



STATE OF NEVADA
SAGEBRUSH ECOSYSTEM COUNCIL
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DRAFT MINUTES

Date: Thursday, April 5, 2018
Time: 9:00 a.m.
Place: Bryan Building – PEBP Conference Room
901 South Stewart 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: Chris MacKenzie, Allen Biaggi, Steven Boies, Bevan Lister, William Molini, Sherman Swanson, Starla Lacy, Gerry Emm, Cheva Gabor for Bill Dunkelberger, John Ruhs, Carolyn Swed, Gary Roeder for Ray Dotson, Bradley Crowell, Jim Lawrence and Tony Wasley.

Council Members Absent: J.J. Goicoechea, Bill Dunkelberger and Ray Dotson.

Prior to the call to order, Mr. Kim Summers, of R.D.D., Inc., signed the Management Agreement signifying his intent to develop credits on the project property and entry in to the Conservation Credit System (CCS). The Sagebrush Ecosystem Council (SEC) thanked Mr. Summers for his participation and for being a pioneer of the CCS.

1. **CALL TO ORDER** – Vice-Chairman Chris MacKenzie called the meeting to order at 9:09 a.m.
2. **PUBLIC COMMENT** – Tori Sundheim, Public Lands and Natural Resources Director, Nevada Association of Counties (NACO) advised that the counties have been highly organized during the Bureau of Land Management (BLM) scoping process and plan amendment and it is the intent of NACO to align itself with both the SEC and BLM comments. Ms. Sundheim noted that representatives from NACO are available to answer any questions the SEC may have during this meeting.
3. **APPROVAL OF AGENDA – *FOR POSSIBLE ACTION**
Approval of agenda for April 5, 2018 – Member Starla Lacy moved to approve the agenda; seconded by Member Bevan Lister; motion passed unanimously. ***ACTION**
4. **APPROVAL OF MINUTES – *FOR POSSIBLE ACTION**
Approval of minutes from the meeting held on March 13, 2018 – Member Allen Biaggi moved to approve the draft minutes; seconded by Member Lister; motion passed unanimously. ***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 Lister commented that his constituency has advised him that during the BLM's scoping process, they felt that their concerns were not acknowledged and were not treated as relevant.

6. DISCUSSION AND POTENTIAL REVISIONS AND TECHNICAL CORRECTIONS TO THE 2014 NEVADA GREATER SAGE-GROUSE CONSERVATION PLAN- *FOR POSSIBLE ACTION*

Mr. Kelly McGowan, Sagebrush Ecosystem Technical Team (SETT) presented proposed changes to the 2014 Nevada Greater Sage-Grouse Conservation Plan (State Plan), noting that there were numerous items which needed to be addressed and updated, advising that most items requiring revision involved dates, language, and terminology, while other items may require more consideration by the SEC. A copy of the red-lined version of the 2014 Nevada Greater Sage-Grouse Conservation Plan and the Nevada State Plan Actionable Items are located on the Program's website. Members of the SEC expressed concern regarding the lack of time the members had to review the proposed changes. It was decided by the SEC that each item would be taken under consideration and if there were no concerns by the council, an action could be taken. If, however, the SEC had additional questions or required more clarification, that item would be tabled until next brought before the SEC. Mr. McGowan, working off the above-referenced Nevada State Plan Actionable Items, began with Item 1, Update Figures, Tables, Science and References, Dates, Numbers, Documents, Formatting and Links. Mr. McGowan advised that this item would apply throughout the entire State Plan and should be considered last by the SEC. Mr. McGowan continued with Item 2, Remove Sage-Grouse Management Areas (SGMA) and replace with Sage-Grouse Management Categories/Service Area throughout the State Plan. Mr. McGowan explained that this change would more closely align the State Plan with the CCS manual. Member Sherman Swanson moved to approve Item 2 of the Nevada State Plan Actionable Items, seconded by Member Lacy; there was discussion on the motion; motion passed unanimously. ***ACTION**

Mr. McGowan continued with Item 3, Removing "Core" and replacing it with PHMA, GHMA and OHMA. Mr. McGowan advised that the Sage-grouse Management Category Areas definitions should be revised by changing the titles of Priority Management Areas to Priority Habitat Management Areas (PHMA); General Management Areas to General Habitat Management Areas (GHMA); and Non-Habitat Management Areas to Other Habitat Management Areas (OHMA). Mr. McGowan further advised that the Core Management Areas category title should be removed. Mr. McGowan explained that this change would bring the State Plan into alignment with language used by the BLM and United States Forest Service (USFS), as well as the CCS. Mr. McGowan stressed that the definitions of the habitat were not changed, only the title of the habitat management areas. Member Swanson moved to approve Item 3 of the Nevada State Plan Actionable Items, seconded by Member Starla Lacy; there was discussion on the motion; motion passed unanimously.

***ACTION**

Mr. McGowan continued with Item 4, Define Service Area. Mr. McGowan stated that new language had been crafted to more closely align the State Plan with the CCS. Member Biaggi moved to approve Item 4 of the Nevada State Plan Actionable Items, seconded by Member Swanson; there was discussion on the motion; motion passed unanimously. ***ACTION**

Mr. McGowan continued with Item 5, Defining PHMA, GHMA and OHMA. Mr. McGowan stated that this revision is in concert with Item 3, and would affect Table 3-1 and certain other sections of the State Plan to correctly reflect the new titles of Habitat Management Areas (HMAs). Member Swanson moved to approve Item 5 of the Nevada State Plan Actionable Items, seconded by Member Biaggi; there was discussion on the motion; motion passed unanimously. ***ACTION**

Mr. McGowan presented Items 6 and 7 concurrently, Desired Habitat Conditions and Table 4-1, Desired Habitat Conditions for Greater Sage-Grouse. Vice-chair MacKenzie noted that Item 6 is listed as a future action item; however, the SETT will update the SEC on this matter. Mr. McGowan advised that this item may be discussed today under Agenda Item 7 as this may be one of the areas that have the potential to be considered under the BLM and USFS amendment process. Member Steven Boies asked if the SETT proposed changes to Paragraph 4.0 Desired Habitat Conditions for Greater Sage-Grouse, or Table 4-1. Mr. McGowan replied that the SETT would not. Member Swanson noted that he believes slight modifications will need to be made due to updated science and recent publications, but in all other aspects this section correctly reflects the

desired habitat conditions for Greater Sage-grouse (GRSG). Vice-chair MacKenzie asked Mr. McGowan to continue with Item 8. ***NO ACTION**

Mr. McGowan continued with Items 8 and 9, Map Updates Process, Map Updates Changes/Deletions. Mr. McGowan noted that the SEC had previously approved this update in April of 2015, but the changes had not yet been put into effect. Members of the SEC expressed concern with the proposed updates and deletions to the State Plan and advised that Items 8 and 9 would require more discussion. Member Biaggi moved to table Items 8 and 9; seconded by Member William Molini; motion passed unanimously. ***ACTION**

Mr. McGowan continued with Item 10, Good Neighbor Agreement noting a proposed addition to the State Plan to address recently signed Good Neighbor Agreements for joint projects between federal and state agencies. Member Biaggi moved to approve Item 10 of the Nevada State Plan Actionable Items, and to include a definition of Good Neighbor Agreement within the State Plan; seconded by Member Molini; motion passed unanimously. ***ACTION**

Mr. McGowan continued with Item 11, Fire Break and Restoration PEIS's (Programmatic Environmental Impact Statement). Mr. McGowan noted this is a future action item stating that the BLM is in the process of the PEIS for this and it may be a good time to incorporate it into the State Plan once they have finished that process.

***NO ACTION**

Mr. McGowan continued with Item 12, Numerical Structure of Section 7. Mr. McGowan stated that this revision is a renumbering of the section to make the document more readable. Member Biaggi moved to approve Item 12 of the Nevada State Plan Actionable Items; seconded by Member Lacy; motion passed unanimously.

***ACTION**

Mr. McGowan continued with Item 13, Outcome Based Grazing. Vice-Chair MacKenzie noted that this is a future action item. Mr. McGowan said that some language could be built into the State Plan emphasizing the process of the Results Oriented Grazing for Ecological Resilience (ROGER) once that information becomes available. ***NO ACTION**

Mr. McGowan continued with Item 14, Update the Anthropogenic Disturbances to Incorporate the CCS. Mr. McGowan stated that a minor language change is proposed which discusses how the CCS quantifies indirect disturbances. Member Biaggi moved to approve Item 14 of the Nevada State Plan Actionable Items; seconded by Member Boies; motion passed unanimously. ***ACTION**

Mr. McGowan continued with Item 15, Update the Mitigation Ratios to correspond with the CCS. Mr. McGowan said that language has been added to include conifer removal factor in the mitigation factors, as well as the meadow habitat factor. Mr. McGowan further said that the habitat importance factor and the seasonal habitat scarcity factor language would be deleted as they are unnecessary. Member Boies moved to approve Item 15 of the Nevada State Plan Actionable Items; seconded by Member Lister; motion passed unanimously.

***ACTION**

Mr. McGowan continued with Item 16, Update Durability of Projects. Mr. McGowan stated that new language has been inserted with regard to the development of credits on public lands. Member Biaggi moved to approve Item 16 of the Nevada State Plan Actionable Items; seconded by Member Lacy; there was discussion on the motion; motion passed unanimously. ***ACTION**

Mr. McGowan continued with Item 17, Update Project Life Definition. Mr. McGowan stated that new language has been inserted regarding the definition of project life. Member Gerry Emm moved to approve Item 17 of the Nevada State Plan Actionable Items; seconded by Member Lacy; motion passed unanimously. ***ACTION**

Mr. McGowan continued with Item 18, Update Variability Tolerance Threshold to Match the CCS Manual. Mr. McGowan stated that this is a future action item and the concept needs to continue to be developed. ***NO ACTION**

Mr. McGowan continued with Item 19, Update Non CCS Mitigation. Vice-chair MacKenzie noted this item is a future action item. Mr. McGowan said that the current language in the State Plan states that debit projects permitted through federal agencies are not required to use the CCS to fulfill their compensatory mitigation obligations and believes new language should continue to be developed before final adoption in the State Plan. Member Lister inquired if the plan could be amended to require public land projects to utilize the Habitat Quantification Tool (HQT). Ms. Cheva Gabor, USFS replied that the USFS could require the use of the HQT to quantify debits and credits, but cautioned that USFS is still in the planning process and that issue has not been

decided. Ms. Gabor also said that USFS does not have the ability to compel the use of the CCS. Ms. Carolyn Swed, United States Fish and Wildlife Service (USFWS) said that it was also her understanding that the USFWS does not have the authority to compel the use of the CCS, but believes the State should advocate on behalf of its use. Vice-chair MacKenzie asked for clarification, stating that the prior amendments to the land use plan contained language offering the CCS as a potential mitigation tool and can it still be offered as an alternative. Ms. Gabor replied affirmatively, the CCS can be offered as an alternative, but it cannot be required. Member Emm inquired if the USFS will require project proponents to fulfill a standard that will be at least equal to the CCS. Ms. Gabor replied that the issue at this time is there is no standard way to quantify the mitigation, which is one reason why USFS is looking at using the HQT for all projects as then there is a consistent calculation of debits and credits. Mr. James Lawrence, stated that he believes the BLM and USFS land use plans should contain language that the HQT be used every time in order to quantify the debits, resulting in future metrics to demonstrate conservation gain and possibly then making the CCS more attractive for project proponents to utilize. Vice-chair MacKenzie stated that this item will also be discussed during Agenda Item No. 7. ***NO ACTION**

Mr. McGowan continued with Item 20, Adaptive Management, noting that the State Plan contains a section laying out the process for utilizing adaptive management and that the State Plan and the federal plan are not in alignment regarding the discussion of triggers or signals. Mr. McGowan also said that this item will be discussed during Agenda Item No. 7. ***NO ACTION**

Mr. McGowan continued with Item 21, Table 9-1 Inventory and Management Action Monitoring for the State Plan. Mr. McGowan advised the SEC that this is listed as a future action item. Mr. McGowan believes the language needs to be reassessed and updated as to what is reasonable. Member Biaggi noted that it would be helpful when this is brought back before the SEC to provide the council with a status update on what monitoring is currently being conducted and what may be missing. ***NO ACTION**

Mr. McGowan continued with Item 22, Site Specific Consultation Based Design Features. Mr. McGowan stated that this item is also a future action item. Mr. McGowan said that the BLM has a process and checklist they utilize for design features and it may be that this type of checklist will fit the needs of the Program. Member Biaggi said that with regard to federal land use management plans and the better harmonization of the State Plan, there should be better alignment and encourages further discussion of this under Agenda Item No. 7.

***NO ACTION**

Mr. McGowan continued with Item 23, Greater Sage-Grouse Proposed Desired Habitat Conditions Questions and Answers. Mr. McGowan stated that there was a need for the Questions and Answers section in the State Plan in 2014, but it may be time to remove or modify this section. Vice-chair MacKenzie said that this item may require more consideration and it should be brought back before the SEC for further discussion. Member Swanson asked if an item could be added to that agenda for other specific edits that individual council members may recommend to the State Plan. ***NO ACTION**

Vice-chair MacKenzie returned to Item 1, Update Figures, Tables, Science and References, Dates, Numbers, Documents, Formatting and Links, and asked if the SEC is comfortable on moving this forward. Member Biaggi moved to approve Item 1 of the Nevada State Plan Actionable Items; seconded by Member Lister; motion passed unanimously. ***ACTION**

Vice-Chair MacKenzie called for a recess at 11:59 a.m., and reconvened at 1:19 p.m.

7. DISCUSSION ON THE POTENTIAL AMENDMENTS TO THE BUREAU OF LAND MANAGEMENT/ U.S. FOREST SERVICE LAND USE PLANS REGARDING GREATER SAGE-GROUSE CONSERVATION TO ALIGN WITH THE 2014 NEVADA GREATER SAGE-GROUSE CONSERVATION PLAN - *FOR POSSIBLE ACTION*

Ms. Katie Andrie, SETT, reviewed a PowerPoint presentation titled, "Triggers and Adaptive Management," a copy of which is available on the Program's website. Ms. Andrie stated that the purpose of the presentation was for the SEC to gain a better understanding of the United States Geological Survey (USGS) hierarchical population monitoring analysis, triggers, and adaptive

management. Ms. Andrie noted that currently in the State Plan, an adaptive management process is described, but triggers are not addressed. Ms. Andrie provided a brief overview of the report prepared by USGS stating that it contains an analysis of a 17-year dataset of lek counts in Nevada and northeastern California. Ms. Andrie said that the purpose of the report was to compare trends across nested spatial scales and the model identifies leks, lek clusters or biologically significant unit (BSU) populations in need of management action. Ms. Andrie provided the framework as a partitioning of local compared to regional effects; incorporates temporal thresholds; and quantifies duration and magnitude of decline at identified spatial scale. Ms. Andrie pointed out that the framework assists in distinguishing whether a population decline is due to a localized disturbance or connected to a larger scale regional trend that may be less manageable. Ms. Andrie provided the evaluation process noting that the first step is to estimate thresholds, either as destabilizing or decoupling and to differentiate the slow and fast rate of decline. Ms. Andrie defined destabilizing as a significant rate of population decline and decoupling as a rate of population decline deviating from the average trend of the higher spatial scale. Ms. Andrie said that the second step in the process involves warnings, either slow or fast, and if both destabilizing and decoupling thresholds are crossed a warning is activated. Ms. Andrie provided figures to visualize the relationship between destabilization and decoupling and whether a warning would result. Ms. Andrie went over triggers stating that a soft trigger would be activated if a slow warning occurs over two consecutive years and a hard trigger would be activated if slow warnings occur 3 of 4 consecutive years or if fast warnings occur 2 of 3 consecutive years. There were numerous questions by the SEC and further discussion was held. Member Lister asked how this process could be adopted into the current State Plan. Mr. McGowan noted that this discussion was to bring forward the idea of incorporating this process into the State Plan if the council so desires. Ms. Sheila Anderson said that this is an attempt to align the state and federal plans and it appears this process will be utilized by the federal plan. Ms. Anderson noted it is up to the SEC if the state adopts this process as well, but that decision does not need to be made today. Ms. Anderson also said that it was important for the SEC to look at this idea and decide if this process is the best available science at this time. Member Boies said that the SEC must be careful in making this decision. Vice-chair MacKenzie asked if adopting triggers will make our State Plan a better plan, will it add benefit to the habitat, or is this just an attempt to align the state and federal plan. Ms. Anderson replied that at least this process will provide an early warning process. Member Biaggi stated that when this item next comes before the SEC, he would request a staff recommendation as to whether or not the SETT believes this process should be included in the State Plan. Mr. Wasley said that from a state agency perspective, this is the best available science at this point and he encourages the SEC to carefully review this process. Ms. Swed also encouraged the SEC to recognize that the USGS framework helps in understanding the rates of change and rates of decline in the population. Member Biaggi then asked if this process could be utilized for all western states sage-grouse populations. Mr. Wasley stated that there are conversations being held between the western states at regional and national associations regarding that. Member Molini believes this process contains much better science than other states have included in their state plans. Vice-chair MacKenzie advised that the SEC would now move on to Mr. McGowan's presentation. ***NO ACTION**

Mr. McGowan reviewed a PowerPoint presentation titled, "Potential Alignment of Plans," a copy of which can be found on the Program's website. Mr. McGowan provided the SEC with the existing Approved Resource Management Plan Amendment (ARMPA) provisions and the recommendations of the state. The sections included mapping updates; SFAs; allocation exception process; seasonal timing restrictions; mitigation; habitat objectives; and adaptive management (triggers). Mr.

McGowan said that with regard to mapping updates, the state would recommend that BLM develop a process to update the maps through plan maintenance rather than plan amendments, as well as accepting guidance from agencies based upon the available science with the process to occur every 3-5 years as needed. Member Biaggi noted that it would be better to update the new maps as needed, rather than updated every 3-5 years. Mr. McGowan agreed with that statement. Mr. McGowan continued with the state recommendations for the removal of SFA designations and the application of underlying habitat management area designations. Mr. McGowan moved on to the allocation exception process and the state recommendation of application of consistent methods and on-site evaluations and to review public health, safety and emergencies. Member Molini asked for the definition of public health, safety and emergencies and if the SETT is considering an exception process for those types of situations. Mr. McGowan replied that examples of emergency conditions could be due to flooding, wildfire and establishment of towers for police and fire communications and Mr. McGowan replied that the exceptions would be included along with other types of project proponent activities. Mr. McGowan moved to the next slide on seasonal timing restrictions and the state recommendations of retaining existing dates and time restrictions, modification or removal of seasonal dates based upon the impact type, duration or benefit and the public health, safety and emergency exceptions. Mr. Wasley noted that the modification or removal should be viewed as a temporary modification or removal. Mr. McGowan agreed with that point and said that the intent was that the modification/removal would be temporary in nature. Mr. McGowan continued with the mitigation slide and the state recommendations of utilizing the HQT to quantify debits and credits, that mitigation may occur through the CCS or a proponent developed alternative and that disturbance in OHMA with indirect effects to GHMA or PHMA should also be mitigated. Mr. John Ruhs, BLM, believes it is important for all parties to discuss utilizing the HQT as the tool used to calculate debit and credit projects so that the comparisons are consistent and it may take away the incentive for project proponents to use a different mitigation plan. Mr. Boies asked for clarification that a federal agency can mandate the use of an HQT process, but cannot require a project proponent to participate in the CCS. Mr. Ruhs said that statement was correct. Mr. McGowan continued with the adaptive management (triggers) slide, pointing out the existing ARMPA and noting that the CCS currently addresses adaptive management in the State Plan. Mr. McGowan pointed out that the other processes when conducting adaptive management focus on significant monitoring efforts and it does not directly deal with population or habitat triggers/signals. Member Swanson pointed out that the CCS does not use the term "objectives," but rather "desired habitat conditions for sage-grouse," and he believes that is an important distinction and a substantial difference. Mr. McGowan brought forward the potential options for triggers, including not addressing it in the State Plan, working with the federal agencies and NDOW to incorporate the latest science supplied by the USGS and Dr. Coates, and/or to define other defensible and appropriate methodologies to be used in Nevada. Member Biaggi moved to continue to explore the applicability of triggers for the CCS and to bring this item back at the next scheduled SEC meeting, and to receive a staff recommendation on triggers; seconded by Member Lister; there was discussion on the motion; motion passed unanimously. ***ACTION**

Vice-Chair MacKenzie called for a recess at 4:09 p.m., and reconvened at 4:24 p.m.

**8. UPDATE ON THE REVISIONS TO THE NEVADA RANGELAND MONITORING HANDBOOK -
FOR POSSIBLE ACTION *Dr. Sherman Swanson***

Dr. Sherman Swanson provided the SEC with an update on the Nevada Rangeland Monitoring Handbook, 3rd Edition. The full presentation and discussion can be found on the audio recording and PowerPoint presentation located on the Program's website. ***NO ACTION**

9. 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. The Council scheduled their next meeting for Friday, May 18, 2018, location and time to be determined.
- C. Discussion on the applicability of adaptive management triggers for inclusion in the CCS.
- D. Further possible edits requested by members of the SEC to the 2014 Nevada Greater Sage-Grouse Conservation Plan.
- E. Member Lister requested a presentation and legal instruction with regard to cooperating/coordinating agency statutes and the authority of the SEC and its specific responsibilities as well as the rules and possibilities for closed sessions.

10. FEDERAL AGENCY UPDATES AND COMMENTS –

- A. U.S. Fish and Wildlife Service – (USFWS) No update.
- B. Bureau of Land Management (BLM) – Mr. John Ruhs advised the SEC that this would be his last meeting as an ex-officio member of the Sagebrush Ecosystem Council. The SEC thanked him for his service.
- C. US Forest Service (USFS) – No update.
- D. US Department of Agriculture (NRCS) – Mr. Gary Roeder advised that NRCS still has 2018 grant funds available and that this would also be his last meeting as an ex-officio member of the SEC, as Mr. Ray Dotson would be returning from his temporary assignment. The SEC thanked him for his service.
- E. Other – No update.

11. STATE AGENCY UPDATES AND COMMENTS

- A. Office of the Governor – No update.
- B. Department of Conservation and Natural Resources (DCNR) – Mr. Jim Lawrence clarified that DCNR had executed the MOU to act as a cooperating agency with the BLM.
- C. Department of Wildlife (NDOW) – No update.
- D. Department of Agriculture (NDA) – No update.
- E. Conservation Districts Program – Ms. Bettina Scherer advised that the Lincoln local area working group (LAWG) is scheduled to meet on April 15, 2018, at the Caliente BLM and the North Central LAWG is scheduled to meet on April 25, 2018, in Winnemucca at the Humboldt County Cooperative Extension Office. Ms. Scherer further advised that the Nevada Collaborative Conservation Network (NCCN) will be hosting a workshop aimed at Conservation Districts (CD's), LAWGs, NRCS-Local Work Groups (LWGs), Community Based Organizations, and any other local conservation leaders. Ms. Scherer advised that agenda items will focus on successful

locally led collaborative examples in Utah as well as background on the NCCN, its efforts, and building relationships among workshop participants and creating a learning environment.

F. Sagebrush Ecosystem Technical Team (SETT) – Mr. Kelly McGowan reported that the SETT conducted its annual certification for verifiers, 43 were in attendance and there are currently 50 certified verifiers.

G. Other – No update.

12. PUBLIC COMMENT

None

13. ADJOURNMENT – There being no further business to come before the Council, Vice-Chair MacKenzie adjourned the meeting at 5:03 p.m.