

USFWS Virtual Public Meeting for the Dixie Valley Toad Proposed Listing Rule

Virtual Public Meeting Transcript

May 9, 2022, 5:00-7:00pm Pacific Time

00:00:03.720 --> 00:00:11.370

EMPSi - Megan Stone: Hello everyone I'd like to welcome you all to the US Fish and Wildlife Service's virtual public meeting for the Dixie Valley toad.

00:00:11.849 --> 00:00:19.830

EMPSi - Megan Stone: We're going to give folks a few minutes here to join the webinar and then we'll begin the PowerPoint presentation shortly, so please stay tuned.

00:00:20.190 --> 00:00:31.380

EMPSi - Megan Stone: I do want to note that closed captioning is available by selecting the closed caption icon at the bottom of your Zoom screen if you are using the Zoom web portal or Zoom app on your computer.

00:00:56.280 --> 00:01:06.120

EMPSi - Megan Stone: Again welcome everyone to today's meeting, we're going to give folks a few more minutes to join the webinar so please stay tuned and we'll begin the presentation shortly.

00:01:06.510 --> 00:01:18.120

EMPSi - Megan Stone: Again, I do want to note that closed captioning is available by selecting the closed caption icon at the bottom of your Zoom screen if you're using this Zoom web portal or Zoom app on your computer.

00:01:48.270 --> 00:01:57.540

EMPSi - Megan Stone: Hello everyone, we're going to go ahead and get started with our webinar today, I would like to thank you all for joining us, we appreciate your time and participation.

00:01:57.900 --> 00:02:08.910

EMPSi - Megan Stone: My name is Megan Stone with Environmental Management and Planning Solutions, Inc, a contractor for the US Fish and Wildlife Service and I'm going to be one of your meeting facilitators today.

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EMPSi - Megan Stone: Additionally, I have several members of the US Fish and Wildlife Service with me on the meeting tonight who will be introduced in a moment.

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EMPSi - Megan Stone: On the screen is our expected agenda for tonight's meeting, I will first go over some brief ground rules for the meeting.

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EMPSi - Megan Stone: The US Fish and Wildlife Service will provide a PowerPoint presentation on the proposed listing which will last approximately 30 minutes.

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EMPSi - Megan Stone: We will then begin our verbal public comment portion of the meeting, starting at 5:35 Pacific time. The vertical public comment portion of the hearing will last until 7pm Pacific time.

00:02:50.100 --> 00:02:55.470

EMPSi - Megan Stone: Before we get started with the presentation, I am going to go over some ground rules for the meeting.

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EMPSi - Megan Stone: First, this meeting is being recorded as part of the project record and a recording will be posted to the US FWS website.

00:03:03.660 --> 00:03:08.430

EMPSi - Megan Stone: Secondly, your microphones and videos will be turned off for the duration of the meeting tonight.

00:03:08.910 --> 00:03:16.650

EMPSi - Megan Stone: You'll only be unmuted if and when I unmute you during the verbal public comment portion of the meeting if you are commenting.

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EMPSi - Megan Stone: After the presentation, we will then move on to the verbal public comment portion of the meeting, during which we will accept verbal public comments from participants who have joined tonight's meeting.

00:03:29.790 --> 00:03:37.020

EMPSi - Megan Stone: If you've registered before the start time of tonight's meeting and indicated that you wanted to offer verbal public comment tonight

00:03:37.470 --> 00:03:45.630

EMPSi - Megan Stone: you're on our list of pre-registered commenters. We will call on pre-registered commenters in the order of registration.

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EMPSi - Megan Stone: If you registered after the meeting started, we will do our best to reserve some time for you to have an opportunity to offer your verbal public comment tonight.

00:03:55.200 --> 00:04:09.690

EMPSi - Megan Stone: If we have time remaining after we have gone through our list of pre-registered commenters, we will open it up to everyone, even those who might not have indicated they wanted to provide a public comment when they registered.

00:04:11.460 --> 00:04:23.490

EMPSi - Megan Stone: If you do not get the opportunity to offer your verbal public comment tonight, written public comments can be submitted on the federal eRulemaking portal, which will provide the information for in a moment.

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EMPSi - Megan Stone: I will now turn it over to Chad Mellison and Marc Jackson who are going to lead us through the Fish and Wildlife Service's PowerPoint presentation.

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Reno Fish and Wildlife Office: Good evening, everyone, my name is Marc Jackson. I am the field supervisor for the US Fish and Wildlife Service's, Reno field office.

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Reno Fish and Wildlife Office: Welcome to the Dixie Valley toad public informational session and public hearing on the US Fish and Wildlife Service's proposal

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Reno Fish and Wildlife Office: to list the Dixie Valley toad as an endangered species under the endangered species that.

00:05:02.010 --> 00:05:17.880

Reno Fish and Wildlife Office: Thank you for your interest in this proposal and your participation in the public comment process, I will now turn it over to Chad Mellison, a biologist in our office who will provide more information about Dixie Valley toad, the proposed rule, and the public comment process.

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Reno Fish and Wildlife Office: Thank you, Marc my name is Chad Mellison, I am a Fish and Wildlife biologist in the Reno Fish and Wildlife office

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Reno Fish and Wildlife Office: and I worked with numerous amphibian species throughout the Great Basin and Sierra Nevada mountains for the past 20 years, including the Dixie Valley toad and was also part of the US Fish and Wildlife Service team that developed the proposed listing rule that we are here to talk about today.

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Reno Fish and Wildlife Office: I'll start off by telling you a little bit about the toads themselves.

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Reno Fish and Wildlife Office: Dixie Valley toads are recently described, in other words a unique species found only in the Dixie Meadows area of Dixie Valley located in Churchill County, Nevada.

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Reno Fish and Wildlife Office: Dixie Valley toads are part of the western toad species complex, made up of other related but unique species of toads. They are the smallest of the western toad species, measuring on average is just over 2.2 inches in length for adults.

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Reno Fish and Wildlife Office: Unlike other Western toad species, Dixie Valley toads are highly aquatic. Most toads breed in water and then move on to nearby uplands seeking food and shelter.

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Reno Fish and Wildlife Office: But we know, thanks to a US Geological Survey study, that the Dixie Valley toad are highly associated with the water in which they live and are very rarely found far from it.

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Reno Fish and Wildlife Office: Not only do Dixie Valley toads prefer water for most if not all of their life cycle, they are uniquely adapted to live in the warm waters of the geothermal springs and wetlands found in Dixie Meadows.

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Reno Fish and Wildlife Office: The same USGS study found that the toads prefer the warmer water, particularly during breeding and brumation, which is similar to mammal hibernation during the winter.

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Reno Fish and Wildlife Office: Dixie Valley toads have similar breeding habits to other Western toad species. Though their breeding period appears to last longer than other toad species, between March and May each year, possibly due to the extended availability of warm water that is not available to other toad species.

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Reno Fish and Wildlife Office: We still have much to learn about this unique species that is found only one place on earth, and we will continue to work with our partners and USGS the US Navy, Bureau of Land Management, and the Nevada Department of Wildlife to do so.

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Reno Fish and Wildlife Office: Next slide.

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Reno Fish and Wildlife Office: As I mentioned previously, Dixie Valley toads live only in Dixie Meadows, which is a 760-acre groundwater dependent ecosystem

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Reno Fish and Wildlife Office: made up of at least 122 springs and seeps located on the east side of the Stillwater range, northeast of Fallon, Nevada. For those who have not been there, Dixie Meadows is a wetland oasis surrounded by very dry desert landscape.

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Reno Fish and Wildlife Office: The closest wetlands that support other Western toad species are between 18 and 30 miles away and separated

from Dixie Meadows, either by a large expanses of arid Playa or the Stillwater Mountain Range.

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Reno Fish and Wildlife Office: Dixie Meadows wetlands and therefore the Dixie Valley toad habitat is fed and sustained by the nearby springs. We estimate that the toads occupy about 360 acres of habitat within the wild.

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Reno Fish and Wildlife Office: About 90% of occupied habitat is located on Department of Defense lands the Naval Air Station out of Fallon, with the remaining 10% on public lands managed by the Bureau of Land Management.

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Reno Fish and Wildlife Office: Next slide.

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Reno Fish and Wildlife Office: The current status of the entire population of Dixie Valley toads is influenced by the species needs for their survival and reproduction.

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Reno Fish and Wildlife Office: Based on our review of the best available scientific and commercial information and expertise from the Service and other scientists, the following habitat conditions are the most critical to support the physical and biological needs and therefore survival of Dixie Valley toads.

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Reno Fish and Wildlife Office: First, is a sufficient wetted area is needed for all life stages of Dixie Valley toads. From egg to tadpole to juvenile to nonbreeding adults to breeding adults. The wetted area also provide shelter space to disperse and food in the form of insects on land and in water.

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Reno Fish and Wildlife Office: Adequate spring discharge is linked to the amount of wetted area within the wetland and is important for the viability of Dixie Valley toads.

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Reno Fish and Wildlife Office: In addition to requiring enough water and wetted area, the temperature of the water is also important to Dixie Valley toad survival.

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Reno Fish and Wildlife Office: The toads select warmer wetland areas, particularly during the Spring, Fall and Winter months. During the spring Dixie Valley toads select warmer water for breeding, which allows for faster egg hatching and metamorphosis, which is the egg to tadpole to toadlet.

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Reno Fish and Wildlife Office: As the outside temperatures cool in the fall the toads again select the warmer waters and, in the winter, move to areas with consistently warm water temperatures, so they do not freeze during winter.

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Reno Fish and Wildlife Office: This latter behavior is a unique adaptation of the species, whereas other Western toads select underground burrows under rocks, logs, or other shelter structures to survive through the winter.

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Reno Fish and Wildlife Office: The vegetation of the Dixie Meadows wetland also plays an important part in Dixie Valley toads' survival.

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Reno Fish and Wildlife Office: The toads need the rushes, reeds, cattails, and other wetland vegetation for shelter and as a place to forage for food.

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Reno Fish and Wildlife Office: The toads do not favorite one wetland vegetation type over another, however, we do know they avoid bare ground.

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Reno Fish and Wildlife Office: All amphibians, spend all or part of their life cycle in water and as I've noted Dixie Valley toad are uniquely adapted to water and habitat conditions in Dixie Meadows, including the water quality there.

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Reno Fish and Wildlife Office: Temperature, dissolved oxygen, pH, salinity, water conductivity and excessive nutrient concentrations have all been shown to have direct and indirect impacts to amphibian species when those conditions are changed outside of naturally occurring levels.

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Reno Fish and Wildlife Office: We do not yet know the exact water quality parameters needed by Dixie valley toads, but we do know the species is uniquely adapted the Dixie Meadows and presumed to thrive in the existing conditions.

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Reno Fish and Wildlife Office: Next slide.

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Reno Fish and Wildlife Office: We determined the following threats may impact the Dixie Valley toad species' needs and may ultimately impact the resiliency the entire population.

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Reno Fish and Wildlife Office: Changes to the temperature and flow of springs due to geothermal production is known and documented throughout the Western US, as well as worldwide.

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Reno Fish and Wildlife Office: Dixie Valley toads rely heavily on the wetted area and water temperature of Dixie Meadows to survive.

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Reno Fish and Wildlife Office: Any reduction of these two resources could cause significant population declines and changes to the habitat that are not likely to benefit the toads.

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Reno Fish and Wildlife Office: Furthermore, geothermal environments, like the one in Dixie Meadows are often home to uniquely evolved flora and fauna.

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Reno Fish and Wildlife Office: Changes to rare habitats like this often result in resident species declines and can even lead to the destruction of the habitat.

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Reno Fish and Wildlife Office: As part of the geothermal operation, in an effort to limit changes in water temperature, quantity and quality of water, and to maintain the pressure of the underground geothermal reservoir, geothermal fluids are injected into the earth.

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Reno Fish and Wildlife Office: This practice requires much trial and error, and it can take years to fully understand how a new geothermal field will react production and reinjection.

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Reno Fish and Wildlife Office: While we don't know exactly how Dixie Meadows will respond to the adjacent, beyond approved, geothermal plant,

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Reno Fish and Wildlife Office: we do know that collecting adequate baseline data before the ecosystem is altered is key to recognizing when changes have occurred that may impact the survival of Dixie Valley toads and their habitat.

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Reno Fish and Wildlife Office: Predation by other species, particularly the highly invasive American bullfrog which also now occurs in Dixie Meadows, is another threat to Dixie Valley toad.

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Reno Fish and Wildlife Office: American bullfrog can also compete with Dixie Valley toad for available food sources.

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Reno Fish and Wildlife Office: Additionally, the presence of chytrid fungus in bullfrogs in Dixie Valley have been documented. Chytrid fungus is well-documented in amphibians species worldwide and is known to cause mass die offs of infected populations.

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Reno Fish and Wildlife Office: To date, chytrid fungus has not been detected in Dixie Valley toads, and the thermal nature of the wetland in which they live may keep the disease from being established or having the detrimental impacts noted

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Reno Fish and Wildlife Office: in other amphibian populations. This makes it even more imperative that the water in Dixie Meadows maintains its thermal characteristics.

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Reno Fish and Wildlife Office: Climate change is likely to intensify the already hot and dry conditions in the region where Dixie Valley toads occur.

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Reno Fish and Wildlife Office: Changes in climate-

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Reno Fish and Wildlife Office: Including increases in temperature and reduction in precipitation - in this region have already been documented and are expected to continue.

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Reno Fish and Wildlife Office: Groundwater pumping in Nevada has driven by human demand for municipal water use, irrigation, and development for oil, gas, geothermal resources, lithium, and other minerals.

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Reno Fish and Wildlife Office: Many factors affect whether groundwater pumping will impact a spring, yet records show that most springs fed by even the most extensive aquifers are affected by groundwater pumping, and spring flow reduction is directly related to the quantity of groundwater removed from an aquifer.

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Reno Fish and Wildlife Office: Now next slide.

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Reno Fish and Wildlife Office: In 2017, Dixie Valley toads were scientifically described, or declared a unique species, making them the first new toad species described in the US in nearly 50 years.

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Reno Fish and Wildlife Office: Later, that same year, the Center for Biological Diversity petitioned the Service to list the toad under the Endangered Species Act.

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Reno Fish and Wildlife Office: Petitions are formal requests to list a species as endangered or threatened under the Endangered Species Act and any interested person can submit a petition.

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Reno Fish and Wildlife Office: This petition initiated our listing process, which begins with a 90-day finding to determine whether or not there is substantial information indicating that species that listing the species may be warranted.

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Reno Fish and Wildlife Office: In June of 2018 we issued a substantial 90 day finding that listing of the species may be warranted.

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Reno Fish and Wildlife Office: At this point we began a status review or Species Status Assessment, which is a scientific assessment of the species and provides foundational science for informing Endangered Species Act decisions like adding a species to the List of Endangered and Threatened Wildlife.

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Reno Fish and Wildlife Office: In April of 2022,

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Reno Fish and Wildlife Office: The Service emergency list of the Dixie valley toad as endangered, providing immediate federal protections under the Endangered Species Act for 240 days.

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Reno Fish and Wildlife Office: At the time, we published a proposed rule to list the Dixie Valley toad as endangered.

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Reno Fish and Wildlife Office: We are now seeking public comment on the proposed rule to inform the decision on whether Endangered Species Act protections should continue beyond the 240 days of the emergency listing.

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Reno Fish and Wildlife Office: Next slide.

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Reno Fish and Wildlife Office: When we evaluate whether species is endangered or threatened, we considered five factors.

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Reno Fish and Wildlife Office: Damage to or destruction of a species habitat.

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Reno Fish and Wildlife Office: Overuse of the species for commercial recreational scientific or educational purposes.

00:18:41.820 --> 00:18:43.410

Reno Fish and Wildlife Office: Disease or predation.

00:18:45.330 --> 00:18:48.390

Reno Fish and Wildlife Office: Inadequacy of existing protections.

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Reno Fish and Wildlife Office: and other natural or man-made factors affecting the continued existence of the species.

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Reno Fish and Wildlife Office: When one or more of these five factors imperils the survival of the species, we can take action to list the species to ensure the appropriate protective measures apply.

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Reno Fish and Wildlife Office: We analyze the extent to which these five factors effects survivability of Dixie Valley toad using the best available science.

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Reno Fish and Wildlife Office: which included species and habitat data collected by our partners and the US geological survey model which estimates effects of water temperature and water depth and available wetted area on Dixie Valley toad occurrences and their ability to reproduce.

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Reno Fish and Wildlife Office: Our analysis also included studies on the effects of chytrid fungus and other amphibians, and documentation of the disease in Dixie Valley.

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Reno Fish and Wildlife Office: It should be noted that chytrid fungus has not been found in any Dixie Valley toads within Dixie Meadows.

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Reno Fish and Wildlife Office: We know, through our partners and others research that Dixie Valley toads have a small, isolated range and do not disperse far from their habitat.

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Reno Fish and Wildlife Office: We also know that they have evolved to exist in the specialized habitat found only in Dixie Meadows.

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Reno Fish and Wildlife Office: The Service also sought the knowledge of multiple experts in hydrology, geology, geothermal development, climate effects and the hydrology and habitat of Dixie valley and Dixie Meadows.

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Reno Fish and Wildlife Office: Experts considered effects of changes to water temperature and discharge and over what time frames these changes might occur due to geothermal production.

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Reno Fish and Wildlife Office: The experts concluded the hydrological system would respond or change quickly once geothermal development begins and expressed concern over the project's proposed mitigation and monitoring plan's ability to detect changes to the temperature and water flow of the springs in Dixie Meadows,

00:21:04.680 --> 00:21:08.010

Reno Fish and Wildlife Office: as well as the plans ability to mitigate those changes.

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Reno Fish and Wildlife Office: After our review of the information I just described, and other best available scientific and commercial information, we found that listing the Dixie Valley toad is warranted and issued the proposed listing.

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Reno Fish and Wildlife Office: Next slide.

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Reno Fish and Wildlife Office: This next slide describes the public involvement in this process to date.

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Reno Fish and Wildlife Office: When we issued our substantial 90-day finding in 2018 that

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Reno Fish and Wildlife Office: listing Dixie Valley toad may be warranted, we sought public input, requesting scientific and commercial information concerning the status of or threats to the species to help inform the Species Status Assessment.

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Reno Fish and Wildlife Office: Then on April 7 of this year, we issued the emergency listing rule which we determined that geothermal development poses a significant risk to the wellbeing of the Dixie Valley toad and that emergency listing is necessary to prevent losses that may result in its extinction.

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Reno Fish and Wildlife Office: At the same time we published the proposed listing rule on which we are now seeking public input to inform our decision on whether Endangered Species Act protections for Dixie Valley toad should continue beyond the current emergency protections of 240 days.

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Reno Fish and Wildlife Office: And here we are today holding a public informational meeting and public hearing providing an opportunity for members of the public to submit verbal comments on the proposed listing rule.

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Reno Fish and Wildlife Office: To be clear, we are seeking public input on the proposed listing rule.

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Reno Fish and Wildlife Office: The emergency listing rule went into effect immediately when it was published on April 7.

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Reno Fish and Wildlife Office: The public comment period for the proposed rule will close on June 6, 2022.

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Reno Fish and Wildlife Office: I have information on the next slide about how to submit written comments, in addition to the opportunity

to submit a verbal comment during the public hearing which will begin at 5:35pm this evening.

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Reno Fish and Wildlife Office: The 240 days of emergency protections ends on December 2, 2022. We will analyze the information we receive during the public comment period, and we will make a final determination about the listing status of Dixie Valley toad.

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Reno Fish and Wildlife Office: Next slide.

00:23:45.930 --> 00:24:04.500

Reno Fish and Wildlife Office: Today, and until June 6, 2022, we are seeking input from the public, tribes and other government agencies, the scientific community, industry, and other interested parties, on the proposal to list the Dixie Valley toad under the Service's normal rulemaking process.

00:24:05.850 --> 00:24:08.850

Reno Fish and Wildlife Office: You may submit comments, one of the following ways.

00:24:10.050 --> 00:24:14.040

Reno Fish and Wildlife Office: Today, during the public hearing which will begin at 5:35pm.

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Reno Fish and Wildlife Office: Online at w-w-w dot Federal Register- all one word- dot gov by searching for the docket number listed on this slide

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Reno Fish and Wildlife Office: or by regular mail to the address listed here.

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Reno Fish and Wildlife Office: Public comment closes on June 6, 2022, and we will accept comments received or postmarked on or before that day.

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Reno Fish and Wildlife Office: I'll leave this slide up a bit longer if you need to copy that information down, and you can also find the same information and the proposal

00:24:52.140 --> 00:24:58.320

Reno Fish and Wildlife Office: on federalregister.gov and now I will turn it

00:24:59.670 --> 00:25:00.900

Reno Fish and Wildlife Office: back over to Megan.

00:25:03.060 --> 00:25:04.020

EMPSi - Megan Stone: Thank you.

00:25:05.460 --> 00:25:12.990

EMPSi - Megan Stone: All right, I'm now going to read through some instructions for those participants who indicated they wanted to provide

00:25:13.050 --> 00:25:29.820

EMPSi - Megan Stone: a verbal public comment when they pre-registered for tonight's meeting. We have a list of these participants. Comments will be accepted in the order that people registered- again if you registered before the start time of today's meeting you are on our pre-registered commenter list.

00:25:31.110 --> 00:25:38.550

EMPSi - Megan Stone: If you did not sign up to provide a comment, you may have an opportunity to do so later in the meeting.

00:25:39.510 --> 00:25:47.130

EMPSi - Megan Stone: If you're on the commenter list, when it is your turn to provide your comment, we will read your name aloud from the list and display your name on the screen.

00:25:47.610 --> 00:25:59.730

EMPSi - Megan Stone: We will also display the name of the commenter who's next in line. When you hear your name called out, please use the raise hand feature, so that we know you are available and ready to offer your comment.

00:26:00.300 --> 00:26:09.990

EMPSi - Megan Stone: You can access the raise hand feature by clicking on either the reactions icon or the participants list icon, which are both located at the bottom of your Zoom screen.

00:26:10.500 --> 00:26:15.600

EMPSi - Megan Stone: If you wave your mouse back and forth across the bottom of your Zoom screen these icons should appear.

00:26:16.290 --> 00:26:28.110

EMPSi - Megan Stone: You may need to exit out of your full screen Zoom view to see these icons, you can then select the raise hand feature located either in the reactions icon or at the bottom of your participants list.

00:26:28.680 --> 00:26:33.600

EMPSi - Megan Stone: Or, if you are calling through the phone, please press star nine to access the raise hand feature.

00:26:34.500 --> 00:26:40.290

EMPSi - Megan Stone: Once you raise your hand, you will then be unmuted so that you can provide your verbal public comment.

00:26:40.770 --> 00:26:46.950

EMPSi - Megan Stone: You may be double muted, if that is the case, we will prompt you to unmute yourself on your end so that we can hear you.

00:26:47.700 --> 00:26:58.830

EMPSi - Megan Stone: I will ask you to please spell your first and last name for the record, before providing your verbal public comment, and if you are representing an organization or group, please say so during your comment.

00:26:59.910 --> 00:27:04.860

EMPSi - Megan Stone: After you have provided your comment, we will mute you and move to our next commenter.

00:27:05.280 --> 00:27:15.030

EMPSi - Megan Stone: Again, once we have worked our way through the current list of pre-registered commenters, if we have time, we'll move on to those who registered after the start time of tonight's meeting

00:27:15.420 --> 00:27:31.500

EMPSi - Megan Stone: who selected they wanted to offer a comment. If we still have time remaining after we have worked our way through those participants, we will open the verbal public comment portion of tonight's meeting to anyone who would like to offer a comment tonight who has not already done so.

00:27:34.500 --> 00:27:43.950

EMPSi - Megan Stone: On this screen I've included some graphics showing participants where they can access the raise hand feature on Zoom. So on the left here, you can see

00:27:44.820 --> 00:27:56.220

EMPSi - Megan Stone: the reactions icon method and then on the right, you can see the participants list icon method for raising your hand, and I'll pause here and give everyone a few seconds to look.

00:28:15.120 --> 00:28:21.990

EMPSi - Megan Stone: Alright, with that we'll go ahead and get started with our verbal public comment portion of tonight's meeting.

00:28:24.990 --> 00:28:31.590

EMPSi - Megan Stone: Again this verbal public comment portion of the meeting, along with your comments, is being recorded as part of the official record.

00:28:32.160 --> 00:28:42.510

EMPSi - Megan Stone: As a reminder, your camera and mic control settings are restricted during this time, you will only be able to talk if and when you are unmuted, so please remember to speak when prompted.

00:28:43.170 --> 00:28:49.860

EMPSi - Megan Stone: The US Fish and Wildlife Service wants to hear from all members of the public, so we will be using the following guidelines today.

00:28:50.490 --> 00:29:00.330

EMPSi - Megan Stone: First, please be mindful of the length of your comment, so that everyone who wants to speak, has an opportunity to do so. Second, please be respectful to others and their viewpoints.

00:29:00.930 --> 00:29:13.200

EMPSi - Megan Stone: Third, please refrain from using profanity. While passion is welcome in your comment, policy requires that we mute anyone who uses inappropriate language, because we are recording this meeting

00:29:13.740 --> 00:29:25.500

EMPSi - Megan Stone: and others may be live streaming, so please avoid inappropriate language. If that does happen, we will provide a reminder before unmuting the person to try again using words acceptable to all ages.

00:29:26.100 --> 00:29:33.030

EMPSi - Megan Stone: And with that we'll go ahead and begin with our first pre-registered commenter who is Alex Jensen.

00:29:39.600 --> 00:29:44.070

EMPSi - Megan Stone: And I don't see that we have Alex on our participants list.

00:29:44.550 --> 00:29:51.000

EMPSi - Megan Stone: So we'll give it a few seconds to see if he maybe joined and then we'll circle back later on.

00:29:55.020 --> 00:30:00.780

EMPSi - Megan Stone: And again if you're calling in by phone, you can use the star nine on your keypad to access the raise hand feature.

00:30:03.900 --> 00:30:22.860

EMPSi - Megan Stone: But with that we'll move to our next pre-registered commenter who is Patrick Donnelly, and I do see Patrick in our participants list. If you can go ahead and access the raise hand feature Patrick to let us know you're ready to provide your comment- great I'm going to unmute you now.

00:30:28.140 --> 00:30:29.040

EMPSi - Megan Stone: Hi Patrick.

00:30:30.180 --> 00:30:31.020

EMPSi - Megan Stone: Can you hear us?

00:30:31.320 --> 00:30:32.400

Patrick Donnelly: Yes, I can thank you.

00:30:33.000 --> 00:30:39.060

EMPSi - Megan Stone: Awesome, can you please spell your first and last name for the record, and also, I forgot to mention-

00:30:39.960 → 00:30:54.510

EMPSi - Megan Stone: In order to provide everyone an opportunity to comment, we're going to use a five-minute time limit tonight. So I'll come on, and let people know if they've exceeded their time but with that you can go ahead Patrick.

00:30:54.990 --> 00:31:07.770

Patrick Donnelly: Sure, my name is Patrick Donnelly it's P-A-T-R-I-C-K D-O-N-N-E-L-L-Y. I'm the Great Basin director at the Center for Biological Diversity.

00:31:08.730 --> 00:31:14.460

Patrick Donnelly: I'm not going to go into too much detail during my verbal comments here because we'll be submitting more detailed

00:31:15.450 --> 00:31:24.060

Patrick Donnelly: written comments by the deadline, as well as written comments from our- from our membership as well, but you know just briefly I'll say that

00:31:24.510 --> 00:31:32.700

Patrick Donnelly: the Dixie Valley toad might just seem like a tiny little toad in a remote marsh somewhere, but it is a piece of Nevada's incredible biodiversity.

00:31:33.240 --> 00:31:42.990

Patrick Donnelly: Nevada has over 250 species that live here in Nevada and nowhere else on earth and that's all part of the biodiversity that makes Nevada great.

00:31:43.530 --> 00:31:52.740

Patrick Donnelly: And we might think well it's just a toad somewhere, but biodiversity is what gives us clean air to breathe and clean water to drink and it's what puts food on our plates.

00:31:53.250 --> 00:32:05.220

Patrick Donnelly: And if we allow our biodiversity to collapse, if we allow the current extinction crisis to proliferate, and indeed to come to Dixie Valley and Churchill County there,

00:32:05.520 --> 00:32:20.280

Patrick Donnelly: you know we're really putting our own lives at risk and the lives of future generations, by allowing the extinction crisis to continue. So, saving the Dixie Valley toad isn't just about saving a cute little toad it's really about saving life on earth and

00:32:21.300 --> 00:32:27.900

Patrick Donnelly: with regard to the threats faced by the toad, you know, I appreciate the approach that the Service has taken here.

00:32:30.210 --> 00:32:39.900

Patrick Donnelly: You know, the Service and the Endangered Species Act requires that the assessments be made strictly based on the science presented, not based on the political

00:32:40.980 --> 00:32:53.400

Patrick Donnelly: ramifications of those decisions, so the science is very clear that the threats faced by the Dixie Valley toad could potentially jeopardize it with extinction.

00:32:54.120 --> 00:33:05.640

Patrick Donnelly: And then, so the science is quite clear on that. This is not a referendum on renewable energy, this is not the geothermal project versus the toad, you know, this is simply

00:33:05.820 --> 00:33:06.780

Patrick Donnelly: the science-

00:33:07.050 --> 00:33:18.480

Patrick Donnelly: the best available science about the toad, and this is from the Fish and Wildlife Service, this is from the USGS, this is from Nevada Department of Wildlife, this is from independent hydrologists we've consulted with, independent

00:33:19.050 --> 00:33:30.000

Patrick Donnelly: herpetologists we've consulted with. You know, the scientist's kind of are in almost universal agreement- this project poses a threat of extinction to the Dixie Valley toad, and that is the sole criteria

00:33:30.540 --> 00:33:41.220

Patrick Donnelly: upon which the decision whether or not to extend permanent listing to the toad must be made you know, not about the renewable energy factor.

00:33:42.270 --> 00:33:49.980

Patrick Donnelly: You know, renewable energy is an important part of our clean energy transition to avoid climate change, and there are many, many places across Nevada

00:33:50.280 --> 00:33:56.760

Patrick Donnelly: where Ormat or others can develop geothermal energy, which do not put endemic species at risk of extinction.

00:33:57.120 --> 00:34:06.600

Patrick Donnelly: But this is one location where the science is clear that this species is endangered by numerous threats, including but not limited to a geothermal power plant.

00:34:06.930 --> 00:34:16.530

Patrick Donnelly: And thus it must be listed, based solely on the basis of that science, and so again really appreciate the approach that the Fish and Wildlife Service has taken, kind of

00:34:17.190 --> 00:34:24.480

Patrick Donnelly: just strictly analyzing the science and sort of removing the political considerations here, because that's really how these decisions need to be made.

00:34:25.080 --> 00:34:39.540

Patrick Donnelly: And so, with a final parting thought, you know listing has to be meaningful. Right now, the Bureau of Land Management is actively violating the law. They are continuing to allow construction to proceed at this site

00:34:40.080 --> 00:34:47.010

Patrick Donnelly: while the species is listed, you know that day they that this species was listed consultation should have begun.

00:34:47.610 --> 00:34:56.340

Patrick Donnelly: The Bureau of Land Management should be consulting on ongoing activities which could affect the Dixie Valley toad- they have failed to do so; they are violating the law.

00:34:56.580 --> 00:35:02.640

Patrick Donnelly: They appear to be in full knowledge of such violation. I'm just waiting for another judge to tell them to stop.

00:35:03.060 --> 00:35:10.290

Patrick Donnelly: And we're going to sue absolutely as soon as we can, but we still have 28 days left on our on- on our time ticker.

00:35:10.680 --> 00:35:22.560

Patrick Donnelly: And so, meanwhile, construction continues unabated and unstopped at the site, and you know this is a real problem. I don't know the Fish and Wildlife Service ought to send some police out there and arrest the people violating the Endangered Species Act.

00:35:23.880 --> 00:35:34.890

Patrick Donnelly: In the meantime we're going to continue to fight for that, but I would say these listings in order to be meaningful, have to have enforcement, even if it is another federal agency that's violating the law, thank you very much.

00:35:36.870 --> 00:35:42.180

EMPSi - Megan Stone: Thank you for your comment, Patrick. I'm going to go ahead and place you back on mute.

00:35:46.440 --> 00:36:00.390

EMPSi - Megan Stone: And with that we've actually reached the end of our pre-registered commenters. There were only two individuals signed up and I don't see that other person on with us, if he joins, we'll definitely circle back.

00:36:02.340 --> 00:36:17.880

EMPSi - Megan Stone: And I did just check Zoom and we haven't had anyone registered register after the start time. So, with that we'll go ahead and open up the public comment portion to anyone who would like to provide a comment, even if you didn't check that box when you registered.

00:36:18.990 --> 00:36:25.110

EMPSi - Megan Stone: So feel free to access the raise hand feature, if you're calling in on the phone again, you can press star nine.

00:36:26.400 --> 00:36:31.800

EMPSi - Megan Stone: and the Fish and Wildlife Service will be on until 7pm Pacific time

00:36:33.360 --> 00:36:36.930

EMPSi - Megan Stone: ready to listen to your comments, so please feel free to comment.

00:39:46.320 --> 00:39:59.460

EMPSi - Megan Stone: And again, in case we've had anyone new join us, the Fish and Wildlife Service will be accepting public comments until 7pm Pacific time, so we have around an hour and 20 minutes.

00:40:00.570 --> 00:40:05.970

EMPSi - Megan Stone: If anyone would like to provide a comment, please feel free to do so by raising your hand.

00:40:07.380 --> 00:40:16.590

EMPSi - Megan Stone: In the participants list you can access the raise hand feature or in the reactions icon and then, if you're joining by phone, you can press star nine.

00:40:19.290 --> 00:40:34.020

EMPSi - Megan Stone: And we also have put some text in the chat that indicates where you can submit written comments at the regulations.gov website, or where you can submit them via mail.

00:40:35.070 --> 00:40:36.960

EMPSi - Megan Stone: And we have that address in the chat.

00:44:33.540 --> 00:44:44.160

EMPSi - Megan Stone: Hello everyone, in case anyone new has joined, the Fish and Wildlife Service will be accepting public comments until 7pm Pacific time.

00:44:44.580 --> 00:44:55.980

EMPSi - Megan Stone: If you'd like to offer a comment, please feel free to raise your hand using the participants list to access the raise hand feature or the reactions icon in Zoom.

00:44:56.460 --> 00:45:11.670

EMPSi - Megan Stone: Or if you're calling by phone, you can press star nine on your keypad and we've also included the information of where you can submit your written comments, either through regulations.gov or via mail, in the chat.

00:49:58.800 --> 00:50:08.280

EMPSi - Megan Stone: Hello again everyone, we're still on and the Fish and Wildlife Service will be accepting comments until 7pm Pacific time.

00:50:08.760 --> 00:50:17.760

EMPSi - Megan Stone: Again, you can access the raise hand feature in your participants list in Zoom or in the reactions icon, and if you're calling by phone, you can press star nine.

00:50:18.330 --> 00:50:28.050

EMPSi - Megan Stone: If you prefer to submit your comments in writing, you can see that information in the chat on where you can submit them electronically or via mail.

00:50:29.100 --> 00:50:35.850

EMPSi - Megan Stone: But we'll be here, monitoring and looking for hands raised until 7pm Pacific time.

00:57:01.980 --> 00:57:15.150

EMPSi - Megan Stone: Hello again everyone the Fish and Wildlife Service is still accepting verbal public comments and will be doing so until 7pm Pacific time, please raise your hand if you'd like to provide a verbal public comment, thank you.

01:04:59.880 --> 01:05:11.250

EMPSi - Megan Stone: Hey everyone, we're still on and accepting comments until 7pm Pacific time. If you'd like to provide a verbal public comment, please access the raise hand feature

01:05:11.850 --> 01:05:21.330

EMPSi - Megan Stone: which is located in your participants list or reactions icon, or if you're calling by phone, you can press star nine on your keypad. Thanks.

01:15:21.810 --> 01:15:40.920

EMPSi - Megan Stone: Hello everyone, just wanted to provide a reminder that the US Fish and Wildlife Service is still accepting comments. They'll be accepting comments for another 45 minutes until 7pm Pacific time, so if you'd like to provide a comment, please feel free to raise your hand.

01:25:43.020 --> 01:26:01.020

EMPSi - Megan Stone: Hello again everyone, the US Fish and Wildlife Service will be accepting comments until 7pm Pacific time. It looks like we have around 35 minutes left for the public hearing tonight, so if you'd like to provide a comment, please feel free to do so by using the raise hand feature.

01:37:21.990 --> 01:37:28.440

EMPSi - Megan Stone: Hello everyone, the Fish and Wildlife Service is still accepting verbal public comments and will be doing so

01:37:28.860 --> 01:37:47.670

EMPSi - Megan Stone: until 7pm Pacific time, so if you'd like to provide a comment, please access the raise hand feature. We've also included information in the chat feature where you can see how to submit your comments, either through regulations.gov or via mail.

01:37:49.620 --> 01:38:01.410

EMPSi - Megan Stone: In a little bit, once we've reached the end of our public comment period portion of tonight's meeting, I'm going to turn it back over to the Fish and Wildlife Service for some closing remarks.

01:49:05.310 --> 01:49:12.600

EMPSi - Megan Stone: Hello everyone, the US Fish and Wildlife Service will be accepting verbal comments for the next 10 minutes or so.

01:49:13.110 --> 01:49:24.090

EMPSi - Megan Stone: After that, we'll turn it back to the Fish and Wildlife Service for some closing remarks. Again if you'd like to submit your comments in writing, you can do so, and that information is in the chat

01:49:24.660 --> 01:49:32.220

EMPSi - Megan Stone: with the Web address for regulations.gov and the mailing address for where you can send hard copy comments.

01:54:33.240 --> 01:54:41.580

EMPSi - Megan Stone: Well, everyone, we have a couple more minutes here if anyone would like to provide a comment. You can do so by accessing the raise hand feature

01:54:42.270 --> 01:55:01.320

EMPSi - Megan Stone: in your Zoom web app or Zoom portal, by using the participants list or the reactions icon, or if you're calling by phone, you can press star nine. After we close the public hearing portion, I will turn it back over to the Service to provide some closing remarks.

01:58:46.110 --> 01:59:01.290

EMPSi - Megan Stone: Hello everyone, we've reached the end of our public comment portion of tonight's meeting. Thank you everyone for joining and I'm going to turn it back over to Marc with the US Fish and Wildlife Service for some closing remarks.

01:59:03.930 --> 01:59:04.620

Reno Fish and Wildlife Office: Yep, Thank you.

01:59:05.340 --> 01:59:12.060

Reno Fish and Wildlife Office: Thanks again everyone for your time and we do appreciate your participation in the public comment process.

