



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

MINUTES
STATE CONSERVATION COMMISSION MEETING

Nevada Department of Agriculture
Main Conference Room
405 South 21st Street, Sparks, Nevada
Monday, October 5, 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; Vice Chairman Eric Rieman, Carson Valley CD; Robert Little, NV Dept. of Agriculture; Jake Tibbitts, Eureka CD (by phone); Maggie Orr, Lincoln County CD; Leland Wallace, Esmeralda County CD; Agee Smith, Northeast Elko CD (by phone); Dr. Sherm Swanson, UNR/CABNR; and Kevin Roukey, Washoe-Storey CD.

Board Members Absent: No members were absent.

Others Present: Tim Rubald, Conservation Districts Program Manager; Sandy Quilici, DCNR Director's Office; Nancy Sicking; Rosealee Rieman; Connie Lee, NV Dept. of Wildlife (by phone); Gerry Miller, Conservation Staff Specialist, Elko Area (by phone); and Lori Story, Deputy Attorney General.

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 *

- A. No minutes for approval today. * **NO ACTION TAKEN** *

IV. BRIEF UPDATE ON CONSERVATION DISTRICTS PROGRAM - * FOR DISCUSSION ONLY *

- A. Mr. Rubald said there are two candidates on the list for the Winnemucca Conservation Staff Specialist II position. We may interview both, if not the position will be opened as a Conservation Staff Specialist I to draw more applicants.

Steve Weaver has been completing some of his projects.

Ben Bolton, the Ely Area Conservation Staff Specialist, has completed medical tests and the results have been given to the HR Department for a decision of when he will be permitted to drive.

We did not receive the RCPP grant that we applied for. Ray Dotson has reviewed the grant. NDF may be able to help with CRMP work. There are some other grant opportunities that we will try to pursue.

The NvACD Annual Meeting is in Ely from November 2nd through 4th. On November 5th there is an NRCS State Technical Advisory Committee Meeting in Ely. The Commissioners were urged to attend.

The Society for Range Management has their annual winter meeting in Elko on January 14th and 15th. The topic is sage-grouse. Dr. Pete Coates is attending and the SETT will discuss the Conservation Credit System.

The National Association of Conservation Districts is meeting in Reno on February 1st through February 4th at the Grand Sierra Hotel. The agenda is on their website.

The regulations for the Competitive Grant Program have been submitted to the Legislative Counsel Bureau (LCB). We have received a number assignment which is R113-15. We are waiting on their rewrite which means we cannot have the adoption hearing at the November 2nd Commission Meeting. Once we get it back we can post the 30 day notice for the adoption hearing. We will need to have a Commission Meeting in mid-November or early December for the regulation approval.

V. DISCUSSION OF POSSIBLE IMPACTS ON CONSERVATION DISTRICTS REGARDING THE CURRENTLY PROPOSED CHANGES TO NAC 555 BY THE NEVADA DEPARTMENT OF AGRICULTURE - *FOR POSSIBLE ACTION*

Robert Little said there has been one workshop on this and there should be a hearing in the next 45 days. The Department (Agriculture) has received comments from private industry about the regulations on pest/weed spraying. In statute it states that any person or government agency that conducts pest/weed control is required to be licensed. Private industry is asking why public agencies are not held to these standards. We have public agencies that are trying to become licensed. We are trying to establish how the licensing will be better defined.

The government entities could have a primary principal listed for their license and others could work under the primary principal. There would be supervision required and the primary would need to be available to be contacted by telephone. As long as the primary principal can reach the operator by telephone it would be considered supervision.

The other requirement would be the government entity conducting the work (pest control) would have to have liability insurance. There is "pool pact" insurance. Mr. Rubald said the Districts are offered insurance through the state under the Attorney General's Office for liability insurance.

Mr. Little continued and said for some CD's the county could be the supervisor and the CD would work under the county's license. A goal is for users to have the proper training and there is a responsible person for the work being done. It is for government entities for work done on public ground. This is extended to the federal partners also. We will have to look at each license individually for the work described. We also want to include and define "work for hire" in the language. We are talking with our DAG and LCB.

We are still taking comments and there will be a hearing in about 45 days. After the Legislative wording is in place, the regulation will be distributed and then there will be an adoption workshop.

Agriculture wants the entity to show insurance and to assure the users are trained and licensed. The license is issued to a person not a CD. The CD would have the insurance.

Agriculture is looking for compliance by next fiscal year, July 1, 2016. The license should be about \$250.00.

Agriculture is working to provide training for licensing. They are going to put the study guides online for free.

Mr. Little said he will look into the 2 million dollar requirement for government entities' insurance.

Commissioner Tibbitts asked if Mr. Little could speak about this at the State Meeting in November and Mr. Little said he will.

Mr. Little said he will be speaking about this at the Nevada Weed Management Association Conference at the Nugget in Sparks on October 26-29, 2015.

Please try and attend the adoption hearing and we will try for one more workshop. The LCB number is: R093-15. * **NO ACTION TAKEN***

10:55 Break – 11:10 Meeting Resumed

VI. REVIEW OF CONSERVATION DISTRICT REPORTS – * **FOR POSSIBLE ACTION***

A. Review and consideration of all Conservation Districts; Proposed Budgets and annual reports.
Mr. Rubald said he has received all the reports and the Commissioners have copies (books). Chairman Sicking asked if there were any red flags to discuss. Mr. Rubald said Lander County CD was provided funding for sage-grouse projects. Their report was due by the deadline of June 30, 2015. The projects were not completed. Mr. Rubald requested that they attend today's meeting. Mr. Rubald's recommendation is to withhold the \$2857.14 (project money) from their stipend grant. He has received an email from their staff person stating they expected this could happen.

Commissioner Swanson made a motion to approve all the CD's. Commissioner Tibbitts recused from voting as he is on the Eureka County Board. Commissioner Roukey seconded the motion; there was a vote and the motion passed unanimously. * **ACTION TAKEN***

B. Review of tracking logs etc.
Mr. Rubald said all the CD's met the minimum standards. Commissioner Roukey made a motion to accept the logs; Commissioner Wallace seconded the motion. There was a vote and the motion passed unanimously. * **ACTION TAKEN***

VII. DISCUSSION AND POSSIBLE DETERMINATION OF DISTRICTS' 'IN GOOD STANDING' STATUS FOR FISCAL YEAR 2014-2015 - * **FOR POSSIBLE ACTION***

Mr. Rubald said in our regulations even if a CD does not spend the money for a project they can be found 'in good standing' because they meet the other standards. Commissioner Swanson made a motion to find all the CD's 'in good standing'; Commissioner Rieman seconded the motion. After a vote the motion passed unanimously. * **ACTION TAKEN***

Mr. Rubald said Lander County did not have the landowner's permission to do their projects. Commissioner Tibbitts said they were required to have the landowner's and the permittee's permission.

Mr. Rubald said in the funding letter that was sent to the Lander CD, it says if a report is not filed by June 30, 2015, the money will be taken out of the grant stipend.

Commissioner Tibbitts made a motion to provide an equal amount to all the Districts based on their being found "in good standing" except the Lander County CD, and we deduct the amount from the sage-grouse grant funds that Lander did not spend from Lander's stipend, and we take the remaining balance and distribute it evenly among the other CD's. Commissioner Orr mentioned that not every CD was qualified for the sage-grouse money and asked if that would make a difference. Mr. Rubald said no. Commissioner Rieman seconded the motion; there was a vote and the motion passed unanimously. Mr. Rubald said the Lander County CD will receive approximately \$1,140.00 and the other CD's will receive approximately \$4,105.00. * **ACTION TAKEN***

VIII. AGENCY UPDATES - * FOR DISCUSSION ONLY *

A. Nevada Department of Agriculture – Robert Little, Plant Industry Division
Commissioner Little gave a brief overview of the agencies current activities.

F. Nevada Association of Conservation Districts – Jake Tibbitts, President
Commissioner Tibbitts said the Nevada Association of Conservation Districts Annual Meeting is November 2-5 and the registration forms will be sent out tomorrow.

B. UNR-College of Agriculture Biotechnology and Natural Resources – Dr. Sherm Swanson
Commissioner Swanson said the monitoring handbook and the appendices completion is ongoing and next will be the Rancher's Monitoring Guide. The handbook and guide will be available as an app which will be useful.

The talks are in process to combine UNCE and CABNR. There will be committees formed to make recommendations.

Commissioner Smith said it is important to complete the handbooks for the ranchers and government agencies to use and to have the monitoring recommendations accepted by the government agencies.

C. Natural Resources Conservation Service – Ray Dotson, State Conservationist There was no report today.

D. Farm Services Administration – Clint Koble, State Executive Director
Mr. Rubald said the FSA's Conservation Reserve Program pays farmers to plant marginal ground; take it from production and plant it back to native grasses. There is a new program that is a CRP for grazing. It could be a financial opportunity for farmers that have grazing on rangeland. Please check with FSA if you know anyone that could benefit from this.

E. Nevada Department of Wildlife – Connie Lee, Landowner Incentive Programs
Connie Lee said the Landowner Incentive Program is no longer funded. Ms. Lee said her position has been moved to the Habitat Division where she will still work with the CD's. She will be working with Ben Bolton in Ely to assist with project funding.

Ms. Lee read some highlights from the Governor's Report from the Department of Wildlife.

G. Others – There were no other reports today.

IX. COMMISSIONER ITEMS - * FOR DISCUSSION ONLY *

Commissioner Orr said she and Commissioner Tibbitts will be attending the Pacific Southwest Regional Meeting for the National Association of Conservation Districts in Park City, Utah, later this week. She will be meeting with Ray Dotson, the new State Conservationist today.

Last week at the Public Lands Summit that the Lt. Governor organized in Las Vegas with NACO, Claudia Vecchio with the Department of Tourism asked what Tourism could do to help enhance working between state, local, and federal agencies. Commissioner Orr sent her the Wild Horse and Burro letters that Lincoln County had sent to BLM and their response. She said that the SCC was also going to send a letter on the subject. She asked that Ms. Vecchio forward Commissioner Orr's email to the Lt. Governor. She has not heard back from Ms. Vecchio yet.

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

Chairman Sicking said the next meeting will be preceding the State Association Meeting which would make it on November 2nd in Ely. It was agreed the meeting will be the evening of November 2nd in Ely.

Mr. Rubald said if the DAG approves, the 2nd meeting will be the afternoon of November 4th.

Mr. Rubald added we will need a Commission Meeting in later November or December for the regulation adoption.

*** NO ACTION TAKEN***

XI. PUBLIC COMMENTS

There were no public comments.

XII. ADJOURNMENT - *FOR POSSIBLE ACTION*

Chairman Sicking adjourned the meeting at 12:35 p.m. *** NO ACTION TAKEN***