



STATE OF NEVADA  
**STATE CONSERVATION COMMISSION**  
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**MINUTES**  
**STATE CONSERVATION COMMISSION MEETING**

Nevada Department of Conservation and Natural Resources  
Richard H. Bryan Building 5<sup>th</sup> Floor, Ponderosa Room  
901 S. Stewart Street, Carson City, Nevada  
Thursday, June 25, 2015 10:00 a.m.  
Available by teleconference

The Nevada State Conservation Commission considered and acted on the following items.

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

**Board Members Absent:** Dr. Sherm Swanson, CABNR-NAES; and Tina Mudd, Nevada Department of Agriculture.

**Others Present:** Tim Rubald, Conservation Districts Program Manager; Sandy Quilici, DCNR Director's Office; Nancy Sicking, Kimberly Elliott, Ralph Ward Alter, WB Minerals; Carl Clinger, Big Meadow CD; Colleen Platt, Deputy Attorney General, and Connie Lee, NV Dept. of Wildlife (by phone).

**CALL TO ORDER, DETERMINATION OF A QUORUM**

- A. Chairman Sicking called the meeting to order at 10:05 a.m.  
The participants introduced themselves.  
A quorum was confirmed.

**II. PUBLIC COMMENTS** There were no public comments.

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

Commissioner Tibbitts made a motion to approve the January 22<sup>nd</sup> and January 23<sup>rd</sup>, 2015 minutes, the February 20<sup>th</sup>, 2015 minutes, the March 27<sup>th</sup>, 2015 minutes, and the May 20<sup>th</sup>, 2015 minutes. Commissioner Orr 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\***

Mr. Rubald said he is negotiating a contract with NRCS to get CD's additional funding for next year's competitive grant program for sage grouse. Hopefully NRCS will match the state appropriation of \$40,000 which will make a total of \$80,000 available for the Sage-grouse Competitive Grant Program.

Commissioner Rieman asked if NRCS State Conservationist Bruce Petersen had been replaced yet. Mr. Rubald said Ray Dotson, the Assistant State Conservationist for Arizona, will start on July 12, 2015. Mr. Rubald will send out more information about Mr. Dotson to the Commissioners and he will invite him to the next meeting.

## **V. CONSIDERATION AND DETERMINATION OF GRANT RECIPIENTS FROM THOSE APPLICATIONS RECEIVED TIMELY - \*FOR POSSIBLE ACTION\***

Mr. Rubald said he had distributed copies of the 11 applications received from the CD's (*See Attachment I*). The applications were reviewed by the Sagebrush Ecosystem Team and met the requirements. If all 11 applications are approved the amount to each applicant will be \$3,636.36.

Chairman Sicking asked for a motion to approve the applications. Commissioner Tibbitts said the regulation says the application has to be on the prescribed form. We have a signature by an "elected" supervisor. Why is that a requirement? Mr. Rubald said it says "elected" because he did not want a staff person to sign the application. He wanted one of the supervisors to sign. Commissioner Tibbitts said it says "elected" supervisor. Mr. Rubald said he would not have a problem with any supervisor. Commissioner Tibbitts said the Tonopah CD Chairwoman is an appointed supervisor and she signed the form. He said it needs to be clarified. Mr. Rubald said it should say "elected or duly appointed". Commissioner Tibbitts said the Eureka CD did not apply because it said "elected".

Commissioner Tibbitts said on the form it talks about a map and there are at least two applicants that did not attach a map. The form does say to please attach a project map and it should be included.

Commissioner Tibbitts said there are 2 or 3 applications that the actual amount requested is less than they are receiving. If they do not spend the entire amount it is deducted from the next year. The projects are scaleable so hopefully they will scale up. Commissioner Orr said in the Lincoln County CD's case they will be using the full amount.

Deputy Attorney General Platt said the Commissioners that represent a CD will have to recuse themselves from voting for their CD's application. It was agreed to vote on the applications individually.

Chairman Sicking said we will consider the Dayton Valley CD application. Commissioner Tibbitts said we can provide feedback to the CD's regarding their application. Mr. Rubald said he can write letters to the CD from the Commission with the feedback.

Commissioner Tibbitts said Dayton has fence marking listed and he suggested Dayton ask NRCS for help with the marking as they have a tool that would be helpful in placing the markers. Also the application mentions beginning the work in the fall and completing in the spring of 2016. It says to do the work in the growing season, but this is the sage grouse breeding season and it could be disruptive. He suggests asking them not to do the work at that time. Connie Lee said the CD can contact the local NDOW biologist for assistance.

Chairman Sicking asked for a motion to approve and to include a letter that says not to disturb the leks, to contact NRCS for help with the markers, and to contact an NDOW biologist before the work begins. Commissioner Tibbitts made the motion, Commissioner Orr seconded the motion, there was a vote and the motion passed unanimously.

Chairman Sicking asked for comments on the Lamoille CD application. He said this CD already receives funding from Elko County for weed spraying and there are no new projects. This is a continuance of existing work. Commissioner Tibbitts made a motion to approve, Commissioner Rieman seconded the motion, there was a vote and the motion passed unanimously.

Chairman Sicking asked for comments on the Lincoln County CD application. Commissioner Orr abstained from voting on this. She said this is a good project and we are looking to increase the acreage as more landowners become involved. Commissioner Mort made a motion to approve, Commissioner Smith seconded the motion, there was a vote and the motion passed unanimously.

Chairman Sicking asked for comments on the Mason Valley CD application. Commissioner Tibbitts noted there was no map attached, but with a weed spraying project a map would not show much. Mr. Rubald said last year Mason Valley did something similar and they do track it well. Commissioner Orr made a motion to approve, Commissioner Smith seconded the motion, there was a vote and the motion passed unanimously.

Chairman Sicking asked for comments on the Northeast Elko County CD application. Commissioner Smith abstained from voting on this. He said there will be the seeding of forbs to improve certain meadow areas that the sage grouse use. They are determining the areas where there is the most sage grouse value. Commissioner Tibbitts wanted to note that the CD had project priority areas identified and listed and now it is easy to put plans in place. Commissioner Tibbitts made a motion to approve, Commissioner Mort seconded the motion, there was a vote and the motion passed unanimously.

Chairman Sicking asked for comments on the Paradise-Sonoma CD application. Chairman Sicking abstained from voting on this. He said this is willow manipulation on the north fork of the Humboldt River. Commissioner Tibbitts said this included a map as requested. Commissioner Orr made a motion to approve and Commissioner Wallace seconded the motion. There was a vote and the motion passed albeit Commissioner Rieman voted against.

Chairman Sicking asked for comments on the Smith Valley CD application. Commissioner Tibbitts noted there was not a map included. Commissioner Mort made a motion to approve, Commissioner Smith seconded the motion, there was a vote and the motion passed unanimously.

Chairman Sicking asked for comments on the Tonopah CD application regarding work on the Pasco Canyon Ranch. Commissioner Tibbitts said they are asking for less than they will be receiving, but it could scaled up. Mr. Rubald said this is a continuation of last year's project and they are doing it in chunks which could be increased. Commissioner Mort made a motion to approve, Commissioner Orr seconded the motion, there was a vote and the motion passed unanimously.

Chairman Sicking asked for comments on the Vya CD application regarding sage grouse and building a wildlife friendly fence. Chairman Sicking said we could recommend they contact NRCS and NDOW before proceeding. Commissioner Tibbitts said NRCS is partnering with them to develop this. Commissioner Tibbitts made a motion to approve, Commissioner Rieman seconded the motion, there was a vote and the motion passed unanimously.

Chairman Sicking asked for comments on the Washoe-Storey CD application of tagging fences at Winnemucca Ranch. Commissioner Tibbitts said the areas they are identifying for fence marking they have already coordinated with U.S. Fish and Wildlife Service and the local area work group. Mr. Rubald said there is private ground here also; this is a continuation of last year's project. He could send them a requirement to use the model. Commissioner Tibbitts agreed they should coordinate with NRCS and the NDOW biologist to make sure the markers are correct. With that requirement Commissioner Tibbitts made a motion to approve, Commissioner Orr seconded the motion, there was a vote and the motion passed unanimously.

Chairman Sicking asked for comments on the White Pine County CD application of fence removal and marking of a new fence. Commissioner Tibbitts made a motion to approve with the requirement of using the model and coordinating with NRCS and the NDOW biologist. Commissioner Mort seconded the motion, there was a vote and the motion passed unanimously. **\*ACTION TAKEN\***

Mr. Clinger asked if the applications would be available online. Mr. Rubald said he could email the applications to him and Mr. Clinger said that was fine.

## **VI. CONSIDERATION AND DETERMINATION OF THE EQUAL AMOUNT OF EACH GRANT TO GO TO THE RECIPIENT DISTRICTS, AND AUTHORIZATION FOR STAFF TO RELEASE TOTAL FUNDING IMMEDIATELY – \* FOR POSSIBLE ACTION \***

Commissioner Orr made a motion to authorize the Conservation Districts Program to release \$3636.36 to each of the approved CD's. Commissioner Smith seconded the motion, there was a vote and the motion passed unanimously.

**\*ACTION TAKEN\***

**VII. DISCUSSION AND POSSIBLE DECISIONS ON ISSUES PERTAINING TO THE PREVIOUSLY DISCUSSED RESOURCE CONSERVATION PARTNERSHIP PROGRAM (RCPP) GRANT APPLICATION - \*FOR POSSIBLE ACTION\***

A. Carl Clinger asked for a review of how this went from a Humboldt River application to the current one. Chairman Sicking said there was only one CD present at the meeting in Elko and there was no plan (projects) submitted at either meeting. Rather than the Commission applying for the grant the State Association will apply to give the districts plans so the next time we apply there will be projects ready. There is also the fact of the short amount time to apply for this grant.

Mr. Clinger said he believed there was a consensus to do a Proper Functioning Condition analysis and also to build a coalition for the Humboldt River. Commissioner Tibbitts said he felt there was not a consensus among the districts. There was a discussion that we need to know the condition of the river before we start projects. A PFC assessment is not allowed under the RCPP. A CRMP is allowed. There was a proposal four years ago that was for a PFC assessment put together by upstream users in Elko and it never developed because there was not a landowner buy in.

Mr. Clinger said he thought the Commission was going to have meetings of the CD's to build the stakeholder base and to get support. Now the effort is sidetracked to apply for this. Commissioner Tibbitts said he believes the CRMP process will develop specific projects for the river. This is a five year authorization under the Farm Bill, it takes some time to gain the support from the landowners in the CD's, let's continue to work on it. Right now we have a chance to do something for all the districts and it will address the Humboldt Watershed and other issues.

Mr. Clinger said a coalition is needed. Commissioner Orr said this is what we hope for with this process. The CRMP only works when you have all the groups working together. There has to be a format and the groundwork needs to be built. Commissioner Tibbitts said there will be a new proposal for RCPP in one year, at that time it could be Humboldt River specific.

Mr. Clinger said the CRMP has failed in the past. Commissioner Tibbitts said CRMP is driven by the Society for Range Management; it is not federal, state, and county coordination. It is a grass roots plan from the ground up. Commissioner Smith said it has been successful.

Chairman Sicking said we had no plans to move forward right now. This way we can have a plan in place for next year if the funds are available.

Commissioner Tibbitts said the idea is to put in the grant proposal to develop 28 CD level CRMP's. This is patterned after the New Mexico application which was successful.

There would be an amount applied for in the RCPP to implement project(s) that meet the national or the state priorities. If we are applying for the state pool it must meet one of the national priorities and the state priorities. He needs to find the amount to hold back after the CRMP's are developed so that funding can go to each CD. That is EQIP funds etc. This has to have a 50-50 match. In New Mexico the match came from previously allocated sources.

There is a commitment from the Nevada BLM Director, John Ruhs, and USFS Supervisor Bill Dunkelberger, to partner.

There can be a match in kind. How much per district is a valid amount to at least get a project started after they develop their plan. The New Mexico application says they are going to develop 75 CRMP's at an allotment level. They are applying for mostly EQIP funds. Through the CRMP they have an objective identified, but they don't state where it will be applied.

Chairman Sicking said work on the Humboldt and its tributaries would need to be cleared by the Army Corps; would there be funding for that? Commissioner Tibbitts said if the projects are not in the river they would not need clearance.

Chairman Sicking asked if you had to get an Environmental Assessment who would pay. Connie Lee said the NEPA and Army Corps of Engineers clearances will occur on a project by project basis. There are agencies that can help with this.

Commissioner Tibbitts said this has to include the producers. BLM, USFS, NDOW, and NV Agriculture can help with "in kind" support.

Mr. Rubald said the state amount is \$765,000. Divide that by 28 (the number of CD's) and it is \$27,000 per CD. This would get planning started. Commissioner Tibbitts said there have to be projects involved. Mr. Rubald asked about competing at the national level and Commissioner Tibbitts said he believes we should.

B. Commissioner Tibbitts said he could use help from Tim Rubald and Connie Lee to reach out to groups to partner. He would like to go forward with the pre-proposal form. We need commitments from NDOW, Agriculture, etc. Connie Lee asked if we need a letter that requests support and outlines the proposal. Commissioner Tibbitts said yes. Mr. Rubald said that Kimberly Elliott could help with that.

Commissioners Orr and Smith said they would help Commissioner Tibbitts and also Connie Lee with NDOW. Commissioner Tibbitts said this is a pre-proposal and then a full proposal would come next.

Mr. Rubald said the Commission can receive the grant and the program has the commitment from the Director's Office to administer it. If NvACD is not the lead the Commission could be the lead and the state could administer the grant.

C. Commissioner Tibbitts said the NvACD will work with Kimberly Elliott to prepare the pre-proposal on behalf of the SCC. The Commission will be the applicant and NvACD will be a partner.

Commissioner Tibbitts made a motion that NvACD will work with Kimberly Elliott to get the pre-proposal submitted on the RCPP with the SCC being the lead applicant on the RCPP and that we will pursue the national pool. Commissioner Orr seconded the motion, there was a vote and the motion passed unanimously. **\*ACTION TAKEN\***

Mr. Clinger said he believed the funding would be there to do the CRMP for every district, but that is not the case. Commissioner Tibbitts said the funding can develop the plan as long as there are projects tied to it. The idea is to develop the plan and then have funding to develop at least one project. It also has to fit under the national priority.

**VIII. AGENCY UPDATES - \*NOT FOR POSSIBLE ACTION\*** There were no agency updates today.

- A. Nevada Department of Agriculture –
- B. UNR-College of Agriculture Biotechnology and Natural Resources –
- C. Natural Resources Conservation Service –
- D. Farm Services Administration –
- E. Nevada Department of Wildlife –
- F. Nevada Association of Conservation Districts –
- G. Others –

**IX. COMMISSIONER ITEMS - \*NOT FOR POSSIBLE ACTION\***

A. Commissioner Orr said BLM has a brochure called "Go Wild Horse and Burro Watching" (*See Attachment II*) that has raised her concern. She spoke with Alan Shepherd, NV BLM Wild Horse and Burro Program Manager, who spoke with John Ruhs, NV BLM Acting State Director, and it was suggested that she write a letter (which Mr. Rubald had emailed the Commissioners and is *Attachment III*) with her concerns. She said if the Commission would like to comment that would help and she is sending the information to her constituents. She said that BLM needs to be consistent with their message and this brochure glamorizes wild horses.

Chairman Sicking said he would like a letter from the Commission for Kevin Benson expressing our appreciation of his work as our Deputy Attorney General.

Colleen Platt said there is an addition to the Open Meeting Law that says you must have the date and time that an agenda is posted, the location of where it was posted and the name, title, and signature of the person that posted the agenda. Electronic signatures are acceptable. The posting affirmations will be kept in the meeting folder. Mr. Rubald will be sending the new agenda posting requirements to the CD's.

**X. NEXT COMMISSION MEETING - \*FOR POSSIBLE ACTION\***

A. Chairman Sicking said there will be a Wild Horse letter discussion on the next agenda.

Chairman Sicking approved Mr. Rubald's request to go back to Agenda Item IV. Mr. Rubald said the most recent deadline to our good standing issues was June 1<sup>st</sup>. June 30<sup>th</sup> is the deadline for reports from the districts that received sage grouse money last year. Currently we have received minutes, agendas, projects, and plans of work from each CD. One CD sent a late budget and plan of work. The final deadline is September 30<sup>th</sup> for the CD's final financial reports and annual report. Usually the Commission meets after that for approvals.

Chairman Sicking said there will be a discussion of a letter of appreciation for Kevin Benson on the next agenda.

Commissioner Tibbitts said the announcement of the pre-proposal is September 4<sup>th</sup> and if we are chosen to submit a full proposal it is due November 10<sup>th</sup>. We may want agenda items concerning this at a future meeting.

B. A date for the next meeting was not established at this time. \* **NO ACTION TAKEN**\*

**XI. PUBLIC COMMENTS**

Mr. Clinger suggested sending copies of the Wild Horse letter to the CD's through the NvACD.

Mr. Clinger asked if the Humboldt River was still part of the grant and Chairman Sicking said it is up to each CD to decide their projects and there will likely be projects regarding the Humboldt.

Ralph Alter said it needs to be pointed out that wild horses are damaging sage grouse habitat. Let the public know the number of horses is harmful to feed and water areas of the sage grouse and other species. You could mitigate the sage grouse problems by controlling the horse problems.

**XII. ADJOURNMENT - \*FOR POSSIBLE ACTION\***

Chairman Sicking adjourned the meeting at 12:23 p.m. \* **NO ACTION TAKEN**\*