

**Minutes of the  
EUREKA COUNTY NATURAL RESOURCES ADVISORY COMMISSION**

The Eureka County Natural Resources Advisory Commission (NRAC) held a public meeting on May 24, 2017, at 7:00 p.m. at the County Administrative Facility, Eureka, Nevada.

**Members Present:** Jim Baumann, Carl Slagowski, Paul Etzler, Jim Wise, Ken Conley, and Gary McCuin

**Members Absent:** Mike Rebaleati, Leo Damele, and Mike Protani

**Others Present:** Jake Tibbitts- Eureka County Natural Resources Manager, J.J. Goicoechea- Chairman Eureka County Board of Commissioners, Jessica Santoyo- Natural Resources Secretary, Ari Erikson- Gullsil, Bob Ingersoll- Barrick Gold, Tim Buchanan- Barrick Gold, Steve Schoen- Barrick Gold, and Dale Bugenig- Eureka County Hydrogeologist

**Call to Order**

The meeting was called to order by Chairman Baumann at 7:05 p.m., a quorum was determined to be present.

**Public Comment**

None.

**Commission Business**

Review and approve minutes from March 15, 2017 meeting.

Carl Slagowski moved to approve the March 15, 2017 meeting minutes as written. Gary McCuin seconded, motion carried unanimously.

*\*Agenda item moved at the Chairman's discretion.*

**Mining**

*Presentation by and discussion with Barrick Representative on Barrick activities in and affecting Eureka County that may include Deep South Expansion, Bank Enabling Agreement, Carlin Trend Operations, and plans for Gold Rush.*

Bob Ingersoll, Tim Buchanan, and Steve Schoen with Barrick Gold Corporation provided a presentation on their Deep South Expansion Project, Water Management for the project, and Barrick' Sage Grouse Bank Enabling Agreement (BEA). *\* A copy of the presentation is available upon request.*

*Member Updates and Reports.*

Mr. McCuin stated that they are moving forward with the NV Collaborative Conservation Network, its painful, it's slow but it's moving forward. This is an effort through the Governor's Office along with the US Forest Service (USFS) on implementation regarding the Federal Sage Grouse Plan, the goal is to make the plan as close as possible to what is actually needed.

*Discuss correspondence and natural resource issues affecting Eureka County and consider action items for the next agenda.*

Jake Tibbitts covered the following correspondence and natural resources issues.

- Mike Protani submitted his resignation letter dated May 24, 2017. Mr. Protani can no longer serve on the board due to his new job position in Mexico. Mr. Protani's resignation letter will be on the next Board of County Commission (BOCC) agenda.
- Leo Damele submitted his resignation letter dated January 2017 but he has committed to stay on the board until his vacancy is filled. Mr. Damele's resignation letter will be on the next BOCC agenda.

- The Bureau of Land Management (BLM) Battle Mountain District (BMD) Roadside Fuels Break Environmental Assessment (EA) is still being worked on. J.J. Goicoechea and Mr. Tibbitts were able sit down with the BLM and discuss the EA with them. Eureka County informed the BLM that they hope that the EA is productive and all they ask is that the BLM coordinate with the appropriate entities in order to create positive projects.
- BLM Public Water Reserves (PWR) status. The day that John Ruhs received his job as the BLM Acting Deputy Director, he attended a Central NV Water Authority meeting in Carson City, NV to clarify Eureka County's concerns regarding the PWR's. Mr. Ruhs provided a checklist to everyone at the meeting and stated that BLM has to meet all of the requirements on the checklist in order to file a PWR. Currently, the BLM has filed 66 PWR's claims in this area and Eureka County has requested to see all of the claims and their checklists. Eureka County still hasn't received any of the requested information.
- The Fallon Range Training Environmental Impact Statement (EIS) is moving forward and Eureka County is officially a cooperating agency. Mr. Tibbitts was also successful in joining the board that has to do with grazing and county specific concerns. Mr. Tibbitts is still working on getting a presenter to attend a meeting and present on air space.
- The Oil and Gas Lease Final EA is now out and they didn't incorporate any of the county's comments, they did make a few changes and they developed a new alternative based on some of the comments. The parcels will begin being offered for lease online on June 14, 2017 and only for exploration.

### **Agency Reports**

*Reports and updates from various natural resources and land management agencies in attendance.*

Kyle Hendrix provided his monthly update on the following: Mining, Oil and Gas Lease Sales, Noxious Weeds, 3-Bars Ecosystem and Landscape Restoration Project, Sage Grouse, Right-of-Way (ROW) Fuel Breaks, ROW's, Wild Horses and Burros (WH&B), and the Argenta Settlement Agreement. *\*A copy of the update is available upon request.*

### **Mining**

*Discuss other mining projects and activities in and affecting Eureka County, including but not limited to the McEwen Mining Gold Bar Project, GRP Resources Gold Rock Project, Gullsil Prospect Project, all Carlin Trend operations and consider response to any related issues or comment periods.*

Mr. Tibbitts stated that the Gold Bar Draft Environmental Impact Statement (EIS) comment deadline was in April and Eureka County submitted comments. In the comment letter, they asked BLM to set up a meeting with Eureka County to go over the submitted comments and how BLM would address those comments but they haven't heard anything back from BLM regarding a meeting. Mr. Tibbitts stated that BLM recently stated that they responded to Eureka County's comments but Eureka County has not received the response to comments yet. The BLM is now saying that they are almost done with the Final EIS so basically they are at square one with coordination once again.

Ari Erikson stated that they did some drilling at Diamond Mine and found some copper and zinc. The copper was unexpected because they are drilling for gold. That is all that is going on at the moment.

### **2017 Nevada Legislative Session**

*Review and consider response on natural resources legislation for consideration at the 2017 NV Legislative currently underway.*

Mr. Tibbitts stated that there is only a week and half left in the session unless a special session is called. A lot of bad bills died and Assembly Bill (AB) 298 which was a water bill and a priority for Eureka County died. The bill number died but Southern NV Water Authority is trying to find a way to tag it onto another bill and during this time all of the rules get suspended. In order for them to attach it to another bill, that bill would have to be somehow water related and be similar to the original bill. Basically, the bill that they want to tag it onto comes up on the floor for a vote, one person adds an amendment to the bill, and then it's just a voice vote. Mr. Tibbitts stated that he received notice today that Pete Goicoechea was informed that they are trying to add this piece of legislation to Senate Bill (SB) 47, which is one of the State Engineer's bills. Basically, they put in so much work to kill the original bill and now it's looking like something may still go through.

#### **BLM Battle Mountain District RMP Update**

*Discuss and consider response regarding upcoming restart of BLM Battle Mountain District RMP Update.*

Mr. Tibbitts stated that during a previous meeting Kyle Hendrix stated that the BLM-BMD would be restarting the Resources Management Plan (RMP) and that would happen sometime in 2018. Originally, the whole process was started, the RMP was pretty much written, and Eureka County provided pages of comments on the preliminary draft. The BLM then held off on the RMP because the sage grouse plan was coming out and they didn't want to get too far ahead with the Land Use Planning Amendments (LUPA's). There are some major issues with the RMP especially with the Wilderness Study Areas (WSA) which they have renamed Lands with Wilderness Characteristics (LWC) because they can't use the WSA term anymore. Mr. Tibbitts stated that when Neil Kornze was the Acting Director of BLM, Eureka County met with Mr. Kornze to discuss the RMP because Eureka County had gone up the chain and nothing was getting done. Basically, now is the time to start the process once again and move everything up the ladder. Mr. Tibbitts stated that he has been working with Rex Massey who is currently working for Lander County and has been working on Lander County's Natural Resources Master Plan. Mr. Massey informed Mr. Tibbitts that Lander County has the same concerns as Eureka County does regarding the RMP. Mr. Tibbitts is suggesting that all of the affected counties come to the table (Eureka, Lander, Nye, and Esmeralda) and that they request a coordination meeting with BLM in order to get on the same page for the restart. Mr. Massey will be writing a letter on behalf of all of the counties and it will be available for review at a later date. The letter will be signed by all four counties and if NRAC is on board, he will get the letter to the BOCC for approval in June.

Ken Conley moved that Eureka County sign onto the County Coalition letter requesting that the Battle Mountain District RMP be restarted and that BLM coordinate accordingly with all affected counties. Mr. McCuin seconded, motion carried unanimously.

#### **Western Counties Alliance**

*Discuss and consider \$2,000.00 annual membership dues to Western Counties Alliance to come from NRAC budget.*

Mr. Tibbitts stated that Ken Brown attended a BOCC meeting and provided updates on various western issues. Mr. Brown also explained the benefits that counties receive on a yearly basis for being members of the Western Counties Alliance (WCA) and he requested that the BOCC consider renewing their membership for the year which costs \$2,000.00. The BOCC would like the NRAC to provide direction on if they should renew the membership or not and the renewal fee would come out of the NRAC budget. Mr. Tibbitts stated that during the RS 2477 deal, Mr. Brown was very helpful in setting up meetings with the appropriate individuals and associations

in Utah. In the last few years, the issues that Mr. Brown provides are pretty much the same issues that Eureka County is already aware of.

Jim Wise moved not to renew the Western Counties Alliance annual membership for the FY 2017- 2018. Mr. Conley seconded, motion carried unanimously.

**Grazing**

*Discuss and consider response on recent grazing actions and decisions affecting Eureka County, including recent BLM grazing closures due to fire and the Targeted Grazing EA.*

Mr. Tibbitts stated that a couple of letters from the BLM have been received but nothing related to Eureka County.

**Waters of the US**

*Discuss and consider providing comment on EPA and US Army Corps of Engineers potential rule rewrite of "Waters of the US."*

Mr. Tibbitts stated that the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers wrote the Waters of the US (WOTUS) rule under the previous administration. Currently, there has been an injunction placed on the rule by the Sixth Circuit Federal Court that disallows them to continue moving forward with the rule. President Trump also released an executive order directing the EPA and the U.S. Army Corps Engineers to look at a potential re-write of the rule and directed them to not only look at Justice's Kennedy's decision but also Justice Scalia's decision from 2006. Mr. Tibbitts stated that the comment period ended June 19, 2017 and comments were provided. The National Association of Counties (NACO), NV NACO, and Eureka County have been really involved in this process and they worked together on the previous submitted comments the first time around. Mr. Tibbitts stated that he wrote a letter with the issues that they should weigh in on and a lot of the issues listed have already been commented on via their previous comments.

Mr. McCuin moved to support sending the letter written by Mr. Tibbitts to the BOCC for approval regarding the EPA and the US Corps of Engineers rewrite of the "Waters of the U.S." rule. Mr. Conley seconded, motion carried unanimously.

**Next Meeting-**

Items suggested for the agenda include: updates on motions made and ongoing agenda items. The board should get any other desired agenda items to Mr. Tibbitts for the next meeting. The next meeting is scheduled for June 20, 2017 at 7:00 P.M.

**Public Comment**

None.

**Adjourn-** The motion was made by Mr. Wise and seconded Mr. Conley to adjourn the meeting. There being no further discussion, the meeting was adjourned at 9:18 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Respectfully submitted: \_\_\_\_\_  
Jessica Santoyo, Secretary

Approved: \_\_\_\_\_  
Jim Baumann, Chairman