



STATE OF NEVADA
SAGEBRUSH ECOSYSTEM COUNCIL
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DRAFT MINUTES

Date: Thursday, August 21, 2014 – 8:30 AM
Time: The Nevada Legislative Building
Place: 401 S. Carson Street, Room 4100, Carson City, Nevada 89701

The meeting could be viewed on the internet at: <http://www.leg.state.nv.us/App/Calendar/A/>

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

Council Members Present: Jim Barbee (left at 11:58 AM), Allen Biaggi, Steven Boies, Gary Emm (arrived at 8:54 AM), JJ Goicoechea, Starla Lacy (via telephone, at 10:58 AM), Bevan Lister, Chris MacKenzie, Tina Nappe, Sherm Swanson, Tony Wasley - Proxy: Raul Morales for Amy Leuders, Genevieve Skora for Ted Koch, and Jim Lawrence for Leo Drozdoff

Council Members Absent: Leo Drozdoff, Bill Dunkelberger, Ted Koch, and Amy Leuders

1. **CALL TO ORDER** – Chairman Goicoechea called the meeting to order at 8:41 AM.
2. **PUBLIC COMMENT** – None
3. **REVIEW AND CONSIDERATION OF APPROVAL OF AGENDA**
 - A. Member Boies moved to approve the agenda; seconded by Member Nappe, motion passed unanimously. ***ACTION**
4. **REVIEW AND CONSIDERATION OF APPROVAL OF MINUTES**
 - A. *Approval of minutes from the meeting held July 10, 2014* – Member Biaggi asked if the minutes acknowledging the arrival and departure times of Council members was a new policy with the State.

Member Swanson proposed adding the following sentence to Item #6, "By the end of the slide presentation and much discussion of how ratios are used in the Conservation Credit System (CCS), various Council members voiced ideas for CCS improvements as requested by Environmental Incentives (EI)." Member Swanson moved to amend the minutes; seconded by Member Nappe; motion passed unanimously. Member Nappe moved to approve the minutes

with the proposed amendment; Member Swanson seconded; motion passed unanimously.

***ACTION**

5. COUNCIL MEMBER ITEMS AND CORRESPONDENCE

- A. Council members may make comments at this time and the Program Manager will bring forward any pertinent correspondence directed to the Council.

Mr. Tim Rubald, Program Manager, SETT, pointed out the letter from F.I.M. Corp. dated August 21, 2014, provided to Council members.

6. ELECTION OF A NEW VICE-CHAIR

- A. Chairman Goicoechea asked for nominations for the Vice-chair position. Member Boies nominated Member MacKenzie; seconded by Member Nappe; motion passed unanimously.

***ACTION**

7. PRESENTATION OF DEMONSTRATION PROJECT AND BENEFICIAL SAGE-GROUSE ACTIVITIES ON BARRICK PROPERTY KNOWN AS THE JUARISTI RANCH IN NOTHERN WHITE PINE COUNTY FUNDED BY BARRICK GOLD CORPORATION AND NOBLE ENERGY, INC.

A. Bill Upton, Director of Permitting, Barrick Gold Corporation, and Robert Veldman, Senior Environmental Coordinator, Noble Energy, Inc., provided a PowerPoint presentation on the Juaristi Ranch Sage-grouse demonstration project in White Pine County, Nevada. The project is an attempt for both organizations to offset their impact from mining on Sage-grouse habitat. They are working on pinyon-juniper removal, as well as willow removal. They may also work on introducing a lek in the area of the project. They used the U.S. Fish and Wildlife Services' PECE Process, which contains 5-steps, as a guideline for the project. Their approach is scientifically focused for all wildlife not just Sage-grouse. Member Swanson asked if they considered the use of fire management for habitat. They have not considered fire; they are taking a mechanical approach. Member Swanson noted willows are sometimes beneficial and suggested caution be used when dealing with them. Mr. Upton acknowledged Member Swanson's concern and stated they would be reaching out for input on willow management in Phase II of the project.

Member MacKenzie asked if there was any precedent in actually introducing a new lek rather than re-establishing a former lek. There is no precedent. The companies plan on monitoring the vitals of the area, including chick recruitment.

Member Nappe asked for clarification on what Mr. Upton and Mr. Veldman needed from the Council. They stated the presentation was for informational purposes only, so the Council is aware of what they are doing and how they plan on completing the project.

Member Lister encouraged federal agencies to cooperate with similar projects.

Member Boies noted private landowners can work on these projects in a timelier manner than federally-owned lands. The Council is doing good work, but should be cautious about water and its availability within the meadows. There is no guarantee, as a landowner, that the water will be there.

Member Nappe noted that the Council needed to work on a set of criteria expected to be presented to them on these projects and how to secure the future of the projects. ***NO ACTION TAKEN**

A full account of the discussion is captured in the audio recording, which is available on the Program's website.

8. DISCUSSION, CONSIDERATION, AND POSSIBLE ADOPTION OF PROPOSED REVISIONS TO SECTION 6.0 MAPPING OF THE 2012 STATE PLAN

- A. Lara Niell, SETT, explained *Section 6.0 – Mapping* provides an overview of the mapping process, created with USGS, in developing the Habitat Suitability Index. From there, the SETT developed Management Categories that help guide prioritization within the State Plan.

Member Swanson moved to adopt *Section 6.0 – Mapping*; seconded by Member Nappe; motion passed unanimously. ***ACTION**

A full account of the discussion is captured in the audio recording, which is available on the Program’s website.

9. DISCUSSION, CONSIDERATION, AND POSSIBLE ADOPTION OF PROPOSED REVISIONS TO SECTION 9.0 MONITORING AND ADAPTIVE MANAGEMENT OF THE 2012 STATE PLAN; INCLUDING A REPORT FROM THE COUNCIL’S MONITORING COMMITTEE

- A. Ms. Niell stated *Section 9.0 – Monitoring and Adaptive Management* outlines the requirements for monitoring for all projects that occur under State Plan guidance. The Section also provides reference documents for developing monitoring plans and what components should be included in the plans.

Member Swanson thanked members of the SETT for the hard work they put into the Monitoring Section. The last Monitoring Committee teleconference was on August 18, 2014. The Committee delved into many different pieces of the Section and reviewed the fundamental points.

Member Swanson noted the Section needs to be compatible with the Nevada Rangeland Monitoring Handbook.

Member Boies stated his concern about permittee involvement with monitoring and selecting sites. The Monitoring Committee had the same concern and addressed it within the Section.

Member Boies also noted the wording in the Section may limit monitoring plans to being site-specific. When writing the ground rules for all monitoring, the State Plan should not be limited to projects. Mr. Morales, BLM, clarified Member Boies’ statement; the monitoring language only seems to include land management agencies and relevant stakeholders. Member Boies would like the wording to be more inclusive and allow for everyone who wants to be involved.

During the discussion, Council members made proposed changes to the Section that were recorded in the document during the meeting.

Member Swanson made a motion to amend *Section 9.0 – Monitoring and Adaptive Management* with the Council’s proposed changes; seconded by Member Lister; motion passed unanimously. ***ACTION**

Mr. Cliff Gardner, Rural Heritage Preservation Project, made comments about his disappointment with the Council concerning data he submitted that he felt had been ignored. He feels his data adds value and there is other data available that could have assisted the Council.

Mr. Floyd Rathbun, F.I.M. Corp., stated that he did not participate in writing the monitoring section, but wanted to support what Mr. Gardner stated.

Member Boies moved to approve *Section 9.0 – Monitoring and Adaptive Management* with Council’s proposed amendments; seconded by Member Lister, who noted a critical piece of the Plan, the responsibility and commitment of the SETT to gather information into one place for

documentation and reporting purposes, needs to be clearly noted; motion passed unanimously.

***ACTION**

A full account of the discussion is captured in the audio recording, which is available on the Program's website.

10. DISCUSSION, CONSIDERATION, AND POSSIBLE ADOPTION OF THE NEW 2014 STATE PLAN

- A. Melissa Faigeles, SETT, noted this agenda item includes all of the Sections of the *2014 State Plan*, with the exception of Section 6.0 and Section 9.0, which were approved earlier in the meeting. All of the Sections of the *2014 State Plan* have been reviewed, discussed, and approved by the Council. New additions include: an acronyms list; *Section 1.0 – Introduction*; and *Section 2.0 – Definitions*. All of the edits from what has been previously approved are provided in track changes. There is a significant change in *Section 3.0 – Acts of Nature*, where some items were incorporated into *Section 7.1 – Fire and Invasive Plants*. In *Section 5.0 – Implementation Responsibilities* a "Local Governments Section" was added.

Mr. Lawrence thanked the SETT for their extraordinary effort working on the Plan. This is the first time the Council is able to see the Plan as a whole. Mr. Lawrence suggested the Council take some time to review the document in its entirety before voting on it. He suggested the Council take approximately three weeks to review the Plan and work directly with the SETT on any suggested changes or concerns.

Mr. Lawrence noted there is a meeting scheduled with DCNR, BLM, SETT, The Service, and NDOW on September 5, 2014, to discuss the Self-assessment portion of the Plan.

Chairman Goicoechea asked Mr. Morales about the timeline and if a 30-day delay on voting on the Plan would be detrimental. Mr. Morales stated that there are still things that BLM needs to get in place so the 30-day review will not affect the timeline. Ms. Skora, US Fish and Wildlife, agreed with Mr. Morales' statement.

Mr. Morales stated that it would be acceptable for the Council to vote today on a "Draft" State Plan and come back at a later date to actually approve the final Plan. Mr. Morales stated that BLM has been involved with the Plan all along and he does not foresee any issues with pushing out the approval of the final version a few weeks.

Ms. Skora reminded the Council of the Data Call on October 31, 2014.

Chairman Goicoechea noted that he thought the Council should take some time to review the Plan in its entirety and take it back to their stakeholders for review.

Member Biaggi asked about the process if BLM chooses not to accept the State Plan. Ms. Faigeles stated that many key components of the State Plan have also been adopted in the BLM/Forest Service Alternative D. The two significant items in the Plan: the SETT Consultation (the team plans on developing an MOU with federal agencies), and The Conservation Credit System (CCS) are also in BLM's Alternative. Member Biaggi stated that his concern is about having multiple conflicting plans in place.

Member Nappe noted the first sentence of the Plan does a disservice to the many years of Nevada's long history of involvement with the Sage-grouse. There is no historical appendix. There needs to be some attention to the history of research done by Nevadans.

Chairman Goicoechea noted the Council should be cautious about the amount of comments/suggestions they may have after reviewing the Plan, as they have been reviewing

components of the Plan all along and have made comments/suggestions throughout. Chairman Goicoechea anticipates there should not be major changes.

Member Swanson stated his concern over the word "code" used in the document. He asked if it could be clarified. Ms. Faigeles will look into the term and how it is used. Member Swanson also had concern in the Vegetation Management Section, and how it negates resilience and resistance concepts. Ms. Faigeles explained that the Vegetation Management bullets are a direct response to the Self-assessment. Member Swanson noted these concepts need to be incorporated, and wants to ensure chapters do not work against each other in the document. Member Lister noted there is more data available before the 1990 information referred to in the chart on Page 86.

Member Swanson asked if the Plan should include data from unusually wet seasons that help invasive grasses to grow and may cause fires in the following years. Chairman Goicoechea encouraged Member Swanson to review the Fire Section of the Plan and, if necessary, provide wording to the SETT.

Member Biaggi moved to adopt the Plan as it is currently provided with the provision that Council members can provide input before the next Council meeting for anticipation of the final document in September; seconded by Member Lister. Mr. Lawrence asked about clarification on the timeline, especially when considering the Data Call on October 31, 2014. He suggested the SETT receive all comments by Friday, September 12, 2014, and the Council vote on the final *2014 State Plan* at the Council meeting in October. Member Biaggi amended his motion to adopt the "Draft" Plan as it is currently provided with the provision that Council members have suggestions/changes to the SETT by Friday, September 12, 2014, for the final review and adoption at the October 2014 Council meeting; seconded by Member Lister. Member Lister asked Mr. Morales about the anticipated EIS and when it will be completed. Mr. Morales is checking with Ms. Leuders to see the timeline for the EIS. Member Lister stated his concern about pushing the adoption of the Plan to October. Cory Hunt, Governor's Office, stated the State has other opportunities through the Governor's Consistency Review and other avenues to advocate for the implementation of the Plan. The Plan should be solidified before the Consistency Review. Chairman Goicoechea asked Mr. Morales his "best guess" on when the EIS would be completed. Mr. Morales thought February 2015. Mr. Morales stated the October 9, 2014, timeline sounded like it will work, however, he would not suggest going beyond that date. Ms. Faigeles wanted to remind the Council about the October 31, 2014, Data Call, this is the date that is of most concern to the SETT. Member Biaggi asked Mr. Lawrence and the SETT members what timeline would work best for them. Mr. Lawrence thought the October 9, 2014, date would provide enough time for the Council to review the Plan and get comments back to the SETT by September 12, 2014, for inclusion into the Plan. Chairman Goicoechea restated Member Biaggi's motion to adopt the "Draft" Plan as it is currently provided with the provision that Council members have suggestions/changes to the SETT by Friday, September 12, 2014, for the final review and adoption at the October 2014 Council meeting; seconded by Member Lister; motion passed unanimously. ***ACTION**

Mr. Rubald questioned if the Council would like the Microsoft Word version of the Plan. Chairman Goicoechea stated that each Council member would compile their changes/suggestions in a letter to submit to the SETT.

Ms. Niell noted that current tracked changes would not be tracked in the document presented on October 9, 2014. The only tracked changes will be those submitted by the September 12, 2014, deadline.

A full account of the discussion is captured in the audio recording, which is available on the Program's website.

11. DISCUSSION OF OPPORTUNITIES AND PROTOCOL FOR INVOLVING PRIVATE LANDOWNERS IN SAGE-GROUSE HABITAT TO PROTECTION AND ENHANCEMENT PROJECTS

- A. Ms. Niell and Mr. Lawrence provided an overview of the map provided in the Council packet concerning private land. Ms. Niell stated that 15 percent of private land is in the "Core" designation and 20 percent is in the "Priority" designation. One of the next steps in strategic actions for implementing the State Plan is engaging private landowners to participate.

Mr. Wasley, Department of Wildlife, noted there were a couple of specific questions that came out of the last Council meeting concerning the Department of Wildlife and how the Department interacts with private landowners and if they could provide an outline of their process in a document. Another question was if the Council could generate an action plan similar to the Bi-state Plan. Mr. Wasley provided a handout of what the Department of Wildlife does and gave an overview of the 6-step process.

Member Boies noted his concern that the document provided by Mr. Wasley still does not address the concern of getting private landowners to participate in the first place. There needs to be education and incentives for private landowners. The Council needs to address the communication plan used for motivating landowners to be a part of the Plan. Local working groups are essential to the success in this regard.

Mr. Wasley stated there has been some criticism of the State Plan because of the lack of regulatory authority on private lands. The Service has asked what is going to happen on private lands. There is a need for an educational component. There are a lot of misconceptions. There is 46-48 percent of lek brooding on private lands. This is significant. There is a need to dispel fears of what a listing brings. Using strategic action plans for implementation and clearly spelling out roles and responsibilities will be beneficial.

Member Lister noted the Council needs to document and acknowledge the good that has been done on private lands, and must provide credibility to those doing work on private lands.

Vice-chair MacKenzie noted that NGO's are a major component of the partnership with private landowners. Member Nappe noted that Conservation Land Trusts are also out there and suggested bringing the different groups together at some point to have a workshop/brainstorming session on the next steps. ***NO ACTION TAKEN**

A full account of the discussion is captured in the audio recording, which is available on the Program's website.

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

- A. With staff assistance, the Council reviewed items discussed, as well as items acted upon during this meeting, and items directed to the SETT.

Approved Items

- Agenda for August 21, 2014
- July 10, 2014, meeting minutes with amendments
- Election of Member Chris MacKenzie to Vice-chair position
- *Section 6.0 – Mapping*
- *Section 9.0 – Monitoring and Adaptive Management* with amendments
- **DRAFT 2014 State Plan**, allowing comments by Council members to the SETT by September 12, 2014, adopting final Plan at the October Council meeting

- B. The Council determined specific items they would like to work on at their next regularly scheduled Council meeting.

Member Biaggi made a motion for the next SEC Meeting to be on Wednesday, October 1, 2014; seconded by Vice-chair MacKenzie; motion passed unanimously. ***ACTION**

The following items were requested to be placed on an upcoming agenda.

Next Meeting Agenda Items

- Review and Approval of *2014 State Plan*
- Demonstration of EDD Maps Program – Department of Agriculture - Member Barbee stated they are doing a demonstration to the Board of Agriculture on September 3, 2014, and would like to bring it to the Council after that date
- Summary of Projects Funded with the Noxious Weed Invasive Plant Monies – Department of Agriculture
- Water Projects/Management/Availability – Mr. Rubald will confirm who needs to attend for this agenda item – Mr. Morales clarified what the Council is requesting which is Range-management projects that are water nexus and if the current policy is hurting or helping Sage-grouse management

Future Agenda Items

- Update from Environmental Incentives
- Local Area Working Group Updates

A full account of the discussion is captured in the audio recording, which is available on the Program's website.

13. FEDERAL AGENCY UPDATES AND COMMENTS:

- A. US Fish and Wildlife Service – Ms. Skora stated that the Bi-state Distinct Population Segment of the Greater Sage-grouse public comment period has been reopened until September 4, 2014. The reopening was based upon new information regarding population trends and recent state and federal agency funding and staffing commitments. On the range-wide Greater Sage-grouse listing decision, they issued a Data Call letter consisting of two parts. Part one is requested information on population status, trends, and available threats. This information needs to be submitted by October 31, 2014. Part two deals with plans and projects designed to provide a conservation benefit to the Greater Sage-grouse; a database has been created for the information and it needs to be submitted by December 31, 2014. If Council members have not received a copy of the letter, Ms. Skora can provide copies.
- B. Bureau of Land Management – Mr. Morales noted that he heard from Ms. Leuders concerning the October 1, 2014, SEC meeting where the Council will review the final version of the *2014 State Plan*. Ms. Leuders stated the new timeline works. BLM has not finalized a timeframe. There is a Federal Family meeting being held in Portland. This is a meeting of federal agencies getting together and going through the different plans from across the region and from different states, trying to tighten things up. In two weeks, Rocky Mountain States are doing the same thing. BLM is moving forward to discuss implementing Sage-grouse management plans. They are behind on the process in regards to being ready to make sure they are successful when the Plan comes out. Field staff has not been engaged in the planning effort and will need training to make sure everything is rolled out as smoothly as possible. Mr. Morales will be meeting with his counterparts from other states to discuss the differences among states and to put something together for consistency across regions.
- C. US Forest Service – No update.
- D. NCRS – Bruce Petersen – NCRS has a strong relationship with private landowners. NCRS has a new Farm Bill and a commitment from agencies to continue the Sage-grouse Initiative. They have done a lot of easements (\$4 million for Bi-state and Greater Sage-grouse area) and conservation (approximately \$1 million) efforts. This year they partnered with the Fish and

Wildlife Service, NDOW, and Pheasants Forever on their efforts. They have two big projects in Elko, which includes 150,000 acres of conservation planning directed at Sage-grouse and wildlife habitat improvements. These projects aim to help give assurances in the event the Sage-grouse is listed. There will be a conservation plan and practices in place.

14. STATE AGENCY UPDATES AND COMMENTS:

- A. Department of Conservation and Natural Resources – Mr. Lawrence noted his appreciation for BLM. Mr. Lawrence participated in an executive committee meeting of the Southern Nevada Public Lands Management Act (SNPLMA). SNPLMA is updating their strategic action plan, which includes funding for the Eastern Nevada Landscape Restoration Program (White Pine and Lincoln Counties) to make sure funding priorities align with state and federal agency direction regarding greater Sage-grouse. Mr. Lawrence noted the Council may not be aware of a lot of coordination being done concerning the Greater Sage-grouse.
- B. Department of Wildlife – No update.
- C. Department of Agriculture – Tina Mudd, Department of Agriculture, noted she is in a new position and her duties include bridging the gap between private landowners and state agencies, specifically with helping to establish monitoring plots on private lands so the owners have an understanding of what is happening and what can be done (e.g. adjusting grazing methods and practices) to get on the front end of the Sage-grouse listing. Ms. Mudd plans on conducting workshops on grazing, monitoring, and alternative methods for private landowners. Department of Agriculture has a long history of working with the Conservation Districts (CDs), NCRS, BLM, and private landowners through cooperative weed management areas and will continue with this model, expanding it from the narrow focus of noxious weeds/invasive species to more of a rangeland health program.
- D. Sagebrush Ecosystem Technical Team – Mr. Rubald stated the Bi-annual report due out July 1, 2014, to the Governor is completed, and once it is signed he will send out copies. The next report is due December 31, 2014. The SETT will begin developing a communication plan on the *2014 State Plan*. Also, they are continuing to strengthen the CD Program, providing additional assets to develop it quicker and make it stronger.
- E. Governor's Office – Mr. Hunt thanked the SETT and the Council for the great work done on the State Plan. He anticipates the next National Sage-grouse Taskforce meeting will be in October.

- 15. PUBLIC COMMENT** – Mr. Rathbun, F.I.M Corp., spoke about cheatgrass and invasive species and the danger created by both. At the Bi-state Sage-grouse meeting in Bridgeport they went through the same discussion. He believes predation needs more attention. There needs to be coordination to resolve inconsistencies between federal proposals and state and local requirements and policies. He requested the State Plan contain a Coordination Section. He also noted that private properties extend throughout federally controlled areas in the form of water rights and easements. This also needs to be addressed.

Joe Guild, Great Basin Ranch and Region Six Vice-president for the National Cattlemen's Beef Association, voiced his concern related to the map of private lands and the possible new protocol presented by Mr. Wasley. NRCS says 80 percent of the brood rearing habitat is on private land not 46-48 percent as stated earlier in the meeting. Mr. Guild suggested the Council go out to the private landowners with a positive statement to get the ranching community to buy into and be a part of the solution. There needs to be acknowledgement by the agencies of the good work being done by the ranchers.

Robin Boies, Stewardship Alliance of Northeast Elko (SANE), discussed private lands and the lack of common goals and objectives when discussing them. This fundamental keystone is lacking. SANE has a draft plan of their own and will send it out to the agencies. It is one answer for what Council has been trying to do. SANE participation and work is completely voluntary. Ms. Boies also stated the need for more funding for the CD Program.

A full account of the discussion is captured in the audio recording, which is available on the Program's website.

- 16. ADJOURNMENT** - Chairman Goicoechea moved to Adjourn. Meeting adjourned by acclamation at 12:40 PM. ***ACTION**

DRAFT