



STATE OF NEVADA
STATE CONSERVATION COMMISSION
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MINUTES
STATE CONSERVATION COMMISSION MEETING

Wednesday, January 15, 2014, 1:30 p.m.
Tahoe Hearing Room, Richard H. Bryan Building
901 S. Stewart Street, Carson City, NV 89701

The Nevada State Conservation Commission held a public meeting on January 15, 2014, in the Tahoe Hearing Room of the Richard H. Bryan Building, 901 S. Stewart Street, Carson City, NV, 89701. The State Conservation Commission considered and acted on the following items on January 15, 2014.

Board Members Present: Chairman Joe Sicking, Paradise/Sonoma CD, Eric Rieman, Carson Valley CD, Maggie Orr, Lincoln County CD (by teleconference), Leland Wallace, Esmeralda County CD, Kathy Mort, Stillwater CD, and Vance Vesco, Big Meadow CD. **Board Members Absent:** Dr. Sherm Swanson, CABNR-NAES and Ed Foster, NV Dept. of Agriculture,

Others Present: Joe Locurto, Conservation Districts Program Coordinator, Sandy Quilici, DCNR Director's Office, Tim Rubald, Sagebrush Ecosystem Program Manager, Kevin Benson, Deputy Attorney General, Steve Weaver, Conservation Staff Specialist Winnemucca Area, Anita Lahey, Conservation Staff Specialist Ely Area, Clint Koble, State Executive Director, Nevada Farm Service, Bruce Petersen, NRCS, State Conservationist, Bret Allen, Dept. of Agriculture, Bret Tyler, Washoe-Storey CD, Jim Linebaugh, Lani Estill, Vya CD, Nancy Sicking, Doni Bruland, Conservation Staff Specialist Elko Area (by phone), Connie Lee, NDOW (by phone), Marlene Wallace, Esmeralda CD and Rebecca Elkins, Tonopah CD, (by phone).

I. CALL TO ORDER, DETERMINATION OF A QUORUM

Chairman Sicking called the meeting to order at 1:30 p.m. A quorum was established with members: Chairman Joe Sicking, Vice-Chairman Vance Vesco, Commissioner Eric Rieman, Commissioner Maggie Orr (by teleconference), Commissioner Kathy Mort, and Commissioner Leland Wallace.

Joe Locurto introduced Anita Lahey to the Commission. Anita is the third Conservation Staff Specialist and will be working in the Ely Area. Anita previously worked for the U.S. Fish and Wildlife Service and was involved in the Walker River Restoration Project. She has a strong background in conservation.

II. PUBLIC COMMENTS There were no public comments.

III. REVIEW AND CONSIDERATION OF APPROVAL OF MINUTES - *FOR POSSIBLE ACTION*

A. Chairman Sicking asked for approval of minutes from the November 4 and November 6, 2013 meetings. Commissioner Wallace made a motion to approve both meeting minutes, Commissioner Rieman seconded the motion. There was a vote and the motion was passed unanimously. ***ACTION TAKEN***

IV. REPORTS TO THE COMMISSION - *NOT FOR POSSIBLE ACTION*

A. Program update from Joe Locurto, Program Coordinator. Mr. Locurto said the Conservation Staff Specialists each have working areas. Doni Bruland is in the Elko Area, Steve Weaver is in the Winnemucca Area and Anita Lahey will be in the Ely Area. There are some shared areas; Eureka County is shared by Doni (north) and Anita (south) and the Tonopah CD is shared by Steve and Anita. Mr. Locurto said the Commissioners have the weekly activity reports from Steve and Doni since our last meeting. There is a printout from NRCS concerning civil rights and equal opportunities training for NRCS and their partners. This training is offered to by the NRCS district conservationists and to the Conservation Districts. At the November SCC meeting the Commission requested drafting a letter of support from the Commission in support of the work of the Sagebrush Ecosystem Council and the Sagebrush Ecosystem Technical Team and Program. The letter was drafted and signed by the Chairman and sent to the Congressional delegates, state agency directors, the Governor, and others. Another letter was requested to be sent to Tony Wasley, the Director of the NV Dept. of Wildlife, asking for a representative from NDOW to provide a report for the SCC meetings. The letter has been sent. Commissioner Rieman asked who covers Mason Valley, Douglas, and Churchill right now. Mr. Locurto said he is at this time.

V. AGENCY UPDATES - *NOT FOR POSSIBLE ACTION*

A. NV Dept. of Agriculture – Ed Foster. Brett Allen with Agriculture was here for Ed Foster today. Mr. Allen said that Mr. Foster was in the hospital. The Commissioners expressed their concern and sympathy for Mr. Foster. Mr. Allen did not have a report, but would be taking notes.

B. UNR-College of Agriculture Biotechnology and Natural Resources – Dr. Sherm Swanson. Dr. Swanson was unable to attend, but provided a report. *See Attachment I.*

C. Natural Resources Conservation Service – Bruce Petersen. Mr. Petersen said the Farm Bill still has not been passed, but he believes it will soon. There have been retirements at NRCS in engineering and Dan Greeley with the Snow Survey has retired. NRCS is recruiting for the open positions. Heather Emmons is our new public affairs specialist. Under the current extended Farm Bill we have EQIP, WHIP, CSP, and the Lands Protection Program. We don't have Wetlands Reserve or Grassland Reserve right now. We have received a lot of applications which is good. Mr. Petersen said he shares an office with Clint Koble with NV Farm Service which is beneficial. The civil rights training is available and will be helpful.

D. Nevada Dept. of Wildlife – Connie Lee. NDOW has been coordinating with NDOT on an overpass animal crossing project west of Wendover. Law Enforcement has been working on trapping regulations-not to have traps close to urban areas. The NV Partners for Conservation Development have been working on pinion/juniper removal and post fire restoration. There is an extensive project for restoration at Spruce Mountain in Elko County. The Partners are working with the SETT to identify cheatgrass controls and find potential locations for treatment. Suggested locations are the Smith Creek Ranch, Newmont Mining, and the Bison and Spring Peak Fire areas as these are Bi-State sage grouse areas. The Nevada Department of Wildlife has partnered with the Western Governors' Association (WGA) and 16 other western states' wildlife agencies to develop Crucial Habitat Assessment Tools (CHATs) across the west. NVCHAT is one part of a network of compatible, online mapping applications that present wildlife and habitat data to users in a clear and consistent framework that encourages ease of use, multi-state planning, and improved integration of wildlife resource priorities throughout the land use planning process. The game wardens have been busy during bear season. The wardens have received self-reported violations. One was mistakenly shooting a bighorn sheep several days before the season opened. Another was shooting two elk by mistake. The boat inspection program has been very helpful in

preventing the spread of invasive aquatic species. Ms. Lee asked the Commission to let her know what specific information they would like in the NDOW reports. Commissioner Orr asked about more information on the lethal/non-lethal predator control regarding the sage-grouse.

E. Farm Services Administration – Clint Kolbe. Mr. Kolbe presented a recap of 2013. It was the second year of drought. Ranchers have been hauling water all year; later in the year there was some funding for water hauling and help rebuilding fencing after fires. The irrigation areas only received 8-10% of normal. We need the Farm Bill passed for programs-particularly the disaster relief program. It was a good year for micro loans. The money can be available within 7-10 days after applying. Also loans to new farmers were beneficial. Congress has appropriated more money for lending in the last year. The delinquency rate is very low. Dairy support and farm support is holding up the Farm Bill right now. We will get back some disaster programs such as Livestock Disaster Assistance. There will be a new loss program to replace the SURE program which will be more complex. We have met with Emergency Management and other agencies to plan and prepare for a continued drought. We are working to start the availability of water hauling earlier. We continue to work closely with NRCS and we support the Sage Grouse Initiative. There are concerns about the grazing allotments being cut. We have relocated to the NRCS Office and this is saving the agency money.

F. Nevada Association of Conservation Districts – Jake Tibbitts. Mr. Tibbitts did not have a report today.

G. Nevada Sagebrush Ecosystem Program – Tim Rubald. Commissioner Orr said Mr. Rubald is at a Churchill County Commission meeting and will try and report later today.

H. Others – there were no other reports.

Break 2:20 p.m. to 2:30 p.m.

VI. DISCUSSION AND POSSIBLE DETERMINATION OF CONSERVATION DISTRICTS FOUND NOT 'IN GOOD STANDING' STATUS FOR 2012-2013 FISCAL YEAR - *FOR POSSIBLE ACTION*.

A. Quinn River CD – Steve Weaver said he has attended 4 meetings at Quinn River. The CD asked Steve to deliver a letter of explanation and supporting documents to the Commission to consider reinstating their good standing. Mr. Locurto said the reasons for finding Quinn River not “In Good Standing” were no election and not holding the required number of meetings. They are working on filling their board positions. They are planning on having more meetings than required and holding elections this year. Kevin Benson said there is the opportunity of a hearing. Commissioner Orr said we should honor their efforts and find a way to help. Chairman Sicking made a motion to find Quinn River ‘In Good Standing’ providing they schedule meetings, report the minutes to the Commission, and hold an election in November of 2014 for supervisors. Commissioner Rieman seconded the motion; there was a vote and the motion passed unanimously. ***ACTION TAKEN***

B. Vya CD – Lani Estill, Chairman of the Vya CD, said they did not know they needed to hold an election. There is a full board now and Vya has submitted their paperwork. We have funded weed projects and started a new program to have bids submitted for projects approved by NRCS and we help with funding. We have hired Lorraine Colbert as secretary/treasurer. We appreciate the help from Steve, Joe, and Tim. Commissioner Wallace asked who tracks the appointees to the boards. Mr. Locurto said the program keeps records of the terms and appointments. Commissioner Wallace made a motion to find Vya CD ‘In Good Standing’ providing an election is held in 2014. Commissioner Vesco seconded the motion; there was a vote and the motion passed unanimously. ***ACTION TAKEN***

C. Washoe-Storey CD – Bret Tyler said they were found not ‘In Good Standing’ because the paperwork was not completed. At that time they were locked out of the NRCS Office (staff uses the NRCS Office computer) due to the federal government shutdown. There has been a lack of staffing and accounting errors. Mr. Locurto said now the CD has Kathy Tilton who is a volunteer who works on her lunch hour and weekends on the paperwork. Mr. Locurto has received the final report, the election has been held, the board is filled, and meetings held. The problems were prior to Kathy’s attendance. Commissioner Orr made a motion to find Washoe-Storey ‘In Good Standing’. Mr. Locurto advised the Commission to find them ‘In Good Standing’ excluding the financial portion. Commissioner Rieman seconded the motion; there was a vote and the motion passed. ***ACTION TAKEN*** Mr. Locurto said in 2012 it was reported that \$853 was spent; he requested Kathy Tilton to research if this was the correct amount. The actual amount spent was \$5990. This shows the CD can spend the monies and he would support giving them the full amount of \$3500. Commissioner Rieman made a motion to give Washoe-Storey CD the full amount; Commissioner Wallace seconded the motion; there was a vote and the motion passed unanimously. ***ACTION TAKEN*** Mr. Tyler said the state is charging our CD \$129 per month to host their website and the CD cannot access the website to make updates. Chairman Sicking asked Kevin Benson to look into this problem. Mr. Tyler said he has been looking for more weed abatement monies to help with tall white-top before it becomes a worse problem. Commissioner Rieman suggested talking to Ed James with the Carson Water Subconservancy.

D. Ruby Valley CD – there was no one from Ruby Valley at the meeting. Mr. Locurto said he and Doni Bruland have supplied the CD the necessary documents, but have received no reply. Chairman Sicking made a motion to find them not ‘In Good Standing’ this year and have Mr. Locurto send them a letter to see if they want to try next year and the Commission would support them. Commissioner Wallace seconded the motion; there was a vote and the motion passed unanimously. ***ACTION TAKEN*** Commissioner Vesco said the Ruby Valley monies would need to be split among the other CD’s. Mr. Locurto said the \$3500 would be split among the 27 districts ‘In Good Standing’.

- X. COMMISSIONER ITEMS - *NOT FOR POSSIBLE ACTION*** It was agreed to take agenda items out of order at this time.
- A. Commissioner Wallace and Commissioner Rieman have been reappointed. Unofficially, the two new Commission members are Agee Smith from the Northeast Elko CD and Jake Tibbitts from the Eureka CD.
 - B. Mr. Locurto told the Commissioners if they need more updated Supervisor’s Handbooks he can supply them.

- XI. NEXT COMMISSION MEETING - *FOR POSSIBLE ACTION***
- A. Mr. Locurto said some other CD’s have told him they would like to have the meetings in different locations. Commissioner Vesco said we have done that in the past and there was not much response. Chairman Sicking said Carson City is a good location. It was agreed to plan for the next meeting in April.

ADJOURNMENT 3:45 p.m. Commissioner Sicking adjourned the meeting.

4:00 p.m.

VII. RECESS FOR ATTENDANCE AT REGULATION PUBLIC HEARING - *FOR POSSIBLE ACTION*

REGULATION PUBLIC HEARING CALL TO ORDER Chairman Sicking called the meeting to order.

Deputy Attorney General Kevin Benson said there has been a workshop on this regulation which is to implement the grant funds for competitive sage grouse projects. This sets forth the process for submitting applications. One item to clarify is the Commission's intent on page two of the draft regulation in Section 4. This regards the application for grant money – part b. says 'is ready to be implemented upon approval by the Commission without purchase of equipment'. This reads that you could not use the grant money to purchase any equipment; I don't think that was the intent. I suggest adding that 'the project is not primarily for the purchase of equipment'. It was agreed to make the change. Mr. Benson said to look over this draft because it will be sent to the Legislative Committee next. On page 1 it says 'not all the districts will receive an equal amount'. Statute says that monies from other entities have to be divided equally among the CD's. Since this is competitive grant money it has to be made clear. Page 3 says 'the Commission will issue a competitive grant program to the purpose of awarding grant money provided by Legislative appropriation among the Conservation Districts'. I removed 'among the Conservation Districts' because not every CD will receive money. In section 5 on page 3, I made another change for the same purpose. It says 'there's no limit to the amount of money which may be requested by an applicant that the Commission will determine the amount of money' – I added 'if any to award each qualified applicant based on priority'. Commissioner Orr suggested adding 'only to be submitted by a conservation district'. It was agreed. Mr. Benson said after your approval today the regulation has to be approved by the Legislative Commission and right now the Legislative Commission feels there is a conflict with the statute. They are forming an objection letter. This is why I have made these clarifying changes. This is why it has to be made clear that the monies would be given to the districts that qualify.

PUBLIC COMMENT Lani Estill with Vya CD said they have projects with NRCS for sage grouse now – would this help them? Mr. Locurto said it could help with their ranking.

4:25 p.m. ADJOURNMENT Chairman Sicking adjourned the Public Regulation Hearing.

4:25 p.m.

VIII. RECONVENE REGULAR MEETING - *FOR POSSIBLE ACTION*

Chairman Sicking called to order the regular meeting of the State Conservation Commission.

NO ACTION TAKEN

IX. CONSIDERATION AND POSSIBLE ADOPTION OF PERMANENT REGULATIONS AND CHANGES TO NAC CHAPTER 548 - *FOR POSSIBLE ACTION*

Chairman Sicking said there will be a discussion of the regulation and a vote.

Chairman Sicking said he is in favor of the clarifications that the monies are available to the districts that qualify. Commissioner Wallace agreed that it should be competitive. Commissioner Orr said it should be given to those committed to a sage grouse project which would not be every CD. Commissioner Rieman made a motion to adopt the regulation as revised; Commissioner Vesco seconded the motion. There was a vote and the motion passed unanimously. ***ACTION TAKEN***

PUBLIC COMMENT Jim Linebaugh said he remembered when Gerlach was put in the Washoe/Storey CD. At that time they had active representation which they do not now. Mr. Linebaugh felt it would be appropriate to put Gerlach with the Vya CD now. As a point of interest – a young man named Clint Romesha from Vya was awarded the Medal of Honor.

V. AGENCY UPDATES - *NOT FOR POSSIBLE ACTION*

G. Nevada Sagebrush Ecosystem Program – Tim Rubald, Program Manager. Mr. Rubald said the Sagebrush Ecosystem Council will meet twice this month. The focus is the sub-regional draft Environmental Impact Statement and gathering comments regarding the draft. The CD's are welcome to submit constructive comments. Our comments are focused on trying to get the State Alternative incorporated as the final preferred alternative. We are developing GIS Habitat Models and the Conservation Credit System. The Nevada Natural Heritage Program will administrator the Credit System contract. Environmental Incentives has been hired to help develop the Credit System. The draft will be completed by the end of February. We are creating a database system which will be on the internet. Eighty percent of sage grouse brood habitat is on private land. This is where the CD's can help with projects.

Chairman Sicking thanked Commissioners Wallace, Rieman, and Vesco for serving the last term. He congratulated Commissioners Wallace and Rieman on their reappointments.

XIII. ADJOURNMENT

Chairman Sicking asked for a motion to adjourn. Commissioner Vesco made the 1st motion; Commissioner Wallace seconded the motion. There was a vote and the motion passed unanimously. Meeting adjourned at 4:50 p.m.