishes to act on that may not have been acted upon during earlier discussion. ***No Action Taken**

Possible Agenda Items for the October Meetings:

- Agenda items deferred from the September 12 meeting
- NDOW presentation on SG Population Distribution Maps
- Section 3.0 revision updates including SEC comments
- SGI Presentation
- Discussion of released RFP for the Conservation Credit System

Action Items:

- SETT to develop processes or activities on how avoid verbiage out of the MOU Mining agreement.
- SETT to present possible objectives for "Acts of Nature"

B. The Council determined they will meet two days in October to address items that were deferred on today's agenda as well as those outlined above. The meetings will be held October 10 & 11 at the Nevada Legislature Building, Room 4100, with a starting time of 8:30 a.m.

13. PUBLIC COMMENT – No public comment in Ely or Winnemucca.

Carson City Public Comment: Naomi Duerr, made comment that any new maps need to be useful and informational identifying "avoid" and highest value areas.

14. ADJOURNMENT – Member Nappe moved to adjourn the meeting, meeting adjourned by declaration at 4:42 pm.