



STATE OF NEVADA  
**STATE CONSERVATION COMMISSION**  
901 South Stewart Street, Suite 1003  
Carson City, Nevada 89701  
Phone (775) 684-2717 Fax (775) 684-2715

## **DRAFT MINUTES**

### **STATE CONSERVATION COMMISSION MEETING**

Richard H. Bryan Building  
Video/Teleconference Meeting  
901 S. Stewart Street, Carson City, NV 89701  
**March 30, 2023, at 10:00 AM**

- **List of Acronyms attached as last page.**

#### **Board Members Present:**

Vice Chairman Commissioner Eric Rieman, Carson Valley Conservation District (CD);  
Commissioner Mark Damron, CD of Southern Nevada;  
Commissioner Dr. Paul Meiman, University of Nevada, Reno College of Agriculture,  
Biotechnology & Natural Resources and Cooperative Extension (CABNR/UNCE), Elko;  
Commissioner Agee Smith, Northeast Elko CD, member at large;  
Commissioner Doug Martin, Nevada Tahoe CD;  
Commissioner Jake Tibbitts, Eureka CD;  
Commissioner Maggie Orr, Lincoln County CD.

#### **Board Members Absent:**

Chairman Joe Sicking, Paradise-Sonoma CD;  
Commissioner Meghan Brown, Nevada Department of Agriculture (NDA).

#### **Others Present:**

James A. Settlemeyer, Director Nevada Department of Conservation and Natural Resources (NDCNR);  
Dominique Etchegoyhen, Deputy Director NDCNR;  
Melany Aten, Nevada Conservation Districts Program (NCDP) Manager;  
Marlee Jenkins, CD Staff Specialist;  
Jennifer Zampanti, State Conservation Commission Recorder, NDCNR;  
Gerry Miller, NCDP Elko Conservation Staff Specialist;  
Robert Adams, Nye County CD;  
Greg Ott, Deputy Attorney General (DAG);  
Donna Lamm, Southern Nye County CD  
John Pawlak, Southern Nye County CD

### **1. Call to order, Determination of Quorum (For Possible Action)**

- A.** Vice Chairman Rieman called the meeting to order at 9:14 AM.

**B. A quorum was confirmed. NO ACTION TAKEN**

**2. Public Comments.**

**There were no public comments.**

**3. Review and consideration of approval of minutes (For Possible Action). Meeting materials provided.**

**A. Approval of minutes from January 31, 2023. Melany will make the edits.**

Commissioner Tibbitts motioned to pass January 31, 2023, minutes after edits. Commissioner Martin seconded the motion. Motion passed unanimously. **ACTION TAKEN**

**4. Determination and Review for the Districts which were not found “In Good Standing” at previous meeting (For Possible Action). Meeting materials provided.**

**A) Review and standing determination for CD of Southern Nevada, Southern Nye County CD, and Duck Valley CD**

SCC reviewed the CDs which were found not to be in good standing at the previous commission meeting. Letters were sent to three CDs regarding their status determination. The SCC was given the CD’s required submissions and reply letters from the CDs regarding their first determination. In review Ms. Aten said SNCCD had all their material submitted, but it was late to the program. SNCCD spent all their allocated state funding. Duck Valley submitted all materials on time but were unable to spend their funding because it was not awarded to them, and they have no bank account established to accept funds due to registration issues. It was also found that DVCD received zero funding in 2022 due to lack of an account, and therefor spent none of the money awarded. CDSN was not able to meet to get their paperwork completed due to lack and misunderstanding of quorum requirements with a lean board. CDSN did not spend all of their awarded funds in 2022.

Commissioner Martin asked Ms. Aten, what was required for good standing. Ms. Aten said the NRS requires a workplan for the next fiscal year, including a budget, a annual report with a budget, the CD must meet at least three times throughout the year, and they are required to spend all the awarded State funding in the approved categories of spending. The CDs are also required to submit their agendas and their minutes for meetings held. Commissioner Martin asked if there is a level of detail required for the annual plan submissions. Ms. Aten replied there is no standard set forth in the NRS, and the instructions by the program were to use the suggested template distributed to all CDs. Commissioner Tibbitts commented on the CDSN documents and stated they have been working to reorganized and get the board back in shape and would be comfortable awarding them funding for the next year based on that re-review of the submitted information and the discussion.

Commissioner Tibbitts motioned to find CDSN, SNCCD, and DVCD in good standing based on their submissions and letters. Commissioner Meiman second the motion. Motion passed unanimously and Commissioner Damron recuse himself from the vote because he is a supervisor for CDSN. **ACTION TAKEN**

**B) Commission decision for the release of funding and specify funding amounts, from the State based on “good standing” requirements and eligibility for the three districts being determined, NAC 548.115.**

Commissioner Martin motioned to release funding to the three districts found to be in good standing with the balance of CDSN to be redistributed across the other 27 districts per NRS. SNCCD and DVCD would be awarded their full \$4,000.00 and CDSN would be awarded \$1,075, and the remaining \$2,925 would be split across the other 27 CDs. Commissioner Tibbitts second the motion. Motion passed unanimously and Commissioner Damron recuse himself from the vote because he is a supervisor for CDSN. **ACTION TAKEN**

**Discussion:** Commissioner Damron asked for clarification on spending. He asked if CDSN spent over the amount awarded would it place CDSN back in good standing for the full award next year. Ms. Aten stated that yes, if CDSN spends their full awarded funding they would be found in good standing for next year. By law CDSN would only need to spend the awarded amount of \$1,075.00 but it would look very favorable if they attempted to spend around \$4,000 the amount that would have been awarded.

## **5. Review submissions for the 2023 Sage Grouse grant. (For Possible Action) Meeting materials provided.**

### **A. Review grading for the SCC Sage grouse grant applications.**

The SCC reviewed the grading form and Commissioner Meiman provided another grading form for review by the Commission which showed point distribution for the applications. Discussion was had about graders and how points were applied across the applications.

Commissioner Tibbitts provided clarification about maps and the Eureka project, he clarified the projects are a large continuous project across the landscape restoration project with partners. Commissioner Tibbitts provided review on other applications for discussion. He commented that Lander County CD needed more clarification in the minutes about the project being funded by the SC Sage grouse funds, it needed more clarification about the match provided and by who, and if there was indirect being collected by the CD from BLM on the project. There was also missing information about scalability across the project.

Commissioner Tibbitts asked Staff Specialist Mr. Miller for clarification on the Northeast Elko project regarding match and how the money would be used for equipment purchase. Mr. Miller clarified the hours and equipment match would be provided by the landowners in installation and through the meetings and field trips. Discussion was had about pivots being ecological sinks for the Sage grouse and that funding a seeding there would not be as beneficial for the bird. Discussion about the habitat in place where the project proposed demonstrated that the location is suitable for birds and is currently being occupied by birds. Predator control is also taking place to reduce the impact by the perches. Commissioner Meiman commented there are anti-perching methods being discussed including flashers, and cables which run across the perching surface making it uncomfortable to perch on.

Commissioner Tibbitts commented on Smith Valley CDs application saying they did not ask for indirect funds and had a lot of internal match. He also recommended the minutes show more clarification on the project in future applications. Commissioner Tibbitts asked about the application method and why that application method was so expensive. Smith Valley representative Mr. Ryan explained the application would need to be done by helicopter due to the location and while expensive it's the most effective way to treat.

Discussion about how to split the funding across all applications or how much to award each CD was had with several mockup splits discussed.

**B. Select application to be awarded and determine funding amount.**

Commissioner Orr made a motion to approve funding all applications, Eureka CD awarded \$20,667.00, Smith Valley CD awarded \$17,753.00, Northeast Elko CD awarded \$7,500.00, and Lander CD awarded \$19,080.00 with a total of \$65,000 awarded for the FY23 year. Commissioner Meiman second the motion. Motion passed unanimously and Commissioner Tibbitts recuse himself from the vote because he is a supervisor for Eureka CD. **ACTION TAKEN**

**6. Regulation Review by the SCC (For Possible Action). Meeting materials provided.**

**A. Regulation review by the Commission, as per Executive Order 2023-003. "detailing how those regulations can be streamlined, clarified, or otherwise improved to ensure they provide for the general welfare of the State without unnecessarily inhibiting economic growth."**

Ms. Aten provided information about changes to NRS language regarding grant awards. Currently the NRS specify Sage grouse funding but could be expanded to cover all grant awards for future grants. Or an additional NRS section could be added to address specific funding.

Commissioner Tibbitts commented that the grant section specifies the money is for the competitive sage grouse program and is governed by regulation specifically adopted to govern that. Modification to the NRS may impact more than intended.

Ms. Aten brought up the hard deadlines in place which prevent funding from being released earlier due to the paperwork needed for good standing and SCC review of materials. The earliest the money can be awarded would be weeks after the deadline of materials on September 30<sup>th</sup>. This still only give the CDs 7-8 months to use their state funding. Discussion was had about how to get the CDs their funding faster and the complications of end of year meetings.

Commissioner Tibbetts made a motion that a letter to the Governors office be developed to work with the SCC on future NRS changes to allow for more flexibility in distributing money to CDs in unequal amounts, allowing for grant funding to be awarded through that process in place of amending the Sage grouse NRS. Motion was second by Commissioner Martin. Motion passed unanimously. **ACTION TAKEN.**

**7. Legislative Session and Bill review by SCC (For Possible Action).**

**A. Review of Bills and Legislative language which may be considered by the SCC.**

Commissioner Tibbetts said he has been reviewing legislative language and asked for this item to be on the agenda for open discussion while still in session. The Soil Health Bill is the only bill directly calling out and impacting the SCC. Ms. Aten offered to send out the DCNR natural resource legislative bill review cheatsheet for commissioners and CDs with Director Settlemeyer's approval. Director Settlemeyer said Ms. Aten could work with DCNR staff to distribute the sheet to CDs as a legislative update. **NO ACTION TAKEN**

**8. Updates from Agencies and Partners (For Discussion Only)**

**A. Nevada Department of Agriculture: None**

**B. University of Nevada Reno CABNR/UNCE:** Commissioner Meiman gave an update about the virtual collars on cows at Cottonwood ranch. There have been issues with collars staying on the cows, and they are working through how to keep the collars on.

**C. Natural Resource Conservation Service:** None – Ms. Aten provided update that NRCS has an acting State Conservationist from Oregon, and he would be acting for another 30-40 days. They have not announced a new hire, nor an application period.

**D. DCNR:** Director Settelmeyer mentioned that DCNR is still working on following legislature and ensuring there is nothing more onerous on agricultural being proposed. He said they are also working with the Governors office to discuss the response to water of the US in coordination with Dept of Agriculture. There is discussion around reclassification and how these unique waters should be managed in Nevada.

Administrative Assistant Jennifer Zampanti would be leaving the director's office and be working for the State Lands Program. She thanked the Commission and Program for the time spent with them. The commissioners thanked Jenn for her time.

**E. Nevada Conservation District Program:** Ms. Aten introduced the new western region conservation staff specialist for the Program, Marlee Jenkins. She will be assisting the CDs in the western region of the state. Ms. Aten also gave a brief update on the DCNR CD Program website updates and hope to have a new website in place over summer.

**F. Sagebrush Ecosystem Program/Sagebrush Ecosystem Technical Team:** None

**G. Nevada Association of Conservation Districts:** Commissioner Martin updated about the legislative day which was hosted by NvACD, and felt it was a successful day with great attendance. 10-11 conservation district representatives were present and most CDs had a poster up for display. NRCS, Farm Bureau, Nv Dept of Agriculture, and the CD program were all in attendance for support. Commissioner Martin gave an update regarding the Southwest regional NACD meeting to be held in Tahoe this year. There will be tours, meeting days and several excellent presenters scheduled. The dates are set for August 22<sup>nd</sup> through 24<sup>th</sup> at the Lake Tahoe Resort.

**H. All Other Partners and participating agencies:** Ms. Aten gave information regarding proposed changes by NDEP to remove the SCC from the BMP review process, and suggesting they be a reviewing partner. Commissioner Tibbitts clarified they will be forming a stakeholder technical advisory group for review and that all commissioners are invited to be apart of that advisory group.

## 9. Commissioner Items: (For Discussion Only)

**A. Commissioners will provide comments and any reports for the Commission.** None

## 10. Next Commission Meeting: (For Possible Action)

**A. Future Agenda items for consideration:**

None

**Date, time, and location of next meeting.**

The Commission had discussion about a meeting at the same time as the Southwest regional meeting Commissioner Martin gave an update about. Ms. Aten will reach out with an email to the commission

with dates around the meeting to see if we can hold a meeting in conjunction with the NACD meeting.

### **11. Public comments**

Public comment may be made on any issue, provided such comment is limited to areas relevant to and within the authority of the State Conservation Commission. Public comment is limited to 3 minutes per person. No action will be taken on any item raised during public comment that is not already on the agenda. At the discretion of the Chair, public comment may be received prior to action on individual agenda items.

**None.**

### **12. Adjournment (For Possible Action)**

**A. Motion to adjourn:** Commissioner Tibbitts motioned to adjourn the meeting. Commissioner Martin seconded the motion. Meeting was adjourned at 10:44 AM. **ACTION TAKEN**

DRAFT