



STATE OF NEVADA
STATE CONSERVATION COMMISSION
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MINUTES
STATE CONSERVATION COMMISSION MEETING

Tuesday, October 7, 2014 at 10:00 a.m.
Tahoe Hearing Room, 2nd Floor, Richard H. Bryan Building
901 S. Stewart Street, Carson City, Nevada 89701

The Nevada State Conservation Commission held a meeting on October 7, 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.

Board Members Present: Chairman Joe Sicking, Paradise/Sonoma CD, Maggie Orr, Lincoln County CD (by phone), Leland Wallace, Esmeralda County CD, Jake Tibbitts, Eureka CD, Robert Little, Nevada Department of Agriculture, Kathy Mort, Stillwater CD, Vice-Chairman Eric Rieman, Carson Valley CD, and Agee Smith, Northeast Elko CD.

Board Members Absent: Dr. Sherm Swanson, CABNR-NAES.

Others Present: Tim Rubald, Conservation Districts Program Manager, Sandy Quilici, DCNR Director's Office, Marta Adams, Deputy Attorney General, Bruce Petersen, State Conservationist, Natural Resources Conservation Service, Gary Roeder, Assistant State Conservationist, Programs, Natural Resources Conservation Service, Barbara Perlman-Whyman, Nevada Association of Conservation Districts and NACD Board Member, Ed Ryan, Smith Valley and Mason Valley CD's, Marlene Wallace Esmeralda Conservation District, and Nancy Sicking.

I. CALL TO ORDER, DETERMINATION OF A QUORUM

Chairman Sicking called the meeting to order at **10:00 a.m.** A quorum was established with members: Chairman Joe Sicking, Commissioner Jake Tibbitts, Commissioner Maggie Orr, Commissioner Leland Wallace, Commissioner Agee Smith, Commissioner Kathy Mort, Commissioner Robert Little and Vice-Chairman Eric Rieman.

A. Others present introduced themselves and are noted above.

II. PUBLIC COMMENT There were no public comments.

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

A. Approval of minutes from the May 16, 2014, meeting – Commissioner Little made a motion to approve, Commissioner Mort seconded the motion, there was a vote and the motion passed unanimously. ***ACTION TAKEN***

B. Approval of minutes from the June 25, 2014 meeting – Commissioner Orr noted the minutes said the NvACD November 2014 meeting would be on November 11th and 12th and it should be November 12th and 13th. Sandy Quilici said she would make the change. Commissioner Wallace made a motion to approve with the change, Commissioner Tibbitts seconded the motion, there was a vote and the motion passed unanimously. ***ACTION TAKEN***

IV. BRIEF UPDATE ON CONSERVATION DISTRICTS PROGRAM – *NOT FOR POSSIBLE ACTION*

A. Mr. Rubald said he is no longer manager of two programs; he is solely the Conservation Districts Program manager now. There is recruiting for the Ely Conservation Staff Specialist position and there should be at least 2 or 3 applicants that meet State Personnel's qualifications.

This is the meeting that will establish CDs in "good standing" and decide the disbursement of monies and the amount. All the CD's have submitted something and the Commission will decide what is sufficient. Some of the final reports have been late.

X. AGENCY UPDATES - *NOT FOR POSSIBLE ACTION*

Chairman Sicking asked for the NRCS report next from Gary Roeder.

C. Natural Resources Conservation Service – *Bruce Petersen, State Conservationist*. Gary Roeder, Assistant State Conservationist, Programs, Natural Resources Conservation Service, is giving the report today.

Mr. Roeder said there is a new Farm Bill with changes in tracking funds. Funds are tied to a fiscal year. Previously if the funds were not spent they were sent back, now the funds can be rolled over until expended.

The planning software has changed which caused delays in getting the conservation plans and the contracts done. NRCS obligated over 50% of its funds this year in the month of September. The new Farm Bill rules will be published in the next 1-2 months. There are not a lot of changes in the financial assistance programs. There is a new easement program with some small changes.

There has been ongoing auditing of NRCS since 2008. We have made progress in proving our financial system is sound and transparent, and there is integrity in managing the funds as Congress intended. We have been working with FSA on the adjusted gross income certification. There were landowners that did not certify before they received contracts. There was a report from the General Accounting Office that said there was money paid to deceased clients. This happens when a family does not report a death. NRCS investigated to see if improper payments were made.

NRCS in Nevada obligated a little over 9 million dollars this year. There were 99 EQIP contracts for about 8.7 million dollars. There were 8 Agriculture Management Assistance Program contracts for 753,000 dollars. There were contracts for project assistance with the Tribes. Commissioner Tibbitts asked how much was spent on federally administered land. Mr. Roeder said there was \$400,000 spent in Nevada for the Sage Grouse Initiative.

Mr. Roeder said it has been difficult to fill positions this year particularly in eastern Nevada. Mr. Petersen has an agreement with a private contractor to provide administrative program assistance to the field offices. These are locally hired people to work with the District Conservationists. There are contracts in each county but Esmeralda.

The State Technical Committee Meeting is scheduled for November 18th. This will be video conferenced to all the field offices. The video conferencing is in place to participate in local work group meetings and other meetings that are held in the field offices. The Forest Service Office in Carson City can be a meeting site and we're looking at using the Extension Offices. We encourage the CD's to use this equipment for increased meeting participation.

The Easement Programs have \$3.5 million for five conservation easements. Chairman Sicking asked about matching funds. Mr. Roeder said one grassland easement match is from the Rocky Mountain Elk Foundation. One match is with the Nevada Land Trust and the other three are Wetland Reserve Easements. We hope to close on \$15 million worth of easements in the next four months.

Marlene Wallace asked about the next deadline for EQIP funds. Mr. Roeder said landowners can sign up anytime for the next batching of funds. Commissioner Tibbitts asked if the new Farm Bill is more regulatory. Mr. Roeder said there is the crop insurance component to be Highly Erodible Land and Wetland Conservation compliant.

V. REVIEW OF CONSERVATION DISTRICT REPORTS - *FOR POSSIBLE ACTION*

A. and B. Review of reports and tracking logs and comments. Mr. Rubald gave the Commissioners a tracking log that shows dates of reports, meetings, agendas, and minutes. All budgets and work plans were in on time. Carson Valley, Eureka, and White Pine CDs were late on reports, but he did receive them. Commissioner Rieman said Carson Valley CD was late because the secretary has been experiencing eye problems. Chairman Sicking said the Commission will go through and comment on each CD. Mr. Rubald was also asked to provide remarks.

Big Meadow CD – some minutes were late, but met the minimum.

Carson Valley CD – reports were late but received.

CD of Southern Nevada – received complete and timely.

Clover Valley CD – received complete and timely.

Dayton Valley CD – lots of coop work with Carson Valley and good projects, complete and timely.

Duck Valley – applied for RCCP with Doni's help, have had three meetings, did not receive one of the agendas.

Esmeralda CD – had meetings and sent reports.

Eureka CD – the reports were late, but received.

Jiggs CD – received complete and timely.

Lahontan CD – reports were timely, missing one agenda, have had several meetings.

Lamoille CD – timely reports, missing one set of minutes.

Lander CD – timely reports, active group.

Lincoln CD – timely and complete reports.

Mason Valley CD – was late on 2 sets of minutes. Ed Ryan is the new District Manager. Several meetings this year.

Nevada Tahoe CD – all timely, they are doing a good job.

Northeast Elko CD – had three meetings and all reports on time.

Owyhee CD – timely and complete reports.

Paradise-Sonoma CD – all reports in, held meetings, missing one set of minutes. Steve Weaver has been helping.

Quinn River CD – has had problems. Steve Weaver has helped them. They have had 4 meetings and reports were on time. This CD has the largest sage grouse population (with Paradise-Sonoma) and will have good projects.

Ruby Valley CD – has been struggling, but Doni has been helping. Their reports are in, missing one agenda, and late on one set of minutes. Have had 3 meetings and the reports were on time.

Smith Valley CD – held meetings and reports were timely. There will be sage grouse projects for bi-state in this CD.

11:15 a.m. – 11:28 a.m. Break

Southern Nye CD – held 4 meetings and reports were timely.

Starr Valley CD – Reports on time and held three meetings.

Stillwater CD – Reports on time, held meetings, and are hiring a new secretary.

Tonopah CD – Reports on time, lost their secretary, but have hired a part-time secretary. Steve Weaver has helped them.

Vya CD – is doing better, Steve Weaver is helping. The reports were on time, they have held 5 meetings, and they have started some projects. They have the 2nd largest sage grouse population.

Washoe-Storey CD – has a part-time secretary, the reports were on time, and the minutes turned in.

White Pine CD – They have some reports, minutes, and 3 meetings. They had a part-time secretary who left with their records. They have a new secretary, but need more staff.

Commissioner Tibbitts noted some boards do not have 6 members. The CDs need to get agendas to Tim and posted on public websites per the open meeting law. There will be CD Training at the November State Association meeting. Commissioner Tibbitts asked if each city needs a representative on the CD board. Mr. Rubald replied no – just one city representative for all. A county representative is not required, it's up to the respective counties. Barbara Perlman-Whyman said Nevada-Tahoe CD has a representative from each county and it is helpful.

Commissioner Tibbitts said the Conservation Staff Specialists have been very helpful. Mr. Rubald said Steve Weaver has gone to every CD meeting in his area and the support shows results. Doni Bruland has helped by doing minutes and reports until the Association can get a staff person. The districts need full boards and a county representative is helpful.

Chairman Sicking asked if letters should be sent to the districts to encourage a full board before the election. Mr. Rubald said he will send emails. Commissioner Wallace said it is very hard to fill the board.

Commissioner Tibbitts said the CD Specialist cannot continue to do the minutes and reports. The CDs need to get the positions filled and do their own secretarial work.

Commissioner Orr said there is a lot of work being done by CDs; could these annual reports be put on the website so the legislators and other CDs could see them? Mr. Rubald said yes, but the question is when. He would like to add a tab where the reports could be seen and would like to have it done before the next legislature. Chairman Sicking said it would be good to have the budgets on the website also.

Chairman Sicking said all reports are in and all CDs appear to be in 'good standing'. Commissioner Smith made a motion to find all the districts in 'good standing'. Commissioner Mort seconded the motion. There was a vote and the motion passed unanimously. ***ACTION TAKEN***

VI. DISCUSSION AND POSSIBLE DETERMINATION OF DISTRICTS' 'IN GOOD STANDING' STATUS FOR 2013-2014 FUNDING PURPOSES - *FOR POSSIBLE ACTION*

A. Mr. Rubald said White Pine CD only spent \$672.41 of its money. The statute says we can only fund up to the amount spent in the next year. Mr. Rubald suggested giving White Pine CD \$672.41 next year and dividing the difference among the other 27 CD's. Chairman Sicking asked for a motion to grant all the districts funding except White Pine which will receive \$672.41 with the remainder of the White Pine funding to be divided among the other 27 districts. Commissioner Tibbitts made the motion, Commissioner Rieman seconded the motion, there was a vote and the motion passed unanimously. ***ACTION TAKEN***

Lunch Break 12:10 p.m.
Reconvened at 1:25 p.m.

VII. DISCUSSION AND POSSIBLE ACTION ON PROPOSED LETTER TO BLM AND USFS REGARDING ACTION ON MEDUSAHEAD - *FOR POSSIBLE ACTION*

A. Commissioner Orr made revisions to the letter to make it read better. Commissioner Little said we need these types of letters going to the Forest Service and BLM to show the problems that are created by Medusahead and for help with the spread of the weeds. When the letter is sent, please copy the Dept. of Agriculture's Noxious Weed Program. Mr. Rubald said he would.

Mr. Rubald said he is scheduled to meet with BLM and USFS staff to talk about spraying areas as part of the sub-regional sage grouse EIS. Commissioner Tibbitts said it takes twice a year sprayings.

Commissioner Tibbitts said in the 5th paragraph after "The facts are clear in Paradise Valley" to add "and is representative of other areas of the state". Commissioner Orr said to add a reseeding paragraph before the last paragraph. Commissioner Tibbitts suggested "The successful treatment of Medusahead requires inundated weed management procedures including reseeding with proven long lived perennial species such as crested wheat". Commissioner Rieman made a motion to approve the letter with the new paragraph. Commissioner Smith seconded the motion, there was a vote and the motion passed unanimously. ***ACTION TAKEN***

VIII. DISCUSSION AND POSSIBLE ACTION ON DRAFT OFFICIAL COMMENTS TO THE ENVIRONMENTAL PROTECTION AGENCY REGARDING THEIR PROPOSED RULE – Definition of "Waters of the United States" Under the Clean Water Act - *FOR POSSIBLE ACTION*

A. Mr. Rubald said that the Division of Environmental Protection and the Division of Water Resources are involved in commenting on this to not include every navigable water. Commissioner Tibbitts made a motion to send the letter, Commissioner Rieman seconded the motion, there was a vote and the motion passed unanimously. ***ACTION TAKEN***

IX. DISCUSSION AND POSSIBLE ACTION REGARDING REVIEW OF THE CURRENT COMMISSION STRATEGIC PLAN - * FOR POSSIBLE ACTION*

Commissioner Tibbitts said the plan expires in 2015. We have new commissioners and we should start fresh with a new plan. We could have a person develop the plan and we would go over it. Chairman Sicking said we could use a facilitator. Commissioner Smith said he has worked with Mike Lunn and he would be good. Commissioner Tibbitts said we could extend the current plan and work on the new plan in the next year. Bruce Petersen said his staff could help. Commissioner Smith made a motion to extend this plan for a year and we start working on a new plan to be done in 2015. Commissioner Tibbitts amended the motion to include that we pursue the current benchmarks in that time and seconded the motion. There was a vote and the motion passed unanimously. ***ACTION TAKEN***

Mr. Rubald said he will speak with Mike Lunn and see when he is available. Commissioner Smith said the partners and Conservation Staff Specialists should be included. Mr. Rubald said we can talk about the specifics at the November meeting. It was agreed that January through March is the best time to plan the Strategic Planning meetings.

X. AGENCY UPDATES - *NOT FOR POSSIBLE ACTION*

A. Nevada Association of Conservation Districts – *Jake Tibbitts, President*. Commissioner Tibbitts said the State Association meeting is November 12th and 13th in Fallon. There will be a vineyard tour after the business meeting. Friday, November 14th, will be the Conservation Leadership Training Workshop. It will be possible to take the training to the districts.

We have been trying to fill an Executive Position and there is now a candidate to interview.

B. Nevada Sagebrush Ecosystem Program – *Tim Rubald reporting today*. Mr. Rubald said the new Program Manager is Kacey KC from the Division of Forestry. She has run the Wildland Urban Program among others. She aided Mason Valley in gaining funding.

Mr. Rubald will remain involved particularly with the Credit System. The State Plan was adopted by the Sagebrush Ecosystem Council and Mr. Rubald will provide copies for the Commission members and at the State Meeting. The plan will be amended as needed. The Conservation Credit System is close to being done. There will be an abbreviated version for the CD's. Any disturbance to public land will be mitigated through the credit system. There will be credits developed for private land. It will allow producers an additional revenue source. It can work with contracts with the debit creators when there are disturbances on public land such as mining, oil and gas drilling, alternative energy, power lines, and other projects. Commissioner Tibbitts asked if projects would be retroactive. Mr. Rubald said they will try to credit those projects. The credit system can be a good revenue source.

The Council formed a Monitoring Committee to develop a sensible self-monitoring plan for grazing allotments. Producers would self-monitor their allotments providing data for BLM. There would be verifiers that would come regularly. This would give BLM data on grazing and it will provide an opportunity for CD's to earn money. This is still being developed.

C. Nevada Department of Agriculture – *Robert Little, Noxious Weeds Coordinator*. Commissioner Little said Ed Foster has returned to work but is now in a different position as a seed analyst.

Commissioner Little said he is the new Deputy Administrator for the Plant Industry Division. The new Noxious Weed Coordinator is Jamie Greer.

Tina Mudd is the new Rangeland Health Program Manager and works with the Noxious Weed Program. At the State Meeting in November Jamie Greer will talk about a new free App for mapping weeds and using overlays. Another App is being developed for the private land owner to map property.

There was an RFP for plant control to benefit agriculture and sage grouse in June. There were five entities selected; three CD's and two non-profits. The money is \$85,000. One entity could not receive funding because the BLM did not have NEPA documentation in place so we are looking for one more.

Agriculture continues to work with the Sagebrush Ecosystem Team on various sage grouse issues.

At this next Legislature we are asking for a GIS specialist and a wildlife biologist.

Wild horses are still an issue; there was a recent fatality of a motorcyclist and a horse.

D. UNR-College of Agriculture Biotechnology and Natural Resources – *Dr. Sherm Swanson*. There was no report today.

E. Farm Services Administration – *Clint Koble, State Executive Director*. There was no report today.

- E. Nevada Department of Wildlife – *Connie Lee, Landowner Incentive Programs*. There was no report today.
- F. Others – There were no other reports.

XI. COMMISSIONER ITEMS - *NOT FOR POSSIBLE ACTION*

- A. Commissioner Smith said NRCS has been helping with funding for projects in Elko and thanked Mr. Petersen.

XII. NEXT COMMISSION MEETING - FOR POSSIBLE ACTION*

- A. Chairman Sicking said the next Commission meeting will be November 11th before the State Association meeting and then another meeting after the State Association meeting on November 13th. The meeting on November 11th will start at 4:30 p.m. with the location to be determined. The meeting on November 13th will start at 2:00 p.m. following the State Association meeting.
- B. Agenda items will include the Strategic Plan, upcoming Legislative issues, and Bill Draft Requests.

XIII. PUBLIC COMMENTS There were no public comments.

XIV. ADJOURNMENT - *FOR POSSIBLE ACTION*

Chairman Sicking asked for a motion to adjourn. Commissioner Rieman made a motion to adjourn, Commissioner Wallace seconded the motion and the meeting was adjourned. ***ACTION TAKEN***

The meeting was adjourned at 3:40 p.m.