



STATE OF NEVADA  
**SAGEBRUSH ECOSYSTEM COUNCIL**  
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### DRAFT MINUTES

**Date:** Thursday, January 8, 2015  
**Time:** 8:30 AM  
**Place:** 101 North Carson Street, Carson City, Nevada 89701 – Guinn Room

A full audio recording of this meeting is accessible through the following website -  
[http://sagebrusheco.nv.gov/Meetings/Sagebrush\\_Ecosystem\\_Council\\_Meeting/](http://sagebrusheco.nv.gov/Meetings/Sagebrush_Ecosystem_Council_Meeting/)

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**Council Members Present:** Jim Barbee, Allen Biaggi (arrived at 10:37 AM), Steven Boies, Bill Dunkelberger, Leo Drozdoff, Gerry Emm, JJ Goicoechea, Ted Koch, Starla Lacy, Bevan Lister, Chris MacKenzie, Sherman Swanson, and Proxy: Lauren Mermejo for Amy Leuders

**Council Members Absent:** Tina Nappe, Amy Leuders, Tony Wasley

- 1. CALL TO ORDER** – Chair Goicoechea called the meeting to order at 8:37 AM.
- 2. PUBLIC COMMENT** – Karen Boeger, Backcountry Hunters and Anglers, submitted a copy of her comments to the Council concerning the State Plan.

Mr. Cliff Gardner, Rural Heritage Preservation Project, submitted a copy of his comments to the Council concerning the process the Council has followed, the information he has provided to the Council in the past, and the direction the Council is going in.

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

- 3. REVIEW AND CONSIDERATION OF APPROVAL OF AGENDA**

Member Lacy moved to approve the agenda; seconded by Member Swanson; motion passed unanimously. **\*ACTION**

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

A. Approval of minutes from the meeting held October 27, 2014 – Member Boies moved to approve the minutes; seconded by Vice-chair MacKenzie; motion passed unanimously. **\*ACTION**

B. Approval of minutes from the meeting held December 3, 2014 – Vice-chair MacKenzie proposed changing the word “additionally,” Page 3, Paragraph 7, to “additionality.” Vice-chair MacKenzie also proposed amending Paragraph 10, Page 3, to capture the intent of the conversation correctly. Member Swanson proposed changing some wording on Page 4, Paragraph 2, 3<sup>rd</sup> Sentence, to read “Member Swanson suggested using a disturbance response group of similar ecological sites based understanding of potential for baseline numbers.” Vice-chair MacKenzie moved to approve the minutes with the proposed amendments; seconded by Member Swanson; motion passed unanimously. **\*ACTION**

C. Approval of minutes from the meeting held on December 4, 2014 – Vice-chair MacKenzie moved to approve the minutes; seconded by Member Boies; motion passed unanimously. **\*ACTION**

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

## 5. COUNCIL MEMBER ITEMS AND CORRESPONDENCE

A. Ted Koch, US Fish and Wildlife Service (The Service), noted that Mary Grim, The Service, will be replacing him on the Council starting at the February 2015 Council meeting. The Service has asked Regional Directors to hire a Sage-grouse Deputy. Chair Goicoechea asked if, once hired, the Sage-grouse Deputy would be The Service’s representative on the Council. Mr. Koch answered in the affirmative. Mr. Koch noted most of The Service’s field and regional offices have recently been staffed with Sage-grouse dedicated employees and will continue to work on Sage-grouse issues, particularly implementation of state and federal plans as they wrap up, and also focus on invasive species and fires. Mr. Koch referred to Secretary Jewell’s recent Secretarial Order (Order) concerning invasive species and fire. The Service feels these are the major threats to Sage-grouse and habitat. Mr. Koch encouraged the Council to support and assist in implementing the Order. Lauren Mermejo, Bureau of Land Management (BLM), speaking on behalf of Amy Leuders (BLM), noted the Order is phenomenal and will come with additional funding and workforce for implementation. Member Swanson noted that a part of the issue that is addressed in the Order will be discussed by the Society for Range Management at the State Section Meeting on January 13-14, 2015, in Carson City. Mr. Koch noted having the Order as a guiding document is important. His staff will focus on supporting the BLM and the US Forest Service, and specifically the approach to invasive species and fire. His staff is also tasked to work with ranchers, private landowners and federal land grazing permittees to try to figure out how to make this real on the ground to maintain ranching and protect sage-brush ecosystems.

Lara Niell, SETT, discussed the USGS Maps letter from Peter Coates, Ph.D., which was submitted to the Council for review. One of the major layers being developed for the State by Dr. Coates is the PJ layer map. There have been a number of challenges concerning this layer, so Dr. Coates requested a 3-month extension. The current PJ map is updated, but is not releasable to the public. Because of the level of effort needed to complete the layer, Dr. Coates will be unable to provide it in the current budget. Dr. Coates sent a proposal for additional funding (\$85,000) and an additional month extension to get the PJ layer map done and finalized for release to the public. Lee Turner, Nevada Department of Wildlife (NDOW), was able to verbally commit an additional \$20,000. Ms. Niell is working with Sandra Brewer and Kacey KC, SETT, is working with Sandy Gregory, BLM, to see if there is funding they can commit. The SETT has been reaching out to different agencies for assistance with the funding as the PJ layer map for the public will have huge benefits across the board. Dr. Coates is currently working to have the Habitat Suitability Index done by the end of March and it will be presented at the April SEC meeting. If the additional \$85,000 is found, there would be another month’s extension and he would have the maps done at the end of April and it would be presented at the May SEC meeting. SETT and USGS are comfortable with the extension given the August 2014 map version is out and publicly available.

Jim Lawrence, Nevada Department of Conservation and Natural Resources (DCNR), noted there were discussions in the past between Ms. Leuders and Joe Teague, BLM, concerning the maps. It was never intended the maps would be static. Ms. Leuders and Mr. Teague seemed comfortable with this. The idea was to include language in the BLM's EIS, through an adaptive management process, stating the maps are not static so to utilize the best science as it becomes available. Bill Dunkelberger, US Forest Service, noted there is language in the draft EIS to allow for changing Habitat Suitability up to 10 percent without doing an amendment.

Mr. Koch noted the ESA requires using best available information. One of the purposes was to create a map with more buy-in, which has been accomplished. The Bi-state Plan Sage-grouse effort has high quality map data which has made a significant difference in the ability to plan precisely for addressing threats. The PJ layer map will have the best data for the greater Sage-grouse resulting in better supported and more precise outcomes. Mr. Koch is impressed with the commitment of the State, but anticipates the PJ map layer will be worth the cost. Continuous updates are important.

Ms. Niell noted DCNR and NDOW put \$850,000 for the initial contract. She also noted that contract will be closed and Dr. Coates will finish it as it is. If more funding is procured from outside sources, the PJ layer will be available to all agencies to provide to the public. After the \$20,000 from Mr. Turner, the SETT is still looking for \$65,000. If each agency puts in \$20,000, it will achieve the \$85,000.

Ms. KC noted there was an email from Member Nappe concerning the formatting of the Strategic Action Plan (SAP), which will be addressed during the SETT Team update item on the agenda.

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

## **6. PRESENTATION OF THE NRS AUTHORITIES THAT GUIDE THE SEP PROGRAM**

A. Cassandra Joseph, Nevada Attorney General's Office, reviewed a PowerPoint presentation provided in Council packets. The discussion and presentation covered the laws and regulations that established the Council; the authorities of the Council as it pertains to the Conservation Credit Systems; and legal representation for the Council.

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

## **7. PRESENTATION AND DISCUSSION OF THE DRAFT STRATEGIC ACTION PLAN OUTLINE**

A. Ms. KC reviewed the outline of the Strategic Action Plan (SAP). The SAP will be broken out by Biologically Significant Areas (BSAs) with specific sub-sections. The SAP will include an appendix with a list of prioritized projects, which will be updated annually.

Ms. KC discussed four specific topics from the last SEC meeting concerning the SAP: 1. Privately-owned water rights on public lands – The SETT felt this should be addressed in the MOU, or addendum to the MOU, with federal agencies; 2. Fee Schedule for consultation – The SETT believes this is a CCS issue, and will be address in the CCS Manual; 3. Setting a cap on, or limiting the number of, preservation projects – The SETT felt this should be addressed in the CCS Adaptive Management document; and 4. Inclusion of tribal lands and allotments and how it would work in the CCS – The SETT felt this should also be addressed in the MOU with federal agencies.

Ms. KC also presented Member Nappe's concerns about the document not being useful in implementing the CCS on the ground. Ms. KC noted being separated by BSAs allows land managers to determine priorities with limited resources. Member Nappe wondered what the link is between the state and range improvements. Chair Goicoechea noted if there is no buy-in by the The Service or BLM on the CCS, it is worthless. Ms. KC noted that the SAP is something that can be implemented by state agencies even without the CCS.

The SAP will be broken down by BSAs, however, the presentation to the SEC will be by threat. Mr. Koch noted that this structure will help to focus the SETT.

Member Swanson asked where Riparian Functionality would fit into the SAP. Chair Goicoechea asked if Member Swanson felt it was addressed through other threats. Member Swanson noted it is a part of some of them, but the functionality is not addressed directly and expressed concern that without specifically focusing on it, it may be ignored. Chair Goicoechea asked Mr. Koch for clarification on if riparian issues had been addressed in the list of threats in 2010 COT report. Mr. Koch noted there is confusion on what is riparian and what is wet meadow. In Nevada wet spots are essential for Sage-grouse habitat, whether it is a springhead, riparian, or wet meadow. How they are labeled is less important than how they are addressed. During the conversation, it was noted that during past SEC discussions, it was decided to organize the threats as they are currently presented.

Member Boies asked about Elk grazing. Melisa Faigeles, SETT, noted that the State Plan addresses livestock, wild horse, and wild burro grazing. The SEC needs to direct the SETT if they want to include other types of grazing. Member Boies noted that at some point the Council may have to address this issue.

Member Lister asked about a timeline for the SAP. Ms. Niell noted that the initial timeline was April, however, it may take longer to get it done correctly.

Mr. Koch suggested his staff come to the next SEC meeting to provide a presentation on the Bi-state action plan and how it functions.

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

## **8. REVIEW OF ACTION ITEMS AND FUTURE AGENDA ITEMS DRAFTED ON FLIPCHARTS 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

- Approved Agenda for January 8, 2015
- Approved Minutes from meeting held on October 27, 2014
- Approved Minutes, with amendments, from meeting held on December 3, 2014
- Approved Minutes from meeting held on December 4, 2014

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

The Council decided the date of their next meeting will be:

- Thursday, February 12, 2015, Guinn Room, Carson City, NV

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

- US Fish and Wildlife Service Staff – Bi-State Action Plan
- Strategic Action Plan (SAP) - Threat
- Adaptive Management Update
- Draft MOU

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

## 9. FEDERAL AGENCY UPDATES AND COMMENTS:

- A. US Fish and Wildlife Service – Member Swanson asked for clarification on the recently passed Congressional Bill concerning the listing of Sage-grouse. Mr. Koch noted the direction from the approved bill was The Service cannot expend funds in the development of a rule, or publish a rule, concerning Sage-grouse for the fiscal year of 2015. The conundrum is that it does not relieve The Service of their legal obligations for a settlement agreement to publish a rule by September 30. The rider emphasized the need to continue to work collaboratively with partners. The Service will continue to do that, and will continue to get plans done and implemented, and demonstrate plan performance. The Service will be involved in status review mode and will continue collecting data, and performing data calls, but will not expend funds to write a proposed rule to list. If the decision is that a listing is NOT warranted, that could be listed for this fiscal year. Mr. Koch noted the sooner Nevada can implement, analyze, and perform adaptive management the better.
- B. Bureau of Land Management – Ms. Mermejo provided an update on the Fire and Invasives Assessment Tool (FIAT). The FIAT Report (Report) was completed last August and it provided a direction on how to complete assessments. The FIAT Tool focuses on fire, invasive annual grasses, and conifers for priority projects. Based upon the Report from last August, there are five areas the BLM will focus on. All are in the Great Basin. They are located in Central Oregon (Oregon is taking the lead to complete the assessments), Northern Great Basin (Idaho is taking the lead to complete the assessments), Snake, Salmon, and Beaverhead in Idaho, Southern Great Basin, Western Great Basin (Utah is taking the lead to complete the assessments). In Nevada, Sandy Gregory, BLM, under Mr. Tague's direction, is looking at the assessments that need to be completed on Southern Great Basin. There were major meetings with a number of agencies and local groups in the field. Everyone conducting assessments is using the same template. Ms. Mermejo noted the assessments are critical to working within the State Plan. The next step is to figure out the priority of treatments. The milestones concerning the FIAT are: drafts of the five assessments are due the 16<sup>th</sup> of January; then there is a technical review with the technical team (lead by National interagency Fire Center); then the review of the assessments by The Service, the BLM Washington D.C. Office, and program area leads; then they will be edited; then the team will need to include additional analysis if needed based upon received comments; and the due date for the final assessments is February 27, 2015. By March, BLM will be able to have a robust discussion with the SEC on the FIAT Assessments. Ms. Mermejo was not sure about the communication plan, but is confident the documents will be made public. Chair Goicoechea expressed concern that no one on the SEC is familiar with the work being done by the BLM on the FIAT, and none of the members have been contacted for input on the public side for the assessments. Mr. Koch agreed with Chair Goicoechea, but noted he has staff participating in the process. Ms. Leuders asked Mr. Koch to sit in on a meeting a couple of weeks ago he made it clear The Service believes the important thing is to stop decline of Sage-grouse. He noted the FIAT presented in March will be far from done. Ms. Mermejo confirmed they are proposals. Chair Goicoechea asked at what point would coordination between the State of Nevada and local governments happen. Mr. Koch noted the threat segments for the BSAs for the State Plan is where it is needed to meld with the FIAT

Assessments. Ms. KC noted that John Copeland, SETT, did represent the State of Nevada on the FIAT Working Group. Ms. Niell and Ryan Shane, Nevada Division of Forestry (NDF), also participated. Member Boies noted that landowners and local area working groups should have been involved before this point. Member Lister stated that this exemplifies a systemic issue that you can only include those who follow the same philosophical bias in the collection and assessment of the data. And then you can include the public in the management actions based on the biased data.

- C. US Forest Service – Mr. Dunkelberger noted that his agency is working with the BLM to get the final Bi-state EIS, along with the proposed plans for the Bi-state Sage-grouse out by the end of January. January 26 is the date for the Notice of Availability to be released. Mr. Dunkelberger also noted that an appropriations bill by the US Congress had public land items with a new wilderness area for Homboldt-Toiyabe, which includes 49,000 acres in prime Bi-state Sage-grouse habitat and allows for treatments in the area.
- D. Other – Meghan Brown, Congressman Amodei's Office, reminded Councilmembers that Congressman Amodei has requested to be included in official communications between federal agencies and the State. Also, Congressman Amodei and Congressman Pearce (Arizona) were selected as Vice-chairs for Policies for the Western Caucus.

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#### **10. STATE AGENCY UPDATES AND COMMENTS:**

- A. Department of Conservation and Natural Resources – Mr. Drozdoff noted the Order is beneficial and works well as a follow-up to meetings held in Boise. There is a BDR for establishing rangeland fire protection organizations in Nevada. There have been discussions with BLM and Congressman Amodei concerning this issue. The SETT and NDF will work with the Bill's sponsor and federal agencies. The SEC will be kept informed. The Nevada State Forester, Bob Roper, is starting the first week in February and has been informed about this. Mr. Drozdoff continues to have discussions with federal agencies to reconcile what concerns they have with the certainty of the State Plan and CCS. Mr. Drozdoff will update the SEC when it is needed. Member Biaggi asked about funding for the SEC in the 2015 budget. Mr. Drozdoff noted it is a priority.
- B. Department of Wildlife (NDOW) – No update.
- C. Department of Agriculture – Member Barbee expressed gratitude for participation in the Governor's Conference back in November 2015. There was a Governor's report presented that is online along with videos of each panel for review.
- D. Conservation Districts Program – Tim Rubald, Conservation Districts, noted there are three field staff conservation specialists located in Elko, Winnemucca, and Ely. Currently, Steve Weaver is in the Winnemucca and is a certified wildlife biologist. Gerry Miller is currently in the Elko position, and is housed at the Department of Agriculture office in Elko. The Ely position is currently vacant but recruitment has begun.

The Program has been on the ground for approximately a year and a half with a lot of turnover. Over two dozen grant applications have been submitted with many being successfully funded, resulting in over 1 million dollars in projects being accomplished. There is over 5,000 acres of improved habitat. There are a number of volunteers that have assisted with the successes of the Conservation Districts. There are currently over half a million dollars' worth of grant applications

submitted. The Program is looking forward to utilizing the CCS. The Program is also working to develop central Nevada local area working groups and continue to work with the established local area working groups.

- E. Sagebrush Ecosystem Technical Team – Ms. KC noted the SETT met with Barrick Mining in December 2014, to review possible pilot projects and ran some through both debit and credit sides. The SETT has not officially put them through the system as they are waiting for better maps. The SETT will also meet with Newmont to get their project outlines to run through the CCS.

The SETT is also entering information received for the data call. The deadline for final entry is January 16. The State Plan, the CCS Manual, and the HQT have been officially entered and approved for Nevada.

The SETT is working on the adaptive management process by putting all items listed from the last meeting into bins. At the February 2015 SEC meeting the SETT will have a timeline on when the adaptive management documents will come out and which bins the items will fall into.

The MOU with federal agencies is being created and the SETT will have a draft by the end of January for the SEC to review at the February meeting.

The SETT is also working on the Review Process for the CCS and how it will work with federal and state projects. Once a draft is complete, it will be presented to the SEC.

John Copeland has retired so the NDF position on the SETT is currently vacant.

The SETT is working with the NDF on the recent Order.

Mr. Lawrence expressed gratitude to Jennifer Newmark, Nevada Natural Heritage Program, for ensuring the contract with Environmental Incentives was renewed before expiring.

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

- 11. PUBLIC COMMENT** – Max Symonds, F.I.M Corporation, noted the Sage-grouse Initiative sent someone from Wisconsin to interview Fred Fulstone. The Initiative is conducting interviews with one rancher from six different states on Sage-grouse. Mr. Fulstone was selected for Nevada. Ms. Symonds noted how much Mr. Fulstone cares about the land in Nevada and his desire to protect ranching for future generations.
- 12. ADJOURNMENT** – Member Biaggi moved to Adjourn; seconded by Member Lister. Meeting adjourned by acclamation at 12:06 PM. **\*ACTION**