



STATE OF NEVADA
SAGEBRUSH ECOSYSTEM COUNCIL
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DRAFT MINUTES

Date: Thursday, February 24th, 2022
Time: 8:30 a.m.
Place: Sagebrush Ecosystem Program Office
201 S. Roop St., Ste. 101 Carson City, NV 90701
Teleconference Access:
Join the video meeting: <https://call.lifesizecloud.com/3983136>
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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, Bradley Crowell, Meghan Brown for Jennifer Ott, Tony Wasley, Bill Dunkelberger, Marc Jackson, Jim Gifford for Ray Dotson, Nate Holland.

Council Members Absent: Gerry Emm

1. CALL TO ORDER

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

2. PUBLIC COMMENT

Kevin Robison commented that he had been working with Mr. McGowan and Ms. Petter within the SEC for 19 months. They initiated a permit for Eastern White Pine County for a right-of-way that required 1 debit. The proposed mitigation outside of the CCS could cost him up to \$16,000. He requests that the SEC provide the program manager and staff latitude that can be accessible for smaller projects.

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

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

4. APPROVAL OF MINUTES - *FOR POSSIBLE ACTION*

Member MacKenzie made a correction on Agenda Item 7 title, that there needed to be an "a" in a word. Member MacKenzie moved to approve the minutes for the meeting on December 15, 2021. Member Biaggi seconded the motion. The motion was unanimously approved. ***ACTION**

5. COUNCIL MEMBER ITEMS AND CORRESPONDENCE

Member Biaggi commented that the NV Mining Association commented on the Scoping for the Greater Sage-Grouse Plan and will provide those comments to Mr. McGowan to share. Member Lister commented that the NV Farm Bureau commented on the same, and he agrees with Mr. Robison that there needs to be some consistency in the maps and data across agencies. Member Molini commented that the Coalition for Healthy Nevada Lands and Coalition for Nevada's Wildlife have both commented on the same.

Mr. McGowan mentioned that he did have some comments and will distribute when he receives more.

6. REVIEW AND DISCUSSION OF THE BAKER RANCH POWER TIE-IN PROJECT AND THEIR PROPOSED MITIGATION PLAN IN CONFORMANCE WITH NEVADA ADMINISTRATIVE CODE 232.470 – *FOR POSSIBLE ACTION*

Mr. McGowan updated the council on the right-of-way presented by Mr. Robison. The project consisted of three powerline poles, not on habitat, totaling 0.8 debits at 100% site scale function. All poles will have anti-perching designs. Site scale data collection would be more costly than offsetting the single debit. There are no credit projects in nearby PMU or BSU. Small credit sales are challenging to implement for both sides. The SETT worked to design an alternate mitigation plan, looked for more lines to focus anti-perching applications at 10% effectiveness instead of a full removal of a powerline based on a study from Journal of Wildlife Management. Analysis of the area shows 1 mile of retrofitting would be needed for that 1 debit. Some of the lines that were looked at were in close proximity to other lines or other disturbance, so if you limit one impact, the remainder has a negative influence remaining. We need to continue to work together to explore measures which may include purchasing a single credit or other alternative forms of mitigation. Chairman Goicoechea asked if they have looked into Pinyon-Juniper removal, to which Mr. McGowan replied that they could possibly be a part of a larger effort. Much discussion was had regarding small projects and making mitigation more of a viable option for small transactions. Mr. Holland was asked to look into possibly granting a waiver or some such alternative for small transactions, or if the projects fall under de minimis. ***NO ACTION**

7. OVERVIEW OF GREATER SAGE-GROUSE CONSERVATION AND MITIGATION STRATEGIES EMPLOYED IN THE WESTERN U.S – *FOR POSSIBLE ACTION*

Mr. Huser presented about mitigation in other states. This presentation is available on the Sagebrush Ecosystem Program website. Member Boies appreciated the presentation and commented that now the SEC has a better idea of how well Nevada ranks, as there seems to be many programs but not much progress. ***NO ACTION**

8. DISCUSSION OF STAFF PRIORITIES FOR CURRENT AND PROJECTED WORKLOAD – *FOR POSSIBLE ACTION*

Mr. McGowan presented a breakdown of SEP staff priorities and responsibilities. This was designed with a full staff in mind. Staffing has remained constant since the beginning of the program but workload has not. The breakdown is available on the Sagebrush Ecosystem Program website. Member Swanson asked if there is a need for the SETT to have more of its own staff to get work done. Mr. Lawrence expressed concern about things falling through the cracks. As the state goes into budget building, they need to think about staffing needs. Last legislative session, they tried to sponsor legislation for administration fees. Member Biaggi encouraged the team to reach out to the SEC to generate support for anything presented in legislation. ***NO ACTION**

9. STAFF BRIEFINGS AND UPDATES TO THE COUNCIL – *FOR POSSIBLE ACTION*

A. CCS PROJECTS AND TRANSACTIONS

Ms. Petter updated the council on the CCS status. The presentation is available on the Sagebrush Ecosystem Program website. Member Molini asked how many acres of unmitigated projects are there, to which Ms. Petter replied 22,900 acres. Member Boies asked why credit projects are not joining the CCS. Ms. Petter was unsure but speculated it may be because of not knowing/trusting the Program. ***NO ACTION**

B. BIG LEDGE/NOV MITIGATION

Mr. McGowan updated the Council on the Big Ledge Mitigation. Big Ledge became a mitigation project but was authorized prior to mitigation being satisfied. The decision was made to allow them to get their mitigation satisfied by the end of the calendar year and they did so in December. ***NO ACTION**

C. SAGEBRUSH ECOSYSTEM PROGRAM/DCNR SCOPING COMMENTS – BLM GREATER SAGE-GROUSE LAND USE PLAN

Mr. McGowan notified the Council that he will be distributing the comments for the Land Use Plan as he receives them. The Plan is an involved process and there will be significant discussions and comments. ***NO ACTION**

D. DIRECT AND SIGNIFICANT INDIRECT IMPACTS TO GREATER SAGE-GROUSE LEKS AND MITIGATION

Mr. McGowan briefed the Council about the concern that should a disturbance try to avoid and minimize but the remaining impacts have a major effect on leks, should we try to adjust to deter that? The Program does not have the tools to mitigate for the loss of birds, but if there are direct or close indirect effects on lek attendance and breeding opportunities and how can the CCS be further adjusted to mitigate those impacts. The first course of action is avoidance. In some circumstances if that is not possible, is there additional way the impacts to the System by accounted for? Member Swanson encouraged the creation of a science team, to which Chairman Goicoechea agreed, and asked the SETT put lek avoidance on one of the future agendas. ***NO ACTION**

E. MITIGATION FOR MINOR CREDIT OBLIGATION PROJECTS – AVAILABILITY OF ADJACENT CREDITS

Mr. McGowan commented that there has only been one other project that had to mitigate only one debit, but it will continue to be an issue. Other avenues can be considered. Such as an in-lieu fee to go out to the lowest bid to find the lowest price on available credits. Or use state funding to purchase credits ahead of time. It would be limited to those with a mitigation obligation of 5-10 and less or something of the sort. It was suggested that a lot of thought and planning be put into it to ensure increased efficiency and no net loss of funds. ***NO ACTION**

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

Chairman Goicoechea requested that future agenda items include lek avoidance credit banking for small debit amounts, and alternative mitigation. Member Molini asked if we need to be concerned about Greenlink North, to which Member Lacy updated the Council that they have turned in paperwork and are working with the SETT as a cooperating agency. Member Swanson requested the Council discuss the common problem with the state and federal agencies having a hard time recruiting and keeping staff and how to keep people longer in Nevada. The next meeting will be decided by Doodle Poll. ***NO ACTION**

11. FEDERAL AGENCY UPDATES AND COMMENTS:

A. US Fish and Wildlife Service

Mr. Jackson updated the Council that the USFWS is still learning how sagebrush ecosystem infrastructure funds will be used or rolled out. They are working with the BLM and USFS on Shared Stewardship to figure out how to put it in the highest priority locations. They proposed critical habitat for Tiehm's buckwheat, and that is going through a comment period. They hope to issue a final proposed decision by September. He is excited about BLM opportunities to coordinate or expedite renewable energy projects and trying to figure out how to provide appropriate responses to get those permitted.

B. Bureau of Land Management

John Raby notified the Council that they had good success in horse gathers and are pleased with judge's support regarding ongoing gathers, as they have several planned in the upcoming months. There are two efforts running concurrently on the Sage-grouse Plan: Sagebrush Focal Areas (SFAs) and Mineral Withdrawals and the district courts' descriptions on shortcomings of the 2015 plan.

Alan Shepherd took over then and reiterated on the 2015 Sage-grouse Plan maintenance, that they are planning on incorporating the correct maps regardless into the new plan. The scoping period is completed regarding the SFAs and are waiting on the USGS to finalize mineral maps. Statewide Resource Management Plan modernization is awaiting final approval on the Prep Plan to ensure they have the funds for the project.

Member Molini asked if they were concerned about the Bill to abolish helicopter use for wild horse gathers, to which Mr. Shepherd replied he does not know anything about it and hopes they speak out against the Bill as it comes.

C. US Forest Service

Mr. Dunkelberger brought up the Infrastructure Bill, that they are unsure how that is going to trickle down. In the area of hazardous fuels reduction, two areas have been identified as priorities for funding. Their Plan amendment has been stuck in the Washington DC office. The MOU with the SETT has expired and waiting to see what the plan might include to renew it, but in the meantime will honor the MOU and ensure mitigation through the SETT. They have concerns regarding sage grouse on Greenlink North. They have some acquisitions with NRCS in the Bi-state area to protect habitat.

D. USDA – Natural Resources Conservation Service

Jim Gifford updated the Council for Ray Dotson. They are working on 2021 accomplishments report to see if they met the goals for PJ control, invasive grasses control, and meadow conservation. During the advisory committee meeting, NRCS receives input on how to spend conservation money. They are working with the USFS on the Joint Chiefs funding. They have the Water Smart Initiative in collaboration with the Bureau of Reclamation for irrigation efficiency in Fallon. Conservation Stewardship Program application deadline is April 8th. Funding opportunity for USDA Partnerships for Climate Smart Commodities, where there are \$1 billion worth of funds.

E. Other

12. STATE AGENCY UPDATES AND COMMENTS:

A. Office of the Governor

Jordan Hosmer-Henner informed the Council that they are working on workforce development and committing \$500 million on affordable housing across the state.

B. Department of Conservation and Natural Resources

Mr. Lawrence wanted to thank everyone for the infrastructure funding information. There are a lot of processes that need to be worked out but he appreciated the updates. Thanks to Governor's Office and NDOW. They did a tour with the Governor's Office on pre-suppression and with NDOW on their seeding efforts post fire.

C. Department of Wildlife

No update was made.

D. Department of Agriculture

Ms. Brown informed the Council about the upcoming Native Seed Forum in Fallon. Also, they are working on recruitment for the NDA position on the SETT. They hope to move through the offer process in a timely fashion. Noxious weeds program has early detection and rapid response. Hope to engage with the SETT on noxious weeds identification found on credit or debit projects.

E. Other

13. PUBLIC COMMENT

Senator Chris Brooks made a public comment thanking the Council and the SETT for the updates and for all the work they have done.

14. ADJOURNMENT

Chairman Goicoechea moved to adjourn and seconded the motion. Chairman Goicoechea adjourned the meeting at 11:09 am.

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