



STATE OF NEVADA
SAGEBRUSH ECOSYSTEM COUNCIL
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DRAFT MINUTES

Date: Thursday, September 26, 2024

Time: 8:30 a.m.

Place: Nevada State Legislature
Room 4100
401 S Carson St
Carson City, NV 89701

Zoom Access for the Public

Phone number: 888-475-4499

Meeting ID: 861 6452 6210

Live streaming can be accessed on the NV Legislature Website:

<https://www.leg.state.nv.us/App/Calendar/A/>

1) CALL TO ORDER @ 8:30am; ROLL CALL

- a. Council Members Present: Chris MacKenzie, Chair; Jake Tibbitts, Vice Chair; Bevan Lister, Steven Boies, William Molini, Sherman Swanson; Daphne Emm Hooper; Kyle Davis; James Settelmeyer, DCNR; Cheyenne Acevedo, NDOW; Justin Barret, USFWS; Cheva Gabor, USFS; Jon Raby, BLM; Chris Rose, NRCS; Meghan Brown, NDA
- b. Council Members Absent: None

2) PUBLIC COMMENT

- a. None

3) APPROVAL OF AGENDA –

***ACTION** Approval of agenda for Thursday, September 26, 2024. Member Swanson moved to approve the agenda for Thursday, September 26, 2024; Member Boies second the motion. The motion was approved.

4) APPROVAL OF MINUTES –

***ACTION** Approval of minutes from the meetings held on Wednesday, July 31, 2024. Member Boies moved to approve the minutes and Member Swanson seconded the motion. The motion was approved.

5) COUNCIL MEMBER ITEMS AND CORRESPONDENCE:

- a. K. Steele directed the Council to the NV state plan support letter included in the packet for the BLM ARMPA.
 - i. Member Raby thanked K. Steele and fellow members for the letter as it helped with internal conversations.
- b. Member Lister stated he looks forward to a conversation about Green Link North Project within the CCS and NV State Plan.

6) PRESENTATION OF BLM INSTRUCTION MEMORANDUM NO. NV-2024-019 - UPDATED PROJECT MANAGEMENT PROCESS FOR NEPA

- a. Carolyn Sherve and Sandra Brewer, BLM gave a presentation outlining the NEPA process.
- b. Member Raby introduced C. Sherve and S. Brewer and stated a template MOU will be at the districts, this which will be discussed more by C. Sherve and S. Brewer.
- c. B. Lister asked when the NEPA process starts, S. Brewer replies with that she will get there later in the presentation.
- d. Member Raby provides clarification on when the NEPA clock starts and ends. Pointing out that these points are explicit and well defined and that talks like these are to increase public knowledge and provide clarity.
- e. Member Davis ask K. Steele if SETT will cover NEPA start dates with HQT version control and K. Steele responded yes.
- f. Member Lister asked if there an expiration date of the data collected for wildlife surveys. S. Brewer states there isn't a firm timeline it is context dependent.
- g. Member Swanson states that for PFC doesn't need to be done over and over but the objectives stated should be revisited and BLM agrees it would increase the long-term relevancy of the data.
- h. Member Boies ask for more clarification on the shelf-life NEPA documents. S. Brewer states that NEPA documents are re-evaluated every 5-yr.
- i. Member Boies asked what percent of NEPA documents are created by contractors on behalf of a proponent. S. Brewer states that almost all EA and EIS are created by contractors and agrees with Member Boies that NEPA deadlines require help outside of the proponent staff.
- j. Chairman C. Mackenzie ask how two collocating projects may impact each other's NEPA documents and outcomes. S. Brewer states that projects must be declare other projects, and Member Raby states the first project can have existing rights that the secondary project would have to comply with.
- k. Member Lister asks what stops a NEPA application between Pre-NEPA and NEPA. Member Raby provided the following examples unresolved issues, inconclusive data, or conflicting data.
- l. Chairman Mackenzie inquired how often Pre-NEPA is started but doesn't proceed further. Member Raby states it happens approximately 5% of the time.
- m. Member Swenson asked if there a non-proponent driven NEPA processes. S. Brewer replies yes, and Member Swenson request a future presentation of the internal NEPA process for non-proponents. Member Raby states at the procedures are very similar.
- n. Member Boies stated that small NEPA projects often must wait for staff for long periods of time.
- o. Member Johns asks what is reviewed during public comment periods. S. Brewer stated most of the work is with CAs and Tribal Associations. Member Raby detailed how helpful it is to have baseline studies done for public comment because they answer the publics most common questions.
- p. K. Steele clarified that SIRs and SERs are not always completed during NEPA. S. Brewer confirmed and specified that for they are not required but commonly used by SIRs.

q. ***NO ACTION**

7) UPDATE AND DISCUSSION OF THE SUBCOMMITTEE'S WORK ON THE CCS VERIFIERS' DECERTIFICATION PROCESS

- a. K. Steele reviewed the outcome of the two subcommittee meetings.
- b. Member Davis thanked K. Steele and staff for their work and efforts and feels the committee reached a successful end goal.
- c. Chairman Mackenzie expressed concern for increased SETT workload. K. Steele stated it would not cause an increased workload long-term.
- d. Vice-Chairman Tibbitts asked for clarification on when for example item 12 in the Draft NAC, would cause a verifier to be decertified. Member Settelmeyer stated it would be for extreme cases and behaviors, times where police involvement may be needed, for example.
- e. Chairman Mackenzie asked Member Ting to review the NAC process before the Council makes an action. N. Ting facilitates a discussion on the NAC process.
- f. Vice-Chairman Tibbitts suggested GIS software, in addition to ArcGIS, be included as a required skill for verifiers. K. Steele explained that the HQT tools are built and only compatible with ArcGIS.
- g. ***ACTION** Member Boies motioned to adopt the Draft NAC and proceed to NAC processes. Member Lister seconded. The motion was approved.
- h. ***ACTION** Member Swanson motioned to dissolve the subcommittee. Member Johns seconded. The motion was approved.

8) REVIEW THE CURRENT PROCEDURES FOR COMPETING LAND USES, VERSION CONTROL, AND FINALIZING A DEBIT PROJECT; AND DISCUSS POSSIBLE CHANGES TO THE PROCEDURE

- a. C. Acevedo presenting a NEPA overview in respect to the CCS, current CCS policies, and options for possible adoption.
- b. Member Settelmeyer thanked SETT for all their work. Asked if syncing NEPA and the CCS as much as possible is valuable. Discussion was held regarding how that process.
- c. Member Davis requested clarification of when NEPA starts.
- d. Member Swanson asked which option would increase the ability for proponents to practice avoid and minimize conservation practices.
- e. Member Tibbitts asked for clarification on when a final CCS QA is submitted.
- f. Member Davis suggested to continue with the current policy until more discussion can be had with project proponents.
- g. Member Lister asked what worked best for SETT and their preferences.
- h. Cheva Gabor suggested that if the policy changes, then the USFS and SETT work together to provide information to joint projects to proponents.
- i. Member Swanson asked how adopting a new policy would impact the following agenda item and asked if there is new version deadline. K. Steele explained how any adopted changes would be added to the following agenda item and that a new version must be completed and approved by January 31st.
- j. Members Davis and Vice-Chairman Tibbitts agreed that additional discussion is needed.
- k. ***NO ACTION**

9) REVIEW AND DISCUSS THE CCS MANUAL AND USER'S GUIDE UPDATES FOR VERSION 1.9

- a. K. Steele discussed the major and minor changes in the documents.

- b. Justin Barrett asks for clarification on how adopting a new policy would impact the previous agenda item for the next council meeting.
- c. Member Boies asked if a credit project is sold to a new owner what happens to the project and asked if it is in the manual. K. Steele directed the members to where the info is in the manual and stated it is in the contracts.
- d. Vice-Chairman Tibbitts noted the loss of Biological Monitoring in the manual. K. Steele stated it is likely a formatting issue but will check on it.
- e. Member Swanson suggested the members keep reviewing the docs and return to it in the next meeting.
- f. Chairman Mackenzie noted that in the manual Jeremy D. is missing from the previous members list.
- g. Discussion and support for reviewing the documents at the next meeting continued.
- h. ***NO ACTION**

10) REVIEW OF ACTION ITEMS AND FUTURE AGENDA ITEMS DISCUSSED DURING THIS MEETING AND SCHEDULING NEXT SEC MEETING

- a. December 13th, 2024 meeting
 - i. Green Link North discussion and overview presentation by BLM and M. Johns, suggested by Member Lister.
 - 1. Vice-Chairman Tibbitts suggest meeting after comment the comment period
 - ii. Review CCS Documents (User's Guide, Manual, and HQT)
 - iii. Review the current procedures for competing land uses, version control, and finalizing a debit project
 - iv. CCS Credit Project Proponent
 - v. CCS Semi-Annual Report
- b. Member Swanson suggests a virtual meeting for verifier NAC workshop in November

11) FEDERAL AGENCY UPDATES AND COMMENTS

- a. US Fish and Wildlife Service, Justin Barrett
 - i. New field supervisor, Kristin Jewel
 - ii. Bill sage funding decision, FY2026 is the final year of funding
- b. Bureau of Land Management, Jon Raby, State Director
 - i. Approximately 300,000 acres fuels treatments
 - ii. Approximately 9,000 horses have been removed and fertility control administered
 - iii. Green Link West project final NEPA announced
 - iv. Member Boies asked for acres available for solar and J. Raby stated the new ROD is not finished but approx. 11 million acres in NV.
 - v. Chairman Mackenzie acquired about BLM land purchasing in Washoe County.
 - vi. BLM GRS Plan is not continuing as scheduled, expect in 2025
- c. US Forest Service, Cheva Gabor
 - i. Aerial herbicide EA is progressing
 - ii. Shared stewardship trip on Oct. 3 and NV Shared stewardship renewal coming up
- d. USDA – Natural Resources Conservation Service, Chris Rose, Partnership Coordinator
 - i. Recap of FY24 program spending
 - 1. CSP, CSP-IRA, EQIP were all 100% obligated in FY2024. AMA was 92 percent obligated and EQIP-IRA was 93 percent obligated.
 - 2. As mentioned in previous meetings, about \$600k in sage grouse related funding was sent back, mostly due to potential customers reaching their Farm Bill payment limits.

3. More IRA funding coming in FY25
 4. We are anticipating more IRA funding in FY 25 than in FY24. FY24 \$7.3M (EQIP, CSP), projected \$15M in FY25 (\$10M EQIP, CSP; \$5M ACEP)
 5. We are looking for additional producers to work with in order to get the additional funding spent. There are 55 conservation practices under IRA including brush and weed treatment, restoration of rare or declining natural communities (which could include the use of BDAs), and wetland restoration.
 6. NRCS will be receiving IRA funding through FY26 to implement conservation on the ground.
- ii. The new Climate Smart practice list
 1. The FY25 Climate-Smart Agriculture and Forestry Mitigation Activities list of conservation practices eligible for Inflation Reduction Act funding in fiscal year 2025 has been released.
 2. If you are sharing this information with partners or other organizations, make sure you have the list dated August 2024 available at <https://www.nrcs.usda.gov/sites/default/files/2023-10/NRCS-CSAF-Mitigation-Activities-List.pdf>
 3. Changes include the removal of the mitigation categories (soil health, nitrogen management, livestock partnership, grazing and pasture; agroforestry, forestry, and wildlife habitat; restoration of disturbed lands; energy, combustion & electricity efficiency; wetlands; rice, in favor of just listing the conservation practices.
 4. Facilitating practices may be eligible for IRA funding if they are needed to support the primary climate smart practice. For example: Prescribed Grazing (528) may need facilitating practices such as Watering Facility (614), Stream Crossing (578), Brush Management (314), Fence (382), or Livestock Shelter Structure (576).
 - iii. There is a challenge to government efforts to collect natural resource information on grazing lands of the arid west due to a decline in qualified private sector resources willing and able to conduct NRI. Some of this is caused by the Government increasing (up to double) the contract work quantities at a time of declining labor supply to meet that demand, some of it is increased costs and other factors post-COVID. This potentially impacts information collection in sage grouse-supported habitats where restoration efforts have taken place, and those areas where data is needed to benchmark what changes are common to both sage grouse and non-sage grouse habitats.
 - iv. Next STAC meeting 11/14. It will be a half day virtual meeting from 8:30 am to 12:30 pm. The agenda and other information will be posted to the STAC website as it becomes available. <https://www.nrcs.usda.gov/conservation-basics/conservation-state/nevada/technical-committee>

12) STATE AGENCY UPDATES AND COMMENTS:

- a. Office of the Governor, Chase McNamara, Policy Advisor
 - i. Updated on coordinating with BLM on solar EIS timeline
 - ii. Governor Lombardo will be at the NV Shared Stewardship Renewal Signing
- b. Department of Conservation and Natural Resources, James Settelmeyer, DCNR Director; Dominique Etchegoyhen, DCNR Deputy Director

- i. Updated on the recent fires, budget constraints, DCNR vacancy, Heritage data collection via Survey123 in partnership with NDOW
 - ii. SHIPO admin retired, Robin Reed is the stand-in
- c. Department of Wildlife, Cheyenne Acevedo
 - i. Sage-grouse Population Status
 1. During the spring 2024 lekking season, 804 individual leks were surveyed of which 376 were considered active (> 1 male in attendance).
 2. Total peak male counts were significantly higher for the 2024 season than 2023, with production and recruitment numbers reflecting the increase in habitat quality from two back-to-back above average winters.
 3. Of the 804 surveyed leks, 136 were considered trend leks, which are surveyed consistently over a period of several years and represent a cross-section of the population including both smaller and larger leks.
 4. Average male attendance for trend leks was calculated at 19.0 males per lek during the 2024 spring breeding season. This represented a 53% increase over the attendance rate of 12.4 males per lek observed in 2023.
 - ii. Habitat Update
 1. Restoration and Rehabilitation: NDOW is working with partners and plans to implement ~47k acres of treatments this fall and winter, the majority being aerial herbicides applications (~33k acres) to remove invasive annual grasses. We will plan on working with partners to reseed many of these areas treated with herbicides to improve habitat values for sage-grouse and other wildlife.
 2. Staff hosted a threats-based strategic conservation workshop on August 12th on collaboration with experts from Oregon State University. Approximately 40 people participated and worked collaboratively to strategically plan sagebrush conservation in Northwest Nevada.
 3. Sagebrush Habitat Plan – We are making progress on the Sagebrush Habitat Plan and will be sharing and requesting feedback from stakeholders and the public later this fall and winter.
- d. Department of Agriculture, Meghan Brown
 - i. Regional rapid response meetings are occurring right now
 - ii. Received native seed funding from USFWS, the Foundation Seed program had a successful and large applicate pool
 - iii. Aerial herbicide EA in partnership with USFS is progressing
 - iv. Member Boies requested clarification on the grazing permittees rights with new solar projects going on the ground.

13) PUBLIC COMMENT

- a. Chris Jasmine, Manager of Biodiversity and Rangelands, Nevada Gold Mine; Agenda Item 8; “At current majority of our debit project requires typically 2 maybe even 3 HQT calculation prior to issuance of our ROD or final number. This is in part due to changes that occur during the project development of alternates, comments received during public committee and sometimes due to partnering with agencies and sometimes due to financial or engineering changes that come up late in the schedule. Also, sometimes due to new HQT versions that come out mid- NEPA additionally field data window and how it aligned with the projected ROD date also forcing data collection earlier in the process that ideal sometimes causing reruns. Reruns cause project proponent delays and increased cost as well as increase workload for the staff on the SETT when they have to review the same project multiple times. With all of that said we don’t have any strong opinions on the three

options in front of the SEC beyond recommending at any changes that do occur land on an option that reduce the likelihood: of number one the HQT version changing the NEPA and also allowing the proponent to start the HQT process as late in the NEPA process as possible. So that any of those changes that do occur through public comment or changes to the project only need to be run through the HQT one time.”

- b. Member Swanson thanked Member Raby and the BLM for AML work and discussed how horse population growth is not slowing, and while current efforts are valuable, they are not enough.

14) **ADJOURNMENT**

- a. Member Lister moved to adjourn the meeting, Member Davis seconded, Chairman Mackenzie adjourned the meeting at 12:24pm.