



STATE OF NEVADA
SAGEBRUSH ECOSYSTEM COUNCIL
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APPROVED MINUTES

Date: Friday, December 15, 2017
Time: 8:30 a.m.
Place: Nevada Legislature – Room 4100
401 South Carson Street, Carson City, NV 89701

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: J.J. Goicoechea, Chris MacKenzie, Allen Biaggi, Steven Boies, Bevan Lister, William Molini, Sherman Swanson, via teleconference, Starla Lacy, Bill Dunkelberger, John Ruhs, Carolyn Swed, Gary Roeder, for Ray Dotson, Jim Barbee and Tony Wasley.

Council Members Absent: Gerry Emm, Ray Dotson, Jim Lawrence and Bradley Crowell.

1. CALL TO ORDER – Chairman J.J. Goicoechea called the meeting to order at 8:36 a.m.

2. PUBLIC COMMENT – None

3. APPROVAL OF AGENDA – *FOR POSSIBLE ACTION

Approval of agenda for December 15, 2017 – Member Allen Biaggi moved to approve the agenda; seconded by Member Starla Lacy; motion passed unanimously. ***ACTION**

4. APPROVAL OF MINUTES – *FOR POSSIBLE ACTION

Approval of minutes from the meeting held on November 9, 2017 – Ms. Carolyn Swed noted an error on page 5, advising that the sentence should read, “Ms. Swed offered that it would be imperative to contextualize the take within the framework that the state has put forward in the **State Plan...**” Mr. Tony Wasley noted an error on page 4, advising that the sentence should read, “Mr. Wasley advised that presently **Wildlife Services...**” Member Steven Boies made a motion to approve the minutes with the corrections; seconded by Member Bevan Lister; motion passed, with Members Biaggi and Chris MacKenzie abstaining due to their absence at the November 9, 2017 meeting. ***ACTION**

5. COUNCIL MEMBER ITEMS AND CORRESPONDENCE –

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

Member Boies asked if Mr. Kelly McGowan had reviewed the study titled “[Phenology largely explains taller grass at successful nests in greater sage-grouse](#)” originally published on November 28, 2017. Mr. McGowan replied that he had. Member Lister stated that he had reviewed the comments on the Notice of Intent directed

to Secretary Ryan Zinke from Governor Sandoval and expressed his concern that the Sagebrush Ecosystem Council (SEC) is not included as a consulting authority and would like Deputy Attorney General (DAG) Bryan Stockton to explain, at a future meeting, the SEC roles and its authorities.

6. REVIEW AND POSSIBLE APPROVAL OF THE 2017 ANNUAL CCS SPECIFIC PERFORMANCE REPORT. - *FOR POSSIBLE ACTION* *SETT Staff*

Mr. McGowan reviewed a PowerPoint presentation of the 2017 Performance Report, a copy of which is available on the Program's website. Mr. McGowan noted that this is a new report created by the Sagebrush Ecosystem Technical Team (SETT). Mr. McGowan said that the report would be submitted to Governor Sandoval, along with the statutorily required semi-annual report, if that was the pleasure of the SEC. The new report will be generated annually. The Council discussed whether the Performance Report would be submitted by the SEC or if it would be submitted on behalf of the SETT, and it was decided that the report will be submitted on behalf of the SETT.

A full account of the discussion is captured in the audio recording, which is available on the Program's website. ***NO ACTION**

7. REVIEW AND POSSIBLE APPROVAL OF THE 2017 CONSERVATION CREDIT SYSTEM CONTINUAL IMPROVEMENT RECOMMENDATIONS - *FOR POSSIBLE ACTION* *SETT Staff*

Mr. McGowan reviewed a PowerPoint presentation titled, "2017 Draft Findings & Improvement Recommendations Report," a copy of which is available on the Program's website. Mr. McGowan stated that the SETT is recommending six improvements to the Conservation Credit System (CCS), three of which will be presented at today's meeting as follows:

- 1) Allow term credits to offset permanent impacts using a 12:1 ratio;
- 2) Identify and eliminate habitat of De Minimis quality from field data collection for debit projects; and
- 3) Removal of anthropogenic disturbances should require an increased reserve account contribution.

Mr. McGowan advised the SEC that additional improvements would be presented at the next Council meeting as follows:

- 1) Additional powerline classifications;
- 2) Ancillary features;
- 3) Conifer Removal; and
- 4) Possible improvement recommendation on the use of the habitat suitability index (HSI) on debit projects.

Ms. Katie Andrie reviewed Finding 1 with the SEC advising that permanent credits, in some circumstances, may not be a feasible option for either the credit developer or the credit buyer. Ms. Andrie noted that in some situations only a small portion of debits generated from a debit project must be offset with permanent credits; the cost of financial assurances is significantly higher for permanent credits than for temporary credits; credit developers are unlikely to be interested in generating both temporary and permanent credits from the same credit project; and credit developers are unlikely to sell or transfer permanent credits without clear understanding of the demand. Ms. Andrie then presented the SETT's improvement recommendation to allow term credits to offset permanent impacts utilizing a 12:1 ratio and provided the example that 20 permanent debits would equal 240 term debits. Ms. Andrie provided rationale for the ratio by stating that NRS 111.1031, Estates in Property; Conveyancing and Recording, the statutory rule against perpetuities, allows that an interest that is created must terminate within 365 years after its creation, thereby rationalizing that multiplying 20 permanent debits by the 12:1 ratio would equal 240 term debits. Ms. Andrie did note that the statute does not specifically apply to CCS transactions. Ms. Andrie said that the SETT wanted to develop an option that if a credit buyer was not willing, or able, to buy permanent credits to offset their obligation, conservation and habitat uplift could be achieved by allowing term credits, with the use of the multiplier, as an offset. Ms. Andrie further stated that the SETT would require credit buyers to research the availability of permanent credits prior to considering the multiplier, however if that was not feasible, the SETT wanted to offer an option that was more reasonable. Ms. Andrie stated that if a landowner is entering into a conservation easement, or has already established a conservation easement, the generation of permanent credits may be of benefit to

them. Chair Goicoechea asked Ms. Andrie to define a permanent credit and how it differs from a term credit. Ms. Andrie replied that when a landowner determines the number of credits available to them, they may choose to sell those credits as either temporary or permanent, noting that most developers are interested in selling the 30-year term credits. Member Biaggi stated that there would be a value cost difference between the two types of credits, so wondered why a developer would choose to sell temporary credits rather than permanent credits, as those are worth more. Ms. Andrie replied that the permanent credits would lock-up the property, essentially in perpetuity, and the cost of maintaining and managing the property in perpetuity could be cost prohibitive. Chair Goicoechea expressed doubt that a financial assurance could be guaranteed for 365 years. Mr. McGowan said that the SETT has estimated that 50% of the sale of those types of credits would need to be set aside for the long-term financial assurances for permanent credits. Member Biaggi said that in reviewing NRS 111.1031, he noted that the statute deals with trusts and property interests and he is not sure if that has any nexus to natural and vegetation systems and doesn't believe that is a valid premise for calculating perpetuity. Member Biaggi also stated that 365 years is a very long time when dealing with natural systems and has concerns with that length of time. Member Biaggi offered the example that if a debit producer purchased permanent credits, it would be at the 1:1 ratio, however temporary credits would be at the 12:1 ratio and believes that would create an unbalance within the CCS. Member Biaggi also advised that he was not aware that there was a difference between a permanent and a temporary credit and would like more information before he can approve the finding. Ms. Lacy asked if there had been any indication that the price of the permanent credit, in comparison to the temporary credit, would also be at the 12:1 ratio. Ms. Andrie said that they are unsure and would be dependent on the project. Ms. Lacy noted that if the price difference is not at the 12:1 ratio, debit creators may use the system to their advantage and it is an issue that the SEC should be aware of. Mr. McGowan offered that the CCS manual contains an option allowing the credit buyer to purchase 30-year credits and at the end of the term, the buyer would have to renegotiate every 30 years for additional credits. Mr. McGowan said that the cost of purchasing the credits for future periods creates uncertainties within the industry. Member Sherman Swanson stated that the concept, in general, makes sense, in that there are some changes to the landscape that are relatively permanent, such as an open-pit mine, or the crossing of an ecological threshold, and there should be flexibility in the system. Member MacKenzie provided a brief description on the statute regarding rules against perpetuities, and gave his objection to the 365 year timeframe, noting that some leases have a 99 year clause, and a number that is more relatable and manageable should be explored. Member Boies also expressed concern with the 365 year term and agreed more information needs to be developed. There was further discussion, questions and concerns expressed by the SEC, and a full account of the discussion is captured in the audio recording which is available on the Program's website. Member Biaggi moved that Improvement Finding 1 be sent back to the SETT for further refinement; seconded by Member Boise; discussion was held on the motion; motion passed unanimously. ***ACTION.**

Ms. Andrie presented the SETT's Finding 2 stating that some map units within debit project areas hold extremely low to no habitat value for sage-grouse and those areas can be identified prior to field data collection and excluded from the HQT analysis when calculating debits, which will reduce the cost of assessing debits by reducing the cost of field data collection. Ms. Andrie said that the rationale for Finding 2 is an effort to streamline data collection efforts specifically in regard to debit projects by identifying those low quality areas prior to fieldwork. Ms. Andrie said that these areas will most likely yield very low or 0% habitat function for sage-grouse and the SETT believes that several categories can be removed from the debit project area assessment if certain criteria are met. Ms. Andrie stated that the SETT recommendation is to identify and eliminate habitat of De Minimis quality from the data collection process, such as cheatgrass monocultures and phase III pinyon juniper (PJ), with the exception of areas that occur within one kilometer of active leks. Ms. Andrie provided the SEC with the background research demonstrating the impacts of conifers on sage-grouse, as well as the avoidance of sage-grouse to cheatgrass. Ms. Andrie continued the PowerPoint presentation by reviewing maps delineating conifer canopy cover utilizing the United States Geological Survey (USGS) 1 meter scale conifer map, which is incorporated in the current HSI. Ms. Andrie stated that the SETT had reclassified the map according to percent canopy cover for each phase of conifers, noting that phase 1 is defined as less

than 10% canopy cover, phase II is 10-20% and phase III is greater than 20%. Ms. Andrie advised the SEC that the Miller study classified phase III canopy cover as greater than 30%; however, the SETT is utilizing Dr. Peter Coates' study classifying phase III as greater than 20% due to the sage-grouse telemetry data modeled against the USGS canopy cover layer utilized in the HSI. Ms. Andrie noted that consistency is critical with the input layers and the SETT wanted to ensure that the cut-offs were attributed to how biologically PJ conifer cover is impacting birds on the landscape. The SETT then converted the pixel map to a polygon file which can be utilized within the HQT analysis. Ms. Andrie said that a project proponent could utilize the shape file to clip out phase III conifer within their project area. Chair Goicoechea commented that the maps should not be solely relied upon and ground-truthing must also be undertaken. Ms. Andrie replied that the maps are based off of models and although they contain the best available science, there must always be an aspect of ground-truthing and verification of conditions on the site. Ms. Andrie continued with the discussion of the cheatgrass maps utilizing similar USGS maps and reclassified according to 35% or greater cover of annual herbaceous cover (cheatgrass) resulting in a polygon shaped file identifying those areas. Ms. Andrie stated that 30% cheatgrass cover results in a 0% function, however the SETT erred on the side of caution recommending the 35% cover to ensure that an area that could be rehabilitated was not overlooked and those areas will be documented by verifiers and approved by the SETT. Member Biaggi moved to approve Finding 2 and the associated improvements; seconded by Member Lacy; there was discussion on the motion. Member Swanson stated that the idea of streamlining the process for debit creators makes sense, however he believes that particular areas of land, even if they are not currently providing habitat, may provide habitat in the future and the potential solution would be to utilize the ecological sites as an alternative basis for determining the number of debits created. Member Swanson also said that if the debit creator believed they could save money by sending a field crew out to collect the data, they should be able to do that, or they could use this fallback position. There was further discussion on the motion which is captured in the audio recording available on the Program's website. Chair Goicoechea clarified the motion by stating, "The motion is to identify and eliminate habitat of De Minimis quality from field data collection for debit projects". A vote was taken on the motion; motion passed; with Member Swanson voting nay. ***ACTION.**

Mr. Dan Huser presented the SETT's Finding 3 stating that the removal of anthropogenic disturbances has been envisioned as a way to generate credits since the conception of the CCS. Mr. Huser said that there are generally two pathways to generate the credits, the first being the removal of the disturbance on private lands and the other as a public land anthropogenic disturbance removal. Mr. Huser said that when the removal occurs on public lands' rights-of-way, without a commitment to monitor and maintain habitat as part of a project, reduced durability is a concern. Mr. Huser presented the SETT's improvement recommendation as requiring three times the standard reserve account contribution when credits are generated in this manner, as there are no requirements for maintenance or monitoring. Mr. Huser further stated that the risk of habitat loss due to natural events and manmade disturbances, as well as the lack of financial assurances to address potential losses, would create an unmitigated burden to the reserve account credits. Mr. Huser provided the example that if a powerline removal project was undertaken on a public lands rights-of-way, the credits yielded would equal the change in credits calculated with and without the disturbance in the area of impact when conducting the HSI analysis. Mr. Huser reminded the SEC that, in this case, credits are for habitat uplift through the removal of existing structures. Credits for preserving or maintaining habitat are currently not possible on public lands. Mr. Huser said that with this recommendation the reserve account contribution would be three times higher than a project that includes preservation and related components. Mr. Huser provided a scenario that if 350 credits were awarded for the removal of five kilometers of powerlines the expected reserve account contribution would range from 15-42%, as opposed to 5-14%. Member Biaggi asked how the 3:1 ration was derived. Mr. Huser replied that the SETT believed it was a reasonable ratio based on the durability concerns. Member Lacy asked for clarification on the process, stating that if Nevada Energy removed a powerline that would mean that Nevada Energy would have to deposit up to 42% of the value of the credits generated into the reserve account. Mr. Huser replied affirmatively. Member Lacy asked what would happen if a herd of wild horses go through that area, that would not be the responsibility of the

debit creator, and how would that scenario be treated, and what other mechanism is available to preserve the durability.

Chair Goicoechea called for a recess at 10:40 a.m., due to telephonic interference, and reconvened at 10:46 a.m.

Mr. Huser replied to Member Lacy's previous question by stating that the SETT currently cannot award credits for preservation on public land, but with that said, credits would be awarded in this occurrence for as long as a 50-year period, and although there is reduced durability on public lands, the credits are awarded as if the habitat will be static over that term. This is problematic because there is a chance the site could become degraded due to the risks of natural decline, fire, or other factors that the credit generator would not be responsible for addressing. The increased contribution to the reserve account is how that would be dealt with in these situations. Member Lacy asked what would happen to those credits in the reserve account. Mr. Huser replied that when a loss of habitat occurs, credits would be withdrawn to account for the credits lost on the project. Mr. McGowan likened the reserve account to insurance policies, managed by the SETT, and further supplied that the basis for the higher contribution on public lands is that there is a higher likelihood for this scenario to occur on public lands, as they are managed for public use. Member Lacy said that those credits are only awarded for a 50-year period and after that period do the credits expire and are permanently retired. Mr. McGowan replied affirmatively. Member Lacy replied that those credits could be used to balance state-wide habitat preservation, and asked if those credits could be offered for sale to debit producers. Mr. McGowan replied that those credits would never be sold and the SETT envisions those types of credits would be kept separate from the saleable credits. Mr. Dunkelberger noted that all of United States Forest Services' (USFS) powerline permits, easements and rights-of-way contain a requirement that if the company no longer utilizes that line, it must be removed and questioned why that party should then receive credits. Mr. Dunkelberger also provided that in the case of abandoned powerlines, USFS could possibly enter into a stewardship agreement for the removal, which could generate credits. Mr. John Ruhs, Bureau of Land Management (BLM) said that there are some examples where he sees merit to this improvement, such as the removal of abandoned fencing, however in the case of rights-of-way that have been issued by the BLM they also have a restoration process in the right-of-way application. Mr. McGowan stated that the need for this improvement is to offer incentive to those who have utilities that can be co-located or removed, while allowing for the ability to generate credits to offset their future disturbances, and could specifically incentivize rural electric companies. Member Lister said that if given the proper incentive, the utility district may remove the powerline and place it underground, however if they are required to contribute 40% of the value of the credits to the reserve account, that may disincentivize the utility. Mr. McGowan replied that there is a cost to setting up financial assurances, and in this case, the utility would not be required to pay that cost; the utility would not be required to provide samples, or annual monitoring, or fifth year reverification—all costs required of any other credit project, thereby saving the utility a significant amount on the cost of generating a credit. Member Lister replied that he was not sure if the debit project to install the underground powerline would be offset by the credits generated to remove the overhead line. Mr. McGowan said that if the utility installed the powerline underground, it would not be considered as an anthropogenic disturbance; thereby no debit would be generated. Member Boies asked Ms. Lacy for clarification with regard to powerlines and the easement for that powerline so the line could be removed and theoretically retain the easement, is there a value to that. Ms. Lacy replied there is value, but easements are very specific to a purpose. Member Boies then asked if a rural electric provider could sell the credits they generate, or are they only available to mitigate the utility's disturbance. Mr. McGowan replied that the utility may sell their credits just as any other credit producer could, however it is his opinion that the utility would retain them for their own needs, or possibly exchange the credits with another rural electric provider. Member Boies said that his concern is that one large power project could create a large number of credits in priority habitat, thereby saturating the market. There was further discussion by the Council on the finding, which is captured on the audio recording located on the Program's website. Member Boies moved to accept Finding 3; seconded by Member MacKenzie; there was discussion on the motion; motion passed unanimously. ***ACTION.**

8. REVIEW AND DISCUSSION ON THE SEMI-ANNUAL PROGRESS REPORT TO THE GOVERNOR'S OFFICE - *FOR POSSIBLE ACTION* *SETT Staff*

Mr. McGowan presented the semi-annual progress report of the Sagebrush Ecosystem Program to the SEC. Member Lister moved that the SEC accept the report and authorize the SETT to submit the report to the Governor; seconded by Member MacKenzie; motion passed unanimously. ***ACTION**

9. DISCUSSION OF SEC INPUT AND RESPONSE TO THE U.S. DEPARTMENT OF AGRICULTURE'S (USDA) NOTICE OF INTENT TO AMEND U.S. FOREST SERVICE (USFS) LAND USE PLANS REGARDING GREATER SAGE-GROUSE CONSERVATION - *FOR POSSIBLE ACTION*

Chair Goicoechea stated that, based upon conversation at the last SEC meeting with regard to the BLM's Notice of Intent (NOI), he believes SEC input would be similar, with minor changes to the habitat objectives and the different table. Chair Goicoechea asked if the Governor's office had different concerns. Ms. Sheila Anderson provided that the concerns are similar with just a few differences and the Governor's office is asking for clarifications on those differences. Ms. Anderson stated that if specific input is required they would reach out to the specific agencies as well as to the SEC. Member Biaggi said that there are some differences in the National Environmental Policy Act (NEPA) process between the BLM and USFS and asked Ms. Anderson if that presented any concerns. Ms. Anderson replied that it is her understanding that BLM and USFS will be attempting to track a similar process as they did with the original plans. Mr. Dunkelberger advised that was his understanding to the extent that can be done, although there are different regulations that the USFS must follow. Mr. Dunkelberger emphasized that the biggest difference is that the BLM is organized by state and USFS is not and he believes it would behoove the SEC to recommend preparing the plans on a state-by-state basis. Chair Goicoechea agreed on the state-by-state approach as Nevada has different concerns than other states, while also focusing on the sagebrush focal areas (SFA). Member Lister reiterated that the SEC or the SETT be included in any group or panel formed in regards to the NOI. ***NO ACTION**

10. PRESENTATION BY NEVADA DEPARTMENT OF AGRICULTURE ON THEIR NEWLY DEVELOPED RANGELAND MONITORING ELECTRONIC APPLICATION - *Dave Voth*

Chair Goicoechea introduced Mr. Dave Voth, Rangeland Health Coordinator for the Nevada Department of Agriculture (NDA). Mr. Voth reviewed a PowerPoint presentation titled, "Rangeland Monitoring App," a copy of which is available on the Program's website. Mr. Voth provided the SEC with an overview of the Rangeland App, noting it was built with the producer in mind to provide defensible data and advised that the app would be provided to users at no charge. ***NO ACTION**

11. REVIEW OF ACTION ITEMS AND FUTURE AGENDA ITEMS DISCUSSED DURING THIS MEETING AND SCHEDULING THE NEXT SEC MEETING – FOR POSSIBLE ACTION

- A. With staff assistance, the Council will review items discussed, as well as items acted upon during this meeting, and determine which of those they wish to direct staff to do further work on, as well as which items the Council wishes to act on that may not have been acted upon during earlier discussion.
- B. Presentation by DAG Bryan Stockton as to the roles and authority of the SEC.
- C. Review and possible approval of the 2017 Conservation Credit System Continual Improvement Recommendations.
- D. Review of State of Nevada response to U.S. Department of Agriculture's Notice of Intent to amend U.S. Forest Service Land Use Plans.

- E. Review of Bureau of Land Management scoping comments on the Notice of Intent.
- F. The Council scheduled their next meeting for Thursday, February 8, 2018, location and time to be determined.

12. FEDERAL AGENCY UPDATES AND COMMENTS –

A. U.S. Fish and Wildlife Service – (USFWS) Ms. Carolyn Swed acknowledged the work of the Council and the SETT with regard to the permanent and temporary credits and advised that it is important to not lose perspective with regard to the nature of the impacts that are being addressed and USFWS is available for any on-going dialogue with the parties to arrive at workable solutions.

B. Bureau of Land Management (BLM) – Mr. John Ruhs advised that BLM is in the final phase of the scoping comments for the published NOI and BLM, along with partners, are working on instruction memorandums (IMs) regarding sage-grouse and he expects a revised set of sage-grouse implementation IMs to be released in the near future. Mr. Ruhs stated that the draft IMs will respond to the review of the sage-grouse plans and policies under Secretarial Order No. 3353 and will include the recommendations contained in the report to the Secretary. Mr. Ruhs said that BLM has been working closely with governors' representatives from the western states with regard to the IMs. Mr. Ruhs also provided that the IMs will cover six areas; revise grazing thresholds and responses; adaptive management; grazing priority setting; habitat assessment frameworks; habitat objectives; and oil and gas prioritization. Mr. Ruhs advised that the BLM conducted three scoping process meetings in Sparks, Elko and Ely, allowing the public an opportunity to share their concerns and provide input. Mr. Ruhs also stated that 24 agencies have requested cooperating agency status at this time and it is BLM's intent to finalize the agreements by the end of January, so that work can begin on alternative development for the new planning process. Mr. Ruhs said that BLM is attempting to draft a schedule for the timeframe on the planning process; however it is still in rough draft format.

C. US Forest Service (USFS) – Mr. Bill Dunkelberger advised that USFS has engaged a contractor to prepare a content analysis on the comments received with regard to the Rangeland Monitoring application. Mr. Dunkelberger further advised that the Humboldt Toiyabe USFS accomplished 8,000 acres of sage-grouse habitat improvement

D. US Department of Agriculture (NRCS) – Mr. Gary Roeder advised that Mr. Ray Dotson has been assigned as the acting State Conservationist for the State of California for the next few months. Mr. Roeder also advised that NRCS funded 11 Environmental Quality Incentives Program (EQIP) contracts with private landowners and entities totaling approximately \$961,000 and containing approximately 63,000 acres of sage-grouse habitat. Mr. Roeder noted that the 2018 allocations have been released and they are similar to the 2017 allocations, totaling approximately \$1M. Mr. Roeder further advised that NRCS has been working closely with the SETT on developing the sign-up period, ranking criteria and the evaluation of projects for the Regional Conservation Partnership Program (RCPP). Mr. Roeder stated that the National Conservation Innovative Grants announcement will be released on December 18, 2017.

E. Other – No update.

13. STATE AGENCY UPDATES AND COMMENTS

A. Office of the Governor – No update.

B. Department of Conservation and Natural Resources (DCNR) – No update.

C. Department of Wildlife (NDOW) – Mr. Tony Wasley stated that NDOW had held its annual sage-grouse wing bee last week with biologists analyzing over 1,000 wings from all parts of the state, with the exception of the Sheldon National Wildlife Refuge and the Desatoya population management unit, noting that those

samples would be analyzed next week. Mr. Wasley said that the statewide recruitment rate was estimated at 1.05 chicks per hen, which is low noting that the previous analysis of lek count population growth rate and production have suggested that a recruitment rate of greater than 1.5 chicks per hen is necessary to maintain a stable to increasing population. Mr. Wasley advised that NDOW biologists and seasonal technicians are commencing work on developing a comprehensive data base of sage-grouse brood surveys. Mr. Wasley said that NDOW's biologists, in both the habitat and game divisions, are actively involved in fire re-seeding activities in multiple locations. Mr. Wasley advised the SEC that he met with the Secretary of the Interior, along with the executive committee of the Association of Fish and Wildlife Agencies and two items of interest were discussed, the first being the land use plan amendments (LUPA). Mr. Wasley said that the Secretary noted that of the eleven states with sage-grouse affected by the LUPAs, only the state of Oregon expressed a desire for no changes to the LUPA. Mr. Wasley stated that the other item discussed was the Wild Horse and Burro Program and he was impressed with how well-briefed the Secretary was on the issue. Member Lacy asked if NDOW was able draw a conclusion for the less successful number of chicks per hen and if that could be attributed to the massive wildfires in Nevada. Mr. Shawn Espinosa, Upland Game Staff Specialist, NDOW, replied that the situation is perplexing after the record precipitation year, but believes that the extended drought and its continued effects played a role in the decrease of chicks. Mr. Espinosa also advised that they are observing large swaths of dead sagebrush, caused partly by drought and partly by Aroga moth infestation and those factors may also be attributors.

D. Department of Agriculture (NDA) – No update

E. Conservation Districts Program – No update

F. Sagebrush Ecosystem Technical Team (SETT) – Mr. Kelly McGowan reported that the SETT has been working closely with NRCS on the RCPP grant program and he has received confirmation of at least two landowners who have submitted applications. Mr. McGowan said that a validation checklist has been completed by Kay Valley Ranch in eastern Nevada for the CCS and the SETT has met with landowners in Washoe and Elko County who have expressed interest in developing credits. Mr. McGowan advised the Council that they will be conducting a verifier training in late winter or early spring. Mr. McGowan also said that the SETT will be working closely with the Conservation Districts and hope that the districts will help promote the CCS. Mr. McGowan advised the SEC that the correspondence regarding fire-borrowing, the Wild Horse and Burro Act and increased raven takes have been finalized and copies will be provided to the SEC. Mr. McGowan closed with advising the SEC that meetings will be scheduled with the BLM and USFS at the district office level to introduce those offices to the CCS and to establish stronger relationships, as well as continued interaction with the mining and geothermal industries who have expressed interest in the CCS on their mitigation projects.

G. Other – No update.

14. PUBLIC COMMENT

Mr. Patrick Donnelly, Center for Biological Diversity, Nevada State Director expressed concern regarding the DOI NOI and said that the Greater sage-grouse continue to decline throughout the west due to a spectrum of threats, including oil and gas development, livestock grazing, invasive plants, fire and climate change. Mr. Donnelly said that if the species is to survive and recover, public lands are a vital part of that recovery and the Obama era sage-grouse plans were a compromise between that administration, energy, livestock industries and the states. Mr. Donnelly believes that the compromise plan fell short of what many scientists agree are necessary conservation methods. Mr. Donnelly also believes that the 2015 LUPAs are an uncontrolled experiment in whether sage-grouse can survive continued management of their habitat for energy, minerals and grazing. A full account of Mr. Donnelly's public comments is captured in the audio recording located on the Program's website.

Mr. Jerry Miller, Co-Chairman, Northeastern Local Area Working Group provided the SEC with an update on the LAWG's recent activities

15. ADJOURNMENT – There being no further business to come before the Council, Chair Goicoechea adjourned the meeting at 12:17 p.m.