



STATE OF NEVADA
SAGEBRUSH ECOSYSTEM COUNCIL

APPROVED MINUTES

Action was taken to approve minutes 6-17-2013.

Date: Friday May 31, 2013 9:00 a.m. – 4:00 p.m.
Time: 9:00 am – 5:00 pm
Place: Capitol Building, Guinn Room, 101 N. Carson Street, Guinn Room, Carson City, NV

Video Conference was made available to Elko – High Tech Center Building Room 121; Winnemucca – Great Basin College Room 201; Ely – Great Basin College, Ely Campus, Room 111

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

Council Members Present: Allen Biaggi, Steven Boies, Doug Busselman, Jeremy Drew, Leo Drozdoff, JJ Goicoechea, Ted Koch, Starla Lacy, Kent McAdoo, Tina Nappe, Tony Wasley.

Absent Council Members: Jim Barbee, Bill Dunkelberger, Gerry Emm, Amy Lueders.

Others Present: Joe Tague, BLM – on behalf of Amy Lueders and Jamie Greer, Dept. of Agriculture – on behalf of Jim Barbee, Jim Lawrence, Tim Rubald, Cassandra Joseph.

1. **CALL TO ORDER** – Chairman Goicoechea called the meeting to order at 9:08 am.
2. **PUBLIC COMMENT** – No public comment in Elko, Winnemucca, and Ely. Carson City had the following public comments.
 - a. Mike Ford, Nevada and Southwest Director, Conservation Fund - Expressed his concern of the direction of the council being planning based and urged the council for a biased forward action on the ground. Noted he felt it critical for the council to adapt a plan that has regulatory certainty in the form of the BLM Land Use Plans and the ability to achieve on the ground implementation in a timely manner.
 - b. Jim Falk, Churchill County – Expressed his concerns to the council and requested a new member be added to the council; a person with hands on experience, one capable of common sense decisions and one to look out for the constitutional rights of the public. Mr. Faulk provided a handout to the council titled “Understanding Sustainable Development”.
 - c. Larry Johnson, Coalition for Wildlife – Spoke from the point of view of the sportsman. He referenced the preliminary budgets and requested the council

review the line items. He noted the sportsman should not have to contribute and felt mining and other sector industries need to carry the financial responsibility.

- d. Cliff Gardner, Rural Heritage Preservation Project – Expressed his concerns that the council is moving forward with policy without due process. His ask of the council is to acquire supportive data and share the information. He requested an agenda item to allow public to make presentation to the council based on their research and findings.

3. REVIEW AND CONSIDERATION OF APPROVAL OF AGENDA - A motion to approve the agenda was made by Member Drew, seconded by Vice-Chairman McAdoo, all in favor, none opposed, motion carried. ***Action**

4. REVIEW AND CONSIDERATION OF APPROVAL OF MINUTES -

Approval of Minutes from the meetings held March 27, 2013 and May 13, 2013 –

Member Biaggi requested item 4e of the May 13, 2013 minutes be amended with the following language: "that the mitigation bank should account for mitigation efforts not on the ground; referencing not on the ground mitigation rather than specifically those things for vegetation management efforts" – strike reference specific to fire suppression efforts.

A motion to approve the minutes with the proposed amendment was made by Member Boies, seconded by Member Busselman, all in favor, none opposed, motion carried.

***Action**

5. COUNCIL MEMBER ITEMS AND CORRESPONDENCE:

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

1. Vice-Chairman McAdoo noted he and Member Boies attended the SANE meeting held last week. He said there is a lack of understanding how the NGO's and working groups will work with the Conservation Districts. He indicated a concern and clarification of funding. Member Drozdoff noted the issues of coordination and role with the NGO's, local working groups, field representatives, conservation districts, and technical team will be explained moving forward. Member Drew commented that he has had conversations with many of the NGO's and questions have been raised if they will have to compete for funding. Would like to ensure there is a program synergy with the projects being completed. A discussion ensued how the council will coordinate the efforts to fill the gaps.

2. Member Nappe would like to ensure that Member McAdoo's position on the council as the representative for the General Public, be maintained in the future with a voting member with a science and range ecology background. Discussed livestock grazing on public lands, she feels it is important for the council to have a briefing paper and requested the technical team to draft one. ***Task Assignment**

3. Mr. Rubald announced to the council that Joe Locurto, Program Coordinator for the State Conservation District Program has increasing communication by attending the SANE and CD meetings over the last month. He also announced that the Winnemucca field position will be hired by July 15. Doni Bruland, Conservation Specialist with the CD Program will be based out of the Elko NRCS office. He concluded that with both of their efforts, there will be more collaboration and communication with SANE and the working groups.

4. Mr. Rubald read a letter into the record from John Carpenter expressing his concern on the time the council is spending on mitigation issues. The letter was provided to the recording secretary and is available upon request.

6. FEDERAL AGENCY UPDATES:

A. *US Fish and Wildlife Service* – Member Koch commented on the discussion under item #4. He noted that when they evaluate changes to the status of grouse and habitat, capturing mitigation actions previous to March 2010 has less value to the Service than mitigation actions since March, 2010. However, we acknowledge it may be good to know of all mitigation actions completed over time. He said data collection should be a combination of both the good and the bad to create the baseline of success and to prove when everything is factored in that the line of decline is flat. Stopping the decline and leveling the bar on the graph is fundamental for the council; noting the primary task should be to create the mitigation program. A discussion ensued on the data call, including scope of projects and outcomes, values and metrics. Member Koch said there is definitely more to consider, but the council needs to create an environment to measure those various factors.

Member Koch updated the council regarding a meeting with Southern Nevada Water Authority, Newmont Mining Co., and Smith Creek Ranch in July. The meeting is intended to meet with those who can control actions on their land immediately and begin implementing prevention, suppression and restorations of cheatgrass; by deploying those tools they will show success in stopping cheatgrass dominance. Chairman Goicoechea made a recommendation to include UNCE, UNR-Cooperative Extension, and the Sagebrush Ecosystem Technical Team at the July meeting. Member Koch requested the council provide input on which partners should be included. Chairman Goicoechea said it has to be scientifically defensible and recommends Tamzen Stringham, Barry Perryman and Kent McAdoo are included in this intimate but action oriented group.

B. *Bureau of Land Management* – Joe Tague representing Amy Lueders updated the council of their work over the last year. The focus has been on the EIS and amendments to their resource management plans. They are cooperating with the Forest Service to amend the forest plans. The administrative draft will be out in mid-July for review in Washington, D.C. They are in the process of distributing chapters of the administrative draft to the cooperating agencies in a phased approach starting today with chapter 1 & 3; chapter 2 will be distributed next week, with the remaining chapters out by June 17. They are working with the 4 regions to format and provide consistency in the document. The final draft will be released to the public September 30. There will be a 90 day public comment period. It is at this time the Sagebrush Ecosystem Council will have the opportunity to review and comment on the document. The document is a confidential document and will only be released in advanced to the cooperating agencies; which include DCNR and NDOW, among others.

Members of the council expressed their concerns of their level of involvement allowed. A discussion followed regarding the council being recognized as a cooperating agency. Deputy Attorney General, Cassandra Joseph, commented the council could not form a sub-committee as documents the council is privy to must be made available to the public. As the document is confidential to the public until September 30, this body as a public body would have to share the information once in receipt of it to comply with the OML. Member Drozdoff noted the council can't see the confidential draft, however, can receive reports

from the DCNR cooperating agency review committee. The committee will consist of Jim Lawrence, Skip Canfield, Tim Rubald and the members of the technical team.

C. *US Forest Service* – Bill Dunkelberger – Absent, No report.

D. *Other* – No addition reports.

7. STATE AGENCY UPDATES:

A. *Department of Conservation and Natural Resources –Leo Drozdoff*– Member Drozdoff provided an update to the council on AB461; the bill has passed the Assembly Ways & Means and is pending Senate Finance. The bill makes it clear that the work of the NGO's is in fact not to compete with the work of the team, but rather be incorporated.

Member Drozdoff noted that the meetings provide a means for good discussion. However, he said he felt the priorities of the council need to be clarified and objectives established at the end of the discussion. He opened a discussion regarding the council minutes; suggesting that instead of detailed summary minutes or transcription of the meeting that instead move toward "action" minutes. Action minutes would detail action items and other tasks as assigned to staff, technical team, and council members. This would allow them to be made available prior to the 30 day OML deadline. Audio recordings of the meeting have been posted promptly to the website and are available for full capture of the discussion items. He also reminded the council and public that the threats identified during the Sage-grouse Advisory Council would be addressed in descending order and will be spread over the agenda's to ensure ample time for review and discussion.

B. *Department of Wildlife – Tony Wasley*– Member Wasley updated the council that NDOW biologists completed lek-counts from late March through early May. NDOW has several areas designated as trend grounds to determine short and long term changes. They visit the sites 3 to 4 times during the period to count the number of attending males and females. Their findings reflected the Eastern region and Southern Region are status-quo; plus or minus 10% from last year, however, the Western region is down 40 to 60% relative to drought effects. USGS crews are out following up on nest survival.

Currently, their Upland Staff Specialist is working on a contract to facilitate 3 local working group meetings in Lincoln, White Pine and Washoe-Lassen Modoc local area working groups; along with 4 facilitated meetings of the Bi-State local working group. The ultimate objective for the work is for the local working groups to deliver 3 to 5 high priority project or conservation actions that can be considered for funding through various mechanisms. He also completed a sub-grant with Great Basin Institute for \$44,000 to remove 8,000 acres of pinyon-juniper in Duck Creek basin by Ely. Work crews started this week and will do 3 or 4 work tours over the summer to complete the project by August or September.

Member Busselman requested a report on trends and population. The Technical Team researched the request and will provide the council with last year's report as Mr. Espinoza said the current report would not be available until fall. ***Task Assignment**

C. *Department of Agriculture*– Jamie Greer representing Jim Barbee. Jamie works with the NDA Noxious Weed Program. She updated the council that the program is working with the technical team and will be prioritizing noxious weed projects in lek areas. She will be meeting with the technical team to strategize and will be collaborating with NDOW, and utilizing the statewide mapping to identify the key areas.

D. *Sagebrush Ecosystem Technical Team* – Lara Neill provided an update to the council regarding the teams progress on assignments. Ms. Neill provided two information briefings to the council that included: “Update and detailed briefing on the Coates model” and “Briefing on habitat definitions”. She also provided a third white paper created with Dr. Coates on the Identification of Milestones and Deliverables. Ms. Neill noted that DCNR and NDOW will be providing the funding for the Coates model. She completed the grant application for the Q1 Program; State Lands are working on the funding agreement. This will cover DNCR’s portion of the funding. The Ruby Pipeline Mitigation funding application has been submitted and the check is in process; this is for a portion of NDOW’s contribution and the remaining funds will be funded through the Pittman Robertson fund and will take effect July 1. Authority has been given to Dr. Coates and he began hiring staff for the project.

Melissa Faigeles provided an EIS milestone update to the council. She noted the BLM administrative draft will be released on September 17. At the end of April, all of the cooperating agencies had received a copy of the BLM Alternative for review; focusing on the goals and objectives. BLM requested cooperating agencies for input on its clarity. At the direction of the Governor’s office, all of the state cooperating agencies worked together to provide one response. The DNCR, Sagebrush Program Technical Team, NDOW, and NDOT compiled all their comments and put them into one response document. In addition, they received a matrix from BLM that compared the state alternative to the BLM alternative and NTT to ensure the state alternative is being represented.

8. PRESENTATION REGARDING ACTIONS TO ADDRESS FIRE ISSUES AS THEY RELATE TO BEING A THREAT TO SAGE-GROUSE - *FOR POSSIBLE ACTION*

A. Presentation and discussion of changes in processes to protect sage-grouse habitat, recent agreements with local governments, and changes recently made by the Nevada Legislature regarding wildland firefighting plans and protocols, particularly as they pertain to the Nevada Division of Forestry – *John Copeland, Tech Team Member; and Rich Harvey, Deputy State Forester.* - John Copeland provided the council with a white paper titled “Presentation regarding actions to address fire issues as they relate to being a threat to Greater Sage-grouse.” He introduced Rich Harvey, Deputy State Forester.

Mr. Harvey provided a PowerPoint presentation regarding the Wildland Fire Protection Program. The presentation highlighted the programs objectives and platform for identifying critical habitat and training technical staff of the value of the sagebrush ecosystem. A copy of Mr. Harvey’s presentation has been posted to the website and is available upon request.

Member Busselman made a motion to update the Nevada Sage-grouse strategy to reflect the Wildland Fire Protection Program; indicate ways to incorporate Sage-grouse plans into Wildland Fire Protection Program; document with federal agency assistance, how these actions can maximize proper regulatory oversight for credit. Member Nappe seconded the motion, all in favor, none opposed, motion carried. ***Action**

Meeting convened for lunch at 12:37 pm

Meeting reconvened at 1:35 pm

9. PRESENTATIONS BY RESPONDENTS TO THE COUNCIL'S REQUEST FOR INFORMATION, RELEASED MAY 15, 2013, TO FURTHER DEVELOP A CONSERVATION CREDIT SYSTEM - *FOR POSSIBLE ACTION*

A. Presentations were made to the council by the following 4 respondents. PowerPoint presentations are posted to the website and are available upon request. Discussions ensued after each of the presentations, providing feedback from the respondents to the council questions as they pertained to their presentations. Respondents made one minute closing comments.

- a. The Nature Conservancy – presenters: Michael Cameron & Louis Provencher
- b. 7Q10, Inc. – presenter: Lori Carpenter
- c. HDR – presenter: Melissa Sherman & Chris Behr
- d. Environmental Incentives/Resolve – presenter: Jeremy Sokulsky & Dr. Courtney

Vice-Chairman McAdoo suggested the technical team draft a definition of “No Net Loss” and discuss variations of how that applies to fire impacts. Mr. Rubald said the technical team would draft a white paper on the issue. ***Task Assignment**

Member Nappe made a motion to table agenda items 9b, 10 and 11, seconded by Member Busselman, all in favor, none oppose, motion carried. ***Action**

B. A discussion of the US Fish and Wildlife Service’s preliminary ideas for mitigation crediting, including a description of the context in which the need for mitigation crediting occurs. ***Item tabled.**

C. The council discussed the presentations at length and provided staff with direction on next steps, including preferred process moving forward and preferential aspects of the presentations to be included in that process.

1. The council requested the technical team draft a resolution to acknowledge the projects of the local working groups as viable. Although the technical team does not have a mechanism in place at this time to provide a credit value for the current projects. The council does not want the LWG to delay current mitigation efforts. Member Busselman suggested having the working groups report to the technical team and the team report out to the council. ***Task Assignment**
2. Member Wasley suggested the council have a working definition of what constitutes mitigation. Member Drew suggested working with BLM district offices for input.
3. Technical Team to develop suggestion as to what should be included in an RFP for mitigation. ***Task Assignment**
4. Member Koch mentioned a FWS specialist on mitigation from Oregon that could bring in as a resource to the council and technical team

10. PRESENTATION BY KENT MCADOO, NATURAL RESOURCES SPECIALIST WITH UNIVERSITY OF NEVADA COOPERATIVE EXTENSION, ENTITLED SAGE-GROUSE IN NEVADA: INTEGRATING SCIENCE AND HISTORY.

A. Mr. McAdoo will review historical information from proto-history to the present, and then compare what science and history tell us regarding six relevant factors of the sage-grouse. ***Item tabled.**

11. DISCUSSION OF REGULATORY ASSURANCES AND THE POTENTIAL FOR SAGE-GROUSE CONSERVATION REGULATIONS – Ted Koch, USFWS - *FOR POSSIBLE ACTION*

A. Mr. Koch will discuss with the Council a number of possible Regulatory Assurance programs that perhaps could be considered for development by the Council. ***Item tabled.**

12. DISCUSSION REGARDING SETTING REGULAR MEETING DATES - *FOR POSSIBLE ACTION*

A. Discussion by the Council members of setting a regular meeting date/time for meetings of the Council. Vice-Chairman McAdoo made a motion for staff to initiate a doodle poll for the July and August meeting dates. The council will then set a regular meeting date starting in September, seconded by Member Drew, all in favor, none opposed, motion carried. ***Action**

13. PUBLIC COMMENT – Chairman Goicoechea called for public comment – No public comment from Elko, Ely, Winnemucca or Carson City.

14. ADJOURNMENT – Member Biaggi made a motion to adjourn the meeting, seconded by Chairman Goicoechea, meeting adjourned at 5:05 pm.