



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

DRAFT MINUTES

Date: Friday, October 1st, 2021
Time: 8:30 a.m.
Place: Physical Meeting Location: 901 S. Stewart Street, Bryan Building,
Tahoe Meeting Room 2nd Floor
Teleconference Access:
Join the video meeting: <https://call.lifesizecloud.com/3983136>
Join the Lifesize meeting using Skype for Business:
<https://skype.lifesizecloud.com/3983136>
Call in by Phone (audio only): United States: +1 (877) 422-8614
Meeting extension: 3983136#

Council Members Present: JJ Goicoechea, Chris MacKenzie, Allen Biaggi, Bevan Lister, Sherm Swanson, Steven Boies, William Molini, Starla Lacey, John Raby, Jim Lawrence for Bradley Crowell, Jennifer Ott, Tony Wasley, Bill Dunkelberger, Marc Jackson, Ray Dotson, Tori Sundheim.

Council Members Absent: Gerry Emm.

1. CALL TO ORDER

Chairman Goicoechea called the meeting to order at 8:30 a.m.

2. PUBLIC COMMENT

There was no public comment.

3. APPROVAL OF THE AGENDA - *FOR POSSIBLE ACTION*

Member MacKenzie moved to approve the agenda; Member Swanson seconded the motion. The motion was unanimously approved. ***ACTION**

4. APPROVAL OF MINUTES - *FOR POSSIBLE ACTION*

Member Swanson moved to approve the minutes for the meeting on July 23, 2021. Member Boies seconded the motion. The motion was unanimously approved. ***ACTION**

5. COUNCIL MEMBER ITEMS AND CORRESPONDENCE

Tori Sundheim announced that she had accepted a new position and Craig Burkett would take over her duties for the Council. Congratulations and well wishes were given by all. Mr. McGowan also announced that Katie Andrlle had taken a

new job. Ms. Andrie thanked everyone for the hard work throughout the years. More congratulations and well wishes were given.

6. EXCEPTION REQUEST FROM WHITE PINE WATERPOWER, LLC FOR THEIR GEOTECHNICAL EXPLORATION PROJECT TO OCCUR IN DESIGNATED SAGE-GROUSE WINTER HABITAT BETWEEN NOVEMBER 1, 2021 – FEBRUARY 28, 2022 – *FOR POSSIBLE ACTION*

Mr. McGowan summarized the Staff Report, of which the presentation can be found on the Sagebrush Ecosystem Program website. Luigi Resta and Matthew Shapiro of RPlus Energies introduced themselves, and Mr. Shapiro explained the purpose and background of the Pump Storage project. Mr. Resta followed up by asking the council to grant a seasonal timing restrictions exception for them to drill within sage grouse timing restrictions. Chairman Goicoechea asked why the company will not be able to drill outside of the restricted times, to which Mr. Resta answered that everything has been delayed with getting the Record of Decision in place and they are running out of time to do it in one go. They need 90 days to drill and do not have that time to drill before the restrictions go into effect. And it costs more money to stop and restart. Many questions were asked regarding the choice of the location of the Pump Storage Project, as well as the authorization and permitting process. Member Biaggi asked for confirmation that the CCS was not a tool for mitigating against avoidance and minimization measures. Member Swanson confirmed and asked if there was to be an effect on the sage grouse long term when the project becomes fully realized. Sean Espinosa of NDOW commented that the area is important not just for sage grouse but for many species and ultimately, yes, it is going to affect them long term. After some clarifying questions, Member MacKenzie made a motion to deny the request for an exception with the council's sympathies to the proponent. Member Molini seconded. Member Lacey abstained from voting. Motion was unanimously approved, and Member Swanson asked if, in the future, the Program could find a solution for these kinds of problems that allow for a net conservation gain. ***ACTION**

7. REVIEW OF REVISED AND NEWLY DRAFTED POLICIES TO THE CONSERVATION CREDIT SYSTEM'S (CCS) MANUAL FOR THE FOLLOWING:

A. REVIEW OF DRAFT POLICY CONCERNING MITIGATION FOR PERMITTED ACTIVITIES PRIOR TO DECEMBER 07, 2018, THAT REQUIRE A PERMIT RENEWAL EXCLUSIVELY FOR AN EXTENDED TERM – *FOR POSSIBLE ACTION*

Mr. Huser presented the corrected improvement from the previous council meeting. The full document is located on the Sagebrush Ecosystem Program website. Without any further questions, Chairman Goicoechea asked for a motion to approve the changes. Member Swanson made the motion, and Chairman Goicoechea seconded it. Motion was unanimously approved. ***ACTION**

B. CONSIDERATION OF A NEW POLICY TO APPLY AN ASSESSMENT FACTOR TO PROJECTS THAT ARE NOT IN COMPLIANCE WITH NAC 232.400-232.480 – *FOR POSSIBLE ACTION*

Ms. Petter presented an improvement to apply a non-compliance factor to those projects who move forward with the project without mitigation measures. The full document is located on the Sagebrush Ecosystem Program website. Member Biaggi asked if the Program has authorization to assign a penalty, to which Ms. Sundheim replied that she was not sure. Member Biaggi made a motion to table the issue until authority is determined by legal counsel, and Member Lister seconded the motion. Member MacKenzie requested that when it is brought back, that exceptions are built into the factor. ***ACTION**

8. PRESENTATION ON A MAPPING PRODUCT THAT IDENTIFIES HABITATS FOR MULTIPLE SPECIES WITHIN SAGEBRUSH ECOSYSTEMS – *FOR POSSIBLE ACTION*

Shawn Espinosa from NDOW presented his mapping product for identifying habitat of multiple wildlife species. The full document is located on the Sagebrush Ecosystem Program website. Many questions were asked regarding the choices made behind the development of the habitat map, particularly around riparian buffer zones and anthropogenic disturbances. Chairman Goicoechea suggested a more zoomed in detailed map of regions across the state for local use. Member Swanson suggested working with the BLM and update the map to reflect where the wild horses actually are, versus just outlining the management areas, and to shade the map to indicate population density. Mr. Lawrence asked if this map could be used to identify priority areas for conservation, to which Mr. Espinosa replied that yes, it would be good to focus conservation on the important areas and on the edges to grow those areas. ***NO ACTION**

- 9. UPDATE ON REVISING THE STRATEGIC ACTION PLAN AND USE OF THE BEST AVAILABLE TOOLS AND PRODUCTS THAT CAN BE APPLIED TO ESTABLISH PRIORITY CONSERVATION EFFORTS TO ADDRESS THREATS – *FOR POSSIBLE ACTION***
- Mr. McGowan presented an update on the Strategic Action Plan. The full document is located on the Sagebrush Ecosystem Program website. Mr. Raby asked if there is a plan to have public outreach. Mr. McGowan replied that after the maps and plans are developed initially, they plan to bring it to the public for further buy-in. Encouragement was made to include the public sooner and to do it face to face. Leana Carey of the *Progressive Rancher* magazine supported the idea of getting the Conservation Districts active in this endeavor and suggested that the plan include information on how the public can reach out to the appropriate people to find out information. ***NO ACTION**
- 10. PRESENTATION ON EXECUTIVE ORDER 2021-18, “CREATING THE NEVADA HABITAT CONSERVATION FRAMEWORK” AND CORRESPONDING SECTIONS WITHIN THE ORDER – *FOR POSSIBLE ACTION***
- Mr. Wasley introduced the topic by explaining the background behind the executive order, stating that a conversation started about the scope and scale of conservation efforts in the sagebrush biome. He explained that the executive order called out all the relationships and partnerships that NDOW has, and that he saw it as a complimentary action to other efforts. Alan Jenne from NDOW then presented their update on the efforts stemming from the executive order. The full document is located on the Sagebrush Ecosystem Program website. Chairman Goicoechea asked again about public involvement, to which Mr. Jenne replied that they will follow their process to reach out to the public to get representation. Chairman Goicoechea then followed up with asking can the executive order and the efforts with the Strategic Action Plan work together, to which Mr. Jenne replied that NDOW and the SETT were already working together to figure that out. Mr. Wasley added that the last thing they wanted to see was dilution or increased complexity of ongoing efforts. Mr. Lawrence replied that NDOW and the SETT are currently coordinating, and they hope that with the federal plan updates that everything can come out aligned. Other clarifying questions were asked. ***NO ACTION**
- 11. DISCUSSION ON RATIFYING THE SUPPORT OF THE COALITION FOR NEVADA HEALTHY LANDS’ LETTER TO U.S. DEPARTMENT OF THE INTERIOR, SECRETARY DEB HAALAND, REQUESTING REDUCTIONS TO WILD HORSE POPULATIONS TO APPROPRIATE MANAGEMENT LEVELS AND MAINTENANCE OF THOSE LEVELS – *FOR POSSIBLE ACTION***
- Member Molini presented a letter requesting reductions to the wild horse populations. The full document is located on the Sagebrush Ecosystem Program website. Chairman Goicoechea explained that he was approached with the letter and, as it is consistent with previous actions, he determined to support the letter. He then introduced a motion to ratify that support. Member Molini supported that motion and Member Swanson seconded it. Motion was unanimously approved. Mr. Raby expressed his appreciation of the ratification. ***ACTION**
- 12. STAFF BRIEFINGS TO THE COUNCIL – *FOR POSSIBLE ACTION***
- A. CCS STATUS UPDATES**
- Mr. Huser presented the brief update of the CCS to the council. The full document is located on the Sagebrush Ecosystem Program website. Mr. McGowan added that several of the transactions are small, but the staff is aware of larger projects on the horizon that will use most of the credits currently available. ***NO ACTION**
- B. INTRODUCTION OF MARY’S RIVER CREDIT PROJECT**
- Mr. McGowan introduced the Mary’s River Credit Project. He explained that a portion entered currently has an easement, and the staff is struggling with additionality concerns. He explained the staff is working with the landowner and the area outside the easement is moving forward in the CCS. He informed the council that this is not uncommon and that the staff may be putting forward recommendations to identify when additionality cannot be achieved, as currently decisions are made on a case-by-case basis. ***NO ACTION**
- C. ADAPTIVE MANAGEMENT 2021 UPDATE**
- Mr. McGowan presented an update on the 2021 Adaptive Management process. Questions were asked regarding the previously introduced Credit Status Update. ***NO ACTION**
- 13. REVIEW OF ACTION ITEMS AND FUTURE AGENDA ITEMS DISCUSSED DURING THIS MEETING AND SCHEDULING NEXT SEC MEETING– *FOR POSSIBLE ACTION***

Mr. McGowan reminded the council that the Annual Performance Report and the Semi-Annual Report will be due at the next meeting. He suggested he send out a Doodle Poll to ensure participation. Member Swanson brought up a request for a future agenda item that the SETT bring forth a policy for mitigating exceptions. ***NO ACTION**

14. FEDERAL AGENCY UPDATES AND COMMENTS:

A. US Fish and Wildlife Service

Justin Barrett stated that on October 4th will be the final rule to revoke the January 7th regulation that limited the scope the migratory bird treaty act, and it could go into effect 60 days later. He expressed support for the Strategic Action Plan and NDOW's Habitat Framework. The USFWS committed to providing a sum of money towards the acquisition of the Zimmerman ranch to benefit Lahontan cutthroat trout and sage grouse.

B. Bureau of Land Management

Mr. Raby notified the council of a new BLM director. He reminded the council that the BLM is operating under the 2015 plan, but they are working on a new process to update documents and do a plan maintenance update. Many wild horse gathers had been done and were planned to be done across the state. The BLM set a record for acres of fuels treated this year.

C. US Forest Service

Mr. Dunkelberger stated their plan was still at the Washington office for review. The USFS had a busy fire year with the Tamarack, Caldor, and Dixie fires still active. They too had a busy fuels reduction season. He also updated on the wild horse gathers in the area. Chairman Goicoechea asked if the USFS was working with the BLM on the Monte Cristo gather, to which he responded yes, although the decisions are separate. Member Biaggi thanked the USFS for their hard work on the fires this year.

D. USDA – Natural Resources Conservation Service

Mr. Raby stated that NRCS has a large sum of money for EQIP and other programs for on the ground projects. Local group meetings are being planned and the Conservation Districts are assisting to take over some of the roles to lead those meetings.

E. Other

15. STATE AGENCY UPDATES AND COMMENTS:

A. Office of the Governor

Jordan Hosmer-Henner thanked everyone who worked hard on the NDOW executive order. He updated the council as to a sum of money that the federal agencies are offering to spend on fuels and fire issues and the state is looking to go after that.

B. Department of Conservation and Natural Resources

Mr. Lawrence informed the council that DCNR and NDF toured the Caldor fire and NV Energy projects to ensure reduction of fine fuels around powerlines to avoid fire. The Governor's office is doing listening tours on how to spend ARP funds, which people can learn more and comment at www.nevadarecovers.com.

C. Department of Wildlife

Member Molini wanted to recognize that Mr. Wasley was named President of the Association of Wildlife Species and offered his congratulations. Mr. Wasley stated that Recovering America's Wildlife Act is scheduled for review, and if it passes, sagebrush and the sage grouse are eligible for projects. He updated on conservation projects for the year, and stated that 2021 lek trends show an average of 9.9 males per lek, which is a significant decrease. Mr. Jenne reiterated that Katie Andrlle has taken over the Western Region Habitat Supervisor position and Mark Freese has moved to Habitat Staff Biologist for Restoration. They are working to backfill Ms. Andrlle's position on the SETT. Mr. Espinosa stated that they are moving forward on a collaborative project in Butler Basin to add exclosures to remove wild horses from the area.

D. Department of Agriculture

Ms. Ott updated the Council that the NDA position on the SETT is still open, but in the meantime they have other new staff. They are also working with the Nevada native seed partnerships to find a software system to track seeds. They are conducting outreach on the drought issue in Nevada and engage producers on funding to assist.

E. Conservation Districts Program

Melany Aten notified the council that she has permanently been hired as the Program Manager and that there will be position for the Western Region. She is also seeking a grant to fund a position in the Southern districts. She offered to put any interested party on their October Conservation District's meeting.

F. Other

16. PUBLIC COMMENT

Ms. Sundheim bid everyone a final farewell.

17. ADJOURNMENT

Member Biaggi moved to adjourn, Member MacKenzie seconded the motion. Councilman Goicoechea adjourned the meeting at 12:38 pm.

All details not covered in these minutes can be heard on the meeting recording at <https://sagebrushco.nv.gov/Meetings/Meetings/>.