STATE OF NEVADA
SAGEBRUSH ECOSYSTEM COUNCIL
201 South Roop Street, Suite 101
Carson City, Nevada 89701-5247
Phone (775) 684-8600 - Fax (775) 684-8604

DRAFT MINUTES

Date: **Monday, June 23, 2014 – 9:00 a.m.**
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/Calednar/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, Allen Biaggi, Steven Boies, Jeremy Drew, Leo Drozdoff, Bill Dunkelberger arrived at 9:10 a.m. and left at 3:10 p.m., JJ Goicoechea, Starla Lacy, Bevan Lister, Amy Lueders, Tina Nappe, Sherm Swanson, Tony Wasley. Proxy: Carolyn Swed for Ted Koch

Council Members Absent: Ted Koch

1. **CALL TO ORDER** – Chairman Goicoechea called the meeting to order at 9:05 a.m.

2. **PUBLIC COMMENT** – Public comment was heard. Cliff Gardner, representing Rural Heritage Preservation, read a statement concerning a document provided in the Council Meeting Packet, "Truths and Mistruths Historical Riparian Conditions Yesterday and Today." A full account of his comments are captured in the audio recording and available on the Program's website.

3. **REVIEW AND CONSIDERATION OF APPROVAL OF AGENDA** – Member Drew moved to approve the agenda; seconded by Member Boies, motion passed unanimously. ***ACTION**

4. **REVIEW AND CONSIDERATION OF APPROVAL OF MINUTES**
   A. *Approval of minutes from the meeting held May 13, 2014.* – Member Biaggi suggested a change to the meeting minutes under *Number 7 – Discussion of Incorporation of Disturbance Thresholds Into the Conservation Credit System (CCS)*, *paragraph 2*. He asked the end of the sentence be changed from "....these areas would be addressed through the CCS and expressed his support." to, "...such exclusion areas are not acceptable." Member Biaggi made a motion to approve the minutes with amended language; seconded by Member Lister, motion passed unanimously. ***ACTION**

5. COUNCIL MEMBER ITEMS AND CORRESPONDENCE

***NO ACTION TAKEN**

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

Member Nappe expressed concerns over the Bi-State comment letter sent out, particularly about predator issues. Her concern is directed at the use of the word "we" when the entire Council has not reviewed or approved the letter. She asked in the future, when letters are distributed representing the entire Council, members are provided the opportunity to review and approve the correspondence.

Mr. Rubald introduced Andrea Sanchez-Turner, Leo Drozdoff's assistant. Ms. Sanchez-Turner will be taking over the duties of Brandi Re as support staff for Council Meetings.

Mr. Rubald also called attention to various letters and communications within the Council meeting packets, including *Crosswalks of Management Concepts in Nevada,* for Item 9, which was provided in 8½x11; however, he reprinted in a larger size so the information can easily be seen. He noted the revised Sagebrush Ecosystem Program website is up and running.

6. DISUCSSION AND REPORT FROM THE COUNCIL'S COMMITTEE ON MONITORING –

***NO ACTION TAKEN**

A. Member Swanson provided an update on the Habitat Monitoring Committee. The next committee meeting will be on Tuesday, June 24, 2014, and the hope is the Forest Service will have a representative in attendance so their perspective is included in the monitoring discussion. Member Swanson noted the items to be covered in the meeting, which included short and long-term monitoring. Chair Goicoechea asked about current standard protocols for monitoring. Standard protocols should be established for all stakeholders to follow so data collection is consistent and accurate. Mr. Cliff Gardner (member of public) spoke briefly on the issue of monitoring. He stated he has done monitoring on his own and hoped that he would be able to provide his own results to the Council at some point.

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

7. PRELIMINARY FINDINGS OF CONSERVATION CREDIT SYSTEM (CCS) SCENARIO ANALYSIS; DISCUSSION AND DETERMINATION OF NEXT STEPS –

***NO ACTION TAKEN**

A. Jim Lawrence, Nevada Department of Conservation and Natural Resources (DCNR), Jeremy Sokulsky, Environmental Incentives (EI), and Eoin Doherty, EI, provided preliminary findings, in a PowerPoint presentation, of the CCS scenario analysis to address questions set at the last meeting by Member Drozdoff. The information included specific scenarios and explanations of the process. There was discussion on disturbance caps. Disturbance caps and surface disturbance exclusion areas, do not address United States Fish and Wildlife Service (USFWS, or referred to as The Service) comments. Ratios allow for:

- Increased habitat fragmentation;
- Significant net functional loss; and
- Impacts to scarce seasonal habitat.

Member Biaggi asked a question concerning disturbance caps in regard to fire, fuel breaks, and the CCS approach to these. Member Swanson asked if the CCS would provide credit for fuel breaks. The answer was, "no," unless lowering incidents of fire to improve the habitat. Member Lueders noted that Wyoming is currently implementing disturbance caps, no other states are doing this; however, some are considering the possibility.

DRAFT

EI developed a White Paper concerning the CCS versus disturbance caps. The paper will be available soon upon request.

Member Boies expressed concern about meeting the CCS deadlines with still so much to do. He also brought to the Council's attention the concern of landowners and when funds will be available to them for participating in the CCS. It will be easier for them to participate if the funds are available upfront.

Member Lister asked how the CCS would value water and water rights. Mr. Lawrence stated the CCS would hone in on the value of the habitat and create higher incentives, focusing on the habitat, not on the action, but the result of the action.

Member Nappe expressed concern that focusing only on the sage-grouse, could be damaging to other species and their habitat.

Member Drozdoff noted that Cory Hunt (Nevada Governor's Office), attended the State and Federal Sage-grouse Taskforce at the Western Governors' Association Meeting and presented an overview of Nevada's CCS. It received positive feedback with one senior official from USFWS calling it "robust and meaningful."

Member Lacy noted the need to address timing for projects, because the United States Environmental Protection Agency (EPA) just released its new targets for Green House Gas Emissions. Since Nevada has already met its original target of 30 percent, the EPA added an additional 34 percent for the State. When the EPA rule comes into play, where will CCS framework be?

During this discussion, Member Biaggi acknowledged former Councilmember Doug Busselman in attendance as an audience member.

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

8. DISCUSSION, CONSIDERATION, AND POSSIBLE ADOPTION OF PROPOSED REVISIONS TO SECTIONS OF THE 2012 STATE PLAN, INCLUDING: FIRE AND INVASIVE SPECIES; MINERAL DEVELOPMENT; AND ENERGY PRODUCTION, TRANSMISSION, AND DISTRIBUTION

Member Biaggi noticed a typo on page 2 of the Staff Report, which incorrectly stated, "…The Council approved Appendix A - Site Specific Consultation Based Upon Design Features of 2014…" The approval date listed in the Staff Report is December 18, 2014. The Council already approved it and the correct date is December 18, 2013.

A. Section 7.1 – Fire and Invasive Species – John Copeland/Kelly McGowan (Sagebrush Ecosytem Technical Team – SETT)

This information has support and background from several different agencies including, Nevada Division of Forestry, Bureau of Land Management (BLM), and the US Forest Service (USFS). Some of the information came out of questions related to finance and the ability to separate pre-suppression, suppression, and post suppression rehabilitation costs.

Chair Goicoechea asked about funding for rehabilitation. Do federal agencies have a specific timeframe for utilizing rehabilitation funds? Is it possible to earmark money for fall rehabilitation when it is more successful? Member Lueders noted fire rehabilitation funds (ESR Funds) need to be used within 3 years by policy, not by law. There is discussion concerning the fiscal year 2015

President's Budget and a companion bill, which propose splitting funding so preparedness, suppression, and rehabilitation are not all in one funding pot. Because of these proposals, there may be funding options available for performing rehabilitation in the fall.

Member Dunkelberger noted his agency is similar, with 30 days to get emergency stabilization plans in place for approval of funds, which are usually released within two weeks. The funding for longer-term plans are available for up to 3 years.

Member Lister spoke about the disconnect between state and local area working groups, and the local area working groups' role in the State Plan. The State Plan should mention the efforts being made by our local areas and the collaboration with these area groups. He asked if there should be a section to talk about funding and a separate section for specific management actions and how each affects local areas? Specific tools need to be created and explained for a coordination of efforts by both state and local entities.

Cliff Gardner (member of public) asked to speak concerning invasive species. and stated that limited grazing is the cause of fire and invasive species. Member Nappe noted that guaranteeing grazing is a difficult option because it needs to be closely monitored. Currently there is no tracking, and creating a tracking system will be difficult.

The Council suggested changes to this section.

Member Swanson made a motion to approve Section 7.1, with amendments, seconded by Member Nappe, motion passed unanimously. ***ACTION**

B. Section 7.6 – Mineral Development – Melissa Faigeles (SETT)

Discussion included whether Oil and Gas should have its own section or be included in the Energy section of the plan. Chair Goicoechea suggested SETT review the Western Association of Fish and Wildlife Agencies (WAFWA) Energy Guidelines.

The Council also wanted to ensure that Section 7.6's anthropogenic wording, and Section 3.0, do not contradict each other.

The Council suggested changes for this section.

Member Biaggi made a motion to approve the Goals, Objectives, and Management Actions of Section 7.6, with amendments, seconded by Member Lister, motion passed unanimously. ***ACTION**

C. Section 7.7 – Energy Production, Transmission, and Distribution – Melissa Faigeles (SETT)

This section explains Nevada's approach in supporting the expansion of renewable energy and quantifying some of the impacts. The Council has already approved many of the concepts in this Section, as they are similar to the wording in Section 3.

The council suggested changes to this section.

Member Lacy made a motion to approve the Goals, Objectives, and Management Actions of Section 7.7, with amendments, seconded by Member Swanson, motion passed unanimously. ***ACTION**

All edits requested by the Council to these Sections were made to the original document during the meeting on the presentation screen. A full account of the discussion and suggested changes to these sections is captured in the audio recording and available on the Program's website.

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9. DISCUSSION AND EXPLANATION OF A MATRIX OF MANAGEMENT TERMINOLOGY, PARTICULARLY REGARDING MAPS AND THEIR APPROPRIATE USES – THIS ITEM WAS MOVED ABOVE ITEM 8 ON THE AGENDA - *NOT AN ACTION ITEM

A. Lara Niell (SETT) led the review of management concept terminology and definitions regarding maps and their appropriate uses.

There was discussion concerning the zones located in Nevada versus other states and the coordination needed between states. Member Nappe noted the Council did not want to determine guidelines outside Nevada boundaries, and asked what happens if the owned property goes beyond state boundaries. There is language in the plan that refers to "extended region," this may address those concerns.

Member Biaggi asked about the Council's limitation language on maps and their usage. Ms. Neill pointed out the statements located at the bottom of each map, describing the map's intended use.

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

Recess for lunch 12:11 p.m. - Chairman Goicoechea called the meeting out of recess at 1:34 p.m.

NOTE: Council started with Item 8 – ***Discussion, Consideration, and Possible Adoption of Proposed Revisions to Sections of the 2012 State Plan, Including: Fire and Invasive Species; Mineral Development; and Energy Production, Transmission, and Distribution.***

10. DISCUSSION OF REPORT ON THE STATUS OF THE SAGEBRUSH ECOSYSTEM PROGRAM - *NO ACTION TAKEN

A. Mr. Rubald reviewed the Table of Contents for the Sagebrush Ecosystem Program (SEP) Report to see if the Council wanted to include any additional items. The SEP Report is a bi-annual report required by statute. Mr. Rubald anticipates this report will be used as a progress report for the Program and will be widely distributed. The Council can provide additional direction to what is included in the report by statute.

Member Biaggi suggested adding a "public process" general statement and the Open Meeting Law description.

Member Wasley suggested adding timelines/calendars of the Council and the SETT to the Accomplishments Section of the Report.

Chair Goicoechea suggested some strategic visioning, reaching out to all local governments and other local entities to let them know what the Program is doing, including statements about Conservation Districts activities.

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

11. PRESENTATION AND DISCUSSION OF THE CONSERVATION DISTRICTS (CD) PROGRAM AND AN UPDATE TO THE COUNCIL ON THE STATUS OF THE PROGRAM - *NO ACTION TAKEN

A. Mr. Rubald noted there are 28 Conservation Districts in Nevada. There are five to eight members on each board. Most are locally elected, some appointed by County Commissions and/or City Councils, but all are volunteers. Twenty-five of the Twenty-eight Districts contain sage-grouse habitat, including the bi-state sage-grouse.

DRAFT

After the 2012 State Plan was released, the Conservation Districts Program was reconfigured. There are currently two vacant positions in the Program. The Program is currently recruiting for a coordinator position. The other vacant position is a Conservation Staff Specialist located in Ely which will be recruited for very shortly.

The CDs are funded by various grants. All funds distributed by the State to CDs must be in equal amounts, as required by statute. The regulations for a Sage-grouse Grant Fund are now finalized and applications have been received for the funding program. Twenty-five of the CDs were eligible for grant funding, seventeen submitted applications, to be reviewed by the State Conservation Commission (SCC) on Wednesday, June 25, 2014.

Member Nappe wondered if this was the best structure and suggested evaluation of different options. She asked about detailed information. Mr. Rubald has additional information available.

A full account of the discussion is captured in the audio recording and 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.

2012 State Plan:

- Approved Section 7.1, with amendments
- Approved the Goals, Objectives, and Management Actions of Section 7.6, with amendments
- Approved the Goals, Objectives, and Management Actions of Section 7.7, with amendments

B. The Council determined specific items they would like to work on at their next regularly scheduled Council meeting. The following items were requested to be placed on the upcoming agenda for July 10, 2014, scheduled to begin at 8:00am.

- Conservation Credit System (CCS)
- Reconfigured Section 7.6 and 7.7 of the 2012 State Plan for review and approval
- Monitoring Committee Report
- Update on Nevada Department of Wildlife (NDOW) population monitoring
- Pinyon Juniper Encroachment
- Off-road vehicle use
- Implementation Responsibilities

Agenda Item for Meeting After July:

- BLM FIAT Presentation

FEDERAL AGENCY UPDATES AND COMMENTS:

US Fish and Wildlife Service

Carolyn Swed provided this update. She noted the Service's Migratory Bird Program's basis of 5 percent target for the depredation permit for Ravens. At the request of the Council, Ms. Swed confirmed the 5 percent is standard across the Program. She also confirmed they are amenable to

DRAFT

adjusting the target based upon current population levels. She will be reaching out to depredation permit holders to have a conversation. Member Swanson inquired if the raven will be taken off the list. The answer is probably not.

Bureau of Land Management/US Forest Service

Member Lueders provided the update for both BLM and the US Forest Service. BLM and the Forest Service are working together on all components of the Sub-Regional EIS. The draft final version went out for cooperating agency review. They continue to work on different components of the Plan, working closely with the state and environmental groups on conservation credits.

The US Forest Service will be issuing a revised draft of the Bi-State Plan in July for an additional round of public comment. There was one alternative added based upon public comment. This item will be updated in the future.

Other – No other federal agency updates.

13. STATE AGENCY UPDATES AND COMMENTS:

A. Department of Conservation and Natural Resources

Member Drozdoff acknowledged the letter from Ted Koch included in the Council packet. He noted the Council should review the letter at a future meeting and respond to specific statements within the letter, clarifying the approaches taken to date. Mr. Lawrence spoke about references made in the letter concerning self-assessment, and noted the State Plan does not divert away from the COT Report and what the COT lists as threats. The State Plan addresses threats through the perspective of the State of Nevada. The COT self-assessment treats each threat equally. In Nevada, some threats are greater than others. The COT assessment has three categories: Red, Yellow, and Green. In Nevada, 86 percent of our land is federally managed and requires some action through BLM implementation of Resource Management Plans (RMPs) and this makes achieving the COT Green Score extremely difficult.

Member Drozdoff will follow-up with Mr. Koch in early July to alleviate any misconceptions concerning the letter. Member Drozdoff also noted that in 2012, the Sage-grouse Advisory Committee was created. It is now 2014, and the work done by SETT and the Council within this short period of time is important and significant.

B. Department of Wildlife

Member Wasley noted the Nevada Department of Wildlife compiled support documents and comments for the Bi-State Plan and submitted them to the Bi-State Executive Oversight Committee for certainty of implementation, certainty of effectiveness, along with letters of financial commitment from various state, federal, and local municipalities totaling over 46 million dollars.

Preliminary lek attendance data throughout the state shows attendance bounced back in 2014. Attendance decreased between 2012 to 2013, by approximately 30 to 40 percent. Currently attendance is down 5 percent compared to long-term trends. Member Wasley will present a summary of the final data at a future time.

Last week in Elko, the Nevada Department of Wildlife hosted the 29th Western States Sage and Columbian Sharp-tail Grouse Workshop with more than 43 presentations from all over the country. The workshop included fieldtrips of the area as well. SETT was represented by Lara Niell. Roughly, 200 people attended: 60 federal agency personnel; 60 fish and wildlife personnel from various states; 60 researchers; and 6 to 12 attendees from industry. Copies of workshop materials are available upon request.

DRAFT

Vice-Chair Drew acknowledged Member Wasley and his staff for their hard work and dedication organizing and running the workshop. There have been many positive comments concerning the workshop.

C. Department of Agriculture

Member Barbee noted that on June 5, 2014, the Board of Agriculture met and made a motion to compose a letter supporting the NACO wild horse lawsuit. The letter is currently in draft form, but should be coming out next week. On June 3, 2014, Department of Agriculture released a Request for Proposals (RFP) for an invasive plant contract totaling $85,000 in its initial offer. Review on this RFP will be held in mid-July.

Department of Agriculture plans to review applicants for the Range Science Ecology position and hold interviews soon.

D. Sagebrush Ecosystem Technical Team

Mr. Rubald publicly thanked Connie Lee and Steve Foree from Member Wasley's staff for their assistance when his vehicle broke-down. Thanks to them, Mr. Rubald made it home safely.

E. Other – No update.

14. PUBLIC COMMENT – No public comment.

15. ADJOURNMENT - Chairman Goicoechea moved to Adjourn. Meeting adjourned by acclamation at 4:34 p.m. ***ACTION**

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