

June 07, 2006

Alturas RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Alturas Field Office
2950 Riverside Drive
Susanville, California 96130

Dear Alturas Field Office staff,

The draft resource management plan for the Alturas region includes many promising provisions. I wholeheartedly agree, for example, with the BLM's proposals to confine motor vehicles to designated routes, designate six areas of critical environmental concern, exclude livestock from aspen groves and protect old-growth juniper forests from logging and mining.

1-1

I urge you to further strengthen the draft plan, however, in order to protect this remote area's remaining wilderness-quality lands and the wildlife that depend on them. Specifically, I urge the BLM to:

1-2
through
1-7

- * manage all wilderness study areas as primitive zones;
- * close all primitive and non-motorized management areas to mineral leasing;
- * prohibit utility construction in all primitive and non-motorized management areas;
- * expand the amount of land where wildland fire use is allowed, including all wilderness study areas and primitive areas;
- * eliminate the proposed construction of 60 miles of new roads to facilitate logging (the BLM lands overseen by the Alturas Field Office are already laced with too many roads and motorized trails); and
- * add Pit River Canyon, Lava, Beaver Creek and Juniper Creek to the six areas already recommended as areas of critical environmental concern.

California's high desert is one of our nation's most unique natural treasures, and we should do everything possible to keep the most sensitive parts of this area free of mines, livestock, power lines and other development.

Sincerely,

"Joe Becker" <bjoe@ccxn.com>

06/07/2006 09:30 AM

Please respond to

"Joe Becker" <bjoe@ccxn.com>

To

<necarp@ca.blm.gov>

cc

bcc

Subject

BLM Alturas Draft Resource Management Plan

Dear BLM Manager:

I have traveled to Northeastern California on various camping and hunting vacation during all seasons of the year. This country is the ultimate for sportspeople because it is sparsely populated and supports many species of wildlife, vegetation and birds. My wife and I are both California Hunter Education Instructor , plus very involved with archery hunting and organizations in our state. And are aware of the many changes our federal agencies continue to make in federally owned lands and their uses.

2-1

Thus we ask that you continue to keep our sportspeople both hunting & fishing in mind during your future changes to management plans. And as always the wildlife and habitat that supports life for each specie.

Thank you in advance for supporting outdoor recreation and management through hunting of our natural resources.

Sincerely & God Bless;

Joe & Joan Becker

733 Queens Ave.

Yuba City, CA. 95991

530-751-7767

bjoe@ccxn.com

"Bickfords" <bicky@frontiernet.net>
07/26/2006 10:37 PM
To
<necarp@ca.blm.gov>
cc

bcc

Subject
Comments on Alturas Field Office Draft RMP and EIS

Ken Bickford
539-550 Pittville Rd
McArthur, Ca 96056

2.6 Fuels Management

Fuels management should be a high priority
Fuels management isn't about stopping fires, nothing can do that. It's about having a cool ground fire promoting growth instead of a crown fire destroying the whole stand. Good fuels management will lead to easier fire control.

3-1 In this way I don't think that the preferred alternative (2.6.10) is enough, I think alternative 2 (2.6.8) is better because it is more aggressive. Chemical treatments are helpful in that plants killed one year can be used to start a prescribed fire the next year when the fire danger is low and fires are hard to start. Biological fuels treatments are expensive unless you can get operators to do it for the feed (but "red tape" probably will prevent it from being done in a timely manner).

Consistency is the main thing. If you start and then stop a project you will lose what you've gained because the forest and brush will grow back to where it was before. Start small and expand when people see the results and you gain experience.

2.4 Fire Management

3-2 I prefer 2.4.8 to 2.4.11 because putting the fire out quickly doesn't really solve the problem. The next fire beyond the last fire line will be bigger because it will have another year of fuel to burn.

But on the other hand you are playing with fire.

3-3 I would prefer 2.4.19 to 2.4.22 for the timber salvage, but in the end it probably won't make a difference. The wood will be rotten and no good by the time it gets out of the courts.

2.1 Air Quality

3-4 Smoke is natural with the forest. You can have it with wildfires, plus spend lots of money and risk the lives of the firefighters, or you can have it with prescribed burns, plus spend less money and have less risk for firefighters, but either way you will have the smoke.

2.3.6 Saleable Minerals

3-5 I would prefer 2.3.6.8 . Cinders are more of an environmentally sound material than asphalt or concrete to use and there are less problems when you are done with the materials.

"Brasher, DeEllen M CIV, CNRSW" <deellen.brasher@navy.mil>

06/26/2006 09:40 AM

To

<necarp@ca.blm.gov>

cc

"Brasher, DeEllen M CIV, CNRSW" <deellen.brasher@navy.mil>

bcc

Subject

Alturas Resource Management Plan Comments from Military

Alturas RMP Planning Coordinator:

On behalf of the Department of Defense activities that utilize the airspace that overlies the area covered by the Alturas RMPs, we offer military language for your consideration to insert into each BLM RMP either for the initial plan or as they come up for renewal. We are in the process of working this language with BLM in California, NV and AZ. We appreciate the opportunity to provide comments for your review. I understand I will need to provide comments for each individual plan and therefore, will submit this language under each project. Our military language is shown below. Please call me if you have questions regarding this language.

"BLM shall consult with the military and jointly analyze any impacts to the military mission including; Military Operating Areas (MOAs), Military Training Routes (MTRs), air space, coastal, and ground access, when making any land use decisions on BLM property at the earliest possible time to minimize impacts to current and future military mission uses. Examples of land uses that could impact the military mission include, but are not limited to, recommendations for wilderness designation, habitat improvement projects, environmental restoration projects, public utility development (e.g., erection of cell phone towers, electrical transmission lines, wind energy towers and solar array towers), large mining development, recreational development (e.g., campgrounds, visitor centers), and land exchanges for the purpose of facilitating the preceding land uses."

Regarding wind energy towers, this language is consistent with and supports language in the programmatic EIS for wind energy development completed by BLM last year, which states, "Incompatibility with military missions could be a basis for permit denial should there be no available mitigation options."

DeEllen M. Brasher

Regional Environmental Coordinator Officer

Commander, Navy Region Southwest

33000 Nixie Way

FASW Bldg. 50; Rm 332

San Diego, CA 92147-5110

(619) 524-6263

Provide comments for Environmental Services at:

<

https://ice.disa.mil/index.cfm?fa=card&site_id=720&service_provider_id=1003

60>

4-1



65 S. ROOP STREET * SUSANVILLE, CA * 96130
(530) 257-4174 * FAX (530) 257-2558

Wayne Langston, Pres. * Fred Nagel, V.P. * George Sargent, Treas. * Nancy Cardenas, Director * Darrell Wood, Director

July 26, 2006

Bureau of Land Management
Attn: Planning Coordinator
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

RE: Comments by Lassen Municipal Utility District to the Eagle Lake, Alturas and Surprise Valley BLM Field Offices Resource Management Plans and Environmental Impact Statements (DRMP)

The Lassen Municipal Utility District ("LMUD") would like to thank the respective BLM Field Offices for all of the hard work their staffs' have put in over the last several years in memorializing their respective draft Resource Management Plans and Environmental Impact Statements. These Plans were circulated for public review and comment in April, 2006, with such comments being accepted until July 27, 2006. Comments for all three Plans were to be directed to the Eagle Lake Field Office.

LMUD is a municipal utility district formed under the Municipal Utility District Act of 1921 (California PUC §11500 et. seq.). LMUD's service territory includes over 1,400 square miles of Lassen County bordering the State of Nevada to the east, Shasta and Tehama Counties to the west, and Plumas County to the south. The far southern portion of Lassen County is served by Plumas-Sierra Rural Electric Cooperative ("PSREC"), a rural electric cooperative formed under the Rural Electrification Act of the early 20th Century. The northern one-third of Lassen County is either open area (i.e., no CPUC, CPCN nor LAFCO boundary), or is served by Surprise Valley Electric Corporation (another rural electric cooperative), Pacific Power and Light, and/or PG&E. PG&E serves west of Lassen.

LMUD's service territory includes Lassen's County seat (the City of Susanville), the town of Westwood, Walker Lake (aka Mountain Meadow Reservoir), Eagle Lake, and the majority of Honey Lake. Within LMUD's service territory is approximately 35MW of geothermal and co-generation energy produced by three independent power producers. Their energy is wheeled westward to PG&E by LMUD. Within, and immediately adjacent to LMUD's service territory are potentially rich, high-quality renewable resources, particularly wind and geothermal. Such sites continue north into Modoc County, as well as east, deep into the northwestern part of Nevada.

Staff from LMUD, accompanied by staff from the Transmission Agency of Northern California ("TANC"), attended your public meeting regarding the DRMP's held on Thursday, May 30, at the Eagle Lake Field Office.

The DRMP process began prior to the adoption of California's Energy Action Plan II and its sub-parts, as well as the Energy Policy Act of 2005, passed by Congress last year. As such, the DRMP drafting teams, at such stage of the DRMP development, did not have the time to take into account the evolving national and state policies and goals expressed in these or related actions. However, with that said, at the meeting on May 30, LMUD staff, TANC staff, members of the Lassen County Board of Supervisors, and other Lassen County Community Development staff, met with Field Office personnel from all three Field Offices, including the Alturas and Surprise Valley Field Office managers, in a breakout session to discuss and gain knowledge regarding the current western United States ("Westwide") energy generation and transmission issues and constraints. The Energy Title of the 2005 Energy Policy Act, which directs the Federal Energy and Resource Agencies to immediately plan for, and site, Westwide energy corridors, was prominently discussed, as well as the California policies, goals and mandates.

This breakout session was very informative for all involved. It was learned by those of us in the energy business that we cannot take for granted the esoteric issues we deal with on a daily basis. In fact, any of us would be overstating our own knowledge if we claimed to fully understand the entire picture. Most importantly for the DRMP process, we learned that our energy world was not fully understood by BLM, nor other entities and agencies which are not in the energy business; specifically, that the esoteric power transfer capabilities of the existing Westwide system, as currently configured, is incapable of being used to resolve the existing congestion, lack of transmission, and lack of generation issues. Rather, we learned that it had been assumed by BLM that building more lines within existing right-of-ways would solve these Westwide problems.

We discussed why the so-called existing "donut-of-power" (which, in essence, is a circle of high-voltage and extra high-voltage transmission lines and related facilities running from Alberta, Canada, through BC, Canada, down through Washington, Oregon and California, coming around to Nevada, Arizona, New Mexico, then up to Utah, Colorado, Wyoming, Idaho and back up to Canada) was insufficient to deliver any new power, no matter where, or how, generated (renewable or otherwise), from the generation sources to the load centers. We discussed that compliance with both Section 368(d) of the 2005 Energy Policy Act, as well as the sundry California Energy Policies, requires the construction of east-west high-voltage lines, to bisect the donut, and such lines need to enter California in the south state, as well as the north, which brings us to the RMP's.

The northern east-west lines are necessary to facilitate the capture of the high quality renewable generation which exists in northeastern California and northwestern Nevada, as well as similar sources further east in Utah, Idaho and Wyoming. Included are the clean fossil fuel sources located to the east. Indeed, both Congress and the State have identified that, (1) energy conservation, (2) development of renewable energy sources, and (3) new and clean fossil fuel generation are needed to augment supplies and to replace older, not-so-clean, existing fossil generation facilities. This is referred to as the California Loading Order. Underlying these three points of the California Loading Order is the recognition that the Westwide transmission system needs to be upgraded with new energy transmission corridors to tap into the renewable resources and the clean fossil resources which exist in the middle and eastern portions of the "donut", and "wheel" such energy straight west into the California load centers.

Without burdening the record further with redundant comments, LMUD would like to refer you to the three comments submitted respectively to each Field Office by TANC, which more fully discusses your specific DRMP language, and the power constraint issues. LMUD strongly concurs, and incorporates, such comments herein.

LMUD would especially like to commend the Eagle Lake Field Office for addressing energy corridor concerns for renewable energy while, at the same time, making sure that environmental concerns are balanced. LMUD would also like to thank the Alturas and Surprise Valley Field Offices for their recognition that new transmission is needed (albeit their respective DRMP's improperly assumed that the existing corridors will suffice) while balancing such need with valid environmental concerns. The fact of the matter, as stated by TANC, is that both concerns deserve significant consideration, but both concerns must be addressed and the needs met. A couple of TANC's points warrant reiteration:

- 5-1 1. The use of any existing north-south high-voltage energy lines or corridors will not address the needs, nor the policies, referred to above. The problem, as TANC states, is the transfer capability at the group of "interties" comprising what is known as the California-Oregon Intertie ("COI") located near the California-Oregon Border ("COB"). Under current Western Electric Coordinating Council and National Electric Reliability Council rules and authorizations, only 5,100MW of energy can be transferred under the best circumstances. (This transfer capability is currently being temporarily downgraded due to transmission issues in the Bay Area.) Therefore, the development of the above mentioned renewable and new fossil fuel energy in the middle of the "donut-of-power", which BLM assumes can be wheeled north for transfer back down south into California, is not feasible. Besides doubling the distance and utilizing twice the acreage of direct east-west lines, the costs of upgrading the facilities at COI (if possible), would be astronomical. Significant line losses would occur through this circuitous route and, as mentioned, new, very expensive corridors and high-voltage power lines would need to be constructed from COB south in the same manner that TANC explained construction of the COTP. TANC's reference to an east-west corridor north of Lassen National Park and it's references to existing studies, are accurate and feasible. Further, a study was prepared by the Western Utility Group in 1992, entitled the "Western Regional Corridor Study", showing a proposed environmentally conscious east-west corridor across the southern part of the Alturas Field Office jurisdictional area, which should be reviewed as a potential route. The same is true of similar vintage studies done by the Sierra Nevada Region of the Department of Energy's Western Area Power Administration.
- 5-2 2. Further, although no official action has been taken, Lassen County's Community Development Department has, while being very conscious of environmental concerns, including viewshed and species, identified potential routes north of Eagle Lake that would appear to facilitate a significant segment of this line from the Nevada border eastward to the Lassen/Shasta County border. Extending the line further west would take it to existing east-west corridors that begin at, or near, the Lassen/Shasta County border to existing interconnection hubs such as Round Mountain or Table Mountain, or any new hub that might be developed to accommodate the new transmission. Projecting the line east from the Lassen County/State of Nevada border bisects the heart, as it does in northeastern California, of the rich renewable energy sites, provides for various interconnections with existing Nevada transmission lines (which run principally north-south through the State of Nevada), and then onward to the eastern portion of the Westwide states.
- 5-3 3. As mentioned in TANC's comments, LMUD has adopted a policy by resolution creating the "Lassen Energy Zone" to facilitate the development and transmission of "green and clean energy".

↑
5-3

This concept, it is hoped, will be embraced by other regional entities to capture the potential clean and green energy sources within the eastern edges, and the heart of, the "donut-of-power", allowing such energy to be transmitted directly west to the Load Centers in California via the east-west routes previously discussed.

5-4

4. Although only in the formative stages, Lassen County and LMUD are jointly working to implement LMUD's "Lassen Energy Zone" through an upgrade of the Energy Element of Lassen County's General Plan. The intent of the upgrade is to embrace and comply with the new energy transmission and generation policies recently adopted by the State of California and Congress.

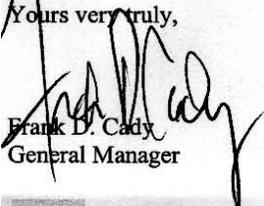
5-5

5. Using Section 2.21.1 (pages 2-164 and 165) of the Eagle Lake Field Offices DRMP as a representative example (wherein development of large wind energy farms, high-voltage power lines, and major utility corridors are discussed) LMUD agrees that the provisions of the National Environmental Policy Act (as augmented by the Energy Policy Act of 2005) would need to be followed. As stated by TANC, the viewshed, species and other environmental concerns, must be weighed and balanced with the practical, economic and energy needs for such east-west transmission corridors and, while it is conceded that the compatibility of the two will present many challenges, the effort will result in the balance of the development of this essential energy infrastructure with the environment. Both must be accommodated and accomplished in order to meet national and state needs and policies.

We would very much appreciate, as also requested by Lassen County, a timely receipt of your draft Final RMP prior to its publication. This will allow LMUD to provide final comments prior to such publication.

Thank you again for allowing LMUD to provide these comments. If you have any further questions, need clarification, or need additional information, please do not hesitate to contact me at (530) 257-6882.

Yours very truly,


Frank D. Cady
General Manager

Cc: LMUD Board of Directors
Lassen County Board of Supervisors
John Ketelsen, Lassen County CAO
Robert Sorvaag, Lassen County Comm. Dev. Dept. Director
Jim Feider, TANC
Isaac Moore, PG&E
Stewart Ramsay, PG&E
Steve Metague, PG&E
Chuck Najarian, CEC
Jim Bartridge, CEC
Joe Desmond, CA Resource Agency
Hon. John Doolittle
Hon. Dave Cox
Hon. Rick Keene
Don Battles

Eagle Lake, Alturas
& Surprise RMP Comments
Attn: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Dr.
Susanville, CA 96130

Karen Coulter, Director
League Of Wilderness Defenders
Blue Mountains Biodiversity Project
27803 Williams Lane
Fossil, Oregon 97830
(541) 468-2028 Office
(541) 385-9167 Voice mail

July 27th, 2006

We have combined our comments on the Draft Resource Management Plans for the Eagle Lake, Alturas, and Surprise management areas because our comments largely pertain to all three plans.

6-1 In general, we support Alternative 2, emphasizing ecosystem restoration over other concerns but, feel that Alternative 2 is still not protective enough of wildlife habitat, soil, and water quality, wild horse herds and other natural values. Our comments below indicate areas where Alt 2 could be strengthened.

6-2 We strongly support all of the proposed Areas of Critical Environmental Concern (ACECs). We also support full protection of wilderness values in all Wilderness Study Areas (including no juniper manipulation, no herbicide use, no motorized use, no structures, etc.) and ask that all additional roadless areas close to or greater than 1,00
6-3 acres also be fully protected for wilderness values and only be used for wildlife and primitive recreation.

6-4 The Eagle Lake RMP should recommend more creeks as suitable for Wild and Scenic River designation, including Susan River, Willow Creek and Buffalo Creek. We
6-5 are also concerned that there is a blurring of “semi-primitive motorized” with “semi-primitive non-motorized” designations as “back country.” Motorized and non-motorized use areas must be clearly distinguished and the latter enforced.

6-6 In general, the protection of streams and riparian areas should be prioritized to protect biodiversity. This includes no chemical use near water, excluding livestock or
6-7 cancelling allotments if there is riparian or water quality degradation from livestock use, decommissioning roads near streams, etc. Roadless area protection from road incursions
6-8 should also be emphasized. All rare and federally or state-listed plant and animal species should be fully protected. Native species should always be given preference over non-
6-9 natives.

6-10 Suitable and potential Sage-Grouse habitat should be fully protected from fragmentation and disturbance, including from mineral leasing activities, herbicide use, sagebrush
6-11 removal, roading and high power lines, as well as OHV traffic, which should be confined to designated routes only in all three planning areas. All livestock allotments currently
6-12 not in use should be permanently cancelled. Any allotments that are vacated for over a year should also be permanently cancelled. Livestock should be excluded from all sensitive riparian areas either by fencing or by allotment cancellation.

6-13 Fire management should be with the goal of returning to a natural fire regime, meaning that too much fire suppression should be avoided. Aggressive fire suppression should only occur within or near wildland-urban interface zones. The use of fire retardant chemicals and new fuel break clearing should be avoided as much as possible.

6-14 Juniper reduction should leave junipers with old growth characteristics and leave patches of
6-15 juniper for wildlife use in removal areas. Any other tree removal should focus on the smallest trees as the most flammable fine fuels and leave all mature and old growth trees.

6-16 There should be no logging in roadless areas.

6-17 There should be far less mineral extraction/leasing allowed and more acres of “No Surface Occupancy” restrictions.

6-18 Wild horse herds should be maintained at a minimum of 50 head to ensure genetic diversity. There should be no fertility control beyond adoption of excess horses. Adoption procedures
6-19 should be carefully monitored to ensure BLM employees/friends/family are not buying them all and allowing them to be slaughtered (as happened in the Burns area) and that none of them are slaughtered or mistreated, in accordance with the Wild Horse and Burro Protection Act. We support Alt 2’s livestock rest/rotation system. Why was “Oregon Spotted Frog”
6-20 deleted from consideration (p. 2-233, Eagle Lake). We oppose non-essential rock removal (such as decorative rock) and ask that fewer acres are left open to sand, cinder, & gravel
6-21 extraction.
6-22

6-23 We support Alt. 2 road closures-or more. All non-essential roads should be decommissioned
6-24 if possible. Wildlife needs and natural hydrologic functioning should be prioritized over reservoirs, livestock ponds and other water diversions.

6-25 RE: herbicide use: Toxic chemical use should be scheduled for reduction to zero over time. Eg. Use half as much as now in ten years, half as much as at 6 years in 20 years, etc. Only use herbicides as a last resort and then use only normal (not maximum) application rates of the most ecologically benign herbicide available that would be effective. Don’t use 2, 4-D, Dicamba, Picloram, Diuron, Diquat or other most toxic ingredients and formulas. Don’t use acetolactate synthase – inhibiting herbicides, including chlorsulfuron, imazapyr, metsulfuran methyl and sulfometuron methyl as these are extremely potent herbicides that can stop seed germination of desirable plants and crops. Don’t use aerial or boom spraying of herbicides or spray herbicides on or near water as these methods result in impacts to non-target plants and wildlife, as well as to soils. Use only spot application of Triclopyr. In general, prioritize prevention of invasive plants (see Region 6 Forest Service new Invasive Plant Management Plan for an example of a fairly thorough prevention program, though it could use improvement). Don’t use toxic pesticides, lethal gas, napalm equivalents, strychnine bait, etc. Stop using federal animal damage control (APHIS). Make sure any biocontrols have been fully tested against representative native plants.

Thank you for consideration of our comments and please send us your record of decision.



MODOC COUNTY FARM BUREAU

108 EAST 1ST STREET · P.O. BOX 1692, ALTURAS, CA 96101
TELEPHONE (530) 233-FARM (-3276) · FAX (530) 233-4738

27 July 2006

Alturas RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville CA 96130



RE: Alturas RMP Comments

Dear Planning Coordinator:

The Modoc County Farm Bureau (MCFB) represents approximately 400 member families in Northeast California. Many of our members graze livestock, cut firewood, recreate or participate in other activities on lands managed by the Alturas Field Office. I have represented MCFB beef producers on the California Farm Bureau Federation Beef Advisory Committee for the past 25 years, including four years on the American Farm Bureau Federation Beef Advisory Committee. In that capacity I submit the following comments on the Alturas Field Office's Draft Resource Management Plan and Environmental Impact Statement (RMP).

7-1 The RMP should be easy to use. I suggest you include a detailed table of contents for each chapter, especially chapter 2, 3, and 4. The table of contents should include all subsections. To the lay reader it is sometimes difficult to figure out where a certain item is in the document just using the broad section titles. I also suggest that you include on
7-2 all maps and summary tables the page number that references the applicable text.

7-3 The RMP includes the designation of numerous special areas, most that will require fencing to provide an additional level of protection from livestock, off highway vehicles and other perceived threats. While not commenting specifically on the appropriateness of the designations, we are concerned about the significant increase in necessary fence maintenance. Grazers should not be assigned this additional workload. I encourage, concurrently with the designation decision, the development of a maintenance strategy that might use inmates, fire crews or some other labor source to keep these fences in repair.

7-4 I suggest you consider the formation of a regional, rather than a local seed bank. This will increase the likelihood that enough native seed is available to replant burned areas. I
7-5 urge the development of pre-fire agreements that allow for the use of certain non-native seed if the native seed supply is not adequate so the ground does not stay bare.

7-6

I strongly support your advocacy for grass banking and the statements of intent to work cooperatively with permittees and others in the development of such. The Sage Steppe Restoration EIS now under development suggests a much more aggressive juniper treatment program in the future. Grass banks are certainly one of the appropriate tools to consider minimizing the impacts to grazers during the time period when livestock will have to be removed from the allotments. Small ranching operations could be especially hard hit without such mitigation.

7-7

I participated in the Modoc County Elk Working Group as they developed the "The Greater Modoc Area- A Strategic Plan for Elk Management" (2000). It discusses a method for analyzing the impacts to grazing when federal forage supply is changed. It was utilized instead of IMPLAN during the socio-economic analysis of grazing during the development of the Warner Mountain Range Project. It addresses those issues that are important in Northeast California and Northwest Nevada that IMPLAN does not calculate. Issues like all available private forage is already being utilized and that there is not a direct linear calculation between lost AUMs and herd number adjustments. I urge you to consider its use to provide a more accurate assessment of the impacts of the portrayed alternatives.

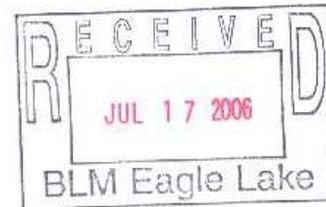
I encourage you to correctly analyze Alternative 2's grazing component. The reduction in grazing will be far closer to no grazing at all than the portrayed two-thirds reduction.

On behalf of Modoc County Farm Bureau's beef producers, I appreciate the opportunity to submit these comments.

Sincerely,



Sean Curtis
Beef Advisory Committee Representative
PO Box 1692
Alturas CA 96101



July 11, 2006

Alluras RMP Comments
Attn: Planning Coordinator
Bureau of Land Management
2950 Riverside Drive
Susanville, CA 96130

Dear Sir:

Sportsmen and hunters contribute over \$200 million per year in excise taxes to help the State agencies develop habitat and improve the hunting and fishing opportunities for everyone. Coordinating the BLM and USF&WS efforts to utilize these funds to improve habitat and wildlife populations must be a first priority of the Resource Management Plan.

As a dedicated sportsman and outdoorsman, I want to add my support to the Wildlife and Fisheries alternatives that are proposed as part of the Preferred Alternative for the Alturas District.

8-1

- Development of new water sources to extend seasonal water availability that supports wildlife.
- Focus on priority habitat areas for mule deer and black-tailed deer to maintain and improve ecological conditions.
- Provide artificial water sources (e.g. guzzlers) in areas with high wildlife potential, especially where natural sources are depleted or limited.
- Avoid practices that permanently convert sagebrush habitat to non-native grassland or agricultural land.
- Treatment to remove invasive juniper, cheat grass, and other non-native plants from wildlife habitats.
- Coordinating Bighorn augmentation and reintroduction efforts with CDFG and develop a management plan that includes hunting as a management principal.
- Implement Rocky Mountain elk management plans that include hunting as a management principal.
- Prioritize management areas for improvements to pronghorn habitats by maintaining healthy low sagebrush habitat.
- Assign off-highway vehicle designation to protect wintering ungulates.

Sportsmen and hunters are committed conservationists, with a goal to sustain strong wildlife populations and improve habitat that will allow wildlife to flourish for the enjoyment of future generations.

Thank you for your efforts to support this goal.

Sincerely,

James L. Easton
Chairman & CEO



**Pacific Gas and
Electric Company**

Eric Eisenman
Director
ISO Relations & FERC Policy

77 Beale Street, Rm. 1079
San Francisco, California 94105

415-973-6172
415-973-7226 (fax)
exe3@pge.com

July 27, 2006

Alturas, Eagle Lake, and Surprise RMP Comments
Attn: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Re: Alturas, Eagle Lake, and Surprise Field Offices Draft Resource Management Plans and Environmental Impact Statements

Dear Planning Coordinator,

Pacific Gas and Electric Company (PG&E) appreciates the opportunity to provide the U.S. Bureau of Land Management (BLM) with these comments to the BLM Alturas, Eagle Lake, and Surprise Field Offices' Draft Resource Management Plans and Environmental Impact Statements (DRMP/EIS), as published in February 2006. PG&E believes that careful consideration and coordination at the field office level with other efforts to implement relevant sections of the Energy Policy Act (EPAct) of 2005 is crucial to facilitate the growing energy needs of the U.S., including increasing demand, the related need for a more reliable bulk power system, and the desire to increase energy independence through environmentally-friendly renewable energy.

To this end, PG&E has participated in various public forums, including the scoping process for the West-wide Energy Corridor Programmatic EIS process, as required by Section 368 of the EPAct of 2005 and in which BLM is a cooperating agency as the designated agency for the Department of the Interior (DOI). Upon conclusion of the West-wide Energy Corridor Programmatic EIS, Section 368 of the EPAct of 2005 specifies that the coordinating agencies will designate appropriate energy corridors on federal lands in 11 Western States, perform any environmental reviews required to complete corridor designation, and incorporate designated corridors into relevant agency land use plans. On July 10, 2006, PG&E submitted its most recent comments in this process to the federal project team. As a highly relevant proceeding, those comments have been attached with an accompanying map as Attachments 1 and 2 for BLM's ease-of-reference.

Though PG&E has attempted to identify the appropriate corridors in the West-wide Energy Corridor proceeding, PG&E's comments are based upon the understanding that the future development or upgrades of energy pipelines and transmission and distribution facilities will

be fairly considered for federal permits and environmental reviews, whether or not the locations for such facilities are situated within a designated corridor. It is impossible to determine the needs and most appropriate locations for all potential energy facilities. Siting such facilities is a fluid process, dependent upon external factors including the location of generation, geography, climate, environmental, and historical concerns. For example, California, like many areas of the country, is seeking to enhance its use of renewable generation resources to meet environmental objectives and diversify its resource portfolio. The sites for such renewable resources are potentially remote from load centers and would require expansion of the electric transmission system in order to develop. However, since in many cases such sites have yet to develop, the transmission need does not yet appear in congestion studies. As other generation sites and transmission needs evolve, the process for the designation of such energy corridors and/or permitting of such transmission lines needs to be flexible so that it can be updated as system needs change.

9-1 It will be a challenge to access the renewable resources in these areas as it is. Therefore, BLM should consider preserving potential corridors to meet these goals. BLM's preferred approach to "expand existing transmission line and pipeline project width up to a maximum total of 250' off of the centerline, and designate existing lines as utility corridors" would not help to bring renewable resources in these areas to other areas in Northern California. Under BLM's preferred alternative for Wilderness Study Areas (WSAs), land area from Britterbrush down to Skedaddle (just north of Honey Lake) would close off a large section of land that could provide crucial access to generation development. The major transmission lines in the area would connect the potential resource area to Oregon and Nevada. Even if these transmission lines are in the limited designated transmission corridors, renewable resources would have to first travel to Oregon and then head south into California across the California-Oregon Interconnection, or to Nevada and then head west over the Sierra Pacific Power-PG&E tie, adding to the already congested ties. Such an arrangement would require reinforcing the Bonneville Power Authority, Sierra Pacific Power, and PG&E systems and thus add significant transmission costs to the renewable projects, further lessening the benefits of the potential renewable resources to serve the northern California market. Introducing disincentive to renewable resource development would also impact the long-term environmental health of California.

Flexibility in allowing transmission siting is needed to assure development of renewable resources. In the West-wide Energy Corridor process, PG&E identified at least one general corridor with potential to access renewable resources, that comes in from the Oregon border around Goose Lake and continues on down to Chico (please reference map). While it seems that the distance between the Lava WSA and Pit River Canyon WSA is sufficient to accommodate such a corridor, the maps are not detailed enough to provide clarity.

9-2 In some instances, BLM could effectively balance environmental concerns with needs for reliable, renewable energy by carefully reconsidering its parameters. Based on our experiences in routing and siting for linear facilities of this nature, PG&E believes that corridor widths could be increased to a minimum of one mile to allow adequate room for avoidance of sensitive resources and to maintain sufficient separation of facilities within the corridor so as not to compromise safety, reliability and national security concerns. PG&E

would support the use of this standard until such time that a more effective width is identified.

9-3

BLM's preference to consolidate transmission right-of-ways (ROWs) does not give consideration to ROW separation for system reliability purposes. For example, BLM's Alturas land use plan states, "[b]y consolidating compatible transportation and utility projects to existing corridors, the agency can reduce habitat loss, degradation of resources, and fragmentation of public land ownership patterns. However, this can increase costs and disutility to a ROW grantee if this approach results in a longer or more expensive project. Consolidation of ROW grantees at existing communication sites can cause user conflicts and electronic interference." However, there is no mention of the increased probability of simultaneous loss of multiple transmission circuits in the same ROW and the related impact on electric system reliability. The distance of separation required to reduce the probability of simultaneous loss would depend on the terrain, the vegetation and the consequences of losing the multiple facilities. For example, ROW separation will typically need to be wider if the lines traverse forest land because a fast moving forest fire can cause outage of both lines if the ROW separation is not wide enough. Similarly, if study shows that the system cannot survive if multiple line loss occurred in the same corridor, then wider ROW separation would also be needed. PG&E urges to include due consideration of system reliability in addition efficient land resource utilization.

In conclusion, PG&E appreciates the opportunity to comment on the Alturas, Eagle Lake, and Surprise Field Offices' Draft Resource Management Plans and Environmental Impact Statements. PG&E believes that it is crucial for BLM to consider and modify its plan to address its suggestions and concerns above. If you have any questions, please contact Ryan Stanley at (415) 973-0415.

Sincerely,

Eric Eisenman

Eric Eisenman
Director,
ISO Relations & FERC Policy



**Pacific Gas and
Electric Company**

Diane Ross-Leech
Program Manager
Environmental Policy

77 Beale Street
San Francisco, California 94120

415-973-5696
4150973-9201
dpr5@pge.com

July 10, 2006

Ms. Julia Souder
Office of Electricity Delivery and Energy Reliability
Room 8H-033
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Re: West-wide Energy Corridor Programmatic EIS

Dear Ms. Souder,

Pacific Gas and Electric Company (PG&E) appreciates the continuing opportunity to contribute to the West-wide Energy Corridor Programmatic EIS process. Previous comments were provided for the record on November 28, 2005 regarding corridors within the State of California. This letter will supplement those and previous comments provided to the federal project team by PG&E.

PG&E indicated in our previous comments that there was a need for the federal project team to engage in more interaction with stakeholders and respectfully request that you provide opportunities to work more closely with project team members to discuss in detail stakeholder issues and future plans. The last public forum was in November 2005, and it would be an opportune time to get stakeholders together again to discuss the preliminary corridor maps.

Though PG&E has attempted to identify the appropriate corridors in this proceeding, PG&E's comments are based upon the understanding that the future development or upgrades of energy pipelines and transmission and distribution facilities will be fairly considered for federal permits and environmental reviews, whether or not the locations for such facilities are situated within a designated corridor. It is impossible to determine the needs and most appropriate locations for all potential energy facilities. Siting such facilities is a fluid process, dependent upon external factors including the location of generation, geography, climate, environmental, and historical concerns. For example, California, like many areas of the country, is seeking to enhance its use of renewable generation resources to meet environmental objectives and diversify its resource portfolio. The sites for such

renewable resources are potentially remote from load centers and would require expansion of the electric transmission system in order to develop. However, since in many cases such sites have yet to develop, the transmission need does not appear in congestion studies. As other generation sites and transmission needs evolve, the process for the designation of such energy corridors and/or permitting of such transmission lines needs to be flexible so that it can be updated as system needs change.

Congress enacted Section 368 of the Energy Policy Act of 2005 in order to facilitate the necessary expansion of the energy transmission system in order to maximize reliability and efficiency. Refusal or undue delay in considering requests for permits for future projects merely because they would be located outside of a designated corridor would violate the intent of Section 368 and restrict the potentially critical expansion of such transmission. Moreover, as the Notice of Intent for the current process indicated, new proposed project activities, though situated in designated corridors, will be analyzed in separate environmental analyses (70 Fed. Reg. 56647, 56648 (Sept. 28, 2005)). PG&E therefore urges the agencies to maintain and supplement as necessary the procedures by which utilities may expeditiously seek and obtain permits for future projects, whether such projects are located within, partially within, or outside of a designated corridor.

PG&E also requests that the federal project team communicate the process, criteria and decision matrix used to develop the preliminary corridor locations. Several of the corridors proposed by PG&E are either not referenced on the map and/or shown at locations which are not consistent with our future needs. Of specific concern to PG&E is the corridor identified between Topock, AZ and Bakersfield, CA. PG&E had proposed an expanded gas pipeline corridor, parallel to the existing gas transmission pipeline (L-300A&B) system between Topock and Bakersfield. The corridor shown on the draft map parallels Interstate Highway I-40 from the Arizona border towards Barstow near the intersection of I-15, and then heads southwest paralleling I-15 towards Victorville and San Bernardino. PG&E reiterates its request that a corridor be extended westward from Topock to Barstow along the existing pipeline corridor, and then on towards Bakersfield roughly paralleling Highway 58 and the existing pipeline route. PG&E anticipates that possible future expansion of gas supplies from the Rocky Mountains and LNG terminals within SW CA and NW Mexico may create a need to expand the gas pipeline capacity within this utility corridor.

It is unclear why the current corridor width of 3500 feet was selected. Based on our experiences in routing and siting for linear facilities of this nature, we believe that this could be increased to a minimum one mile width to allow adequate room for avoidance of sensitive resources and to maintain sufficient separation of facilities within the corridor so as not to compromise safety, reliability and national security concerns. PG&E would support the use of this standard until such time that a more effective width is identified. The scale of the draft maps makes it difficult to confirm absence of federal lands. Perhaps future maps could be published at a larger scale to compensate for this issue.

In addition, whether proposed corridors are intended for oil, gas, or hydrogen pipeline or electricity transmission or distribution facilities, or some combination thereof will have a significant impact upon the environmental effects of the designation of such corridors and the

incorporation into land use plans. To maximize efficient use of resources in studying the proposed corridors and the accuracy and relevance of the environmental reviews, the federal project team should determine which use (or uses) is intended for each proposed corridor. Studies can then be appropriately tailored to the intended use and will most effectively reflect the corresponding environmental impacts.

We recognize that the intent of this action is to designate energy corridors across federal lands. Since any future corridor will ultimately impact private and public lands, including federal lands, PG&E recommends that final mapping be coordinated with the California Public Utilities Commission and the California Energy Commission efforts to establish energy corridors within California. Where possible, locations of these federal corridors across private and public lands should be identified on future maps to provide continuity on the transition between federal land ownership and privately held lands. This would serve to identify possible points of constraint with local land use policies that may conflict with future utility facilities.

Finally, we would like to reiterate some of the key considerations for these federal corridors, including:

- Provide corridors suitable in terrain and free from physical constraints that prevent cost effective construction and management of utility facilities. Be mindful that underground pipelines have different corridor constraints than overhead electric power lines;
- Provide a mechanism to allow a utility to reserve corridor space;
- Allow perpetual entitlements within future corridors once approved;
- Streamline or simplify environmental and public review; and
- Incorporate existing utility corridors crossing federal lands into this designation process.

Attached for your use is an updated map for PG&E's service area that depicts recommended corridors in their approximate location, with the addition of the following specific new corridor: a 500kV electric transmission corridor from Midway Substation in Kern County to Gregg Substation in Fresno County necessary for future generation sources and bulk system transfers from the Western Electric Coordinating Council.

Sincerely,

Diane Ross-Leech

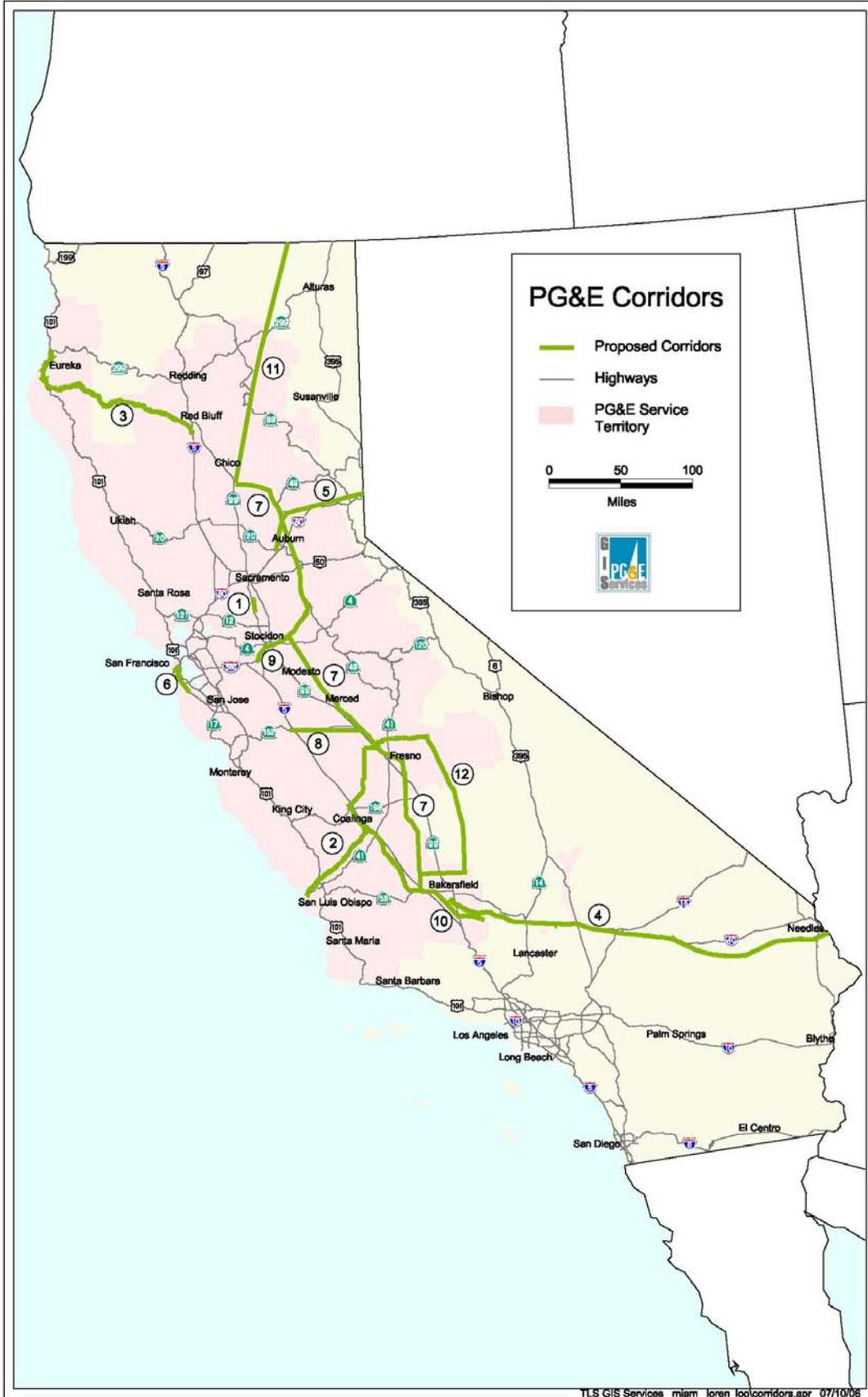
Diane Ross-Leech
Manager, Environmental Policy

Cc:
Bud Anderson – Western Utility Group
Jim Bartridge – California Energy Commission

Pamela Lacey - American Gas Association
Richard Loughery – Edison Electric Institute

Bcc:

Dede Hapner
Robert Howard
Steven Kline
Alyssa Koo
David Kraska
Loren Loo
Stewart Ramsay



FRIENDS OF THE RIVER

915 20TH STREET ~ SACRAMENTO, CA 95814

PHONE: (916) 442-3155 ~ EMAIL: SEVANS@FRIENDSOFTHERIVER.ORG

July 25, 2006

Ms. Sue Noggles
Bureau of Land Management
Northeast California RMPs
2950 Riverside Drive
Susanville, CA 96130

Re: Comments in response to the Northeast California Draft RMPs/EISs

Dear Ms. Noggles:

Thank you for soliciting public comments in response to the draft Eagle Lake, Alturas, and Surprise RMPs/EISs. Friends of the River's comments focus on the Wild & Scenic River evaluation component of the draft RMPs/EISs.

First of all, Friends of the River commends the BLM's effort in the draft RMPs/EISs to evaluate candidate Wild & Scenic Rivers and recommend designations. This continues a positive trend in most BLM plans to complete both eligibility and suitability evaluations for potential Wild & Scenic Rivers in the RMP.

Friends of the River has a number of specific comments concerning the Wild & Scenic Rivers components in the draft RMPs/EISs.

Suitability Recommendations

10-1 Friends of the River strongly supports designation of all eligible river and stream segments identified in the draft RMPs/EISs, including upper Smoke Creek, lower Smoke Creek, Willow Creek, Susan River, upper Pit River, lower Pit River, Horse Creek, and Twelve Mile Creek. Designation will not only protect nationally and regionally significant streams, it will increase the diversity of streams represented in the National Wild & Scenic Rivers System.

10-2 Maximum river protection is best represented in the Ecosystem Restoration Alternative for all three plans. Friends of the River therefore endorses this

alternative and urges that it be adopted as the preferred alternative in regard to Wild & Scenic Rivers in the final plans.

Eagle Lake RMP Preferred Alternative

Friends of the River cannot support the identified preferred alternative in the draft Eagle Lake RMP because it fails to recommend for designation lower Smoke Creek, Willow Creek, and the Susan River. Although guidelines suggest that local governments be consulted, their parochial views should not be the primary factor in determining suitability. Lassen County's opposition to Wild & Scenic protection in order to retain the option to build dams on the Susan River and Willow Creek directly contradicts and ignores the benefits the county residents receive from the outdoor recreation and tourism opportunities provided by these streams.

10-3 These streams are national resources and the BLM has the responsibility to protect and preserve the free flowing character and outstanding values of these streams for everyone in the United States. The agency should not be held hostage to the contradictory whims of local government that claims authority over the future of national resources.

The decision in the draft RMP/EIS to not recommend lower Smoke Creek is even more ambiguous. According to a draft suitability rationale not included in the plan, Washoe County has apparently not taken a formal position on federal designation of lower Smoke Creek, although their planning policies support the protection of the creek's free flowing character, riparian habitat, scenery, and heritage values. Again, local government support or opposition, or in the is case, the lack of a position, should not be the sole or primary factor in determining suitability.

Alturas RMP Preferred Alternative

10-4 Friends of the River supports the suitability recommendations found in the Alturas RMP's preferred alternative for the lower Pit River, upper Pit River, and Horse Creek.

Surprise RMP Preferred Alternative

10-5 There are some ambiguous aspects to the suitability recommendation for Twelve Mile Creek in the draft Surprise RMP. The first is that although the RMP repeatedly states that a 2.2 mile segment is recommended, the WSR map in the Vol. 1 suggests that five or more miles of the creek, including segments in Oregon, Nevada, and California, are recommended. The map suggests but the narrative does not confirm that the Lakeview Field Office has already recommended its segments of Twelve Mile Creek and that the Surprise RMP completes the decision by recommending a

2.2 mile connecting segment. There is also a somewhat confusing discussion (V.1, pgs. 2-62-63) about the different roles of various field and state offices in the decision. Things are confused even further because a typo on pg. ES-7 states that a "22 mile section" is recommended.

10-6 In addition, the draft RMP repeatedly states that Twelve Mile Creek is "administratively suitable" for designation. "Administratively" is an unnecessary and meaningless qualification. It implies that the creek may not be suitable in other venues or perspectives, such as the political arena. For purposes of clarity, the RMP should simply use the language found in the other RMPs; Twelve Mile Creek is recommended as suitable for designation.

Interim Protection of Suitable Rivers

The Alturas draft RMP/EIS states:

"If Congress fails to act within three years of receiving the suitability report, management of the river reverts to the guidelines established in the land use plan for the area where the river is located and interim protection under the WSR Act lapses." (V. 1, pg. 4-104)

The Eagle Lake draft RMP/EIS ends this sentence after "land use plan", although it implies that interim protection lapses after three years (V. 1, pg. 4-162).

10-7 Friends of the River is not aware of this directive in the BLM Manual 8351. The latest version of 8351 we found on the internet was dated 1993 and it makes no mention of interim protection lapsing after three years if Congress fails to act on a suitability recommendation.

Congress has not designated a federal river in California in 18 years. After more than six years of intense local organizing and development of local political support by a large coalition of local, statewide and national conservation organizations, legislation for two modest designations of the Black Butte and Amargosa Rivers are currently under consideration by Congress. Despite recent positive events, it would be naïve to assume the Congress at this time is going to expedite additional designations of recommended rivers.

Three years is not sufficient to develop the local, statewide, and political support needed to convince a member of Congress to introduce and secure passage of a Wild & Scenic River bill. Maintaining interim protection of suitable rivers until Congress does act is critical to the process.

If this is indeed a formal provision of 8351, we strongly recommend that it be reconsidered and withdrawn as national policy guidance. If the manual requires the withdrawal of interim protection, we recommend that the draft RMPs/EISs consider the option provided in BLM Manual 8351.41(4) to “defer any such WSR recommendation until such time as public support is favorable to designation.”

↑
10-7 Thus, interim protection would remain for eligible river segments until the political situation becomes more positive for designation.

Eagle Lake RMP Suitability Rationale

The Eagle Lake draft RMP/EIS only briefly justifies the decision not to recommend lower Smoke Creek, Willow Creek, and the Susan River. During the public comment period, we discovered that an extensive draft rationale narrative had been prepared but not included in the document. The draft rationale was made available upon request and it was promised that it would be included in the final RMP/EIS.

10-8 The suitability rationale document is critical to understanding the BLM’s decision not to recommend lower Smoke Creek, Willow Creek, and the Susan River. The rationale document contains essential portions of the suitability study, including the critical “factors to consider” required by Sec. 4(a) of the Act and BLM Manual Sec. 8351.33A. The rationale document should be included in the final RMP/EIS with an additional opportunity for public review and comment before a ROD is signed.

Suitability rationale documentation for eligible rivers should also be included for public comment in the Alturas and Surprise final RMPs/EISs.

Eligibility Evaluations

The BLM Manual encourages a comprehensive eligibility evaluation of river and stream candidates. Section 8351.12.2 states, “All rivers which may have potential for wild and scenic river designation must be identified and evaluated. Care should be taken to avoid overlooking any river segment located on BLM-administered lands.”

A comprehensive eligibility evaluation was apparently conducted for the draft Alturas RMP/EIS, which mentions the review of 21 streams (V.1, pg 3-60), and the draft Surprise RMP/EIS, which at least implies that 47 streams were reviewed (V.1, pg. 3-62). However, we could find no mention of the total number of streams evaluated for eligibility in the draft Eagle Lake RMP/EIS, which simply notes the four stream segments determined eligible.

10-9 Each draft RMP/EIS should, at the minimum, list every stream evaluated and why specific streams were rejected as ineligible (not free flowing, lack of outstanding values). This will assure the public that a comprehensive look at all candidate

streams was accomplished, as required by both the BLM Manual and Section 5(d) of the Act.

Additional Outstanding Values

10-10 In its scoping comments, Friends of the River recommended that outstandingly remarkable fish, wildlife, and ecological values be considered for portions of Smoke Creek and Willow Creek. Willow Creek was identified as a potential Aquatic Diversity Management Area in the 1999 Sierra Nevada Ecosystem Project (SNEP) report in recognition of the need to protect native species and aquatic biodiversity. A master thesis documents possible unique gastropod species on Smoke Creek potentially found nowhere else. It is unknown whether these potential values were investigated and rejected or simply ignored. The final RMP/EIS should resolve this issue.

Summary

10-2 Friends of the River supports suitability recommendations for all eligible rivers and streams identified in the draft RMPs/EISs, including upper Smoke Creek, lower Smoke Creek, Willow Creek, Susan River, lower Pit River, upper Pit River, Horse Creek, and Twelve Mile Creek, and therefore supports the Ecosystem Restoration alternative for all three RMPs/EISs.

10-3 Although local governments should be consulted in the study process, their position concerning designation or non-designation should not be the sole or primary consideration in the BLM's suitability decision (as appears to be the case with all eligible streams in the Eagle Lake RMP except upper Smoke Creek).

Friends of the River cannot support the Eagle Lake RMP preferred alternative because it does not protect from future dam development nationally and regionally significant river resources that provide important outdoor recreation and tourism opportunities for Lassen County.

10-5 The suitability recommendation for Twelve Mile Creek should be clarified. Are other sections of the creek also recommended in other plans (as implied by the WSR Map) or is the 2.2 mile segment documented in the Surprise RMP/EIS the sole segment recommended?

10-7 If the withdrawal of interim protection for suitable segments if Congress fails to act after three years is indeed an actual provision of the BLM Manual, suitability recommendations for all eligible streams should be deferred and interim protection maintained until local support and politics improve.

10-9 Complete suitability rationales, including consideration of the critical "factors to consider" should be included in the final RMPs/EISs and a period allowed for public comment before RODs are signed.

↑
10-9 To assure the public that a comprehensive review of potential candidate Wild & Scenic Rivers was conducted, each draft RMP/EIS should list every stream evaluated and why specific streams were rejected as ineligible.

10-10 Documentation that additional outstanding fish, wildlife, and/or ecological values for Smoke Creek and Willow Creek were considered should be included in the final Eagle Lake RMP/EIS.

10-11 Please keep Friends of the River on the mailing list to receive the final RMPs/EISs/RODs. Thank you for considering our comments.

Sincerely,

Steven L. Evans
Conservation Director

"Steve Evans" <sevans@friendsoftheriver.org>
07/26/2006 04:53 PM
To
<necarp@ca.blm.gov>
cc

bcc

Subject
Additional comment from Friends of the River

Dear Ms. Noggles:

I just sent Friends of the River's comments concerning the Northeast California RMPs today. One of the issues raised in my comments were statements in the Alturas and Eagle Lake RMPs to the effect that interim protection for suitable rivers lapses after three years if Congress fails to act on the recommendation. I questioned the source and veracity of this statement and it turns out I was correct. I queried Paul Brink at the state office and he queried Gary Marsh. Below is Gary's answer. In short, interim protection of recommended river identified and found suitable in the 5(d) study process (the process used in the RMPs) does not lapse no matter how long Congress may take to act on a recommendation.

Please include this email in my comments.

Thank you

- Steve Evans, Friends of the River

Paul Brink
BLM California NLCS/Wilderness Coordinator
2800 Cottage Way, Sacramento Ca 95825
916-978-4641 (FAX 4657)
pbrink@ca.blm.gov

----- Forwarded by Paul Brink/CASO/CA/BLM/DOI on 07/26/2006 01:17 PM -----

Gary
Marsh/WO/BLM/DOI

07/26/2006 01:01
PM

Paul Brink/CASO/CA/BLM/DOI@BLM

Jeff Jarvis/WO/BLM/DOI@BLM

voice

To

cc

Subject

Paul

The 3 year clock is only for Section 5(a) WSRA study rivers which are withdrawn while under study and then after 3 years from when the Pres transmits to Congress the study results/recommendation, if no action is taken by Congress then the withdrawal expires.

11-1

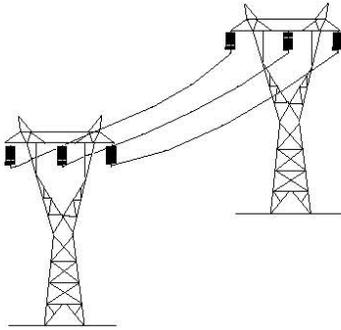
↑
Most study rivers in our RMP process are under Section 5(d)(1) having no withdrawal effects pursuant to Sec 7 or 9 of the WSRA, unless withdrawawn via separate PLO, and once identified as both eligible and suitable take Congressional action to remove them from suitable status from BLM. As you know eligible/nonsuitable segments may be released via the RMP/ROD by State

11-1 Directors; requiring no further action to submit to congress but are managed/protected as outlined in the RMP/ROD for values identified.

^~~~~~^
Gary G. Marsh
Deputy Division Chief
U.S. Department of the Interior
Bureau of Land Management
Recreation & Visitor Services Division
Send Mail UPS or Fed-Ex to:
1620 L Street, N.W.
[MS-250; 306 LS]
Washington, D.C. 20036-5605
Fax: 202-452-7709 or 202-653-2154
E: Gary_Marsh@blm.gov

"For to whom much is given, of him shall be much required." Luke 12.48b

^~~~~~^



TRANSMISSION AGENCY OF NORTHERN CALIFORNIA
P.O. Box 15129, Sacramento, CA 95851-0129 (916) 852-1673

July 21, 2006

VIA EMAIL AND U.S. MAIL

Alturas RMP Comments
Attention: Planning Coordinator
BLM Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

The Transmission Agency of Northern California (TANC) is pleased to submit its comments to the Alturas Field Office of the Bureau of Land Management regarding its Draft Resource Management Plan and Draft Environmental Impact Statement. If there are any questions with respect to these comments, please do not hesitate to contact me at (916) 852-1673.

Sincerely,

A handwritten signature in cursive script that reads "Bryan W. Griess".

Bryan W. Griess
Assistant Executive Director

Enclosure

**COMMENTS OF THE
TRANSMISSION AGENCY OF NORTHERN CALIFORNIA
ON THE U.S. BUREAU OF LAND MANAGEMENT
ALTURAS FIELD OFFICE'S
DRAFT RESOURCE MANAGEMENT PLAN AND
ENVIRONMENTAL IMPACT STATEMENT**

The Transmission Agency of Northern California (TANC) is pleased to provide the U.S. Bureau of Land Management (BLM) with these comments to the BLM Alturas Field Office's Draft Resource Management Plan and Environmental Impact Statement (DRMP/EIS), as published in February 2006. As an integral part of BLM's decision making process, representatives from TANC attended BLM's informative public meeting in Susanville on May 28, 2006. At that meeting, during the breakout sessions, several staff members from BLM's Alturas and Eagle Lake Field Offices were able to discuss with TANC the need for an electric transmission corridor through northern California to eastern Nevada. As a result of those conversations, TANC is providing written comments to BLM's DRMP/EIS in relation to the Department of Energy's development of the West-wide Energy Corridor Programmatic Environmental Impact Statement (Energy Corridor PEIS). It is TANC's understanding, based on a review of Section 368 of the Energy Policy Act of 2005 that BLM, as the designated agency of the U.S. Department of the Interior, is to work with other designated U.S. Departments, including the Department of Energy (DOE), Department of Agriculture, and Department of Defense, to designate energy corridors, perform necessary environmental reviews and, ultimately, update relevant agency land use and resource management plans to reflect these decisions. With this directive in mind, TANC has reviewed BLM's DRMP/EIS in relation to the Energy Corridor PEIS and offers the following comments with regard to the manner in which the latter document is intended to affect the former.

BACKGROUND

TANC is a not-for-profit California joint exercise of powers agency that provides electric transmission facilities and services to its Members: the California Cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara, and Ukiah; the Sacramento Municipal Utility District; the Modesto Irrigation District; and the Turlock Irrigation District. The Plumas-Sierra Rural Electric Cooperative is an

associate member of TANC. TANC is the largest Participant in, and the Project Manager of, the California-Oregon Transmission Project (COTP), a \$430 million, 339 mile, 500-kV transmission project extending from just north of the California-Oregon border to central California.

During the mid 1980s, TANC worked closely with many federal agencies to plan, design and construct the COTP. For the northern part of the COTP and its related facilities located in Modoc, Siskiyou, Shasta, and Lassen counties, TANC was the lead agent for the environmental studies, right-of-way acquisition and construction. TANC worked closely with the Department of Interior (DOI), United States Forest Service (USFS), United States Fish & Wildlife Service (USFWS) and BLM to ensure that the COTP corridor made its way from southern Oregon to northern California with the least possible impact on public lands and private property owners. From Shasta County to Tracy, TANC enjoyed a partnership with the Western Area Power Administration (Western), a branch of DOE, wherein an existing Western 230-kV transmission line was upgraded to 500-kV and interconnected with the new transmission segment from northern California. The relationship between TANC and Western continues today with Western performing day-to-day operation and maintenance on the entire COTP. Through partnerships like the development of the COTP, TANC and its public power members have always looked for creative approaches that can optimize the use of existing transmission corridors with the least amount of disturbance to the environment and landowners (public and private).

As California continues to grow, the need for additional power import capability over new high voltage transmission lines becomes essential. Additionally, California is one of the leading states in the nation in promoting the development of renewable resources. To that end, TANC has begun preliminary investigations for the development of a second high voltage transmission corridor to northern California that would be very similar to the existing COTP with one exception: rather than northerly routing to Oregon, the proposed corridor would turn east and cross the Sierra range into Nevada somewhere north of Lassen National Park. Again, an existing Western 230-kV line

would be upgraded and interconnected to a new section of transmission line that would cross over into Northwestern Nevada. Such a line would provide California access to yet undeveloped wind and geothermal resources in the interior west.

On November 28, 2005, TANC submitted its initial comments to DOE during the scoping process for the Energy Corridor PEIS. These comments, attached hereto as Attachment 1, brought several potential energy corridors to the DOE's attention (these corridors were presented in several maps, which were referenced in and attached to the comments as Appendix A, which is included in Attachment 1), based on the belief that these corridors would fulfill the objectives of Section 368(d) of the Energy Policy Act of 2005. Section 368(d) lists considerations that ought to be made in determining energy corridor placement, namely the need for new/upgraded electric transmission and distribution facilities which will:

1. Improve reliability;
2. Relieve congestion; and
3. Enhance electric delivery capabilities of the national grid.

One such corridor, which TANC believes to meet each of these considerations, was generally identified between Northern California and Northern Nevada on an east-west basis. TANC believes that such a transmission project is critical to improving California's transmission infrastructure and will complement the development of renewable generation sources in northern Nevada, a geographic area that presents a rich potential for wind and geothermal energy. In relation to renewable generation development, it is important to note that these energy sources, such as wind and geothermal, must be developed at the location of the energy source, which may require significant transmission infrastructure to move renewable generation to load (which is not often located in close proximity to sources of renewable energy). To promote the development of clean, renewable energy sources, it is critical that necessary transmission corridors be established and, more importantly, preserved.

TANC's suggested east-west transmission corridor between northern California and northern Nevada, when coupled with related development of renewable generation, will create efficient markets for clean, renewable energy between California and Nevada and will augment California's energy supplies by allowing additional energy to flow into the state at a northerly point other than the California-Oregon border. Efficient markets of this nature, based on well-planned infrastructure, will also foster competition within regional energy markets, theoretically leading to lower price points based on increased energy supplies/availability. TANC has not yet attempted to designate a specific corridor between northern California and northern Nevada. The routes indicated on the maps are very general and would likely be modified as TANC works with BLM and other local interest to minimize any corridor impacts. Some form of east-west corridor between northern California and northern Nevada will be necessary to ensure that energy supplies, particularly renewable energy supplies, from northern Nevada can enter markets in the state of California. Additional north-south transmission infrastructure, such as the existing Alturas Project line, will not accomplish this goal, as transfer capabilities in the north-south direction will be limited by on-going constraints at the California-Oregon border.

TANC understands that a key component of the DOE's energy corridor designation process and related PEIS development is the incorporation of designated corridors into appropriate resource management plans of the BLM, specifically local field offices, as well as similar resource/land use plans of other agencies. TANC has completed a review of the Alturas Field Office's DRMP/EIS, as the Alturas Field Office has local responsibility for portions of the geographic area surrounding or adjacent to TANC's proposed energy corridor.

SPECIFIC COMMENTS

The Alturas DRMP/EIS does not seem to provide considerable detail in discussing utility corridors or the need therefore. Within Chapter 3.15, Utilities, Transportation and Telecommunications, there is a brief sub-section, 3.15.1, Utilities, which identifies a single designated utility corridor within the Alturas Field Office management area. This

section also notes that the designation of utility corridors is “a highly controversial issue in the area, with the majority of residents strongly objecting to any corridor designations anywhere within the viewshed of their home, their recreation areas, or their normal driving routes.”

TANC appreciates the general objections noted in the DRMP/EIS and realizes that energy corridor designation is and will be a contentious issue due to the myriad related environmental concerns. TANC also appreciates the need to balance the development of important energy infrastructure with consideration for the natural environment, as successful completion of one endeavor cannot come at the expense of the other. TANC looks forward to cooperating with the DOE during its evaluation of environmental impacts related to corridor designation and reasonable alternatives, as required by the National Environmental Policy Act (NEPA). TANC would also appreciate the opportunity to work with BLM’s Alturas Field Office to discuss specific environmental concerns potentially affecting its management area. Through well-planned corridor selection and mitigation measures, designated corridors will balance the need to develop the West’s deficient energy infrastructure with environmental sensitivities. In the end, strategically positioned energy corridors will certainly encourage the development of clean, renewable energy sources, a lasting benefit to the environment.

TANC was encouraged to read that Lassen County, a portion of which is subsumed in Alturas’ management area and through which a portion of TANC’s suggested transmission corridor would be located, has expressed its interest in furthering the development and transmission of renewable energy sources through the Lassen Municipal Utility District’s Resolution No. 2005-20. This resolution identifies certain lands in Lassen County as the “Lassen Energy Zone”, an area that has been specifically identified for use in developing “green and clean” energy projects and necessary transmission related thereto. Local decisions, such as these, further support the consideration of TANC’s suggested east-west transmission corridor during the corridor designation process. While TANC has not specifically reviewed public positions taken by other local governments through which its suggested transmission corridor would be

located, it is likely that these local governments have similar, supportive positions with respect to the development of renewable generation and related transmission needs.

TANC is also strongly encouraged that Congress included Section 368 in the Energy Policy Act of 2005. TANC agrees that there is a need to designate corridors for electric transmission facilities across federal lands. We believe that the DOE's preliminary designation of energy corridors is a critical step required to begin improving electric reliability, improving transmission congestion, enhancing the capability of the national electric grid, and providing for the further development of a western North American competitive wholesale market. TANC also believes that incorporating designated energy corridors in BLM's DRMP/EIS documents is an important aspect in ensuring the long-term success and preservation of energy corridors as well as necessary development in the West's energy infrastructure.

In Attachment 1 to these comments, Appendix A includes several important corridor designations as identified in DOE's Western Regional Corridor Study (1986). Of particular interest to the Alturas Field Office will be those energy corridors identified in northern California. These corridors, even today, represent critical paths that can serve to interconnect developing generation resources to areas of significant load growth.

TANC is pleased that Section 2.16: Utilities, Telecommunications, and Transportation recognizes the importance of minimizing environmental impacts when issuing right-of-ways while "providing for the needs of the applicant and ultimately, the consumer." The *Preferred Alternative*, as it relates to Right-of-Ways and Communication Sites, which is discussed in Section 2.9, also suggests that the Alturas Field Office would remain open to assessing the feasibility of new right-of-way proposals and would encourage interagency cooperation to develop regional utility corridors, as directed by Section 368 of the Energy Policy Act of 2005. TANC appreciates the Alturas Field Office's openness to the assessment of new corridors and recognition of consumer interests in this process, as TANC believes that existing rights-of-way, such as the Alturas Transmission Line Route, will not accomplish the goals of Section 368(d) of the Energy Policy Act of 2005.

As mentioned above, one of the problems plaguing the electrical system in the Western United States is transmission congestion. There are several locations or "paths" within the grid where additional transfers of electricity cannot occur because of congestion. A major path for providing electrical energy transfers between California and the Pacific Northwest is at the California-Oregon Border (COB). At key times, these transmission facilities are fully loaded and no additional energy is able to flow into California along this path. While TANC is actively pursuing a 300 MW upgrade of these facilities, additional, new transmission facilities are needed to allow for increased imports to California; which is why TANC continues to strongly advocate an east-west transmission corridor between California-Nevada and beyond.

Unfortunately, existing north-south right-of-ways, such as the Alturas Transmission Project, **will not** provide any benefit to the growing energy requirements of California because of congestion. In fact, it is highly unlikely that additional electric transmission facilities would be added within this corridor because of the current congestion occurring at the COB and the inability to get additional electricity to flow into California from this path. It is critical that new electric transmission be added to the western grid that increases the reliability of the electrical grid, relieves congestions, and promotes the development of additional generation resources. TANC believes that this can best be accomplished with a new east-west transmission corridor between northern California and northern Nevada (and potentially beyond to Idaho/Wyoming) that interconnects to the California grid south of COB, avoiding the congestion at COB.

CONCLUSION

TANC appreciates this opportunity to comment on the Alturas Field Office's draft Resource Management Plan and Environmental Impact Statement. TANC believes that it is critical for the Alturas Field Office to make the following modifications/enhancements to this document:

- 12-1 1. Recognize the need for and expand your support of the development of renewable (wind and geothermal) energy sources;
- 12-2 2. Recognize the need for and support the designation of an east-west energy corridor between Northern California and Nevada; and
- 12-3 3. Specifically emphasize support for the objectives of Section 368(d) of the Energy Policy Act of 2005 of developing energy corridors that: 1) improve reliability; 2) relieve congestion; and 3) enhance electric delivery capabilities of the national grid; such as would be accomplished with the east-west corridor discussed in these comments.

"cnharvey" <cnharvey@citlink.net>
07/27/2006 02:59 PM
To
<necarmp@ca.blm.gov>
cc

bcc

Subject
comments on draft RMP for Alturas Field Office

FROM:
Clifford N. Harvey
Certified Professional in Erosion and Sediment Control No. 3431
1 Little Hot Spring Road
McArthur, CA 96056

TO: Alturas RMP Comments
Attention: Planning Coordinator
Bureau of Land Management - Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Please consider the following comments on the Draft Alturas RMP which is currently under review.

13-1

Economic Development In general: In the discussion of the various alternatives considered, in many cases we find "Economic Development" alternatives that focus only on extractive or intensive resource uses (e.g., mining, grazing, etc.). While the labels of the alternatives do conveniently conform to traditional perceptions of economic productivity, the analysis of economic outputs under the various levels of use is weak. A clear comparison of the relative economic costs and benefits of low-impact, non-extractive uses (e.g., most recreational uses) vs. intensive/extractive uses is needed.

This weakness is inevitable, given the assumptions stated in the economic analysis in Section 4.3 (P. 4-23 and following). We are only given a "no action" alternative and an "economic development" alternative for comparison. Once again, a clear comparison of the relative economic costs and benefits of low-impact, non-extractive uses (e.g., most recreational uses) vs. intensive/extractive uses is needed, but missing entirely.

More than one potential path to economic development exists for any community, including Alturas. These multiple pathways should be considered in this RMP. Given today's changing economy and society, to expect or assume that only past economic drivers will continue to dominate in any locality is short-sighted, at best.

13-2

Under Section 2.2, 5.4 Alternative 1. Economic Development it is stated that:

"Partnerships would be sought with local and state museums to create displays concerning area prehistory and history and to inform the public

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regarding the abundance of cultural and paleontological resources found in the region..."

13-2 Note that potential partners, especially the River Center in Alturas, are in place and have the capacity to be significant partners in this goal. The Alturas Field Office has worked well with the River Center in the past. This established local partner should be involved in any resource education efforts.

13-3 Sec. 2.6 Fuels Management (p. 2-40 and following): In regard to Juniper management, I would recommend that firewood cutting areas be greatly expanded. The demand for juniper cord wood is not so great that significant resource damage would necessarily occur if an open season on junipers was declared, and the vigorous rate of replacement of juniper stands throughout the resource area seems to indicate that future shortages are not to be expected. Adoption of rules for juniper cutting similar to those in place on the Lassen National Forest - Hat Creek Ranger District (i.e., green trees up to 20 inch diameter may be taken) would benefit many who live in the Alturas - Fall River area at no significant environmental cost.

13-4 Under Energy and Minerals, I support the ecosystem restoration alternative for all sub-categories in this section.

13-5 On page 2-47, sec. 2.7.5 Access Acquisition, it is noted that access should be acquired where possible, and I agree with this objective.

13-6 It should additionally be noted that existing access should be vigorously maintained by the BLM. In many cases, private landowners are locking up traditional, if lightly used, access routes that cross private land to reach many areas of public land. To date, BLM has done little to stop this trend. The current RMP should stipulate that BLM will work to protect all existing access from arbitrary private closure, except in cases where over riding resource protection concerns are involved. And in those cases, public involvement should be mandated before the closure is permitted.

13-7 Under Sec. 2-13, Wild and Scenic Rivers, I support the preferred alternative. In addition, I note the irony that this alternative may indeed also be the most viable economic development alternative, as opposed to the economic alternative presented (see general comments above). Potential future recreational use of these areas has a fair chance of surpassing any extractive resource values that may be present in the affected areas. Why is the recreational value of these river reaches not analyzed in the economic alternative?

13-8 On page 2-59, regarding recreation access, the development of Nelson Corral road into a 2WD road is un-necessary. Maintenance of the road should focus primarily on drainage and erosion prevention, with traffic restrictions in place during wet periods.

13-9 Under section 2.4.12, Fire Rehabilitation (p. 2-36): I generally support the ecosystem restoration alternative as presented. In many cases, natural recovery is desirable after wildland fires. However, goals of this alternative can be met without blanket prohibition of salvage logging. Carefully planned salvage logging guidelines can be developed
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13-9 for this RMP which would allow some timely timber salvage harvest, but wholesale salvage logging would be a poor prescription for public land.

13-10 On page 2-67, sec. 2-9-12 Desired Future Condition: Continued availability of backcountry roads and tracks, and OHV areas, should be provided. In this section it is noted that: "Visitors would be provided with a spectrum of outdoor opportunities emphasizing self-sufficient exploration and recreation in primitive; semi-primitive, non-motorized; semi-primitive motorized; and more intensively managed and used roaded natural settings. A variety of methods would be used to manage the impact of visitor concentration; including dispersal of use through visitor information and, if required, regulation."

I strongly recommend that this clause be modified as follows (suggested new text underlined): "Visitors would be provided with a spectrum of outdoor opportunities emphasizing self-sufficient exploration and recreation in primitive; semi-primitive, non-motorized; semi-primitive motorized; and more intensively managed and used roaded natural settings. A variety of methods would be used to manage the impact of visitor concentration; including dispersal of use through visitor information, correction of erosion hazards, and, if required, regulation."

Hundreds of miles of backcountry roads on the Alturas Field Office's management area provide a wide range of backcountry navigation challenges for recreationists - never mind resource managers, miners, ranchers and others who work there. No effort to upgrade all these roads to a higher standard is needed or suggested here. But in many cases these essentially unmanaged roads contribute significant amounts of sediment to receiving water bodies. In addition, as these roads wash out to the point of impassability, parallel tracks start appearing as motorists create new routes. These new routes, in turn, erode and the cycle repeats itself, creating on-site and off-site impacts far greater than would be the case if a single "jeep trail" were involved.

These conditions can often be corrected at relatively small cost, without upgrading an entire road system, through judicious spot grading and drainage management. Provision for this sort of erosion prevention should be emphatically included in this RMP.

This would be consistent with wording on p. 2-73 in sec. 2-9-21: "Where needed, roads or trails would be realigned to reduce erosion and sedimentation caused by poor road location or design, or when required to enhance or protect other resource values."

13-11 On page 2-72, Recreation Sec. 2-9-21 Preferred alternative: Some mention or provision for outdoor recreation guide services should be included. In addition to today's hunting guides who work on public lands, potential exists for economically viable new guide services, such as fishing, hiking, biking, birding, backcountry exploration, camping, etc., etc. Since demand for these services is reasonably foreseeable in the next 10 years, the RMP should provide for administration of these services in all ROS classes, including everything from potential wild and scenic river corridors, ACEC's and wilderness study areas to extensive recreation areas.

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This would be consistent with wording on p. 2-81: "Recreational

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13-11

activities in ACECs--including commercial and non-commercial uses authorized under special recreation permits--would be evaluated, modified, permitted, or prohibited, as appropriate to preserve the resources and values for which the ACEC was created."

13-12

Under the Special Area Designations section of the Draft, I support the Alternative 2. Ecosystem Restoration option, (section 2.11.8, p. 2-82). Even with inclusion of all nominated areas, the percentage of affected BLM managed public land in the Alturas Field Office's management area would remain under 17%, and the percentage of affected BLM managed public land in the entire Alturas Field Offices's region is barely 2%.

13-13

Under Section 2.19.3 (p. 2-165), Water Quality Objectives: In addition to working with Specific objectives from the Standards for Rangeland Health and Guidelines for Livestock Grazing Management on BLM-Administered Lands in Northeastern California and Northwestern Nevada, it should be specified that BLM will work with local stakeholder groups concerned with watershed management. In the past, Alturas Field Office has been a valuable partner with the Pit River Watershed Alliance and local stakeholder organizations such as the Resource Conservation Districts. This participation should be recognized and should be continued as a working part of any new RMP.

Thank you for your consideration of these comments.
(s) Clifford Harvey



**California
Wild
Legacy
Project**



July 31, 2006

Alturas, Eagle Lake and Surprise Draft RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Re: Draft Resource Management Plans and Associated Draft Environmental Impact Statements
for the Eagle Lake Field Office, Alturas Field Office and Surprise Field Office

Dear Planning Coordinator:

Thank you for the opportunity to comment on the above referenced documents.

Since 1935, The Wilderness Society (TWS) has worked to preserve America's wildlands to ensure that future generations will enjoy, as we do today, the clean air and water, wildlife, beauty, and opportunities for recreation and renewal that pristine forests, rivers, deserts, and mountains provide. TWS has 250,000 members nationwide and 35,000 in California. TWS has a long history of interest and involvement in the protection and stewardship of lands administered by the Bureau of Land Management (BLM).

The California Wilderness Coalition (CWC) is a nonprofit public benefit corporation organized under the laws of the State of California in 1976 and composed of 200 conservation organizations and businesses and over 5,000 individual members. The CWC is based in Oakland and it has field offices in Riverside, Arcata and Redding. Through advocacy and public education, CWC builds support for the protection of wild places, primarily those managed by the state or federal governments. The CWC has a long history of involvement in northeastern California's BLM holdings.

Natural Resources Defense Council (NRDC) is a national, non-profit environmental advocacy organization with over 1.2 million members and online activists nationwide, more than 257,000 of whom live in California. NRDC has long sought to improve the management and current conditions of the public lands under the jurisdiction of the Bureau of Land Management, including in particular the public lands in California.

Defenders of Wildlife ("Defenders") is a national, non-profit wildlife advocacy organization whose mission is the protection of all native, wild plants and animals in their natural

communities. It has 490,000 members and supporters nationwide, 100,000 of which are in California.

The California Wilderness Legacy Project works to promote the conservation of natural resources and the wilderness character of California's public lands and encourages their careful stewardship.

Our comments on the respective draft Resource Management Plans and Environmental Impact Statements are as follows:

Livestock Grazing – see comments under other headings.

Recreation Opportunity Spectrum – see comments under other headings.

Areas of Critical Environmental Concern

BLM has not fully met its obligation to prioritize designation and protection of Areas of Critical Environmental Concern (ACEC).

We appreciate and strongly support BLM's proposal to create 16 new ACECs in the three Field Office areas. This is an important step toward the protection of the unique, diverse, and irreplaceable natural and cultural resources found on BLM managed lands in this region. The proposals to establish the Mount Dome, Old Growth Juniper, Timbered Crater and Mountain Peaks ACECs are particularly praiseworthy in that they reflect careful and creative thinking on the BLM's part to identify sites that are infrequently visited by the public and perhaps even by agency staff. The proposal to establish the Willow Creek ACEC is also very commendable given the growing threat to its outstanding cultural, ecological and recreational values posed by various impoundment proposals.

However, the recommended ACECs represent only a fraction of the lands managed by BLM in the three Field Offices, Alturas, 6 percent, Eagle Lake, 12 percent, and Surprise, 4 percent, and it is insufficient to provide for the necessary protection of the landscapes and attendant resources meeting the criteria for designation as an ACEC.

Five areas in two Field Offices, Pit River, Lava, Beaver Creek and Juniper Creek in the and Aspen Groves in the Eagle Lake Field Office were considered but not recommended in the preferred alternative. Two proposed ACECs in the Draft RMP/EIS for the Alturas Field Office, Emigrant Trails and Likely Tablelands/Yankee Jim/Fitzhugh Creek were dramatically reduced in acreage.

An analysis was not provided supporting the conclusion not to designate the five ACECs and to significantly downsize the two others. BLM's ACEC manual (1613) specifically requires that each area recommended for consideration as an ACEC, including from external nominations, be considered by BLM, thorough collection of data on relevance and importance, evaluation by an interdisciplinary team and then, if they are not to be designated, the analysis supporting the conclusion "must be incorporated into the plan and associated environmental document."

Recommendation: Provide the data and analysis supporting the decision not to designate the five ACECs and to downsize two others. Reconsider their designation in light of the data (which clearly demonstrates that they meet the ACEC criteria).

14-1

A number of areas were recommended for consideration as ACECs in a scoping letter provided by the CWC, Sierra Club and Defenders of Wildlife. We appreciate the consideration of a number of these areas for ACEC designation. However, some of the recommended areas were not considered (e.g., Alturas – Tule Mountain WSA aspen groves, Eagle Lake RMP – corridor along Skedaddle Creek, Surprise RMP – South Warner WSA aspen groves). The Draft RMP/EIS documents state that the Field Offices “analyzed all of these areas thoroughly, and the results are listed in the Preferred Alternative.” In actuality, no analysis was provided for some of the areas suggested for consideration.

14-2 **Recommendation:** Include a complete analysis of all the external nominations and consider them for ACEC designation.

The Federal Land Management Policy Act (FLPMA), Sec.202 [43 U.S.C. 1712] (c) (3) requires BLM to give priority to the designation and protection of areas of critical environmental concern and Sec.202 [43 U.S.C. 1712] (c) (6) requires the BLM to “consider the relative scarcity of the values involved and the availability of alternative means and sites for realization of those values.” It is clear from our assessment and the analysis provided in these documents that each of the areas and acreages considered for designation as an ACEC in the respective documents contain important and scarce values without alternative means and sites for realization of those values. The BLM has a legal obligation to prioritize their protection.

14-3 **Recommendation:** Designate the ACECs as proposed in Alternative 2 of the Draft Alturas RMP/EIS, including four additional ACECs and two larger ACECs and the Aspen Groves ACEC in Alternatives 1 and 3 of the Eagle Lake Draft RMP/EIS.

We commend the significant steps that were taken to develop ACEC management prescriptions to protect the areas considered for designation. However, there are some significant exceptions for some of the recommended areas and management categories (see discussion for individual Field Offices in following sections).

In the preferred alternative for grazing, the majority of the proposed and considered ACECs remain open with few, if any, restrictions, notwithstanding the documented and acknowledged adverse impacts to cultural and natural resources.

14-4 **Recommendation:** The BLM adopt the grazing prescriptions in Alternative 2 as the preferred alternatives and include additional modifications of current grazing practices in the final alternative to protect the sensitive resources found in the areas considered for designation as ACECs. Management prescriptions for ACECs should include mandatory rest from grazing and exclusion of livestock to improve conditions around springs, and along streambanks and lake shores. The final alternative should also incorporate free use grazing permits in place of traditional lease agreements where maximum management flexibility is needed and the primary purpose of allowing grazing is where it has been determined to be beneficial under certain circumstances.

The Alturas, Eagle Lake and Surprise Field Offices contain important and relevant sagebrush ecosystems and species including the greater sage-grouse, a BLM species of special concern which was petitioned for listing. Sagebrush ecosystems, sage-grouse and other obligate sagebrush species have declined from historic levels due to frequent fire resulting from cheat grass infestations, juniper encroachment and other factors. It is clear that they need special management attention. We commend the BLM for collaborating in the development and implementation of conservation strategies for the sage-grouse and sagebrush ecosystems. The

designation of one or more ACECs is appropriate in the context of BLM's legal obligations and it would compliment and support the conservation strategies.

- 14-5 **Recommendation:** BLM designate one or more sage-grouse, sagebrush ACECs and incorporate these areas into the conservation strategy (see specific comments below).

Given the tremendous diversity and importance of the natural and cultural resources in the Field Office areas, their vulnerability, and their need for special management attention, we ask that the BLM give serious consideration to the inclusion of additional ACECs and management prescriptions as outlined here and in the following sections.

1. Alturas Field Office RMP

There is one existing ACEC: the Ash Valley ACEC. The DEIS/RMP considers ten possible new ACECs, recommending six in the preferred alternative. Pit River, Lava, Beaver Creek, and Juniper Creek are not included in the preferred alternative even though they have highly significant resource values which clearly meet the relevance and importance criteria and need special management attention. In addition, two of the recommended ACECs have been reduced substantially in size, resulting in insufficient protection and management attention for these areas and their resources. An ACEC is to be as large as is necessary to protect the important and relevant values – Manual 1613, Section .22.B.2 (Size of area to receive special management attention). The Draft RMP/EIS does not provide and does not incorporate an analysis supporting the conclusion not to designate four ACECs and to significantly downsize two others as required in BLM's ACEC Manual (1613). We agree with the BLM's recognition of the outstanding resources found in the proposed Pit River, Lava, Beaver Creek and Juniper Creek ACECs and the larger Emigrant Trails and Likely Tablelands\Yankee Jim\Fitzhugh Creek ACECs, and their relevance and importance. In light of the recognition of these resources and their values, BLM has a legal obligation to designate them as ACECs and to ensure that they are of sufficient size to protect their special values.

Generally, the preferred alternative recommends management prescriptions which provide for the protection of the values of the proposed ACECs. We are pleased with the proposed right-of-way closure, visual resource management (VRM) protection levels, restrictions and closures to energy and mineral entry, and the fire management designations of Appropriate Management Response (AMR) and in one case (Tule Mountain) Wildfire Use (WFU).

- 14-6 **Recommendation:** Close Pit River and Lava proposed ACECs to locatable mineral entry and Beaver and Juniper Creek proposed ACECs to leaseable, saleable, and locatable mineral entry.

- 14-7 **Recommendation:** We encourage the BLM to incorporate wildfire use to the maximum extent possible.

We commend the Alturas Field Office for limiting OHV use to designated routes in some of the proposed ACECs. However, this should be the case for all ACECs where OHV use is allowed.

- 14-8 **Recommendation:** We ask that the BLM adopt an alternative for all the ACECs in the Alturas Field Office which limits OHV use to designated routes versus existing routes where OHV use is allowed and that the BLM close redundant and damaging routes.

The section of the DEIS describing impacts, p 4-138, states that lands with ACEC potential have been adversely affected by livestock grazing for years; some are exhibiting a steady decline in resource quality and health, yet each of the recommended ACECs is open to grazing with only limited restrictions in two areas. Impacts to specific species and habitats are also articulated in Chapter 4, Affected Environment and Appendix E.

14-9 **Recommendation:** Take affirmative action in each of the ACECs to avoid or minimize these resource impacts including closing the ACEC to grazing or by restricting its use. Again, we note that the ACECs comprise a very small subset of the larger are of BLM managed lands and that the priority for management prescriptions for these areas should be resource protection.

a. Ash Valley ACEC

14-10 **Recommendation:** Given the significant and fragile resources found in Ash Valley, we ask that Alternative 2 for grazing and OHV us be adopted for this area.

b. Pit River ACEC

The Pit River ACEC would be designated under Alternatives 1 and 2. Given its unique and outstanding scenic resources, historic values (including many prehistoric and historic sites that are potentially eligible for the National Register of Historic Places), and critical habitat for wildlife (including wintering populations of deer, and pronghorn, and high densities of cliff nesting birds of prey), and its need for special management attention, this area merits designation as an ACEC. After all, it is for these reasons that BLM recommended to the Secretary of the Interior in 1990 that the area be designated as wilderness by Congress.

14-11 **Recommendation:** We request that the final alternative designate Pit River as an ACEC.

As noted in the Draft RMP/EIS, “there are prehistoric sites within the ACEC associated with lithics, artifacts, middens, and emigrant trails. Minor to major adverse effects (depending on the location, extent, and nature of the site) would occur from livestock grazing on individual sites. Livestock grazing--with associated trampling and erosion—would continue to affect the stratigraphy, juxtaposition, and physical integrity of archaeological sites and artifacts.”

14-12 **Recommendation:** We ask that measures be taken to protect this area from the damaging effects of grazing, including consideration of adopting an alternative that would close it to grazing, with the possible exception of allowing limited grazing under circumstances where it had demonstratively beneficial effects. At a minimum, the limitation of grazing to every third year, Alternative 2, should be adopted as the preferred alternative.

c. Lava ACEC

The proposed Lava ACEC (Alternatives 1 and 2) contains outstanding natural, cultural and scenic values. Its undeveloped character, unique geology, including sensitive cave resources, high scenic values, sensitive plant and animal species, including their critical habitats – such as vernal pools and shallow pit reservoirs, pristine historic resources, including the Baker Toll road, Lockhart Wagon road and segments of the National Historic Lassen Emigrant Trail, clearly meet the relevance and importance criteria. It is also significant that the lava flows are of special significance to the Pit River Tribe.

The proposed Lava ACEC's ecological and cultural values need special management attention as is articulated in Appendix E. What is not mentioned in the Appendix is that at least once over the last decade the BLM has had to close unauthorized vehicle routes in the WSA to reduce incidences of illegal dumping and the vandalism of caves. We are puzzled as to why the Appendix states on page A-57 that the BLM recommended the WSA as suitable for wilderness when the agency's *California Statewide Wilderness Study Report*, Part 4, Volume 2, page 2 of Lava CA-030-203 clearly states that all 10,770 acres are recommended for "non-wilderness" status. Indeed, the BLM's State of California Wilderness Status Map clearly shows that the Lava WSA was not given a preliminary suitable recommendation. These points are important because they demonstrate that the WSA is not as protected as the Draft RMP would have the public believe, and it would therefore greatly benefit from the additional safeguards provided by ACEC designation.

- 14-13 **Recommendation:** Lava clearly merits designation as an ACEC. We request that the final alternative designate it as such.

The ACEC contains sensitive plants, uncommon plant associations and fragile habitats (e.g. vernal pools) that are impacted by cattle grazing.

- 14-14 **Recommendation:** We ask that measures be incorporated in the final alternative that will provide increased protections to these species, communities and habitats. At a minimum grazing Alternative 2 should be adopted with the flexibility to add additional measures as necessary.

d. Emigrant Trails ACEC

We agree with the BLM's recognition of the important values of this area. In light of the recognition of these resources, BLM has a legal obligation to designate an ACEC of sufficient size and to include adequate management prescriptions to protect the areas special values. Alternative 2 provides the necessary acreage and necessary management prescriptions.

- 14-15 **Recommendation:** Adopt ACEC Alternative 2 as the preferred alternative, designating the 9,924 acre Emigrant Trails ACEC.

e. Juniper Creek ACEC

As is noted in the Draft EIS/RMP, Appendix E, the proposed Juniper Creek ACEC contains a high density and variety of archaeological sites with a significant time depth and is important to wildlife, providing bald eagles with a roost site, and pronghorn antelope with critical winter range. Its riparian habitat is also important to both wildlife and people. Juniper Creek clearly merits ACEC designation.

- 14-16 **Recommendation:** Adopt ACEC Alternative 2 as the preferred alternative, designating Juniper Creek ACEC.

- 14-17 **Recommendation:** Adopt grazing management Alternative 2, which would close the ACEC to grazing, to protect archaeological sites, the riparian area and other wildlife habitat.

f. Timbered Crater ACEC

We strongly support the designation of the 17,896 acre ACEC and we support the preferred alternative's management prescriptions, with the exception of OHV use. It is not clear why the preferred alternative recommends OHV use, limited to designated routes, within the proposed ACEC given that it is a Wilderness Study Area closed to vehicles. *This area should remain closed to vehicles.*

14-18 **Recommendation:** Designate the 17,896 acre Timbered Crater ACEC.

14-19 **Recommendation:** Adopt OHV management Alternative 2 as the preferred alternative, maintaining the vehicle closure.

g. Beaver Creek ACEC

As noted in Appendix E, Beaver Creek contains a locus of fragile and irreplaceable archaeological sites which are important to the Native American community and which provide an important opportunity to understand early human occupations. It also contains a riparian area that is critical for the survival of wildlife and unique plant assemblages. It clearly merits designation as an ACEC.

14-20 **Recommendation:** Adopt ACEC Alternative 2 as the preferred alternative, designating Beaver Creek ACEC.

14-21 **Recommendation:** In order to protect the important archaeological and historic sites, riparian area and unique plant assemblages found in the Beaver Creek area, we ask that grazing management Alternative 2, closing the area to grazing, be adopted as the preferred alternative.

h. Likely Tablelands/Yankee Jim/Fitzhugh Creek ACEC

Under Alternative 2, a new 27,435 acre Likely Tablelands/Yankee Jim/Fitzhugh Creek ACEC would be designated to protect extensive prehistoric sites (including large and important rock art sites, task-specific sites and occupation sites), the historic Yankee Jim ranch homestead, perennial Fitzhugh Creek and the associated riparian area (providing important forage and water for wildlife), lush wet meadows (including a locally rare fen meadow near the ranch house), springs, scenic values, critical deer winter range, antelope fawning/kidding grounds, and sage grouse habitat. By contrast, the preferred alternative designates "only the 1,400 acre Yankee Jim portion of the proposed ACEC."

The DEIS/RMP acknowledges the unique and important resources of this entire area. We agree with its assessment. Designation of the 1,400 acre Yankee Jim portion of the area would provide needed protections to important archaeological resources; however, protecting only this portion of the area is not sufficient. Again we point to Manual 1613, Section .22.B.2. The high value, vulnerability and acknowledged special management needs of the larger Likely Tablelands/Yankee Jim/Fitzhugh area call for its designation as an ACEC.

14-22 **Recommendation:** We strongly recommend BLM adopt Alternative 2 as the preferred alternative, and that it designate the entire 27,435 acre area as an ACEC.

As stated in Appendix E of the Draft RMP/EIS, “there are at least 6 different riparian plant associations in the Yankee Jim area” and “the presence of the fen meadow is unique for the Alturas Field Office, as only a few are present on public lands. The large concentration of wetland plants includes both obligate and facultative wetland species.” In addition, as noted in the document, there are a number of prehistoric sites including NRHP eligible sites. As the document notes, these resources are vulnerable to damage from livestock grazing. It is essential that restrictions be enacted to protect them.

- 14-23 **Recommendation:** At a minimum, grazing management Alternative 2, implementing an exclusion area on 3,200 acres and limiting grazing to every one year in three, should be adopted as the preferred alternative.

i. Mount Dome ACEC

We appreciate the BLM’s recognition of the important resources in this area including sensitive plants, native grasses and critical bald eagle roosting sites. Mount Dome is a striking visual feature that can be seen from very far away. Along with the Medicine Lake Highlands and Mount Shasta it is one of the defining landmarks of northeastern Siskiyou County. Though small, it also offers visitors an opportunity for solitude in what is otherwise an excessively roaded region.

Recommendation: We support designating the 1,510 acre ACEC.

- 14-24 With the exception of OHV use and grazing, we support the preferred alternative’s management prescriptions. While we have concerns about the impacts of grazing on the perennial bunchgrasses growing on the lower slopes of the mountain, we appreciate BLM’s commitment to establish monitoring plots to determine if there are impacts to this important plant community.

- 14-25 **Recommendation:** Adopt grazing management Alternative 2, limiting grazing to one of every three years and make a commitment to take additional steps if impacts are detected.

j. Old Growth Juniper ACEC

As is stated above, we commend the BLM for the creativity and ecological awareness it took to conceive of and propose this ACEC.

- 14-26 **Recommendations:** We support the proposed designation of this ACEC. We support the proposed management prescriptions with the exception of grazing. We ask that Alternative 2, restricting grazing to one of every three years be adopted as the preferred alternative.

2. Eagle Lake Field Office

We support the proposed designation of seven ACECs totaling more than 89,000 acres and appreciate that the proposed ACECs include many of the areas recommended in the scoping comments provided by CWC et al. (see specific recommendations below). We believe that the Aspen Groves ACEC, considered in Alternative 2 but not included in the preferred alternative, should be designated. It meets the relevance and importance criteria and needs special management attention (see detailed comments below). Again, we point to the relative small percentage of the lands managed by the BLM that have been recommended for ACEC designation, the unique resources of this area, and FLMPA Sec.202 [43 U.S.C. 1712] (c) (3)

which requires BLM to give priority to the designation and protection of areas of critical environmental concern.

The ACEC along Skedaddle Creek recommended in the scoping letter from CWC et al. was apparently not considered in the Draft RMP/EIS. As noted earlier, BLM's ACEC Manual (1613) specifically requires that each area recommended as an ACEC, including from external nominations, be considered by BLM, including collection of data on relevance and importance and an analysis supporting the conclusion if the area is not designated.

- 14-27 **Recommendation:** Conduct an analysis of the proposed Skedaddle Creek ACEC and consider alternatives, including ACEC designation and develop appropriate management prescriptions.

We commend the BLM for either closing proposed ACECs to OHV use or limiting use to designated routes and for designating the majority of the proposed ACECs as right-of-way avoidance areas without exceptions.

We are pleased that no surface occupancy is allowed for leaseable minerals in six of the proposed ACECs and that the proposed Eagle Lake ACEC is closed to leaseable minerals. We are very concerned that three of the proposed ACECs remain open to saleable minerals and two to locatable minerals in the preferred alternative. The ACEC Manual explicitly recognizes mineral withdrawal as an appropriate management prescription for protecting ACEC values. 1613, Section .33.C (Provision for Special Management Attention). See our specific recommendations below.

We are concerned that all of the proposed ACECs, with exception of Pine Dunes and Susan River remain open to grazing with limited exceptions.

- 14-28 **Recommendation:** We ask the BLM adopt the grazing Alternative 2 as the preferred alternative where it would limit grazing to one year out of three.

- 14-29 **Recommendation:** We encourage the BLM to adopt AMR as the fire management prescription where the preferred alternative is currently Full Suppression (FS) to provide maximum flexibility now and in the future.

Since the vast majority of the planning area is open to energy and mineral development, OHV use, grazing, and rights-of-way, it is not only important but also reasonable for BLM to adopt substantive protections for the areas that BLM has recognized as having relevant important and vulnerable resources.

a. Pine Dunes ACEC

- 14-30 **Recommendations:** 1) We support the recommended designation of this ACEC. 2) We request that AMR be adopted as the fire management prescription.

b. Susan River ACEC

- 14-31 **Recommendations:** We support the recommended designation of this ACEC. We recommend that AMR be adopted as the fire management prescription.

c. Willow Creek ACEC

As is stated above, the proposal to establish the Willow Creek ACEC is very commendable given the growing threat to its outstanding cultural, ecological and recreational values posed by various impoundment proposals.

- 14-32 **Recommendation:** Designate the Willow Creek ACEC

Willow Creek contains an important riparian area, crucial wildlife habitat and significant cultural values that are vulnerable to the impacts of grazing. Restrictions on grazing are needed to protect these values.

- 14-33 **Recommendation:** Adopt grazing management Alternative 2 as the preferred alternative, limiting grazing to one in every three years.

None of the alternatives presented for rights-of-way closes Willow Creek to potential future dam building or water diversions. A dam or water diversion would have substantial adverse impacts to the resources of this area.

- 14-34 **Recommendation:** We request that an alternative be considered that closes Willow Creek to these types of uses.

- 14-35 **Recommendation:** We recommend that AMR be adopted as the fire management prescription.

d. Lower Smoke Creek ACEC

- 14-36 **Recommendation:** Designate Lower Smoke Creek ACEC.

Current grazing practices could affect the recovery of the riparian area and impact the Nobles Emigrant Trail.

- 14-37 **Recommendation:** We ask that grazing Alternative 2, limiting grazing to one in every three years, be adopted as the preferred alternative.

The designation and subsequent development of one or more rights-of-way would cause significant adverse impacts to the resources of Lower Smoke Creek ACEC. None of the alternatives presented for rights-of-way closes Willow Creek entirely to rights-of-way.

- 14-38 **Recommendation:** An alternative should be considered that closes Lower Smoke Creek to rights-of-way.

e. Eagle Lake Basin ACEC

- 14-39 **Recommendation:** We support the recommended designation of this ACEC to protect the outstanding values of the Eagle Lake Basin.

As the Draft RMP/EIS notes, p. A-59, Eagle Lake is highly scenic and a one-of-a-kind natural resource. "Eagle Lake is a closed basin and is susceptible to adverse impacts to water quality from actions within the basin that could add nutrients and accelerate the lake's eutrophication."

We appreciate the grazing restrictions incorporated in the 1991 Eagle Lake Basin Plan. However, given the unique values of this area including its endemic fishery we believe additional measures are needed to minimize the effects of grazing.

- 14-40 **Recommendation:** Adopt grazing management Alternative 2 as the preferred alternative, limiting grazing to one in every three years.

We are very concerned that the preferred alternative would leave the Eagle Lake Basin open to saleable minerals.

- 14-41 **Recommendation:** Given the acknowledged scenic, fragile and unique ecological value of this area, Alternative 2, closing the Eagle Lake Basin to saleable minerals should be adopted as the preferred alternative.

- 14-42 **Recommendation:** To allow maximum flexibility to respond to current site conditions including vegetation and weather, we ask that AMR be adopted as the fire management prescription.

f. North Dry Valley ACEC

- 14-43 **Recommendation:** We support the recommended designation of this ACEC.

North Dry Valley contains significant cultural sites, pronghorn winter range, unique plant assemblages and species and rare soil types which are vulnerable to erosion from livestock.

- 14-44 **Recommendation:** It is imperative that additional measures be taken to limit livestock use. At a minimum, Alternative 2, limited grazing to one in every three years should be adopted as the preferred alternative.

Given the unique nature of this area including rare soils, plants and plant assemblages, we are very concerned that the preferred alternative allows saleable and locatable mineral entry in this area, even with restrictions. These types of activities, even with limitations, could cause irreparable damage to important resources. Again we want to emphasize that the vast majority of the planning area is open to energy and mineral development, and that achieving proper balance means providing for the protection of important areas.

- 14-45 **Recommendation:** We ask that saleable and locatable mineral management Alternative 2, closing the ACEC to those uses, be adopted as the preferred alternative.

We support the preferred alternative limiting OHV use to designated routes and strongly encourage BLM to close any routes causing damage to the resource.

g. Buffalo Creek Canyon ACEC

- 14-46 **Recommendation:** We support the recommended designation of this ACEC.

The unique historic, scenic and natural values of this area are vulnerable to impacts from grazing.

- 14-47 **Recommendation:** Adopt grazing management Alternative 2, limiting grazing to one in every three years.

Again, as with North Dry Valley and the Eagle Lake Basin, no saleable or locatable mineral entry should be allowed in the ACEC.

- 14-48 **Recommendation:** Adopt Alternative 2 closing the area to saleable minerals and we recommend that alternative be added and adopted closing the area to locatable minerals.

h. Aspen Groves ACEC

We recommend the designation of this area as an ACEC. The Draft RMP/EIS, p. A 54-56, describes the relevance and importance of these lands which would comprise this ACEC and their need for special management attention – for example the Draft RMP states, “More recent changes in grazing patterns that provide for rest have not resulted in rapid recovery in the stands because of the highly competitive invasive understory species.” As noted previously, BLM’s ACEC Manual (1613) specifically requires that each area recommended for consideration as an ACEC, including from external nominations, be considered by BLM, thorough collection of data on relevance and importance, evaluation by an interdisciplinary team and then, if they are not to be designated, the analysis supporting the conclusion “must be incorporated into the plan and associated environmental document.” The Draft RMP/EIS does not provide this. In fact, the information provided only documents the BLM’s legal obligation to designate this ACEC.

- 14-49 **Recommendations:** 1) Designate Aspen Groves ACEC and close this ACEC to leaseable, saleable and locatable mineral entry.

3. Surprise Field Office

We support the proposed designation of three ACECs encompassing 47, 748 acres. We are concerned about the potential to allow rights-of-way in two of the ACECs, Massacre and Rahilly-Gravelly, “if there are no other options,” Draft RMP/EIS p. 2-63. Given that the majority of the more than one million acres of land managed by the BLM in the Field Office area is open to rights-of-way, the ACECs should be closed to new rights-of-way (see specific comments below). We are also concerned that some of the proposed ACECs are open to saleable and or locatable mineral entry in the preferred alternative (see specific comments below).

The Surprise Field Office contains important sagebrush steppe ecosystems including greater sage-grouse habitat and populations. We ask that in the final version of the RMP the preferred alternative include a proposal to designate one or more ACECs to protect these resources (see additional comments below).

a. Massacre ACEC

We support the proposed designation of this ACEC. Given the important resources found in the proposed ACEC, including sagebrush plant communities and archaeological sites, and the fact that the majority of the over one million acres of BLM land is open to rights-of-way, we request that Alternative 2 for rights-of-way, excluding their development, be adopted as the preferred alternative. Given the importance of the three sagebrush communities to obligate sage scrub species, including the greater sage-grouse, and the acknowledged need for careful management to preserve proper conditions for sage-grouse, we disagree with the conclusion that this resource is “not unusually fragile, sensitive, rare, irreplaceable, exemplary, unique, endangered,

threatened, or vulnerable to adverse change” and that it does not meet the importance criteria. While we appreciate that management measures have been put in place to mitigate the impacts from grazing in this area, these areas are vulnerable to change. The apparent loss of historic sage-grouse leks underscores that vulnerability.

- 14-50 **Recommendations:** 1) Designate the 44,870 acre Massacre ACEC, 2) Develop and implement specific grazing prescriptions for the ACEC, and 3) To protect sagebrush steppe and sage-grouse, adopt Alternative 2, closing the ACEC to locatable mineral entry.

b. Bitner ACEC

- 14-51 **Recommendation:** Designate the Bitner ACEC to protect cultural sites, rare and unusual plant assemblages, the Badger Creek riparian area and other unique values.

We commend the BLM for excluding rights-of-way from this important area.

- 14-52 **Recommendation:** We strongly recommend the adoption of Alternative 2 closing the Bitner ACEC to locatable mineral entry to protect its irreplaceable and important natural and cultural values.

c. Rahilly – Gravelly ACEC

- 14-53 **Recommendation:** We support the proposed designation of this ACEC.

The high concentration of greater sage-grouse leks in this area and the high density of significant prehistoric and historic cultural resources of this area are of great importance and vulnerable to ground disturbance. Saleable and locatable mineral entry is incompatible with the preservation of these resources and would cause significant adverse effects.

- 14-54 **Recommendation:** We strongly request the consideration and adoption of an alternative that will close the Rahilly – Gravelly ACEC to saleable and mineral entry.

Allowing rights-of-way through this area would also cause unacceptable impacts to these resources.

- 14-55 **Recommendation:** We ask that an alternative be considered and adopted that excludes rights-of-way from this area.

4. Sagebrush Steppe and Greater Sage-grouse ACECs

The Alturas, Eagle Lake and Surprise Field Offices contain vast and significant sagebrush ecosystems and sagebrush species including greater sage-grouse and pygmy rabbit populations. Sagebrush habitats and greater sage-grouse populations have declined from historic levels in the west including areas managed by BLM in the Alturas, Eagle Lake, and Surprise Field Offices. As a result of these declines and a petition for listing of the greater sage-grouse the entities responsible for sage grouse management have given this species and sagebrush habitats special management attention. We wish to acknowledge the tremendous cooperative effort to develop a conservation strategy for the sage-grouse and sagebrush ecosystems by BLM, California Department of Fish and Game, Nevada Department of Wildlife (NDOW), Lassen County, the

livestock industry, the Northeast Resource Advisory Council and other interested parties and institutions.

We believe the establishment of one or more ACECs to protect sage-grouse and sagebrush ecosystems would be complimentary to current conservation efforts and as we previously stated, FLPMA obligates the BLM to “give priority to the designation and protection of areas of critical environmental concern [ACECs].” 43 U.S.C. § 1712(c)(3). ACECs are areas “where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes.” 43 U.S.C. § 1702(a)

Clearly, the greater sage-grouse populations and the sagebrush ecosystems in the Field Office planning areas are both relevant and important and there are areas which need special management attention. There is a particular need for management intervention in lower elevation sagebrush areas with significant infestations of cheat grass and other exotic plants. Junipers have encroached into sagebrush ecosystems causing the loss of understory vegetation and the presence of cheat grass has increased the intensity and frequency of wildfires leading to the loss of sagebrush habitat. Cheat grass infestations have also caused a reduction in native forbs and grasses – necessary food sources for sage grouse and other obligate sagebrush ecosystem species.

Given BLM’s obligations, the relevance and importance of this resource, the need for special management attention in specific areas, and the potential conservation value of designating ACECs for the greater sage-grouse and sagebrush ecosystems we ask that such a new alternative be considered and adopted. Specifically we recommend the following areas be designated:

a. Eagle Lake RMP - Chalk Bluff/Smoke Creek/Mud Flat Complex ACEC

This portion of the Buffalo-Skedaddle Population Management Unit (PMU) east of Highway 395 and in the general vicinity of the Skedaddle, Dry Valley Rim, Five Springs and Twin Peaks WSAs and the Shinn Ranch, contains the most robust population of greater sage-grouse in California. However, this population and the sagebrush ecosystem on which it depends are vulnerable to potential extirpation and requires special management attention. Unlike higher elevation areas in the Surprise Field Office, this area is quite vulnerable, containing lower elevation sagebrush which could be eliminated or substantially degraded due to frequent fire resulting from cheat grass infestations. Wild horses also pose a threat to sagebrush habitats and sage-grouse populations in this area.

14-56 **Recommendations:** Establish an ACEC in this area using the following criteria:

- Historic and active leks.
- Tall sagebrush wintering areas and low sagebrush foraging areas
- Suitable and potentially suitable nesting habitat (sagebrush shrubs associated with tall grass cover and areas that could be restored to this condition).
- Wet meadow and riparian habitats in association with nesting habitat for raising broods.
- Sagebrush habitat needing restoration including cheat grass control.

b. Alturas RMP

14-57 **Recommendation:** Consider the establishment of one or more ACECs to protect sage-grouse and sagebrush ecosystems in the including the Likely Tables PMU.

c. Management Prescriptions

- 14-58 **Recommendation:** Develop management prescriptions for the sage-grouse/sagebrush ACECs to protect sage-grouse, other obligate sage scrub species and sagebrush ecosystems using A *Blueprint for Sage-grouse Conservation and Recovery*, Dr. Clait E. Braun, a recognized expert in sage-grouse and their habitat. We have **attached** a copy of these recommendations and incorporate them herein by reference. Also see additional comments under the heading: Sage-grouse Protections and Oil and Gas Development).

Wild and Scenic Rivers

BLM managed lands within the Alturas, Eagle Lake and Surprise Field Office areas contain a number of unique river segments, each containing outstandingly remarkable values. Often, as with the Susan River, they contain multiple values and recreational opportunities that are significant both to local residents and their economy but also to the people of California and the Nation as well. The angling, rafting, hiking, historic discovery, sightseeing and wildlife viewing these rivers provide must be protected for future generations.

1. Alturas Field Office RMP

a. Lower Pit River

- 14-59 **Recommendation:** We support the BLM's findings and its proposal recommending the designation of 2.5 miles of the Lower Pit River as 'scenic' under the Wild and Scenic Rivers Act.

b. Upper Pit River

- 14-60 **Recommendation:** We support the BLM's findings and its proposal recommending the designation of 13 miles of the Upper Pit River as 'wild' under the Wild and Scenic Rivers Act. This segment is truly one of the most spectacular, yet little known, wild areas in northern California. It was therefore fitting that the BLM chose it as the cover photo for the Draft RMP.

c. Lower Horse Creek

- 14-61 **Recommendation:** We support the BLM's findings and its proposal recommending the designation of 3 miles of Horse Creek as 'wild' under the Wild and Scenic Rivers Act. Indeed, from the railroad bridge downstream Horse Creek appears almost completely untouched by human hands despite the fact that Native Americans have used the watershed for eons and Nineteenth Century settlers poured across it in search of better lives.

2. Eagle Lake Field Office RMP

a. Susan River – Wild and Scenic River

As documented in the draft RMP/EIS, the 8 miles of the Susan River found eligible for Wild and Scenic River status contain unique and varied outstandingly remarkable values including recreation (hiking, fishing, swimming, river floating, picnicking, sight seeing and nature study); historic (The Bizz Johnson trail including the 1913/1914 railroad grade trail and its 11 railroad

bridges and 2 tunnels and hand built wagon roads); geologic, (a multitude of features associated with the Great Basin, Sierra and Cascade ranges); scenic, “characterized by narrow canyon segments with basalt rims, blocky basalt talus slopes, columnar basalt, statuesque ponderosa and Jeffery pines and colorful riparian areas along the river.” Draft RMP/EIS, p. 4-167; and wildlife, including aquatic, high quality riparian and upland habitat adjoining the river.

As acknowledged in the document, the designation of this area as a Wild and Scenic River would benefit the local economy, not only as a local destination but as a regional recreational destination, attracting use from throughout northern Nevada, California, Oregon, from other parts of the United States and from foreign countries. Clearly, the protection of the outstandingly remarkable values should be viewed in the context of their local, regional, national and international importance.

In testament to the values of this area and their growing popularity the document states, “The Susan River and adjoining Bizz Johnson Trail receive the highest amount of visitor use on public lands in Northeast California (86,179 visitors in fiscal year 2004).” Draft RMP/EIS, p. 4-163.

It is clear when considering and evaluating the factors in Sections 4(a) and 5(c) of the Wild and Scenic Rivers Act, that the Susan River is suitable for designation:

- It has outstanding and varied characteristics that make it a worth addition to the NWSRS;
- The majority of the 8 miles of land along the eligible segment of the Susan River is in public ownership;
- The reasonable foreseeable potential uses of the land and water would be enhanced by providing a myriad of recreational uses and protection of natural and cultural values versus the limited potential for water development coupled with potential significant adverse impacts;
- The management of the segment by BLM would largely be the same as it currently is (and designation as a Wild and Scenic River would make the area eligible for National Landscape Conservation System funding) - “Management of most river segments would not change significantly under Wild and Scenic River Act designation from present BLM management that is protecting stream and riparian habitat, aquatic and riparian wildlife species, cultural resources, scenic resources and river based recreation.” Draft RMP/EIS p. 4-161;
- Local government has a clear economic interest in the designation because it would attract more visitors and;
- The support for designation (which would preserve the values of the area) is clearly high when viewed in the context of not only local but regional, national and international interest;
- Designation would unequivocally help preserve river system integrity;
- The potential for water resources development is low as documented in the draft RMP/EIS, “the utility of the reservoir would be limited to those years when flood flows occur. Flood flows have occurred during the past two decades in only a small percentage

of the years. In the majority of years in the past 25 years, Susan River flows have been below projected normal years, limiting the capability of a new reservoir to capture flows not already allocated to existing use and stored in the two reservoirs upstream of the Susan River Canyon.” draft RMP/EIS, p. 4-170

In addition there are alternative sites for potential dam construction and diversions: “Dam construction would not be precluded above this segment of the river on private and Lassen National Forest lands.” draft RMP/EIS, p. 4-169

And as the document states, “Any dam on the Susan River above or below Devil’s Corral would adversely impact the Susan River’s Outstandingly Remarkable Values that qualified it as eligible under the WSR Act.”

14-62 **Recommendation:** Alternative 2, recommending designation of an 8 mile segment of the Susan River be adopted as the preferred alternative in the final RMP/EIS.

b. Willow Creek

The eligible section of Willow Creek is located within a portion of the Tunnison WSA that was recommended for wilderness status by the BLM in 1990, which speaks to the primitive, remote and highly scenic character of this area. As with the Susan River, it contains several outstandingly remarkable values, including scenic, recreational and cultural – with its rock art being of particular importance. It clearly has characteristics that make it a worthy addition to the NWSRS, and most of the land is in BLM ownership, important factors for consideration in a suitability determination. The document states, “A dam on Willow Creek would adversely impact the creek’s outstanding and unique values that qualify it for eligibility under the Wild and Scenic Rivers Act.” Rock art sites, riparian areas, outstanding streamside hiking and other values would be compromised or destroyed. Moreover, as stated in the document, there is low potential for a dam, water diversion, or mineral development is low due “to the expense and environmental consequences of dam construction, lack of surplus water (during low-to-normal run-off years), and low mineral potential within the canyon.” Preservation of Willow Creek’s unique resources, resources that will become increasingly rare over time, will result in economic benefits. It is appropriate that Willow Creek be recommended for designation as a Wild and Scenic River.

14-63 **Recommendation:** Adopt Alternative 2 as the preferred alternative in the final RMP/EIS recommending designation of the 8 mile eligible segment of Willow Creek as ‘wild’ under the Wild and Scenic Rivers Act.

c. Upper Smoke Creek

As stated in the draft RMP/EIS Upper Smoke Creek has a number of outstandingly remarkable values. Designating the eligible segment of the Creek as ‘wild’ under the Wild and Scenic Rivers Act will protect aquatic (including a Lahontan assemblage of native species) and terrestrial wildlife species (especially sage-grouse, which quiet visitors will often see along the Creek), riparian areas, outstanding visual resources, archaeological sites, and recreational opportunities. We commend the BLM for their recommendation.

14-64 **Recommendation:** Adopt the preferred alternative in the final RMP/EIS recommending designation of the entire eligible segment (10.6 miles) of Upper Smoke Creek ‘wild’ under the Wild and Scenic Rivers Act.

d. Lower Smoke Creek

Lower Smoke Creek contains high geologic, scenic, riparian, and biologic values, and a historic trail. As with the Susan River and Willow Creek it provides a variety of recreational uses, specifically wildlife viewing, camping, hunting and stream fishing. By contrast there is low potential for water development – “a new dam and reservoir is not likely to occur because there is little if any surplus water that is not already appropriated by upstream use for irrigation of meadows below Smoke Creek Reservoir.” draft RMP/EIS p. 4-175. In the context of the factors that are to be considered in recommending a Wild and Scenic River designation, on balance Lower Smoke Creek merits designation.

14-65 **Recommendation:** Adopt Alternative 2 in the final RMP/EIS recommending designation of the entire eligible segment (3.2 miles) of Lower Smoke Creek ‘wild’ under the Wild and Scenic Rivers Act.

3. Surprise Field Office RMP

a. Twelvemile Creek

This scenic little Warner Mountain stream has a rich riparian area and hosts populations of the sensitive Warner sucker and Warner red-band trout.

14-66 **Recommendation:** In the Final RMP adopt the proposal offered by the Preferred Alternative in the Draft RMP to recommend to Congress that 2.2 miles of Twelvemile Creek be designated as a “recreational” segment under the Wild and Scenic Rivers Act.

Wilderness Study Areas

The Draft RMPs fail to adequately discuss and prioritize protection of the wilderness values of these lands.

The three Field Office areas have significant wilderness values, which are recognized to varying degrees in the Draft RMPs but are not sufficiently addressed or protected. The RMPs need to place appropriate emphasis on the value of wilderness character of these lands and take steps to protect them.

I. Management of WSAs

The Federal Land and Policy Management Act, (FLPMA, 43 U.S.C. § 1701, et seq.) directs BLM to protect WSAs. Section 603(c) of FLPMA states, “During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable law in a manner so as not to impair the suitability of such areas for preservation as wilderness.” 43 U.S.C. § 1782. In other words, the WSA’s wilderness values must not have been degraded so as to constrain or pre-empt Congressional designation authority. **WSAs are to be managed in accordance with the Interim Management Policy (IMP) For Lands Under Wilderness Review (BLM Manual H-**

8550-1) in order to protect their wilderness values. The IMP requires management of the WSA in accordance with the nonimpairment standard, such that no activities are allowed that may adversely affect its potential for designation as wilderness. As stated in the IMP, the “overriding consideration” for management is that:

. . . preservation of wilderness values within a WSA is paramount and should be the primary consideration when evaluating any proposed action or use that may conflict with or be adverse to those wilderness values. (emphasis in original)

While the IMP does permit continued exercise of grandfathered uses and valid existing rights, it also points out that grandfathered uses (such as grazing) may only continue to the extent that their impacts do not increase. Further, while the IMP permits some temporary uses to be considered, it still requires first assessing how the action may impair the WSA’s wilderness values and recommends using the “minimum tool” concept as a guide for permitting any actions that may do so.

In specific discussion about motorized recreation, the IMP prohibits new routes for motorized use and also permits restriction of existing routes. The IMP states (H-8550-1, Section III.H.1)

No new permanent recreational ways, trails, structures, or installations will be permitted, except those that are the minimum necessary for public health and safety in the use and enjoyment of the public lands’ wilderness values, **and that are necessary to protect wilderness resource values. No mechanical transport, which includes all motorized vehicles** plus trail or mountain bikes, **will be allowed** on such trails. (bolded emphasis added).

With regard to the limitation on use of existing routes, the IMP addresses “erosion caused by increased vehicle travel within a WSA” and states that: “[t]o prevent this impairment, BLM will monitor ongoing recreation uses as well as cumulative impacts, and if necessary, adjust the time, location, or quantity of use or **prohibit use in the impacted area.**” H-85590101, Section III.H. (emphasis added)

These requirements reinforce the applicable legal standards for off-road vehicle use, which require BLM to ensure that areas and trails for off-road vehicle (ORV) use are located to prevent impairment of wilderness suitability. Executive Order No. 11644 (1972) as amended by Executive Order No. 11989 (1977); 43 C.F.R. § 8342.1.

WSAs have been established based on their potential for congressional designation as Wilderness, so that these areas have been found to be essentially roadless and in natural condition. Travel management designations for WSAs should disallow ORV use. For existing routes, BLM should scrutinize them carefully given the high potential for resource damage resulting from illegal cross-country travel of such designated routes that could result in the impairment of resource values within WSAs and may adversely affect their future consideration by Congress as wilderness. Only those routes in WSAs that provide access to private or state inholdings, valid leases, or that provide access to or along existing easements, rights-of-way or livestock improvements within the WSA should be permitted to remain open to vehicle use. Further, for routes that remain open, BLM should consider designations that are “limited” to the time or season necessary for such use, to licensed or permitted vehicles or users, or to BLM administrative use only, as appropriate.

Implementation of the IMP to the existing WSAs similarly requires the BLM to apply other protective management prescriptions, such as appropriate VRM and Recreation Opportunity Spectrum (ROS) Classifications and limitations on destructive activities.

14-67

General Recommendation: BLM should propose management of the WSAs that complies with the IMP and protects their wilderness character, by limiting potentially damaging activities, applying protective management prescriptions and proactively restoring and protecting their naturalness. Specific analysis of the proposed management of WSAs in each RMP and recommendations are set out below.

A. Alturas RMP

1. General Support for Management Common to All Alternatives

In general, we support the Management Common to All Alternatives described on pages 2-99 through 2-101 and the table on page 2-213 with the following exceptions:

- We would prefer that the management prescriptions be more specific in the event that any lands released by Congress from WSA designation. Specifically, we believe that VRM classification, ORV designation, and energy and mineral designations should be addressed with strong consideration given to applying protective measures
- The BLM should commit, in accordance with Section 202 of FLPMA, to keep a continual and ongoing inventory of its lands to determine their wilderness characteristics
- Preservation of wilderness character should be specifically mentioned in the Desired Future Conditions (DFC)

14-68

Recommendation: We recommend that BLM provide more specific guidance on the management prescriptions that would apply to released WSAs, to commit to keeping an updated inventory of the wilderness characteristics of its lands including newly acquired lands and those lands it currently manages, and specifically commit to the preservation of wilderness characteristics as a DFC.

2. Support for Inclusion of Table 2.14.1 (page 2-100)

Table 2.14.1 which displays the overlap of ACECs and WSAs was extremely helpful in our analysis of this RMP.

14-69

Recommendation: BLM should include Table 2.14.1 in the Final EIS/Proposed RMP.

3. Support for Closure of Illegal Roads within WSAs

We support the language on page 2-101 that states, "Roads or trails that have been created or discovered subsequent to these inventory efforts would be closed to vehicle use under all alternatives . . ."

14-70

Recommendation: BLM should complete the inventories described and include these road closures in the Final EIS/Proposed RMP.

4. Recommendations for Final EIS/Proposed RMP

- a. **VRM Classification** - All four WSAs within the Alturas Field Office are managed as VRM I in the Preferred Alternative.

14-71 **Recommendation:** BLM should carry the VRM classification management thru to the Final EIS/Proposed RMP.

- b. **ROS Classification** – The appropriate ROS classification for WSAs is Primitive. Primitive ROS does not allow for mechanized/motorized recreation which is consistent with the IMP for the protection of WSAs.

14-72 **Recommendation:** Alternative 2, which applies an ROS classification of Primitive should be chosen for Timbered Crater WSA and Tule Mountain WSA. An alternative should be chosen that does not include an ROS classification of Roaded Natural for a small portion of the Lava WSA as appears to be the case under the Preferred Alternative. The ROS Classification of Primitive described in the Preferred Alternative should be applied to Pit River Canyon WSA.

- c. **Off Highway Vehicle Designations** – The preferred alternative currently applies a “Limited to Designated Routes” designation for Timbered Crater WSA, a “Limited to Existing Roads and Trails” designation to Lava WSA, a “Limited to Existing Roads and Trails” designation to Pit River Canyon WSA, and a “Limited to Existing Roads and Trails” designation to Tule Mountain WSA. The only appropriate OHV designation within WSAs is “Closed”. A “Limited to Existing Roads and Trails” designation in particular is inconsistent with the BLM’s commitment to manage WSAs so as not to impair their wilderness suitability.

14-73 **Recommendation:** For Timbered Crater WSA, the No Action Alternative which applies a “Closed” designation should move forward. For Lava WSA, Alternative 2 which applies a “Closed” designation should move forward. For Pit River Canyon WSA, a “Closed” alternative (which would be consistent with the ROS prescription of “Primitive” applied to this WSA in the preferred alternative) should be developed and moved forward. Consistent with ROS category found in Alternative 2, BLM should develop and carry forward a “Closed” alternative for Tule Mountain WSA.

- d. **Energy and Minerals** – Currently, all WSAs are closed to mineral leasing and saleable mineral activities.

14-74 **Recommendation:** BLM should carry the management prescriptions for energy and minerals described in the preferred alternative forward.

14-75 We are puzzled as to why the Appendix states on page A-57 that the BLM recommended the Lava WSA as suitable for wilderness when the agency’s *California Statewide Wilderness Study Report*, Part 4, Volume 2, page 2 of Lava CA-030-203 clearly states that all 10,770 acres are recommended for “non-wilderness” status. Indeed, the BLM’s State of California Wilderness Status Map clearly shows that the Lava WSA was not given a preliminary suitable recommendation. Despite the error, we hope the Appendix reflects a willingness on the part of BLM to reconsider the negative assessment of the WSA’s outstanding wilderness values it offered in 1990.

- e. Utility rights-of-way and communication sites

14-76 While we are pleased that new utility lines or communication sites would avoid WSAs, ACECs and proposed WSRs under the Preferred Alternative (page 2-125), we request that the final version of the RMP mirror the Eagle Lake Field Office Draft RMP and propose to make lands both in and adjacent to all WSAs, ACECs, WSRs other special management areas right-of-way avoidance areas (Eagle Lake Field Office Draft RMP, page 4-344).

We also support the establishment of special recreation management areas (SRMA) in the Pit River, Tule Mountain and Lava WSAs and the development of non-motorized trails in these areas (page 2-64).

B. Eagle Lake RMP

We strongly support the proposal in the Preferred Alternative to designate Primitive ROS zones in WSAs and to close several miles of roads and other motorized routes in these Primitive ROS zones (page 2-81). Considering the history of route proliferation in the Eagle Lake Field Office and the BLM's determined yet under-funded struggle over the last few years to better regulate motor vehicle use, this is indeed welcome and even impressive.

14-77 However, the Draft RMP is confusing and contradictory on this score. For example, page 2-113 states that 45 miles of existing, cherrystemmed roads will be closed inside Primitive areas within WSAs, while on page 4-224 the miles of road closures is listed as 58. We urge BLM to clarify the mileage issue in the final version of the RMP and to expand the Primitive ROS to include additional WSA acreage.

We support the Preferred Alternative's proposal to construct 68 miles of non-motorized trails in WSAs (page 2-113).

14-78 On pages 4-193 and 4-194 the Draft RMP describes the dire and no doubt accurate description of the impacts a dam would have on Willow Creek. Given these catastrophic impacts, we find it perplexing that the Draft RMP would then go on to state that WSA protection for the creek is only "moderately beneficial" in maintaining its scenic, recreational, cultural and ecological values. We request that "moderately beneficial" be changed to "extremely beneficial."

We strongly support the Draft RMP's commitment on page 4-344 to make lands next to WSAs, ACECs, WSRs other special management areas as right-of-way avoidance areas.

1. General Support for Management Common to All Alternatives

In general, we support the Management Common to All Alternatives described on pages 2-110 through 2-113 and the table on page 2-223 with the following exceptions:

- 14-79 • We would prefer that the BLM consider an alternative that would manage all WSAs as VRM I or VRM II if released by Congress
- 14-80 • The BLM should commit, in accordance with Section 202 of FLPMA, to keep a continual and ongoing inventory of its lands to determine their wilderness characteristics

- 14-81 • The first bullet in the table on page 2-223 should be revised to state, “Lands acquired within WSAs are not subject to the IMP but *would* (note to reader: *or will* we are still discussing) be managed to protect their wilderness characteristics.”

14-79 through 14-81 **Recommendation:** We recommend BLM consider more protective VRM prescriptions in the event any WSAs are released by Congress, commit to keeping a continually updated wilderness characteristics inventory, and fix the first bullet under the table found on page 2-223.

2. Support for Inclusion of Appendix I in Final EIS/Preferred RMP

While we were impressed that BLM included its guidelines for managing non-WSA lands with wilderness characteristics in Appendix I, we were nevertheless disappointed that the Draft EIS/RMP failed to identify any such areas under any alternative. In order to be in compliance with Section 202 of FLPMA, BLM should inventory its lands to identify area with wilderness characteristics and manage them in accordance with Appendix I.

- 14-82 **Recommendation:** BLM should carry Appendix I forward to the Final EIS/Proposed RMP and recognize at least some of the roadless areas described by the CWC during scoping as areas with wilderness characteristics.

3. Concerns in Reference to Roads within WSAs Identified in the Preferred Alternative

While we are impressed with the Eagle Lake Field Office’s decision to map and designate routes within the entire RMP area (thereby closing all routes not shown on the maps included with the RMP) we have some concerns about the routes depicted in the RMP. Map Travel-6 appears to show some road closures within WSAs but also appears to designate a significant number of roads within WSA boundaries as open to vehicles. While we understand that routes not in existence prior to the designation of WSAs are illegal and have already been closed by the BLM in the Eagle Lake Field Office, we are concerned that the routes proposed for continued vehicle use will lead to the proliferation of illegal cross-country routes once again. Further, it is confusing to the public when an area is designated as “Closed” to OHV use, yet a designated road is shown in this area.

- 14-83 **Recommendation:** BLM should explain in detail in the Final EIS/Proposed RMP why particular routes are left open to vehicles in WSAs and why they do not contribute to route proliferation, habitat fragmentation, and other problems typically associated with roads. Further, to reduce confusion and user conflicts, the BLM should close all routes within a “Closed” OHV area.

4. Recommendations for Final EIS/Proposed RMP

- a. **VRM Classification** - All seven WSAs and one ISA within the Eagle Lake Field Office are managed as VRM I in the Preferred Alternative.

- 14-84 **Recommendation:** BLM should carry the VRM classification management thru to the Final EIS/Proposed RMP.

- b. **ROS Classification** –The appropriate ROS classification for WSAs is Primitive. Primitive ROS does not allow for mechanized/motorized recreation which is consistent with the Interim Management Policy for the protection of WSAs.

14-85 **Recommendation:** The BLM should include all WSAs in a Primitive ROS zone in the Preferred Alternative in the Final EIS/Proposed RMP.

- c. **Off Highway Vehicle Designations** – While we are impressed that the BLM has inventoried all existing routes within the Eagle Lake Field Office, we are concerned that a significant portion of the WSAs are managed as “Limited to Designated Routes” with little rationale included for this decision. The appropriate designation for WSAs is “Closed”.

14-86 **Recommendation:** As is stated above, in the Final EIS/Proposed RMP the BLM should explain its rationale for designating certain routes as open within WSAs and select an alternative that closes all WSAs to OHV use.

- d. **Energy and Minerals** – Currently, all WSAs are closed to mineral leasing and saleable mineral activities.

14-87 **Recommendation:** BLM should carry the management prescriptions for energy and minerals described in the preferred alternative forward.

C. Surprise RMP

1. General Support for Management Common to All Alternatives

In general, we support the Management Common to All Alternatives described on pages 2-66 through 2-69 and the table on page 2-132 with the following exceptions:

- 14-88 • We would prefer that the management prescriptions be more specific in the event any lands are released by Congress from WSA designation. Specifically, we believe that VRM classification, ORV designation, and energy and mineral designations should be addressed with strong consideration given to applying protective measures
- 14-89 • The BLM should commit, in accordance with Section 202 of FLPMA, to keep a continual and ongoing inventory of its lands to determine their wilderness characteristics

14-88 **Recommendation:** We recommend that BLM provide more specific guidance on the management prescriptions that would apply to WSAs in the event they were released, and that it commit to keeping an updated inventory of the wilderness characteristics of its lands including newly acquired lands and those lands it currently manages.

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14-89

2. Support for Inclusion of Appendix H in Final EIS/Preferred RMP

While we were impressed that BLM included its guidelines for managing non-WSA lands with wilderness characteristics in Appendix H, we were nevertheless disappointed that the Draft EIS/RMP failed to identify any such areas under any alternative. In order to be in compliance with Section 202 of FLPMA, BLM should inventory its lands to identify areas with wilderness characteristics and manage them in accordance with Appendix H.

14-90 **Recommendation:** BLM should carry Appendix H forward to the Final EIS/Proposed RMP and recognize at least some of the roadless areas identified as SPNM ROS zones in the Preferred Alternative ROS map as areas with wilderness characteristics.

3. Concerns in Reference to Roads Designated within WSAs in the Preferred Alternative

While we are impressed with BLM's decision to provide the public with a useful and easy map to comment on designated routes within WSAs, the designation of routes that did not exist prior to WSA designation within WSAs is in violation of the BLM's legal obligations under the IMP for WSAs.

- 14-91 **Recommendation:** At a minimum, BLM must provide the public with documentation of routes it designates within WSAs to prove that these routes were in existence prior to WSA designation and to prove that these routes are not currently and will not in the future degrade a WSA's ability to be designated as wilderness. If the BLM cannot prove that a route existed prior to WSA designation or that its continued use does not degrade the wilderness character of a WSA, the route must be closed.

4. Recommendations for Final EIS/Proposed RMP

- a. **VRM Classification** - All five WSAs within the Surprise Field Office are managed as VRM I in the Preferred Alternative.

- 14-92 **Recommendation:** BLM should carry the VRM classification management thru to the Final EIS/Proposed RMP.

- b. **ROS Classification** – BLM did not include the option of designating any areas within the field office as “Primitive” and instead designated all areas within WSAs as either SPNM or SPM. The appropriate ROS classification for WSAs is Primitive. Primitive ROS does not allow for mechanized/motorized recreation which is consistent with the Interim Management Policy for the protection of WSAs.

- 14-93 **Recommendation:** The BLM should develop and adopt in the Final EIS/Proposed RMP an alternative that applies an ROS of “Primitive” to all WSAs and carry this alternative forward.

- c. **Off Highway Vehicle Designations** – As mentioned earlier, we are impressed that the BLM has inventoried all existing routes within the Surprise Field Office; however, we are greatly concerned that only two WSAs (South Warner Contiguous WSA and Buffalo Hills WSA) are closed to OHV use. Again, the BLM must explain to the public that routes identified as “Designated Routes within Wilderness Study Areas” existed prior to WSA designation and that their continued use does not impair the area's Wilderness character.

- 14-94 **Recommendation:** If the BLM cannot prove to the public that a route existed prior to WSA designation and that the route's continued use does not impair the wilderness character of the area, the BLM must develop and adopt in the Final EIS/Proposed RMP an alternative that closes these routes and carry it forward.

- d. **Energy and Minerals** – Currently, all WSAs are closed to mineral leasing and saleable mineral activities.

- 14-95 **Recommendation:** BLM should carry the management prescriptions for Energy and Minerals described in the preferred alternative forward.

14-96

While we are pleased that new utility lines or communication sites would avoid WSAs, ACECs, special management areas, critical sage grouse habitat under the Preferred Alternative (page 2-75), we request that the final version of the RMP mirror the Eagle Lake Field Office Draft RMP and propose to make lands both in and adjacent to these areas right-of-way avoidance areas (Eagle Lake Field Office Draft RMP, page 4-344).

II. Protection of Wilderness Character

Section 201 of FLPMA mandates that BLM inventory the resources of the public lands, their resources and values. 43 U.S.C. § 1711. In the land use planning process, including preparation of RMPs, Section 202 of FLPMA requires that BLM take into account the inventory and determine which multiple uses are best suited to which portions of the planning area. 43 U.S.C. § 1712. BLM is obligated to inventory for and consider a range of alternatives to protect lands with wilderness characteristics.

BLM has identified “wilderness characteristics” to include naturalness or providing opportunities for solitude or primitive recreation. *See*, Instruction Memoranda (IMs) 2003-274 and 2003-275. These values should also be identified and protected through this planning process. BLM should recognize the wide range of values associated with lands with wilderness character. FLPMA specifically identifies “scenic values” as a resource of BLM lands for purposes of inventory and management (43 U.S.C. § 1711(a)), and the unspoiled landscapes of lands with wilderness characteristics generally provide spectacular viewing experiences. The scenic values of these lands will be severely compromised if destructive activities or other visual impairments are permitted.

Due to their unspoiled state, lands with wilderness characteristics also provide valuable habitat for wildlife, thereby supporting additional resources and uses of the public lands. The Draft RMP discuss the importance of large tracts of habitat for a multitude of species. The lack of intensive human access and activity on lands with wilderness characteristics also helps to protect cultural and historic resources, which BLM is directed to protect by FLPMA and the National Historic Preservation Act.

Through these RMPs, BLM can and should protect wilderness character and the many uses that wilderness character provides on the public lands through various management decisions, including by excluding or limiting certain uses of the public lands. *See*, 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of various aspects of wilderness character (such as recreation, wildlife, natural scenic values) and requires BLM's consideration of the relative values of these resources but “not necessarily to the combination of uses that will give the greatest economic return.” 43 U.S.C. § 1702(c).

1. BLM should consider designating new Wilderness Study Areas.

While we are aware of the April 2003 settlement agreement (Utah Settlement) between Secretary of the Interior Norton and the State of Utah (in which BLM abdicated its authority to designate any additional WSAs), we maintain that this agreement is invalid and will ultimately be overturned in pending litigation.¹

Even if the Utah Settlement is reinstated, not as a consent decree, it is illegal. The Utah Settlement is based on an interpretation of FLPMA §§ 201, 202, and 603 that is contrary to

FLPMA's plain language. Section 603 did not supersede or limit BLM's authority under § 201 to undertake wilderness inventories, but rather relies explicitly on BLM having exactly that authority under § 201. Nor did § 603 in any way limit BLM's discretion under § 202 to manage its lands as it sees fit, including managing areas as § 202 WSAs in accordance with the IMP. Every prior administration has created WSAs under § 202 and they plainly had authority to do so. This administration has such authority as well, making this a reasonable alternative deserving of consideration in this NEPA process. The Utah Settlement is also illegal because the court in Utah lacked jurisdiction to prohibit designation of new WSAs nationwide, including in California.

14-97

Recommendation: In light of the recent ruling and subsequent action of the parties, we, the undersigned groups, emphasize that the BLM can and should continue to designate new WSAs in these planning processes, including the areas identified by the CWC during scoping and by the Alturas and Surprise Field Offices through their identification of areas that will be managed under SPNM and Primitive ROS zones.

b. BLM should also consider other management alternatives for protecting lands with wilderness characteristics.

The Utah Settlement does not affect BLM's obligation to value wilderness character or, according to BLM directives, the agency's ability to protect that character, including in the development of management alternatives.

In fact, BLM has not only claimed that it can continue to protect wilderness values, but has also committed to doing so. On September 29, 2003, BLM issued IMs 2003-274 and 2003-275, formalizing its policies concerning wilderness study and consideration of wilderness characteristics in the wake of the Utah Settlement. In the IMs and subsequent public statements, BLM has claimed that its abandonment of previous policy on WSAs would not prevent protection of lands with wilderness characteristics. The IMs contemplate that BLM can continue to inventory for and protect land "with wilderness characteristics," such as naturalness or providing opportunities for solitude or primitive recreation, through the planning process. The IMs further provide for management that emphasizes "the protection of some or all of the wilderness characteristics as a priority," even if this means prioritizing wilderness over other multiple uses. (emphasis added). This guidance does not limit its application to lands suitable for designation of WSAs; for instance, the guidance does not include a requirement for the lands at issue to generally comprise 5000-acre parcels or a requirement that the lands have all three of the potential wilderness characteristics in order to merit protection. Accordingly, administrative protection can and should be considered for lands not currently protected. The Draft RMPs should also consider management alternatives that provide administrative protection for the wilderness characteristics of those lands currently designated as WSAs if they are not ultimately designated as wilderness by Congress; their wilderness characteristics are acknowledged in the Draft RMPs.

In an April 11, 2003, letter to various Senators, including Senator Craig Thomas (WY), then-Secretary of the Interior Gale Norton stated: "The Department stands firmly committed to the idea that we can and should manage our public lands to provide for multiple use, including protection of those areas that have wilderness characteristics." The letter also stated that "the government can identify, or 'inventory' lands . . . for wilderness values" and manage them through different designations which would be distinguished from the "limitation of the 1964 Wilderness Act, which only allows roadless areas greater than 5000 acres to be congressionally

designated.” (copy **attached** for your reference). Similarly, in a February 12, 2004, letter to William Meadows, President of TWS (copy **attached** for your reference), then-Assistant Secretaries of the Interior Rebecca Watson and Lynn Scarlett stated that “through the land use planning process, BLM uses the ACEC designation or other management prescriptions to protect wilderness characteristics or important natural or cultural resources.”

BLM’s Arizona State Office has recently issued guidance that elaborates upon this guidance by providing for identification of lands with wilderness characteristics and development of management prescriptions to protect and enhance these values (IM No. AZ-2005-007 – **attached** for your reference). The recently-released Draft RMP for the Arizona Strip (excerpts **attached** for your reference) includes land use allocations for lands with wilderness characteristics in every alternative and sets out protective management prescriptions (Table 2.10). This RMP also includes a detailed discussion of how BLM identified and assessed wilderness characteristics and the need for protective management (Appendix 3.D). This process is consistent with FLPMA’s direction that BLM inventory the many values of the public lands and consider ways to protect them (i.e., not all uses are appropriate in all places) in the RMP. 43 U.S.C. §§ 1711, 1712.

Other RMPs that are being prepared in Arizona, Colorado and Wyoming also include identification of lands with wilderness characteristics and include management of certain areas to maintain and enhance these values in management alternatives under consideration. In California, the Final EIS and Proposed RMP for the Ukiah Field Office identified the Blue Ridge area and lands adjacent to the existing Rocky Creek/Cache Creek WSA as areas with wilderness characteristics. Likewise the Arcata Field Office’s management plans for the Headwaters Forest Reserve and the King Range National Conservation Area also identified lands with wilderness characteristics and agreed to manage them using the guidelines included in Appendix H of the Surprise Field Office’s Draft EIS/Resource Management Plan.

In a recent decision, a federal court found that BLM’s failure to re-inventory lands for wilderness values and to consider the potential impact of decisions regarding management of a grazing allotment violated its obligations under NEPA and FLPMA. In Oregon Natural Desert Association v. Rasmussen, CV 05-1616-AS, Findings and Recommendations (D.Or. April 20, 2006 – copy **attached**), the Oregon Natural Desert Association (ONDA) had submitted an updated inventory of wilderness values, but BLM declined to “revisit” its previous inventory or to consider the potential damage to wilderness values from the proposed grazing management decisions. The court found that BLM had violated NEPA, by failing to consider significant new information on wilderness values and potential impacts on wilderness values, and had also failed to meet its obligations under FLPMA, by failing to engage in a continuing inventory of wilderness values. The court concluded:

The court finds BLM did not meet its obligation under NEPA simply by reviewing and critiquing ONDA’s work product. **It was obligated under NEPA to consider whether there were changes in or additions to the wilderness values** within the East-West Gulch, **and whether the proposed action in that area might negatively impact those wilderness values**, if they exist. The court finds BLM did not meet that obligation by relying on the one-time inventory review conducted in 1992. **Such reliance is not consistent with its statutory obligation to engage in a continuing inventory so as to be current on changing conditions and wilderness values.** 43 U.S.C. § 1711(a). BLM’s issuance of the East-West Gulch Projects EA and the accompanying Finding of No Substantial Impact (FONSI) in the absence of current information on wilderness values was arbitrary and capricious, and, therefore, was in violation of NEPA and the APA. (emphasis added)

As part of these Draft RMPs, BLM is similarly obligated to both consider additions to wilderness values and evaluate the potential impacts on those wilderness values from its management decisions. Appendix I to the Eagle Lake Draft RMP and Appendix H to the Alturas Draft RMP (Management of Lands with Wilderness Characteristics) implicitly recognizes BLM's authority to protect lands with wilderness characteristics and the types of management that are needed to achieve necessary protection, but it is not applied to any lands in the three Field Offices or discussed in any detail in the Draft RMPs; and no comparable appendix appears in the Surprise Draft RMPs.

In preparing the revised RMPs and accompanying EIS, BLM should clearly present management alternatives in the context of protecting wilderness character and analyze environmental consequences to that character. In addition to considering designation of new WSAs, BLM should propose protective management prescriptions or other protective status (including mineral withdrawals, non-motorized recreation prescriptions, ACEC designations, and prohibitions on new road construction, backcountry airstrips, erection of structures such as cell towers, etc.) for lands with wilderness characteristics. BLM must also specify the "Environmental Consequences" of the resource management decisions on the wilderness-quality lands in the planning areas. In short, in every major section of the RMP, BLM must address wilderness-quality lands and citizen-proposed wilderness areas. BLM should then take appropriate actions to protect wilderness character in the preferred management alternative.

14-98 **Recommendations:** BLM should include protection of lands with wilderness characteristics in the RMPs management alternatives and thoroughly analyze this issue throughout the planning process. To ensure that wilderness values receive proper and sufficient attention as a critical aspect of land management in preparation of the RMP, BLM must inventory for lands with wilderness characteristics (including those lands identified by citizens and proposed to BLM for wilderness protection), consider alternatives for protecting lands with wilderness characteristics (including for those lands currently designated as WSAs if they are not ultimately designated as wilderness by Congress) and address wilderness as a separate and unique issue in the planning process in each section of the RMP, as described above. The guidance in Appendix I to the Eagle Lake Draft RMP and Appendix H to the Alturas Draft RMP should be applied to the Surprise Draft RMP.

14-99 Regarding the Proposed RMP/Draft EIS, we enthusiastically support the Preferred Alternative's proposal to manage several non-WSA roadless areas for non-motorized recreation, including all or part of the Sheep Ridge, Mount Dome, Sheep Valley/Silva Flat and McDonald Peak areas as Primitive ROS zones and all or part of the Cinder Flats, Bald Mountain, Turner Canyon/Fox Mountain, Pine Spring, Round Mountain/Leonard Spring, Sheep Valley/Silva Flat and McDonald Peak areas as SPNM ROS zones. These proposed ROS designations will greatly benefit both the public and wildland ecosystems. We encourage the BLM to retain this proposal intact in the final version of the RMP. We ask however that the Beaver Creek Rim/Beaver Creek area also be managed as a SPNM zone because of its interesting geology and Native American cultural and scenic values.

14-100 We do find it rather perplexing however that much of McDonald Peak and some of the other areas proposed for Primitive or SPNM ROS management are proposed for VRM Class III-IV management at the same time (map VRM-1). How can an area be managed as "semi-primitive," "non-motorized" or "primitive" when the most severe possible visual disturbances are allowed? What is worse, the Draft RMP fails to disclose and discuss the impact such major industrial-scale

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disturbances would have on Primitive and SPNM ROS opportunities and on the plants and wildlife that live in the proposed Primitive and SPNM areas. We request that in the final version of the RMP all Primitive areas be managed as VRM Class I and all SPNM zones be managed as VRM Class II areas.

Regarding the Eagle Lake Field Office Proposed RMP/Draft EIS, we support the Preferred Alternative's proposal to confine vehicles to designated routes in 72 percent of the Eagle Lake Field Office and to close 24 percent of the Field Office to motorized use (page 4-223) and we recognize that this is a new and profoundly important step for the BLM in the area. We also support the Preferred Alternative's proposal to manage 66 percent of the field office under a "backcountry" ROS (page 4-109) that limits all vehicles to designated routes and only allows travel off of those routes by permit (page 2-79) and to manage 23 percent under a primitive ROS (page 4-109).

As the CWC and other groups discussed in their October 29, 2003 scoping letter in 1997 the CWC launched a four-year effort to identify areas around the state that were eligible for designation as wilderness by Congress. In the Eagle Lake Field Office this "Citizens Wilderness Inventory" identified the following roadless areas in addition to the existing WSAs:

- Observation Peak Roadless Area (approximately 16,040 acres)
- Shaffer Mountain Roadless Area (approximately 13,365 acres)
- Shinn Mountain Roadless Area (approximately 18,571 acres)
- Skedaddle Flats Roadless Area (approximately 10,552 acres)
- Skedaddle West Roadless Area (approximately 7,030 acres)
- Snowstorm Mountain Roadless Area (approximately 13,620 acres)

14-101 We are disappointed that the Preferred Alternative has failed to recognize the existence of these roadless areas and to explicitly propose to manage them in such a way as to maintain their wild character. We are also confused by the fact that while on page 2-81 the Draft RMP states that primitive ROS zones are proposed in "core areas" of WSAs and "in some large roadless areas outside WSAs," the ROS map (REC-6) does not show any primitive zones outside of WSAs. We
14-102 request that the final version of the RMP be changed to include primitive zones in the core
14-101 portions of at least some of these roadless areas, especially Shinn Mountain.

We recognize that these roadless areas and other ecologically and culturally important portions of the Eagle Lake Field Office will greatly benefit from the backcountry ROS designation. We also recognize and support the fact that the Preferred Alternative contains several other beneficial provisions for these areas, including:

- Closing a portion of the Observation Peak Roadless Area to vehicles, limiting vehicle use in the rest of the area to designated routes, including a portion of the area in the Upper Smoke Creek Complex Cultural Resource Management Area (CRMA), assigning it to a VRM II zone and managing it with a AMR fire suppression strategy.
- Limiting vehicle use in the Shaffer Mountain Roadless Area to designated routes, including a portion of the area in the Balls Canyon Complex CRMA, assigning it to a VRM II zone except for the existing communication site, including it in a SRMA and proposing several non-motorized trails.

- Limiting vehicle use in the Shinn Mountain Roadless Area to designated routes, assigning the majority of it to a VRM II zone and managing it with a AMR fire suppression strategy.
- Limiting vehicle use to designated routes in the Skedaddle Flats Roadless Area, including a portion of it in the Deep Cut CRMA and assigning it to a VRM II zone.
- Limiting vehicle use to designated routes in the Skedaddle West Roadless Area and including a portion of it in the Little Mud Flat CRMA.
- Limiting vehicle use in the Snowstorm Mountain Roadless Area to designated routes, including portions of it in the Pete’s Valley and Snowstorm CRMAs and managing it with a AMR fire suppression strategy.

14-103 However, we strongly oppose managing portions of the Shinn Mountain, Skedaddle West and all of the Snowstorm Mountain Roadless Areas as VRM III zones. The reason for including such visually prominent areas in VRM III zones are not provided in the Draft RMP, nor are the ecological, social or cultural impacts of allowing large-scale developments in these areas considered.

14-103 To protect all six of these roadless areas, we request that the Preferred Alternative in the final
 14-102 version of the RMP propose to manage them as VRM II zones, that primitive ROS zones be
 14-104 established in their cores, and that new road construction be prohibited in these areas except for
 landowners access or emergency purposes.

14-105 We are perplexed as to why the primitive ROS class is not “recognized” in the Surprise Field Office Draft RMP (page 2-47). No explanation is given in the document, and to make matters worse, astoundingly there is no substantial difference in the distribution of ROS classes between alternatives. This is a failure to offer a sufficient range of alternatives. CEQ regulations require a reasonable range of alternatives to be presented and analyzed in the EIS so that issues are “sharply defined” and the EIS provides “a clear basis for choice among options . . .” 40 C.F.R. § 1502.14.

Travel Management - see comments under other headings as well as the following entry that applies only to the Alturas Draft RMP.

1. BLM should clarify travel management questions in the RMP.

In the Alturas Draft RMP under the Preferred Alternative OHV travel is limited to existing roads and trails unless otherwise designated (page 2-69). We recognize that this is a significant step forward for the BLM in northeastern California and we hope that this proposal is carried forward.

However, the description of how motorized routes are to be managed in SPNM and Primitive ROS zones under Preferred Alternative is rather confusing. For example, on page 2-69 the Draft RMP states that existing roads would follow “corridors” through SPNM areas. This implies that these roads will remain open to the public and that they are authorized for vehicle use. On the other hand, on page 2-73 the Draft RMP states that routes within Primitive and SPNM areas will be closed or removed where continued “unauthorized” use warrants it. Does this mean that all use of existing roads and routes in SPNM areas is unauthorized?

14-106 **Recommendations:** Please clarify the confusion regarding vehicle use in Primitive and SPNM zones in the Alturas Proposed RMP/Final EIS.

2. BLM should reconcile conflicting estimates of the mileage of new roads that will be built in Alturas Field Office under the Preferred Alternative.

The various projections offered in the Draft RMP for new temporary and permanent road construction under the Preferred Alternative are rather confusing. For example, the Draft RMP states that under the Preferred Alternative:

- 130 miles of new roads will be built (page 4-40).
- Up to 30 miles of new road will be built for forestry and woodcutting alone (page 4-65).
- 20 miles of new roads will be built along with an astounding 350 miles of “temporary” roads (page 4-135).
- “The network of permanent roads would be increased by 10 miles under this alternative” (page 4-349).

14-107 **Recommendations:** BLM must provide a consistent estimate of the miles of permanent and temporary roads that will be built under the Preferred Alternative in the Alturas Proposed RMP/Final EIS.

3. BLM should offer a more comprehensive description of the impacts of both permanent and temporary road construction.

The Draft RMP fails to acknowledge that “temporary” roads all too often—and perhaps even usually--become permanent routes as a result of ineffective closures. This is especially the case with temporary roads constructed for logging purposes and for bulldozer lines constructed during wildfires.

14-108 **Recommendations:** BLM must disclose and discuss the adverse ecological and social (especially recreational and cultural) impacts of road construction in the Alturas Proposed RMP/Final EIS.

Utilities – see comments under other headings.

Visual Resource Management – see comments under other headings.

Wildlife and Fisheries

A. Eagle Lake Field Office

We strongly support the proposal in the Preferred Alternative to assert riparian rights on all perennial and important intermittent streams (page 2-181). This will greatly benefit both wildlife and people in the arid Eagle Lake region.

14-109 The successful reintroduction of bighorn sheep to the Eagle Lake Field Office should be one of the BLM’s highest priorities. At least one of the alternatives should propose to retire sheep allotments in strategic locations to facilitate the reintroduction of bighorn more quickly.

We support the proposal in the Preferred Alternative to manage between 2,100-3,150 acres of aspen, black oak and buffaloberry sites as special habitats (page 4-349).

B. Surprise Field Office

We support the proposal in the Preferred Alternative to restore 50-100 acres of degraded grasslands and 500-4,000 acres of shrub-steppe annually (page 2-83).

14-110

The reestablishment of a healthy and viable bighorn sheep population in northeastern California should be one of the BLM's highest priorities. The Preferred Alternative does not contain adequate safeguards for bighorn sheep given that domestic sheep grazing will continue in certain allotments unless there is "evidence of disease transmission" between domestic and wild sheep (page 2-119). Given the fast pace of bighorn sheep deaths in the Warner Mountains and adjacent to Lava Beds National Monument in the 1980s once the blue-tongue illness began to spread to these populations, we urge the BLM to adopt the bighorn sheep protection measures described in Alternative 2 (page 2-118) as the Preferred Alternative in the final version of the RMP. This is absolutely essential given that according to the Draft RMP bighorn sheep are beginning to enter the Warner Mountains once again (page 3-107). The DEIS fails to discuss the positive benefits for bighorn sheep offered by Alternative 3 and the risks for and potential negative impacts on bighorn sheep under of the Preferred Alternative.

Sage Grouse Protections and Oil & Gas Development

1. The Draft RMPs do not provide sufficient protections for sage-grouse.

The Alturas, Eagle Lake and Surprise Field Offices all contain significant habitat for sage-grouse. BLM has recognized the importance of managing sage-grouse habitat on public lands, establishing a *National Sage-grouse Habitat Conservation Strategy*, which is a comprehensive approach to the management of sage-grouse habitat on public lands. In its National Sage Grouse Habitat Conservation Strategy, BLM acknowledges both the amount of habitat under its control and the importance of its management, stating: "As the land manager of almost half of the remaining sagebrush habitat, BLM plays a key role in conserving sage-grouse and sagebrush habitat." *National Sage-Grouse Habitat Conservation Strategy*, November 2004, p. 3.

BLM's sage-grouse guidance prescribes identifying habitat at risk, prioritizing protection and restoration, and doing so through land use planning. The Conservation Strategy is based on a preliminary assessment of sage-grouse populations and habitat status, trends and threats across the eleven contiguous Western states, with a commitment to ongoing information collection and implementation. Based on this information, the agency is to "use the best available science" to develop conservation measures and then make necessary management decisions and implement "on the ground actions to conserve and restore sage-grouse habitats," with land use plans and associated implementation plans serving as "the principal mechanisms" for doing so. *National Sage-Grouse Habitat Conservation Strategy*, p. 7. In order to make appropriate decisions for conserving and restoring habitat, the Conservation Strategy and the related planning guidance prescribe identifying:

- current condition and extent of habitat for sagebrush-obligate species;

- areas of highest priority for protecting, maintaining and restoring habitat, taking into account size, condition and connectivity of habitat areas; and
- management opportunities to respond to identified issues or conflicts.

National Sage-Grouse Habitat Conservation Strategy, 1.3.1 Guidance for Addressing Sagebrush Habitat Conservation in BLM Land Use Plans, November 2004, p. 4.

This approach to measuring the condition of habitat and then taking action through land use planning decisions to both safeguard existing habitat and create additional habitat through restoration can and should be applied to the Alturas, Eagle Lake and Surprise RMPs. In considering potential ACECs, the Alturas and Surprise Draft RMPs cite the presence of sage-grouse habitat as the basis for finding the relevant and important values needed to justify ACECs. See, Appendix E to Alturas Draft RMP and Appendix E to Surprise Draft RMP.

Although the RMPs recognize the existence of specific conservation strategies for various management units and even reference their goals for protecting sage-grouse habitat, the management prescriptions do not reflect the “best available science” or provide sufficient protections for sage-grouse habitat. For instance, the Alturas Draft RMP includes an Appendix K, Energy and Minerals Surface Use and Occupancy Requirements, which sets out specific restrictions for new leases, but the other RMPs do not include specific stipulations. The Eagle Lake Draft RMP contains an Appendix H, RMP Alternatives Necessary to Ensure Compliance with the Conservation Strategy for Sage-Grouse and Sage-brush Ecosystems within the Buffalo-Skedaddle Population Management Unit, which identifies some protective measures but does not address oil and gas development at all. In addition, there is excessive variation among the types of protective measures incorporated in the three RMPs. The lack of consistency, specificity and enforceability in protective measures renders the RMPs noncompliant with BLM’s obligations and commitments to conserve sage-grouse habitat.

A comprehensive analysis of causes of damage to sage-grouse habitat and specific management prescriptions needed for conservation and recovery of sage-grouse habitat has been prepared by Dr. Clait E. Braun, a recognized expert in sage-grouse and their habitat. Dr. Braun’s *A Blueprint for Sage-grouse Conservation and Recovery* includes detailed recommendations for managing activities on public lands to protect sage grouse, including oil and gas development, fire, grazing, and roads. We have **attached** a copy of these recommendations and incorporate them herein by reference.

14-111

General Recommendations: The RMPs should incorporate the management measures discussed in *A Blueprint for Sage-grouse Conservation and Recovery*. The form of these directives could be in a similar form to the referenced appendices to the Eagle Lake and Alturas RMPs, but must set out specific protective measures, be explicitly incorporated in the RMPs and made mandatory. BLM should consider closing areas to mineral leasing to protect sage-grouse habitat. Further, oil and gas lease stipulations must specifically limit the reasons that exceptions, modifications or waivers can be granted. Also, the RMPs all leave room to expand protections as additional habitat is found, so we would recommend a specific inventory, monitoring and identification program for sage-grouse habitat. BLM should also consider designating ACECs to protect sage-grouse habitat (see specific recommendations under Special Management Areas, ACECs: both the Alturas and Surprise Draft RMPs identify the presence of sage grouse habitat as support for the preliminary relevance and importance findings. BLM managed lands in the Eagle Lake FO also contain important sagebrush and sage-grouse populations which are

threatened by cheat grass infestations, juniper encroachment and other factors. The need to conserve and restore sage-grouse and their habitat justifies the need for especially protective management to avoid harm.

Specific analysis of the proposed management of sage-grouse habitat in each RMP and additional recommendations are set out below.

A. Alturas RMP

14-112 Appendix K sets out Energy and Minerals Surface Use and Occupancy Requirements. Appendix K will apply to new leases, which range from 50,000 acres open to leasing in the Ecosystem Restoration Alternative to 200,000 acres open in the No Action and Traditional Uses Alternatives and 190,600 acres open in the Preferred Alternative. The failure to make a significant closure in any but the Ecosystem Restoration Alternative indicates that BLM has not met its obligation to consider a true range of alternatives and improperly skews the balance of values in the RMP. See 40 C.F.R. §§ 1502.14(a) and 1508.25(c).

Conditions in Appendix K include no surface occupancy (NSO) restrictions on oil and gas development activities within ¼ mile of leks. No new drilling will be permitted within 200 meters of known leks. The Draft RMP identifies 12 known leks, but notes that restrictions will apply to more leks if they develop. No drilling or seismic activities will occur in sage-grouse habitat from March 15th through June 15th, while all other activities will be permitted except between 3:00 a.m. and 9:00 a.m. However, exceptions to these restrictions can be granted.

14-113 The section on sagebrush ecosystems generally discusses using conservation strategies, referencing the *Conservation Strategies for Sage-Grouse and Sagebrush Ecosystems within the Buffalo-Skedaddle, Likely Tablelands/Rocky Prairie and Devil's Garden/Clear Lake Population Management Units*. Both the goals set out in the Draft RMP and the referenced conservation strategies recognize the importance of protecting sage grouse habitat and sagebrush ecosystems. However, these strategies do not tend to provide sufficiently protective, clear or enforceable management actions.

The RMP recognizes sage grouse habitat as a qualification for relevance and importance for ACECs (Appendix E). There is specific discussion with regard to the Tablelands/Yankee Jim/Fitzhugh Creek ACEC.

14-112 **Additional recommendations:** BLM should consider closing additional acreage in the Alturas RMP to oil and gas leasing in order to protect sage-grouse habitat. While the goals and protections identified in the Draft RMP are helpful, they are not sufficient and should be
14-113 expanded and clarified to comply with the attached *Blueprint for Sage-grouse Conservation and Recovery*.

B. Eagle Lake RMP

14-114 The Draft RMP includes as Appendix H "RMP Alternatives Necessary to Ensure Compliance with the Conservation Strategy for Sage-Grouse and Sage-brush Ecosystems within the Buffalo-Skedaddle Population Management Unit." While this appendix includes some helpful conditions and restrictions on activity, it is not sufficient to protect the populations in the area. Appendix H does not address oil and gas development at all, despite the fact that this has proven to be one of the most damaging activities to sage-grouse habitat and is permitted in the majority of the planning area.

14-115 For ORV use, the document states both that ORV trails should be closed where use is adversely impacting nesting and that ORV use should be restricted once monitoring data confirms that it is a disturbance to lek activity, both only “as necessary.” These statements would be more likely to benefit the sage-grouse if there were more clear standards and commitments to both monitoring and enacting/enforcing restrictions. Unfortunately, Appendix H is only generally referenced in the management alternatives and in other sections of the Draft RMP as a conservation strategy.

14-116 The Preferred Alternative prescribes no surface occupancy (NSO) stipulations for oil and gas activities within .25 to .6 miles of leks and no structures that could serve as raptor perches would be allowed within 2 miles of active leks. This Alternative mentions the need to conduct oil and gas activities in a manner “consistent with” the conservation strategy for the Buffalo-Skedaddle population management areas, but does not mention Appendix H or provide any other detail.

14-117 The oil and gas management in the Ecosystem Restoration Alternative has conflicting and unclear restrictions. It states that lands within .25 mile of leks or know/occupied habitat would be closed, but then also states that there will be an NSO stipulation applied to oil and gas activities within .25 mile of leks (which would not be needed if these lands are truly closed). Other stipulations would apply to lands between .6 and 2 miles from leks, but the “suitable buffers” would be determined as important habitat is located. This last condition is lacking in clarity and also leads to a question about protection for areas between .25 and .6 miles from leks. The Traditional Uses Alternative provides generally for “restrictions” to apply within .5 mile of leks.

14-114 through 14-117 **Additional Recommendations:** The RMP should clearly identify and incorporate more stringent protective measures, including for oil and gas development and ORVs, as identified in the *Blueprint for Sage-grouse Conservation and Recovery*.

C. Surprise RMP

14-118 The Preferred Alternative in the RMP does not mention any restrictions at all for oil and gas development to protect sage grouse and would leave almost all of the field office open for leasing with only a small percentage of that having any types of restrictions. This is a clear failure to fulfill BLM’s obligations under the Sage-grouse Conservation Strategy. Only WSAs are closed to oil and gas leasing. Given that the Surprise planning area is identified as low to non-existent potential for oil and gas, leaving the vast majority of the field office open seems unnecessary.

14-119 Both the Ecosystem Restoration Alternative and the Traditional Uses Alternative would apply seasonal restrictions within .25 miles of a lek, but these would apply in known habitat only and then could be supplemented as new “important habitat” is identified. The inadequacies of sage-grouse protections in all of the alternatives for the Surprise RMP are obvious in comparison to those included in the other RMPs and those in the attached *Blueprint for Sage-grouse Conservation and Recovery*.

14-120 The management alternatives section on sagebrush ecosystems generally discusses using conservation strategies and sets out very broad goals for management. While the Draft RMP appears to recognize the importance of protecting sage grouse habitat and sagebrush ecosystems, there are not sufficient management prescriptions or commitments of any kind to fulfill these goals.

14-118 through 14-120 **Additional Recommendations:** The RMP must include specific protections for sage-grouse habitat, including from oil and gas development, as identified in the *Blueprint for Sage-grouse Conservation and Recovery*. BLM should consider closing additional acreage in the Surprise RMP to oil and gas leasing in order to protect sage-grouse habitat.

2. The Draft RMPs should incorporate best management practices for oil and gas development activities.

Significant portions of all three RMPs are open to oil and gas development. However, none of the RMPs require or even discuss the use of best management practices (BMPs), which can drastically reduce the impacts of oil and gas development on the other natural resources of the public lands.

BLM's guidance requires consideration of BMPs for oil and gas development. BLM's Instruction Memorandum 2004-194 directs consideration of BMPs and both the IM and the recently updated Gold Book provide examples of BMPs that can be applied to both new and existing leases, in order to limit the damage from oil and gas development. It is critical that the RMPs consider and make BMPs mandatory in order to comply with BLM's guidance and obligations to protect the many natural values of these lands.

14-121 **Recommendation:** All three RMPs must identify BMPs and make them mandatory, especially in sensitive areas. BMPs should include:

- Phased or strategic development - in terms of timing (developing one area, then restoring before moving to another), location (such as staying out of big game corridors), limiting amount of equipment in use at any given time, limiting amount of surface disturbance on a lease at any given time and requiring successful restoration before permitting additional disturbance;
- directional drilling;
- clustered drilling;
- closed loop drilling;
- interim reclamation;
- restoration standards;
- unitization; and
- increased bonding.

Fire Management

A. Eagle Lake Field Office

14-122 We support the Preferred Alternative's proposed use of the AMR method which can range from simply monitoring a fire to full suppression (page 2-25) and the proposed utilization of wildland fire use and prescribed fire on as much as 15,000 acres per year (page 2-8). We are disappointed however that a larger area is not slated for wildland fire use and in the Draft RMP's prediction that AML will result in full suppression 90-95 percent of the time (page 4-43).

14-123 While the Eagle Lake Field Office Draft RMP states on page 2-34 that forestry practices will focus on restoring the natural fire regime the plan does not describe the specific silvicultural prescriptions that will be used to achieve this end. We request that the Final RMP include
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14-123

specific provisions to restore natural fire regimes, such as an upper diameter limit on the size of trees to be cut so that the largest and most fire-resistant trees in each stand are retained.

B. Alturas Field Office

14-124

We support the proposal in the Preferred Alternative to burn up to 10,000 acres annually using prescribed fire and wildland fire use (page 2-8). We also support the proposal to use AMR as the primary fire management strategy most of the Alturas Field Office (page 2-33). However, we believe that a larger portion of the Alturas Field Office should be managed for wildland fire use than the nearly inconsequential 3 percent proposed in the Preferred Alternative. The Draft RMP and DEIS fail to fully analyze the ecological consequences of allowing fuels to accumulate to a potentially catastrophic extent under a partial or full-suppression regime.

14-125

Logging is one of the most critically important factors in fire management. Large-diameter trees are the most resistant to fire while small trees, especially those that are clustered in post-clearcutting thickets, are the most vulnerable. We were very disturbed to find that the Preferred Alternative proposes to target “over-mature” forest to reduce fire danger (page 2-43). Even the U.S. Forest Service (at least in California) has largely stopped using this outdated term and acknowledges that forests dominated by large, old trees are the most resistant to fire. While we welcome the adoption of an upper diameter limit on the size of trees to be cut during logging operations in the Preferred Alternative, we submit that a 30” diameter at breast-height (DBH) size limit is simply too large given that one can walk for hundreds of yards through the majority of the forested lands of the Alturas Field Office, Lassen National Forest and Modoc National Forest without ever encountering a tree of that size or greater. We therefore request that BLM change the Preferred Alternative in the final version of the RMP to include a provision that the largest and oldest trees in each stand be retained as well as all trees over 30” DBH so that late-successional habitat can be restored over time, and so more fire-resistant forests can be fostered.

C. Surprise Field Office

14-126

We support the Preferred Alternative’s proposed use of the AMR method which can range from simply monitoring a fire to full suppression on over a quarter of the Surprise Field Office area (page 2-27). However, the fire map for the Preferred Alternative (Fire-1) shows that over half of the Surprise Field Office will be managed under AMR, and while the map legend states that yellow is limited “mainly to full suppression,” there is no yellow area shown on the map. There is also a dark green area shown on the map but the significance of the color is not explained in the legend. Please resolve these problems in the final version of the RMP.

14-127

Logging is one of the most critically important factors in fire management. Large-diameter trees are the most resistant to fire while small trees, especially those that are clustered in post-clearcutting thickets, are the most vulnerable. We were therefore very disturbed to find that the Preferred Alternative proposes to target “over-mature” forest to reduce fire danger (page 2-36). Even the U.S. Forest Service (at least in California) has largely stopped using this outdated term and acknowledges that forests dominated by large, old trees are the most resistant to fire.

Recreation

14-128

We support the Alturas Preferred Alternative’s proposal to develop several new non-motorized trails as described on pages 2-118 and 1-119 and we request that this proposal be codified in the Final RMP.

14-129

We also strongly support the Eagle Lake Field Office's aggressive proposal in the Preferred Alternative to establish many miles of new non-motorized trail. However, note that the Draft RMP states at one point that 277 miles of non-motorized trails will be developed (page 2-135) and at another that 264 miles will be developed (page 4-110). Please clarify the number in the final version of the RMP. Either way, we commend the BLM for its visionary plans to meet future non-motorized recreation demands.

Thank you again for the opportunity to comment on the draft Resource Management Plans and Environmental Impact Statements for the Alturas, Eagle Lake and Surprise Field Offices. We request that you respond to the comments we have provided in this document in detail so that we can see how the BLM has incorporated our critiques and recommendations into its management plan. Additionally, in order that we may continue to be a part of this planning process please include us in all future correspondence related to these documents. We are available to discuss our concerns further at your convenience. If you would like to talk with us or have any questions, please contact the undersigned.

Sincerely,

Geary Hund
Desert and Monuments Program Director,
California
The Wilderness Society
P.O. Box 72
Idyllwild, CA 92549
951-640-3398
ghund@twc.org

Ryan Henson
Policy Director
California Wilderness Coalition
P.O. Box 293
Shingletown, CA 96088
rhenson@californiawild.org

Kim Delfino
California Program Director
Defenders of Wildlife
926 J Street, Suite 522

Sacramento, CA 95814
916-313-5809
kdelfino@defenders.org

Johanna Wald
Senior Attorney
Natural Resources Defense Council
111 Sutter St., 20th floor, San Francisco
CA 94104
(415) 875-6100 x113
jwald@nrdc.org

Gordon Johnson
Director
California Wilderness Legacy Project
P.O. Box 781
Palo Cedro, CA 96073
530-945-2143
ghohnson@ridgeline.net



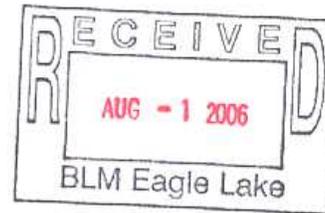
DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

Northern California-North Coast Region
601 Locust Street
Redding, California 96001
(530) 225-2300



July 25, 2006



Ms. Sue Noggles
Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130

Dear Ms. Noggles:

**Bureau of Land Management (BLM) Alturas Field Office
Draft Resource Management Plan (DRMP) and
Draft Environmental Impact Statement (DEIS)**

The Department of Fish and Game (DFG) has reviewed the subject DRMP and DEIS. The intent of these documents, developed with general public, BLM staff, and Cooperating Agencies input, is to produce a comprehensive management strategy which will guide future management of the public lands administered by the Alturas Field Office. The Alturas Field Office manages approximately 503,045 acres of BLM land in northeastern California including many areas containing habitat critical to California's fish and wildlife resources. As a cooperating agency and California's trustee agency for fish and wildlife resources, we are pleased to offer the following comments for your consideration. We respectfully request actions included in these comments be incorporated into your plan in a manner which will effectively protect these resources throughout the life of the Resource Management Plan (RMP).

Grazing in the Great Basin and intermountain west is one of the greatest threats to biodiversity in this region. Proper monitoring, surveys, and evaluations of grazing land will be needed to identify problems and to properly implement adaptive management programs. Corrections and remediation should be required of leasees if negative consequences are detected. Monitoring and surveys should use accepted methodologies and be conducted by objective investigators to provide information that will help meet the standards of a healthy rangeland. It is DFG's opinion that allotments should be suspended if monitoring and evaluations show that an allotment is operating outside of prescribed allotment conditions, or where allotment activities have or are creating damage to the native ecosystems. DFG supports inclusion of increasingly more severe consequences for repeated violation of the allotment agreements and requests that these be written into every allotment agreement so that performance

15-1

15-2

15-1

15-2



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- 15-2 expectations are clearly understood by both BLM and the allotment operator.
- 15-3 For lands that are being reseeded and those areas affected by wildfire, prescribed fire, or mechanical treatment DFG supports the minimum land rest period from livestock grazing of two growing seasons. Recovery surveys should be completed and the land should meet carrying capacity standards before grazing is allowed back into these areas. All livestock salting sites should be at least .5 mile away from aspen groves, meadows, and riparian corridors so as not to encourage cattle use of these areas which could adversely affect the habitat.
- 15-4

The DRMP states that of 17 grazing allotments assessed as "Category 1", i.e., areas where one or more standards is/are not met or significant progress is not being made toward meeting the standard(s), and livestock grazing is a significant contributing factor. Of these 17 grazing allotments, 1 has a new allotment management plan (AMP), 7 have no AMP, and 9 have AMPs over 15 years old. New adequate AMPs need to be completed on all of the 17 grazing allotments before grazing is allowed on any of these allotments. The DRMP does not indicate there are permits for sheep grazing or if any sheep grazing permits will be allowed in the future. DFG requests no permits be issued for sheep grazing within the Alturas Field Office; however, if allowed, permits issued near potential bighorn sheep habitat should adhere to the grazing policies set forth and adopted by BLM in the "Mountain Sheep Ecosystem Management Strategy in the 11 Western States and Alaska." U.S. Department of Interior, Bureau of Land Management. September 1995).

- 15-5
- 15-6

DFG concurs with BLM regarding current fish issues and plans that protect and manage fish species of special concern. Functioning riparian, wetland, and spring sites are essential for all aspects of land health and fish and wildlife use. The potential for diverse fish and wildlife species occupation is based upon the structure and species of associated vegetation. Primary threats to riparian vegetation in this area include damaged caused by grazing domestic livestock and wild horses as well as potential future water diversions. Wildlife friendly fences or enclosures should be constructed to protect springs, streams, riparian and other habitats from livestock grazing. Considerations of pronghorn and other wildlife in the area need to be addressed.

- 15-7

Pronghorn antelope are particularly susceptible to conflicts with livestock fencing. In order to minimize impacts on pronghorn, deer migration and injury or mortality, all fences should be 3 or 4-horizontal wire, total height no more than 42 inches, with no hog wire or nonhorizontal stranding (chain link prohibited). The bottom wire should be smooth and 18 inches above ground and the 2 top most strands should be no less than 10 inches apart. Post spans greater than 12 feet

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15-7

should include a single vertical wire stay on all enclosures to reduce direct mortality and to reduce predation of pronghorn and deer that may be associated with fences.

15-8

The aspen ecosystem value to wildlife is nearly as great as riparian systems. Notable associated wildlife includes mule deer summer range and fawning sites, critical nesting and forage sites for migratory and resident birds, forage sites for mammals, and nest sites for northern goshawks at some locations. The diversity and abundance of wildlife occupation of aspen stands are directly proportional to the structural and age diversity of the stand. Primary threats to this ecosystem include grazing timing and intensity as well as invasion by western juniper. DFG agrees with BLM that meadows and aspen stands with significant wildlife habitat value should receive priority for additional livestock exclusion. Furthermore, because of their inherent values, DFG requests that all large aspen stands be excluded from livestock grazing whether they have been studied for significant wildlife value or not. Aspen can be enhanced by judicious use of mechanical treatment (removal of encroaching juniper, for example) and prescribed fire but care must be taken as they can also be severely damaged by fire that is too hot.

15-9

15-10

DFG agrees and supports the BLM Alturas Field Office on the removal of invasive western juniper to improve land health and to benefit sage grouse habitat. Emphasis on the age and/or density of junipers to be removed is crucial to decisions involving where to cut. While emphasis on dense crowns and equipment access may be suitable for biomass removal, low density, small sized junipers are much more efficient to attack by hand methods on an "invasion front". Hand (chain saw) follow-up should take place on all removal sites (especially biomass equipment projects) to eliminate crown or stump sprouting. Prescribed fire should be specifically avoided as a method to control juniper. Shrub, grass, and forb recovery may be lost through prescribed burning. Postjuniper removal project land uses need to be evaluated for the impact of livestock grazing on subsequent revegetation. Postproject grazing intensity can determine if a site reverts to a forb, weed, grass, or shrub dominated habitat.

15-11

DFG feels strongly that Off-Highway-Vehicle's (OHV's) use should be limited to designated routes, which would enhance recreation experiences by protecting natural settings. DFG further feels that all OHV events should be routed away (temporally and spatially) from conflicts with valuable wildlife habitat. Plant community, fire danger, soil characteristics and wildlife species occurrence should be the driving constraints for OHV organized events and/or any expansion of existing OHV use on BLM lands.

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15-12 Development of future utility corridors, microwave towers, wind energy sites, and similar facilities may place sage grouse at an even higher risk for population declines and lead to possible listing as threatened or endangered under the Endangered Species Act. DFG believes that all future overhead lines and towers should be sited along existing power lines. No new right-of-way should be established outside of existing corridors. In addition BLM should reconsider expanding pipeline corridor widths to a maximum of 250 feet.

15-13 Previously designated utility corridors that have not been built should not be used where placement of new lines adjacent to existing lines can fulfill the need. By doing this, adverse impacts to California sage grouse will be reduced or avoided.

15-14 This may be an important step in preventing the need for listing and will contribute to recovery of this species.

The DRMP indicates that sagebrush-steppe occupies 48% of land in the Alturas Field Office. Sagebrush is an important community and should be retained and supported. Sagebrush dependent wildlife species include sage grouse, pygmy rabbit and numerous passerine birds as well as big game mammals such as pronghorn antelope and mule deer. Primary threats to this ecosystem in the Great Basin include wildfire, western juniper invasion, and some grazing regimes by both domestic livestock and wild horses.

Sagebrush ecosystems are essential for sage-grouse conservation. Sagebrush grows slowly. Dense stands of sagebrush are very important to sage grouse as they are one of the only bird species that extensively eat sagebrush.

DFG supports the BLM Alturas Field Office goal to protect and enhance native plants and plant communities, providing for their continued existence, natural functioning, and successful reproduction. DFG further supports the preferred alternative in the classification and mapping of native plant communities of local concern, rare plant communities, and special-status plants. All proposed ground or habitat disturbing activities should be preceded with a rare plant survey using accepted methodologies and appropriately trained botanists.

15-15 The DRMP states "BLM administered parcels that provide habitat for a sensitive species (sage grouse) and are best managed as part of the adjacent DFG Ash Creek Wildlife Area would be transferred to DFG through an exchange or other action". In the area surrounding McArthur Swamp, the DFG would like BLM to retain public ownership or transfer to an agency of the State of California for the same purpose.

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DFG would like to thank you for the opportunity to comment on the Alturas Field Office DRMP/DEIS. We welcome the chance to be of further assistance. If you have any questions regarding this information please contact Fish and Game Staff Environmental Scientist Bob Williams at (530) 225-2365.

Sincerely,


 **DONALD B. KOCH**
Regional Manager

cc: Messers. Jim Nelson, Bob Williams and Ms. Brandy Norton
Department of Fish and Game
601 Locust Street
Redding, California 96001

ec: Bob Schaefer
Department of Fish and Game
rschaefer@dfg.ca.gov

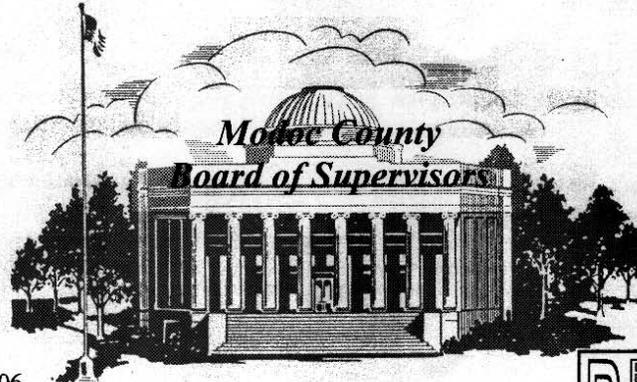
Richard Callas
Department of Fish and Game
rcallas@dfg.ca.gov

Richard Shinn
Department of Fish and Game
rshinn@dfg.ca.gov

John Siperek
Department of Fish and Game
jsiperek@dfg.ca.gov

Randal C. Benthin
Department of Fish and Game
rbenthin@dfg.ca.gov

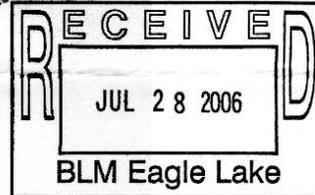
DAN MACSAY
1st District
MICHAEL DUNN
2nd District
PATRICIA CANTRALL
3rd District
RAY ANKLIN
4th District
DAVE BRADSHAW
5th District



MAXINE MADISON
County Clerk
and
Clerk of the
BOARD OF SUPERVISORS
Box 130
ALTURAS, CALIFORNIA 96101
(530) 233-6201
Fax (530) 233-2434

July 25, 2006

Alturas RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville CA 96130



RE: Comments on BLM Alturas Field Office's Draft Resource Management Plan and Environmental Impact Statement

Dear Planning Coordinators:

The Modoc County Board of Supervisors (County) appreciates the opportunity to submit comments on the Bureau of Land Management's Alturas Field Office Draft Resource Management Plan and Environmental Impact Statement (RMP). The following comments continue the County's participation in the development of this RMP that officially began with the granting of Cooperating Agency status in 2003. We believe this planning partnership has been a productive one to date.

Modoc County is a "planning county" in that the County adopted the "Comprehensive Land Use and Management Plan for the Federally and State Managed Lands in Modoc County" under 43 U.S.C. Section 1712, 43 C.F.R. Section 1610, 40 U.S.C. Section 1502-1508 and other statutes. Utilizing this plan the County has worked closely with the Bureau of Land Management, at both the field office and state office levels, to jointly plan those proposals that might impact the environment and socio-economics of Modoc County.

GENERAL COMMENTS

Overall, the County believes this document has done a good job of capturing the important concerns raised by the County representative during the long process of developing this RMP. The loss of the private contractor part way through the plan development could have caused serious problems with the timing and continuity of the

RMP. You should be commended for regrouping and completing the draft in a reasonable time period utilizing staff time taken from other tasks.

In general the County supports the Preferred Alternative. It appears to be a good mix of reasonable resource objectives and socio-economic stability, given the unforgiving budget climate the agency is facing. The County submits these comments to follow up on those issues raised by the County as a cooperating agency during the RMP development.

SPECIFIC COMMENTS

Format

This document will be the foundation document for the Alturas Field Office for the next fifteen to twenty years. It must be as easy to use as possible in order to allow the public to readily access the management policies it contains.

16-1 The County suggests that each chapter have its own table of contents. The existing table of contents contains a mix of sections and sub-sections. We suggest that each chapter's table of contents contain every sub-section, thus making it very easy for the public to find the specific subject matter needed.

16-2 The map section is useful, however we suggest that every map have enough landmarks on it to allow the public to quickly identify the area in question. It would also be very helpful if each map contained the appropriate page number(s) that contains the text of the same subject. This would greatly enhance the readability of the document.

16-3

16-4 Including the page number(s) on the alternative summary tables that reference the appropriate text would also enhance readability. There should also be text for every summary table (i.e. Water Supply).

Fences

16-5 The Preferred Alternative recommends the designation of numerous areas needing protection from livestock, Off Highway Vehicles and other perceived threats. The County doesn't necessarily object to these new protections, as their total acreage is not significant. However, we believe the current practice of either assigning the fence maintenance to the nearest grazing permittee or allowing these exclosures to go without maintenance should not be continued. A program of ongoing maintenance for all new fenced exclosures, performed by unoccupied fire crews, inmates or some other labor pool, should be developed. Grazers should not be burdened with this additional workload.

Fire Management

16-6 The County supports the Preferred Alternative that includes adaptive management and the full range of “appropriate management response” options. We especially support the concept of designated areas where wildfires can be allowed to burn, after taking into account public and firefighter safety, protection of private property and safeguards for natural resources. However we are skeptical that these “let burn” areas can exist on those BLM lands under the coverage of the California Department of Forestry and Fire Protection. We urge a determined effort to overcome their insistence on full suppression and offer our help in that effort.

Fire Rehabilitation

16-7 The County urges the establishment a regional, rather than local, native seed bank. This will increase the likelihood that enough native seed is available to replant burned areas.
16-8 We encourage the development of pre-fire agreements that allow for the use of certain non-native seed if the native seed supply is insufficient, rather than leave bare ground.

Lands and Realty

16-9 The County has previously commented on the Land Tenure Adjustment Plan that forms the basis of the Alturas RMP’s Land section. The County wishes to reiterate our “no net loss” policy and encourage your continued efforts to comply with it.

Livestock Grazing

16-10 While supporting the Preferred Alternative for grazing, the County appreciates the discussion of suspended non-use contained in the economic alternative. We suggest a statement be included in the preferred alternative that acknowledges that suspended use is present and that when appropriate conditions exist in individual allotments, full consideration will be given to dedicating the resources necessary for completing the analysis to restore these numbers.

16-11 The County wishes to continue to express strong opposition to Alternative 2. While proposed as a reduced grazing alternative by allowing the full use of the allotment once every three years, it is in actuality a “no graze” proposal as few if any grazers would be able to maintain herd numbers when they would only be able to use their permit every third year. It is worse than a straight “no graze” alternative because it is deceptive. It is absolutely unacceptable.

Travel Management

The County is supportive of the establishment of areas that will allow for the full range of use of Off Highway Vehicles. We are exceptionally pleased with the well thought out list of exemptions to the off-road travel restrictions and seasonal road closures.

16-12 While the County does not oppose the Preferred Alternative’s proposal to work with the Modoc County Scenic Byways Committee and other involved agencies, we have



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16-12 concerns over the possibilities of designating U.S. 395 (Alturas to NV state line) and CA 139 (Canby to Susanville) as part of the Emigrant Trails Scenic Byway. We have same concern over the potential of incorporating CA 299 (Adin to Redding) into the Scenic Byway System. This group has operated with the belief that there are no negative consequences to these scenic byway designations, despite the fact that similar existing designations have caused serious problems for past proposals for development.

16-13 The County is in strong support of the statement involving the rail banking of the abandoned Modoc Line corridor contained in the Management Common to All Alternatives (page 2-116). However, some people could interpret the language used in the Preferred Alternative (page 2-118,119) to mean the permanent use of the corridor would be for recreational trails. It should be clearly stated that any use, other than the return of rail, is merely temporary.

Socio-Economics

16-14 While the county economic data displayed is accurate, it is 2000-2001 data. The County believes that more current information is easily available and should be used. The

16-15 analysis fails to capture the impacts on possessory interest tax levied on grazing permits. As it is collected on an "as used" basis, Alternative 2 would directly impact the County's revenue.

16-16 Alternative 2 fails to capture the true loss of grazing. It uses a direct "paper" computation of grazing one out of three years. Reality shows most grazers would cease to use their permit at all because of the lack of forage the remaining two years.

16-17 While the IMPLAN model is widely used to estimate economic impacts, it has flawed assumptions when used for estimating grazing impacts in areas such as Modoc County. It does not take into account the fact that all available private forage is utilized every year, thus for every reduction in federal forage, the local economy suffers that loss. When a cow moves from federal forage to private replacement forage, it displaces a cow that was already in the county's economy. IMPLAN does not capture this loss correctly.

16-17 IMPLAN measures loss on a direct line. For example a livestock operator that grazes a BLM permit for five months depends on the BLM to provide 42 percent of his annual forage (5months/12 months) needs. This is the loss measured by IMPLAN. In actuality this loss is greater, once the overall ranching operation is adjusted to accommodate this loss. "The Greater Modoc Area- A Strategic Plan for Elk Management"(2000) calculated that actual loss at 58 percent or for every AUM reduced, the individual ranch operation lost 1.38 AUMs in production. IMPLAN does not correctly capture the entire loss.

While the County supports the Preferred Alternative and does not expect Alternative 2 to be selected, a failure to accurately display the true losses in grazing creates a false impression that it is not as economically devastating as it truly would be.

Summary

In conclusion the County supports the Preferred Alternative. Overall we believe the cooperating agency relationship has produced a solid draft RMP. The County looks forward to continuing to work with the Alturas Field Office to fine tune the document to complete a final RMP that, when implemented, produces an enhanced environment and a healthier and more stable economy.

Sincerely,
Modoc County Board of Supervisors

A handwritten signature in black ink, appearing to read "Dan Macsaj", written in a cursive style.

Dan Macsaj, Chairman

S M RANCH

Residence (530) 347-6911 528 2456
Ranch (530) 529-0267



6/2/06.

Alturas RMP Comments
Attention Planning
Bureau of Land Management
Alturas Field Office
2950 Riverside Drive
Susanville Ca 96130

Dear Sirs

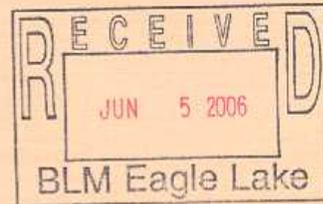
I urge that all wilderness study areas be managed as primitive zones, and that the sixty miles of new road plans are eliminated.

Also please consider Pit River Canyon, Lava, Beaver creek and Juniper creek as areas of critical environmental concern.

Thank you for your consideration.

Yours Sincerely

Paul Moore



17-1
17-2
17-3

July 27, 2006

Alturas RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130

Re: Draft Alturas Resource Management Plan and EIS

VIA E-mail and U.S. Postal Service

Dear Sir or Ma'am:

These comments on the Draft Resource Management Plan (RMP) and Environmental Impact Statement (DEIS) for the Alturas Field Office are submitted on behalf of the Western Watersheds Project, Inc. (WWP). WWP is non-profit conservation organization with 1400 members working to protect and restore western watersheds. We request that all alternatives in the EIS include a provision for permanently retiring domestic livestock grazing allotments when conditions permit. In addition, WWP offers the following comments in regards to domestic livestock grazing:

18-1

The planning area provides habitat for a large number of mule deer and pronghorn, and Rocky Mountain elk have been documented migrating into the area. Reductions in sage-grouse populations are of concern in the planning area. Threatened or endangered species found in the area include: bald eagle, northern spotted owl, Modoc sucker, Shasta crayfish and slender Orcutt grass.

Comment Period

The comment period for the Alturas RMP DEIS extended from April 28, 2006 through July 27, 2006. However, in June the Alturas Field Office (AFO) issued an errata sheet for the draft RMP and DEIS in order to correct errors in the original document. Given the extent of the errata sheet, and the fact that the public is in the process of commenting on three draft Resource Management Plans in the same vicinity, all of which has extensive errata sheets issues such a late date, we ask that the BLM re-issue the DEIS, including the information contained in the errata sheet, in order that the public may have an adequate opportunity to review the data contained in the errata sheet and the direct, indirect, and cumulative effects associated with the changes contained in the errata. That is the only way the public will provided an adequate opportunity to review the data contained in the errata sheet in context with the rest of the EIS.

18-2

Purpose and Need

Maintaining and improving wildlife habitat and restoring degraded range conditions should be reflected in the purpose and need for the RMP in compliance with both the Taylor Grazing Act of 1934, the Federal Lands Policy Management Act (FLPMA) of 1976, and other laws that govern livestock management on public lands. Approval of the RMP will guide livestock management in the project area for years to come and provides the foundation on which future Allotment Management Plans will be based.

The Taylor Grazing Act was passed to “stop injury to public lands by preventing overgrazing and soil deterioration,” and the Federal Land Policy and Management Act (FLPMA) requires the BLM to maintain and improve wildlife habitat. It also requires that “Allotment management plans shall be tailored to the specific range condition of the area to be covered by such plan, and shall be reviewed on a periodic basis to determine whether they have been effective in improving the range condition of the lands involved...”¹

The requirement to focus on improvement of range condition is also explicit in the Public Rangeland Improvement Act (PRIA), which provides that the goal of public land range management is to improve range condition (emphasis added).² “Range condition” as defined in PRIA means the “quality of the land” as reflected by the ability of specific areas to support the productivity sought by BLM.³

Thus, the reason for addressing livestock grazing in the RMP is to improve the range condition of the allotments within the project area and to maintain and improve wildlife habitat. This direction, based on laws and regulations, should be explicitly stated in the “Purpose and Need for the Plan” in the FEIS. Furthermore, the selection of any alternative in the DEIS that does not provide direction for meeting those goals violates the intent of the laws and regulations that govern public land management.

Allowable Use

More Importantly, 43 CFR Sec. 4100.0-8 states:

“Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b).”

In the case of the Alturas RMP and DEIS, the BLM has recognized many times that the quality of the land in the project area is severely diminished. For example, the DEIS

¹ 43 U.S.C. § 1752(d) (emphasis added)

² 43 U.S.C. §§ 1901(b)(2), 1903(b)

³ See *id.* § 1902(d)

notes that 93% of the allotments in the planning area are failing to meet one or more of the standards, and current grazing practices are partly responsible.⁴ Thus, when the RMP seeks to improve “range condition,” as it must, what this really means is that the RMP must provide for improved riparian, upland, and wildlife habitat conditions and include goals and objectives and allowable use standards to achieve those goals.

The correction of resource degradation caused by domestic livestock and the prevention of future degradation should be driving forces behind the RMP and should be reflected throughout the NEPA document and in any future agency decisions regarding domestic livestock grazing in the project area. Alternative 2 is the best alternative for meeting these requirements, yet even that alternative falls short of restoring degraded conditions and meeting the mandates described above. Moreover, specific livestock grazing levels that will be used to meet standards are lacking in all alternatives in the DEIS and must be included in the FEIS.

Otherwise, the plan lacks teeth and is unenforceable. Simply stating that specific standards will be developed at the site specific level violates law and allows the BLM to continue the degradation caused by domestic livestock. By not stating minimum livestock utilization standards in the RMP, the BLM failed to establish allowable use levels as required by both 43 CFR Sec 4100.0-8 and 43 CFR 1601.0-5(b).

The DEIS states that the goal of the livestock grazing program is as follows:⁵

1. Livestock grazing will be maintained as a recognized and economically viable use of public lands. Authorized use will be such that rangeland health standards are met and maintained and the needs of other resources and resource users are adequately addressed.
2. Treatments will effectively reduce invasive juniper while leaving sufficient herbaceous material to provide watershed protection as well as forage and cover for wildlife and other resource needs.

The discussion of these goals and the management common to all alternatives fails to include allowable use standards and guidelines and/or objectives that are paramount to achieving or maintaining the above listed standards. This discussion of management actions fails to include allowable use standards and guidelines and/or objectives that are paramount to achieving or maintaining the above listed conditions and/or the impacts disclosed throughout the DEIS. Instead, the DEIS only states “The highest target utilization allowance for native rangelands is now 40-60%.”⁶

More importantly, the AFO has failed take the required “hard look” at the impacts of domestic livestock grazing. The DEIS fails to scientifically and accurately determine those lands which are capable and suitable for livestock grazing. The BLM has further

⁴ DEIS 3-41

⁵ DEIS 2-51

⁶ DEIS 4-82

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failed to accurately and quantitatively determine how much forage (i.e. forage capacity) is currently available. On top of this, the RMP DEIS fails to properly allocate that forage to watershed and stream protection, wildlife habitat and food, then to livestock if available. In addition, the RMP DEIS fails to provide any scientific data indicating that native vegetation such as Juniper is harmful to ecosystem processes and/or wildlife and has failed to establish a “need” for the very extensive juniper eradication that is proposed. Instead of protecting the public’s resources and restoring degraded conditions that are a result of domestic livestock grazing, it appears that the BLM is instead encouraging more degradation and proposing nothing more than increasing forage for domestic livestock and turning the public’s lands into livestock pastures.

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18-8

Furthermore, the RMP fails to provide for long-term rest to facilitate recovery, and any discussion of impacts should have addressed the unwillingness of permittees to use peer-reviewed range science principles for management and their strong opposition to the most minimal standards of performance. Instead they rely on unfounded solutions such as time-controlled grazing and “holistic” management such as advocated by Alan Savory.

For example, the effects of different livestock grazing intensities on forage plant production were studied in a ponderosa pine type in Colorado as early as the 1940’s.⁷ This study showed that forage consumption at a rate of 57% produced an average of twice as much forage as a rate of 71%. An area left ungrazed by livestock for 7 years produced three times as much forage as the 71% use area. The authors concluded that, as grazing use increased, forage production decreased.

During that same period, Dyksterhuis,⁸ in a classic paper on the use of quantitative ecology in range management, presented examples of how stocking rates must be adjusted based on precipitation and range condition, which included a rating based on departure from the potential plant community. NRCS⁹ considers proper grazing management as that management that sustains the potential plant community.

The effects of conservative (30 – 35%) use vs. heavy (60 – 65%) grazing use on grasses and forbs by cattle were determined in a New Mexico study.¹⁰ Both of these pastures had experienced conservative use for over 10 years. In 1997, one pasture was changed to heavy use. This study showed that heavy stocking rates resulted in serious declines in productivity in the succeeding year. Perennial grass production was reduced by 57% and forbs by 41% in the heavily grazed pasture compared to the conservatively grazed pasture. The authors cited a number of other studies in arid environments that showed heavy stocking rates were accompanied by decreases in forage production when compared to conservative use. After drought, the ability of forage plants to recover was

⁷ Schwan, H.E., Donald J. Hodges and Clayton N. Weaver. 1949. Influence of grazing and mulch on forage growth. *Journal of Range Management* 2(3):142-148.

⁸ Dyksterhuis, E. J. 1949. Condition and management of range land based on quantitative ecology. *Journal of Range Management* 2:104-115.

⁹ USDA. 1982. Soil Survey of Rich County Utah. USDA Soil Conservation Service, Forest Service and Bureau of Land Management.

¹⁰ Galt, Dee, Greg Mendez, Jerry Holechek and Jamus Joseph. 1999. Heavy winter grazing reduces forage production: an observation. *Rangelands* 21(4):18-21

directly related to the standing crop levels maintained during the dry period. The studies cited showed that grazing during different seasons was less important than grazing intensity.

Five long-term stocking rate studies from three different locations in Arizona, New Mexico and Utah documented similar patterns.¹¹ In the Desert Experimental Range in Utah, a 13-year study with moderate (35%) and heavy (60%) use by sheep resulted in annual forage production of 198 lbs/acre and 72 lbs/acre. The authors recommended 25 – 30% use of all forage species. A 10-year study at the Santa Rita Range in Arizona demonstrated that perennial grass cover and yield showed an inverse relationship to grazing intensity, while burroweed, an undesirable species, increased with increasing forage use. The authors recommended a 40% use level. A 37-year study at the Jornada Experimental range in New Mexico involving conservative (33%) and moderate (45%) use showed that the lower grazing intensity resulted in greater black grama (perennial grass) cover. Lowland areas with high clay content and periodic flooding grazed at moderate intensity had higher cover of Tobosa, a perennial grass, than heavily grazed areas. They recommended 30% be used as a stocking intensity with no more than 40% removed in any year. A 10-year study at the Chihuahuan Desert Rangeland Research Center looked at four grazing intensities of 25%, 35%, 50% and 60%. Light (25%) and moderate (35%) use produced 70% more forage than 50% use and more than double that achieved at 60% use. Here, the author recommended conservative stocking at 30 – 35%.

Hutchings and Stewart,¹² suggested that 25 – 30 % use of all forage species by livestock was proper. They recommended this level because routinely stocking at capacity will result in overgrazing in half the years and necessitate heavy use of supplemental feed. Even with this system, they recognized that complete destocking would be needed in 2 or 3 out of ten years. Holechek et al¹³ concluded that the research is remarkably consistent in showing that conservative grazing at 30 – 35% use of forage will give higher livestock productivity and financial returns than stocking at grazing capacity. They also recognized that consumption by rodents and other wildlife must be taken into account as part of this utilization, otherwise, rangeland productivity would suffer even at these levels of use. Galt et al¹⁴ recommended levels of 25% utilization for livestock and 25% for wildlife with 50% remaining for watershed protection. In none of these cases have the scientists recommended 50% utilization by livestock, as the BLM continually authorizes (i.e. take half, leave half) and they are clear that even at the lower use levels recommended, allowance for wildlife use must be included in overall use.

¹¹ Holechek, Jerry L., Hilton Gomez, Francisco Molinar and Dee Galt. 1999a. Grazing studies: what we've learned. *Rangelands* 21(2):12-16

¹² Hutchings, S.S. and G. Stewart. 1953. Increasing forage yields and sheep production on Intermountain winter ranges. U.S. Department of Agriculture Circular 925. 63p.

¹³ Holechek, Jerry L., Hilton Gomez, Francisco Molinar and Dee Galt. 1999a. Grazing studies: what we've learned. *Rangelands* 21(2):12-16

¹⁴ Galt, Dee, Francisco Molinar, Joe Navarro, Jamus Joseph and Jerry Holechek. 2000. Grazing capacity and stocking rate. *Rangelands* 22(6):7-11.

18-9 Clearly, the long-term range studies cited here show that under actual field conditions, light grazing (25% or less by livestock) is most appropriate to meet BLM's mandate for sustainable use. These utilization rates are the minimum needed to ensure proper functioning condition, which is the minimum acceptable condition. The BLM would do well to require at least minimum compliance with these standards in the RMP until these standards can be evaluated at the site-specific level.

Impacts

18-10 Weighing the impacts of resource management practices is consistent with the BLM's mission of providing lands for multiple uses as recognized in the Multiple Use Sustained Yield Act. The "multiple use" concept as defined in law and regulations requires "a reasoned and informed decision that the benefits of grazing ... outweigh the costs" and a weighing of "the relative values of the resources."¹⁵ Therefore, the BLM must show that the benefits of domestic livestock grazing out-weigh the costs.

18-11 Despite the requirements of NEPA and other laws governing the administration of public lands, the DEIS for the Alturas Resource Management Plan fails to disclose any of the direct, indirect, or cumulative impacts associated with domestic livestock grazing from the proposed management direction in any of the analyzed alternatives and from past range "improvements" include vegetation treatments.

In spite of the evidence of widespread loss of plant productivity and ground cover, accelerated erosion and BLM's own documentation of rapid declines in species such as sage grouse, BLM routinely chooses not to address livestock impacts in any scientific or sustainable fashion. Instead, BLM proposes more water developments and grazing systems. This ignores that in the 1960's, BLM began a massive program of developing water, putting streams and springs into pipelines, seeding with crested wheatgrass, building fences, engaging in rotation grazing, and spending millions of dollars to "even out livestock distribution".

18-11 In fact, the discussion of impacts of livestock grazing on resources in the planning area that may result under the direction of the proposed and Preferred Alternative fails to disclose all past, present, and reasonably foreseeable direct, indirect, and cumulative impacts associated with domestic livestock grazing in the planning area. Instead, the discussion of impacts is limited to a discussion of mitigation measures aimed at reducing the impacts of grazing—impacts that are never disclosed. A discussion of mitigation measures does not fulfill the requirements of NEPA to disclose all direct, indirect, and cumulative impacts. Such a meager discussion of impacts in the DEIS falls far short of NEPA's requirements to take a hard look at the impacts of proposed actions and does not represent the weighing of costs and benefits that MUSYA requires.

18-12 Moreover, the DEIS fails to disclose how habitat conditions, and thus wildlife populations, have changed due to conversion of native vegetation to crested wheatgrass
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¹⁵ National Wildlife Federation v. BLM, No. UT-06-91-01 US Dep't of Interior, Office of Hearings & Appeals, Hearings Div. (Rampton, J. 1993), p. 23, the "Comb Wash Allotment" decision.

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18-12 or other non-native species. How has such conversion influenced habitat? What are the impacts? The DEIS fails to disclose this information. The negative impacts associated with domestic livestock grazing are completely missing from the DEIS.

18-13 In addition, the DEIS fails to disclose the condition of riparian areas in the project area. This is especially disturbing given the fact that the DEIS notes many streams in the planning area fail to meet water quality standards and objectives. This lack of disclosure is even more upsetting when considered in light of the direct and indirect impacts known to occur to these habitat types from livestock grazing. How many streams and riparian areas are in Properly Functioning Condition? How will the proposed management direction contained in the RMP affect those conditions? The FEIS must be expanded to include this information.

For example, Belsky, et al.¹⁶ found that livestock grazing negatively effects water quality and seasonal quantity, stream channel morphology hydrology, riparian zone soils, instream and streambank vegetation, and aquatic and riparian wildlife. Livestock were also found to cause negative impacts at the landscape and regional scale.¹⁷ While evidence is abundant describing the negative impacts of grazing before the Taylor Grazing Act in 1934, **recent studies document that livestock grazing remains a key factor in the continued degradation of riparian habitats.**¹⁸

In addition, Platts¹⁹ concluded that livestock grazing was the major cause of degraded stream and riparian environments and reduced fish populations in the arid west. A recent report by the USDA Forest Service found grazing to be the fourth major cause of animal species endangerment in the United States and the second major cause of endangerment of plant species.²⁰ Moreover, **livestock grazing is still considered to be the most pervasive source of upland and riparian habitat degradation in the arid West.**²¹

¹⁶ Belsky, A.J. et.al. 1999 Survey of livestock influence on stream and riparian ecosystems in the western United States. *Journal of Soil and Water Conservation*. Vol 54 Issue 1, p. 419.

¹⁷ Ibid

¹⁸ U.S. General Accounting Office. 1988. *Public Rangelands: some riparian areas restored, but widespread improvement will be slow.* 85p.

Szaro, R.C. 1989. Riparian forest and scrubland community types of Arizona and New Mexico. *Desert Plants* 9 (3-4): 69-138.

Platts, William S. 1981. *Influence of Forest and Rangeland Management on Anadromous Fish Habitat in Western North America – Effects of Livestock Grazing.* General Technical Report PNW 124, USDA Pacific Northwest Forest and Range Experiment Station, Boise, ID.

Elmore, W., and B. Kauffman. 1994. *A Riparian and Watershed Systems: Degradation and Restoration* In M. Vavra, W.A. Laycock, and R.D. Pieper (eds), *Ecological Implications of Livestock Herbivory* 1994 West. Soc. Range Management: Denver, CO.

¹⁹ Platts, William S. 1981. *Influence of Forest and Rangeland Management on Anadromous Fish Habitat in Western North America – Effects of Livestock Grazing.* General Technical Report PNW 124, USDA Pacific Northwest Forest and Range Experiment Station, Boise, ID.

²⁰ Flather, C.H., et.al. 1994 *Species endangerment patterns in the United States.* USDA Forest Serv. Gen. Tech. Rep. RM-241.

²¹ U.S. General Accounting Office. 1988. *Public Rangelands: some riparian areas restored, but widespread improvement will be slow.* 85p.

Belsky, A.J. et.al. 1999 Survey of livestock influence on stream and riparian ecosystems in the western United States. *Journal of Soil and Water Conservation*. Vol 54 Issue 1, p. 419

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18-13 Blackburn²² and Trimble and Mendel²³ summarized the negative impacts of grazing on watersheds. They listed the erosive force of raindrops on denuded surfaces, the shearing force of hooves on slopes, decreased soil organic matter, and increased soil compaction as primary impacts. Together, these impacts result in reduced infiltration rates and increased runoff, soil bulk density, erosion, and sediment delivery to streams. Indirectly, this affects everything from plants to fish and the impacts occur across entire landscapes. The Natural Resource Defense Council found that overgrazing is the number one threat to Western trout streams.

Based on 43 CFR 4180, appropriate actions to address the negative impacts of domestic livestock are to be implemented that will result in significant progress toward attainment of the standards no later than the start of the next grazing season. Clearly this has not been accomplished. Given the fact that the number of cows that could be grazed on BLM land in the planning area represents a slight and declining economic influence, this degradation is unacceptable.

18-14 Furthermore, grazing affects species composition of plant communities in essentially two ways: 1) active selection by herbivores for or against a specific plant taxon, and 2) differential vulnerability of plant taxa to grazing.²⁴ Decreases in density of native plant species and diversity of native plant communities as a result of livestock grazing activity have been observed in a wide variety of western ecosystems. Grazing also can exert great impact on animal populations, usually due to indirect effects on habitat structure and prey availability.²⁵ Deleterious effects of grazing have been observed in all vertebrate classes. Response of native wildlife to grazing varies by habitat.

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18-15

Elmore, W., and B. Kauffman. 1994. A Riparian and Watershed Systems: Degradation and Restoration In M. Vavra, W.A. Laycock, and R.D. Pieper (eds), *Ecological Implications of Livestock Herbivory* 1994 West. Soc. Range Management: Denver, CO.

Among others

²² Blackburn, W.H. 1984. Impact of grazing intensity and specialized grazing systems on watershed characteristics and responses. In: *Developing strategies for range management*. Westview press: Boulder, CO.

²³ Trimble, S.W., and A.C. Mendel. 1995. The Cow as a Geomorphic Agent, A Critical Review. *Geomorphology* 13: 1995

²⁴ Szaro, R.C. 1989. Riparian forest and scrubland community types of Arizona and New Mexico. *Desert Plants* 9 (3-4): 69-138.

²⁵ Jones, K.B. 1981. Effects of grazing on lizard abundance and diversity in western Arizona. *Southwestern Naturalist* 26: 107-115.

Mosconi, S.L., and R.L. Hutto. 1982. The effect of grazing on the land birds of a western Montana riparian habitat. In L. Nelson, J.M. Peek, and P.D. Dalke, editors. *Proceedings of the wildlife-livestock relationships symposium*. Forest, Wildlife, and Range Experiment Station, University of Idaho, Moscow, Idaho.

Quinn, M.A., and D.D. Walgenbach. 1990. Influence of grazing history on the community structure of grasshoppers of a mixed-grass prairie. *Environmental Entomology* 19: 1756-1766.

Szaro, R.C., S.C. Belfit, J.K. Aitkin, and J.N. Rinne. 1985. Impact of grazing on a riparian garter snake. Pages 359-363 in R.R. Johnson, C.D. Ziebell, D.R. Patton, P.F. Ffolliott, and F.H. Hamre, technical coordinators. *Riparian ecosystems and their management: reconciling conflicting uses*. General Technical Report RM-120. Forest Service, Rocky Mountain Forest and Range Experiment Station, Fort Collins, CO.

Wagner, F.H. 1978. Livestock grazing and the livestock industry. Pages 121-145 in H.P. Brokaw, editor

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18-15 For example, Bighorn sheep are highly susceptible to diseases; *Pasteurella pneumonia* and lung worm in particular, which are spread by domestic sheep. In a paper titled Literature Review Regarding the Compatibility Between Bighorn and Domestic Sheep, presented at the 1996 Biennial Symposium of the Wild Sheep and Goat Council, in Silverthorne, Colorado, Kevin Martin, et al, state, “No studies reported any bighorn herds. . . that have come into contact with domestic sheep and remained healthy.” Further, this paper quotes Goodsen, 1982, that “Current bighorn sheep numbers in the western United States have been estimated to be less than 1% of what they were prior to presettlement” times.

18-16 Furthermore, Bock et al.²⁶ reviewed the effect of grazing on Neotropical migratory landbirds in three ecosystem types, and found an increasingly negative effect on abundances of bird species in grassland, riparian woodland, and Intermountain shrubsteppe (almost equal numbers of species with positive and negative responses to grazing in grassland; six times as many with negative as positive responses in shrubsteppe), but impacts to these species are lacking in the DEIS.

18-17 The DEIS admits that sage grouse and other species populations in the planning area are in steep decline, but fails to state a reason for that decline. The RMP fails to take any
18-18 action that would eliminate domestic sheep in areas that are or could be used by bighorn
18-19 sheep, and fails to disclose the possible impacts of livestock grazing on sage grouse. This results in a failure to meet the standard for maintaining viable and diverse populations of wildlife and violates NEPA’s requirement to disclose all past, present, and reasonably foreseeable future impacts.

18-20 In Addition, the DEIS notes numerous range “improvements” that exist in the planning area (there is no disclosure as to the amount of improvements in the form of vegetation treatments and conversions to non-native species). The DEIS also claims that more “improvements” such as water troughs, fences, and vegetation treatments are needed to alleviate the impacts to riparian areas and upland vegetation. However, the DEIS
18-21 completely fails to disclose any impacts that have resulted from already existing improvements and impacts that will result from constructing even more.

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Holechek et al²⁷ have shown that areas up to a mile from water developments can have severe impacts from trampling, compaction and removal of vegetation with impacts occurring for several miles. Using the area within one mile of a water development results in an area of approximately 2,000 acres potentially suffering severe impacts. Placing these developments in areas with steep hillsides or narrow canyons, which is

Wildlife and America. Council on Environmental Quality, Washington, D.C.

²⁶ Bock, C.E., V.A. Saab, T.D. Rich, and D.S. Dobkin. 1993b. Effects of livestock grazing on Neotropical migratory landbirds in western North America. Pages 296-309 in D.M. Finch, and P.W. Stangel, editors. Status and management of Neotropical migratory birds. General Technical Report RM-229. Forest Service, Rocky Mountain Forest and Range Experiment Station, Fort Collins, Colorado.

²⁷ Holechek, Jerry L., Rex D. Piper and Carlton H. Herbel. 1998. Range Management Principles and Practices. 542 pp. Prentice-Hall, New Jersey.

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often done to entice cattle to use areas that receive little or no use, can result in severe erosion due to cattle being forced to graze on these steep slopes.

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Moreover, stating that stricter standards will improve range in declining condition is not only a failure to disclose impacts, but it ignores the real problem. In numerous studies of riparian grazing impacts, investigators concluded that total removal of livestock was necessary to restore ecosystem health. Restoration of degraded riparian areas is often an ignored goal in land use plans and should have been considered in the RMP.

For example, along Mahogany Creek, Nevada, reduction in grazing had little benefit; only a complete removal brought about habitat improvement.²⁸ Ames²⁹ found that "even short-term or seasonal use is too much," and compared mere reductions in livestock numbers to letting "the milk cow get in the garden for one night." In a recent comparison of eleven grazing systems, total exclusion of livestock offered the strongest ecosystem protection.³⁰ As Davis³¹ put it: "If the overgrazing by livestock is one of the main factors contributing to the destruction of the habitat, then the solution would be to ... remove the cause of the problem." The GAO study cited above also showed that restoring riparian areas was best accomplished by removal of livestock.

Many allotments are appropriately stocked, but temporary reductions in stocking rates may be necessary to allow recovery of localized problem areas. This is especially true in rest-rotation strategies, where part of an allotment is removed from grazing for the entire season. The rest may not compensate for the increased use during grazing until sufficient recovery is achieved.³²

To highlight how grazing can impact arid rangelands, multi-scale analyses of natural vegetation patterns and processes in the northern Chihuahuan Desert show that natural vegetation is capable of recovering from short-term, high intensity disturbances such as an **atomic bomb** blast. In contrast, mesquite dunelands persist on other sites grazed

²⁸ Chaney, E., W. Elmore, and W.S. Platts. 1990. Livestock grazing on western riparian areas. U.S. Environmental Protection Agency, Region 8. Denver, Colorado.

Dahlem, E.A. 1979. The Mahogany Creek watershed--with and without grazing. Pages 31-34 in O.B. Cope, editor. Proceedings of the Forum--grazing and riparian/stream ecosystems. Trout Unlimited, Denver, Colorado.

²⁹ Ames, C.R. 1977. Wildlife conflicts in riparian management: grazing. Pages 49-51 in R.R. Johnson and D.A. Jones, technical coordinators. Importance, preservation, and management of riparian habitat: a symposium. General Technical Report RM-43. Forest Service, Rocky Mountain Forest and Range Experiment Station, Fort Collins, Colorado.

³⁰ Kovalchik, B.L., and W. Elmore. 1992. Effects of cattle grazing systems on willow-dominated plant associations in central Oregon. Pages 111-119 in W.P. Clary, E.D. McArthur, D. Bedunah, and C.L. Wambolt, compilers. Proceedings--Symposium on ecology and management of riparian shrub communities. General Technical Report INT-289. Forest Service, Intermountain Research Station, Ogden, Utah.

³¹ Davis, J.W. 1982. Livestock vs. riparian habitat management--there are solutions. Pages 175-184 in L. Nelson, J.M. Peek, and P.D. Dalke, editors. Proceedings of the wildlife-livestock relationships symposium. Forest, Wildlife, and Range Experiment Station, University of Idaho, Moscow, Idaho.

³² Leonard, Steve et. al. 1997. Riparian Area Management: Grazing Management for Riparian-Wetland Areas. USDI Bureau of Land Management and USDA Forest Service TR 1737-14.

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18-22

before the blast, showing the arid land is less resilient to long-term low intensity disturbances.³³

18-23

Finally, any analysis of grazing is incomplete without a discussion of the effect the practice has had on predators. The most vehement opposition to wolves, bears, and other predators comes from the livestock industry, and is one of the main reasons some of the species are now listed. Predators perform important top-down ecological functions, yet they are consistently eradicated and heavily managed in order to protect livestock on public land, costing taxpayers millions of dollars. The DEIS fails to include an analysis of the impacts from livestock grazing on predators in the planning area, and such a discussion must be included in the FEIS.

Sagebrush

Despite their extent, sagebrush-dominated communities are among North America's most critically endangered ecosystems as a consequence of losses to agriculture, conversions to exotic annuals, and/or degradation due to excessive grazing by domestic livestock.³⁴

Big sagebrush (*Artr*) is eaten by domestic sheep and cattle, but has long been considered to be of low palatability to domestic livestock, a competitor with more desirable species, and a physical impediment to grazing.³⁵ The range management community has been conducting a war against big sagebrush (*Artemisia tridentata*) for over 50 years.³⁶

Literature highlights the importance of sagebrush to a variety of wildlife ranging from sage grouse and the almost forgotten pigmy rabbit to big game.³⁷ Wildlife researchers

³³ Yool, Steven R. 1999. Multi-scale analysis of disturbance regimes in the northern Chihuahuan Desert. *Journal-of-Arid-Environments*. Dec., 1999; 40 (4) 467-483

³⁴ Noss, Reed, et.al. 1995. *Endangered Ecosystems of the United States: A Preliminary Assessment of Loss and Degradation*. Biological Report 28. National Biological Service, Washington, DC, USA.

Christensen, N.L. et. al. 1996. *The Report of the Ecological Society of America Committee on the Scientific Basis for Ecosystem Management*. *Ecological Applications* 6:665-691

Knick, S.T. 1999. Requiem for a Sagebrush Ecosystem? *Northwest Science* 73:53-57

Anderson, Jay E. and Richard S. Inouye. 2001. *Sagebrush Steppe Vegetation Dynamics*. *Ecological Monographs*. Vol. 71, No.4

³⁵ Blaisdell, James P.; Murray, Robert B.; McArthur, E. Durant. 1982. *Managing Intermountain rangelands-sagebrush-grass ranges*. Gen. Tech. Rep. INT-134. Ogden, UT: U.S. Department of Agriculture, Forest Service, Intermountain Forest and Range Experiment Station.

Shaw, Nancy L.; Monsen, Stephen B. 1990. Use of sagebrush for improvement of wildlife habitat. In: Fisser, Herbert G., ed. *Wyoming shrublands: Aspen, sagebrush and wildlife management: Proceedings, 17th Wyoming shrub ecology workshop; 1988 June 21-22; Jackson, WY*. Laramie, WY: Wyoming Shrub Ecology Workshop, University of Wyoming, Department of Range Management.

³⁶ Welch, Bruce L. and Craig Criddle. 2003. *Countering Misinformation Concerning Big Sagebrush*. USDA Forest Service Rocky Mountain Research Station RBRS-RP-40.

³⁷ Blaisdell, James P.; Murray, Robert B.; McArthur, E. Durant. 1982. *Managing Intermountain rangelands-sagebrush-grass ranges*. Gen. Tech. Rep. INT-134. Ogden, UT: U.S. Department of Agriculture, Forest Service, Intermountain Forest and Range Experiment Station.

Hodgkinson, Harmon S. 1989. Big sagebrush subspecies and management implications. *Rangelands*. 11(1): 20-22.

McGee, John M. 1979. Small mammal population changes following prescribed burning of mountain big sagebrush. In: Johnson, Kendall L., ed. *Wyoming shrublands: Proceedings of the 8th Wyoming shrub*

have argued that the importance of sagebrush as forage, and effects of foraging on sagebrush are not fully appreciated.³⁸ Regarding the sagebrush steppe ecosystem, West³⁹ makes the following remark: "Some of it has been so degraded by excessive livestock grazing and burning that its relationship to its origins is no longer easily recognizable."

Furthermore, the ecology of mountain big sagebrush in the West has been altered not only by a decrease in fire as claimed by the BLM, but also by livestock grazing, widespread invasion by exotic annuals, and perhaps climate change.⁴⁰ Historical abundance of big sagebrush has been disputed. There are numerous studies that show sagebrush obligates prefer living in big sagebrush canopy cover above the levels identified in the RMP DEIS.

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ecology workshop; 1979 May 30-31; Jackson, WY. Laramie, WY: University of Wyoming, Division of Range Management, Wyoming Shrub Ecology Workshop: 35-46.

Nagy, Julius G. 1979. Wildlife nutrition and the sagebrush ecosystem. In: The sagebrush ecosystem: a symposium: Proceedings; 1978 April; Logan, UT. Logan, UT: Utah State University, College of Natural Resources: 164-168.

Noste, Nonan V.; Bushey, Charles L. 1987. Fire response of shrubs of dry forest habitat types in Montana and Idaho. Gen. Tech. Rep. INT-239. Ogden, UT: U.S. Department of Agriculture, Forest Service, Intermountain Research Station. 22 p.

Peek, James M.; Riggs, Robert A.; Lauer, Jerry L. 1979. Evaluation of fall burning on bighorn sheep winter range. *Journal of Range Management*. 32(6): 430-432.

Shaw, Nancy L.; Monsen, Stephen B. 1990. Use of sagebrush for improvement of wildlife habitat. In: Fisser, Herbert G., ed. Wyoming shrublands: Aspen, sagebrush and wildlife management: Proceedings, 17th Wyoming shrub ecology workshop; 1988 June 21-22; Jackson, WY. Laramie, WY: Wyoming Shrub Ecology Workshop, University of Wyoming, Department of Range Management: 19-35.

Wambolt, C. L.; Creamer, W. H.; Rossi, R. J. 1994. Predicting big sagebrush winter forage by subspecies and browse form class. *Journal of Range Management*. 47(3): 231-234.

Welch, Bruce L.; Briggs, Steven F.; Johansen, James H. 1996. Big sagebrush seed storage. Res. Note INT-RN-430. Ogden, UT: U.S. Department of Agriculture, Forest Service, Intermountain Research Station.

³⁸ Wambolt, Carl L. 1995. Elk and mule deer use of sagebrush for winter forage. *Montana Ag Research*. 12(2): 35-40.

Wambolt, Carl L. 1996. Mule deer and elk foraging preference for 4 sagebrush taxa. *Journal of Range Management*. 49(6): 499-503.

Welch, Bruce L.; Wagstaff, Fred J.; Roberson, Jay A. 1991. Preference of wintering sage grouse for big sagebrush. *Journal of Range Management*. 44(5): 462-465.

³⁹ West, Neil E. 1988. Intermountain deserts, shrub steppes, and woodlands. In: Barbour, Michael G.; Billings, William Dwight, eds. *North American terrestrial vegetation*. Cambridge; New York: Cambridge University Press: 209-230.

⁴⁰ Blaisdell, James P.; Murray, Robert B.; McArthur, E. Durant. 1982. Managing Intermountain rangelands--sagebrush-grass ranges. Gen. Tech. Rep. INT-134. Ogden, UT: U.S. Department of Agriculture, Forest Service, Intermountain Forest and Range Experiment Station.

Burkhardt, Wayne J.; Tisdale, E. W. 1976. Causes of juniper invasion in southwestern Idaho. *Ecology*. 57: 472-484.

Mueggler, W. F. 1985. Vegetation associations. In: DeByle, Norbert V.; Winokur, Robert P., eds. *Aspen: ecology and management in the western United States*. Gen. Tech. Rep. RM-119. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station: 45-55.

West, Neil E. 1988. Intermountain deserts, shrub steppes, and woodlands. In: Barbour, Michael G.; Billings, William Dwight, eds. *North American terrestrial vegetation*. Cambridge; New York: Cambridge University Press: 209-230.

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Rasmussen and Griner⁴¹ noted that the highest sage grouse nesting success in Strawberry Valley of central Utah occurred in mountain big sagebrush stands having 50 percent canopy cover. Ellis et. al.⁴² reported male sage grouse loafing areas with 31 percent canopy cover. Additionally, Katzner and Parker⁴³ reported that areas of high pygmy rabbit activity occurred in basin big sagebrush stands having 51.1 percent canopy cover, and areas of medium activity occurred in Wyoming sagebrush stands of 42.7 percent. Other obligates such as sage thrasher, Brewer's sparrow, and sage sparrow prefer big sagebrush canopy cover of 20 to 36 percent.⁴⁴

For sagebrush species other than big sagebrush, Walchek⁴⁵ reported that a population of Brewer's Sparrows were living in an area of silver sagebrush having canopy cover of 53 percent. Petersen and Best⁴⁶ found sag sparrows nested where big sagebrush cover was 23 percent in the vicinity of nests and 26 percent in the general study area. They further noted that all nests were found in big sagebrush plants and large, living shrubs were strongly preferred.

Big sagebrush habitat types are the dominant vegetation communities on the majority of public lands in the planning area.⁴⁷ Sagebrush habitats throughout the Surprise Field Office (SFO) have been manipulated to increase forage for domestic livestock, and production and vigor of these habitats field-office wide is well below site potential.⁴⁸ Due

⁴¹ Rasmussen, D. I. and Lynn A. Griner. 1938. Life history and management studies of the sage grouse in Utah, with special reference to nesting and feeding habits. North America Wildlife Conference. 3:852-864

⁴² Ellis, Kevin L. et.al. 1989. Habitat use by breeding male sage grouse: A management approach. Great Basin Naturalist. 49:404-407

⁴³ Katzner, Todd E. and Katherine L. Parker. 1997. Vegetative characteristics and size of home ranges used by pygmy rabbits (*Brachylagus idahoensis*) during winter. Journal of Mammology 78:1063-1072.

⁴⁴ Best, Louis B. 1972. First-year effects of sagebrush control on two sparrows. Journal of Wildlife Management. 36:534-544.

Feist, Francis G. 1968. Breeding-bird populations on sagebrush-grassland habitat in central Montana. Audubon Field Notes. 22:691-695.

Grinnell, Joseph, et. al. Vertebrate natural history of a section of California through the Lassen Peak region. University of California Publications in Zoology. 35:1-594

Knick, Steven T. and John T. Rotenberry. 1995. Landscape characteristics of fragmented shrubsteppe habitats and breeding passerine birds. Conservation Biology. 9:1059-1071.

Petersen, Kenneth L. and Louis B. Best. 1986. Diets of nesting sage sparrows and Brewer's sparrow in an Idaho sagebrush community. Journal of Field Ornithology. 57:283-294.

Petersen, Kenneth L. and Louis B. Best. 1991 Nest site selection by sage thrashers in southeastern Idaho. Great Basin Naturalist. 51:261-266.

Reynolds, Timothy D. and Charles H. Trost. 1980 The response of native vertebrate populations to crested wheatgrass planting and grazing by sheep. Journal of Range Management. 33:122-125

Reynolds, Timothy D. and Charles H. Trost. 1981. Grazing, crested wheatgrass, and bird populations in southeastern Idaho. Northwest Science. 55:225-234.

Winter, B. M. and Louis B. Best. 1985. Effect of prescribed burning on placement of sage sparrow nests. Condor. 87:294-295.

⁴⁵ Walchek, Kenneth C. 1970. Nesting bird ecology of four plant communities in the Missouri River breaks, Montana. Wilson Bulletin. 82:370-382.

⁴⁶ Petersen, Kenneth L. and Louis B. Best. 1985. Nest-site selection by sage sparrows. Condor. 57:217-221.

⁴⁷ DEIS p. 3-70 Table 3.15-1

⁴⁸ DEIS p. 3-73 – 3-75

to the regional losses of sagebrush communities, and the wildlife that depend on them, maintenance and improvement of existing sagebrush habitat is important.

The DEIS claims that the main management threat to sagebrush communities is typically heavy grazing. Since sagebrush communities on private lands have been converted to agricultural or other uses or are not being managed in a manner compatible with sagebrush dependent wildlife, the importance of the AFO maintaining the integrity of sagebrush habitats on BLM lands within the planning area to provide taller, denser stands for mule deer, pronghorn, and sage grouse is extremely important.

18-25 In addition, the DEIS notes that livestock grazing is a major influence on sagebrush and riparian habitat in the AFO. Livestock grazing impacts to wildlife will be minimized by adhering the Standards for Rangeland Health and Guidelines for grazing management, and vegetation treatments in upland habitats adjoining streams may divert livestock grazing pressure sufficiently to assist in meeting riparian improvement objectives. However, the DEIS does not include a discussion of the expected impacts to sagebrush communities or the species that rely on them from these management activities nor are we told on what scale they will occur.

To what type of vegetation does this statement refer? Exactly how will sagebrush communities be manipulated and to what extent? What are the expected impacts from treatment of these communities? These are serious questions that must be answered in the FEIS.

18-26 Given the fact that most sagebrush dependent species require high canopy cover of sagebrush, it is disturbing that the BLM has failed to disclose the manipulation activities and the impacts that will occur to sagebrush communities. In fact, the DEIS fails to disclose any of the threats that domestic livestock pose to these threatened communities.

For example, big sagebrush canopy cover values on undisturbed relicts and kipukas does not support the assertions by the BLM that big sagebrush canopy cover increases due to livestock grazing.⁴⁹ In fact, the just cited researchers found the following:

⁴⁹ Holechek, Jerry L., and Thor Stephenson. 1983. Comparison of big sagebrush vegetation in northcentral New Mexico under moderately grazed and grazing excluded conditions. *Journal of Range Management*. 36:455-456

Eckert, Richard E. Jr., and John S. Spencer. 1986. Vegetation response on allotments grazed under rest-rotation management. *Journal of Range Management*. 39:166-174

Pearson, L.C. 1965. Primary production in grazed and ungrazed desert communities of eastern Idaho. *Ecology*. 46:278-285.

Anderson, Jay E. and Karl E. Holte. 1981. Vegetation Development over 25 years without grazing on sagebrush dominated rangeland in southeastern Idaho. *Journal of Range Management*. 34:25-29.

Wambolt, Carl L. and Myles J. Watts. 1996. High stocking rate potential for controlling Wyoming big sagebrush. In: Barrow, Jerry R. et. al. comps. *Proceedings: shrubland ecosystems dynamics in a changing environment*. 1995 May 23-25; Las Cruces, NM. Gen. Tech. Rep. INT-GTR-338. Ogden, UT: USDA Forest Service, Intermountain Research Station

Peterson, Joel G. 1995. Ecological implications of sagebrush manipulation – A literature review. Montana Fish wildlife and Parks, Wildlife Management Division, Helena, MT.

- Big sagebrush canopy cover was higher inside grazing exclosures and was decreased outside exclosures,
- Perennial grasses and sagebrush canopy cover were significantly higher in ungrazed vs. grazed plots,
- After grazing had been removed big sagebrush canopy cover and grass cover increased significantly.

18-26

Anderson and Inouye⁵⁰ found that contemporary state-and-transition models do not fit the sagebrush ecosystem because viable remnant populations of native grasses and forbs are able to take advantage of improved growing conditions when livestock are removed. They found further that despite depauperate and homogenous conditions of permanent plots in 1950, after 45 years vegetation had been anything but static, clearly refuting claims of long-term stability under shrub dominance. Mean richness per plot of ALL growth forms increased steadily in the absence of domestic livestock grazing. Grasses and forbs increased significantly.

Given these findings, perhaps the BLM should analyze the impacts of long-term active management and its impacts on sagebrush communities and obligates compared to the impacts of removing livestock and allowing these communities to recover naturally.

18-27

Additionally, since the continued “management” of sagebrush has led to many of the situations scientists now agree are threatening these ecosystems, the removal of livestock from sagebrush communities in less than satisfactory condition should be a seriously considered alternative in the RMP.

Sage Grouse

Sage grouse depend almost entirely on sagebrush for food and protection from predators. In the summer, the birds depend on the grasses and plants that grow under the sagebrush to provide nesting material, as well as high protein insects that are critical to the diet of chicks in the first few months of life. In winter, almost 99 percent of their diet is sagebrush leaves and buds. Recent estimates indicate that the sage grouse populations have declined by approximately 86 percent from historic levels. One of the greatest threats to sage grouse populations is the destruction and loss of habitat from a variety of management activities including livestock grazing.⁵¹

In presettlement times, the range of the sage grouse paralleled the range of big sagebrush. Basin big sagebrush provides important cover for sage grouse.⁵² Populations of sage grouse have declined primarily because of loss of habitat due to overgrazing, elimination

Wambolt Carl L. and Harrie W. Sherwood. 1999. Sagebrush response to ungulate browsing in Yellowstone. *Journal of Range Management*. 52:363-369.

⁵⁰ Anderson, Jay E. and Rishard S. Inouye. 2001. Landscape-Scale Changes in Plant Species Abundance and Biodiversity of a Sagebrush Steppe Over 45 Years. *Ecological Monographs*, 71(4), 2001, pp. 531-556.

⁵¹ U.S Fish and Wildlife Service April 16, 2004

⁵² Benson, Lee A.; Braun, Clait E.; Leininger, Wayne C. 1991. Sage grouse response to burning in the big sagebrush type. In: Comer, Robert D.; Davis, Peter R.; Foster, Susan Q.; [and others], eds. *Issues and technology in the management of impacted wildlife: Proceedings of a national symposium*; 1991 April 8-4. Snowmass Resort, CO. Boulder, CO: Thorne Ecological Institute: 97-104.

of sagebrush, and land development.⁵³ Sage grouse populations began declining from 1900 to 1915, when livestock utilization of sagebrush rangeland was heavy.⁵⁴ In the 50's and 60's, land agencies adopted a policy of aggressive sagebrush control in order to convert sagebrush types to grassland. Chaining, frequent fire, and herbicide treatments reduced sagebrush by several million acres and sage grouse numbers plummeted drastically.⁵⁵

Sage grouse historically occurred throughout the range of big sagebrush (*A. tridentata*), except on the periphery of big sagebrush distribution or in areas where it has been eliminated.⁵⁶ Sage grouse prefer mountain big sagebrush (*A. t. ssp. vaseyana*) and Wyoming big sagebrush (*A. t. ssp. wyomingensis*) communities to basin big sagebrush (*A. t. ssp. tridentata*) communities. Sage grouse are totally dependent on sagebrush-dominated habitats.⁵⁷ Sagebrush is a crucial component of their diet year-round, and sage grouse select sagebrush almost exclusively for cover.⁵⁸

When not on the lek, sage grouse disperse to the surrounding areas.⁵⁹ Some females probably travel between leks. Patterson⁶⁰ reported that in Wyoming, 92 percent of sage grouse nests in Wyoming big sagebrush were in areas where vegetation was 10 to 20 inches (25-51 cm) tall and cover did not exceed 50 percent.

The importance of sagebrush in the diet of adult sage grouse is impossible to overestimate. Numerous studies have documented its year-round use by sage grouse.⁶¹

⁵³ Hamerstrom, Frederick; Hamerstrom, Frances. 1961. Status and problems of North American grouse. *Wilson Bulletin*. 73(3): 284-294.

⁵⁴ Patterson, Robert L. 1952. The sage grouse in Wyoming. Federal Aid to Wildlife Restoration Project 28-R. Denver, CO: Sage Books, Inc. 341 p.

⁵⁵ Call, Mayo W. 1979. Habitat requirements and management recommendations for sage grouse. Denver, CO: U.S. Department of the Interior, Bureau of Land Management, Denver Service Center. 37 p.
Mattise, Samuel N. 1995. Sage grouse in Idaho: Forum 94'. Technical Bulletin No. 95-15. Boise, ID: U.S. Department of the Interior, Bureau of Land Management, Idaho State Office. 10 p.

⁵⁶ Call, Mayo W.; Maser, Chris. 1985. Wildlife habitats in managed rangelands--the Great Basin of southeastern Oregon: sage grouse. Gen. Tech. Rep. PNW-187. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Forest and Range Experiment Station. 30 p.

⁵⁷ Benson, Lee A.; Braun, Clait E.; Leininger, Wayne C. 1991. Sage grouse response to burning in the big sagebrush type. In: Comer, Robert D.; Davis, Peter R.; Foster, Susan Q.; [and others], eds. Issues and technology in the management of impacted wildlife: Proceedings of a national symposium; 1991 April 8-4. Snowmass Resort, CO. Boulder, CO: Thorne Ecological Institute: 97-104.

⁵⁸ Patterson, Robert L. 1952. The sage grouse in Wyoming. Federal Aid to Wildlife Restoration Project 28-R. Denver, CO: Sage Books, Inc. 341 p.

⁵⁹ Wallestad, Richard; Pyrah, Duane. 1974. Movement and nesting of sage grouse hens in central Montana. *Journal of Wildlife Management*. 38(4): 630-633.

⁶⁰ Patterson, Robert L. 1952. The sage grouse in Wyoming. Federal Aid to Wildlife Restoration Project 28-R. Denver, CO: Sage Books, Inc. 341 p.

⁶¹ Beck, D. I. 1975. Attributes of a wintering population of sage grouse, North Park, Colorado. Fort Collins, CO: Colorado State University. 49 p. Thesis.

Call, Mayo W. 1979. Habitat requirements and management recommendations for sage grouse. Denver, CO: U.S. Department of the Interior, Bureau of Land Management, Denver Service Center. 37 p.

Call, Mayo W.; Maser, Chris. 1985. Wildlife habitats in managed rangelands--the Great Basin of southeastern Oregon: sage grouse. Gen. Tech. Rep. PNW-187. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Forest and Range Experiment Station. 30 p.

A Montana study, based on 299 crop samples, showed that 62 percent of total food volume of the year was sagebrush. Between December and February it was the only food item found in all crops. Only between June and September did sagebrush constitute less than 60 percent of the sage grouse diet.⁶²

In places, the number of young sage grouse simply is not enough to sustain a stable population. Sage grouse have one of the lowest recruitment rates of any upland game bird in North America. Loss of habitat, predation, drought, and poor weather conditions during hatching and brooding periods have been cited as factors leading to poor recruitment.⁶³

Lack of adequate nesting and brooding cover may account for high juvenile losses in many regions.⁶⁴ A decline in preferred prey may also result in increased predation on sage grouse. Nest losses to predators vary throughout the range of sage grouse, but predators are more successful in areas of poor-quality nesting habitat.

18-28 Due to their reliance on sagebrush, sage grouse are great indicators of the health of the sagebrush steppe ecosystem on which they depend. Literature previously cited indicates that sage grouse need higher levels of sagebrush canopy cover than the RMP indicates and livestock reduce that cover.

18-29 These factors may put healthy sage grouse habitat at odds with livestock grazing in some areas of the SFO. How will the agencies and the management plan provide these resources? How will sage grouse, leks, brood rearing cover, and other resources be affected by the proposed management direction? The FEIS must include this information.

We recommend that the BLM follow the recommendations for managing sage grouse that are found in A Blueprint for Sage-grouse Conservation and Recovery by Clait E. Braun,

Klebenow, Donald A. 1973. The habitat requirements of sage grouse and the role of fire in management. In: Proceedings, annual Tall Timbers fire ecology conference; 1972 June 8-9; Lubbock, TX. No. 12. Tallahassee, FL: Tall Timbers Research Station: 305-315.

Patterson, Robert L. 1952. The sage grouse in Wyoming. Federal Aid to Wildlife Restoration Project 28-R. Denver, CO: Sage Books, Inc. 341 p.

Schneegas, Edward R. 1967. Sage grouse and sagebrush control. Transactions, North American Wildlife Conference. 32: 270-274.

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Wallestad, Richard; Peterson, Joel G.; Eng, Robert L. 1975. Foods of adult sage grouse in central Montana. Journal of Wildlife Management. 39(3): 628-630.

⁶² Wallestad, Richard. 1975. Life history and habitat requirements of sage grouse in central Montana. Helena, MT: Montana Department of Fish and Game. 65 p. In cooperation with: U.S. Department of the Interior, Bureau of Land Management.

⁶³ Mattise, Samuel N. 1995. Sage grouse in Idaho: Forum 94'. Technical Bulletin No. 95-15. Boise, ID: U.S. Department of the Interior, Bureau of Land Management, Idaho State Office. 10 p.

⁶⁴ Kindschy, Robert R. 1986. Rangeland vegetative succession—implications to wildlife. Rangelands. 8(4): 157-159.

18-29 ↑ Ph.D. Grouse Inc., Tucson, Arizona, **May 2006**. Furthermore, the FEIS should discuss
18-30 whether or not the proposed action complies with the Bureau of Land Management
National Sage-Grouse Habitat Conservation Strategy USDI, November 2004.

Fire

Big sagebrush habitat types are the dominant vegetation communities on the majority of public lands in the planning area. At mid to lower elevations, Wyoming big sagebrush is the dominant habitat type that provides important habitat for mobile wildlife species such as mule deer, pronghorn, and. Basin big sagebrush is intermingled.

Few if any fire history studies have been conducted on basin big sagebrush. Sapsis⁶⁵ suggests that fire return intervals in big sagebrush are intermediate between mountain big sagebrush (5 to 15 years) and Wyoming big sagebrush (10 to 70 years).⁶⁶ It is important to note that "given the wide range of fuel situations and our understanding of yearly climatic variation in the sagebrush ecosystem, a naturally wide variation in fire frequency in this system should be expected."⁶⁷

18-31

In many big sagebrush communities, changes in fire occurrence have occurred along with fire suppression and livestock grazing. Prior to the introduction of annuals, insufficient fuels may have limited fire spread in big sagebrush communities. Introduction of annuals has increased fuel loads so that fire can easily carry. Burning in some big sagebrush communities can set the stage for repeated fires. Fire frequency can be as little as 5 years, not sufficient time for the establishment and reproduction of big sagebrush. Repeated fires have removed big sagebrush from extensive areas in the Great Basin and Columbia River drainages.⁶⁸

Fire severity in big sagebrush communities is described as "variable" depending on weather, fuels, and topography. However, fires in big sagebrush communities are typically stand replacing.⁶⁹ In Idaho, wildfires in basin big sagebrush-needle and thread

⁶⁵ Sapsis, David B. 1990. Ecological effects of spring and fall prescribed burning on basin big sagebrush/Idaho fescue--bluebunch wheatgrass communities. Corvallis, OR: Oregon State University. 105 p. Thesis.

⁶⁶ Ibid.

Young, James A.; Evans, Raymond A. 1981. Demography and fire history of a western juniper stand. *Journal of Range Management*. 34(6): 501-505.

⁶⁷ Sapsis, David B. 1990. Ecological effects of spring and fall prescribed burning on basin big sagebrush/Idaho fescue--bluebunch wheatgrass communities. Corvallis, OR: Oregon State University. 105

⁶⁸ Bunting, Stephen C. 1990. Prescribed fire effects in sagebrush-grasslands and pinyon-juniper woodlands. In: Alexander, M. E.; Bisgrove, G. F., technical coordinator. *The art and science of fire management: Proceedings of the 1st Interior West Fire Council annual meeting and workshop; 1988 October 24-27; Kananaskis Village, AB. Information Rep. NOR-X-309. Edmonton, AB: Forestry Canada, Northwest Region, Northern Forestry Centre: 176-181.*

⁶⁹ Sapsis, David B.; Kauffman, J. Boone. 1991. Fuel consumption and fire behavior associated with prescribed fires in sagebrush ecosystems. *Northwest Science*. 65(4): 173-179.

grass communities may create unstable soil conditions leading to wind erosion and "difficulty in seedling establishment."⁷⁰

Loss of big sagebrush as a result of a fire may decrease both food and cover for pygmy rabbits and sage grouse. Big sagebrush is often completely killed by fire and is slow to reestablish on burned sites. On the Upper Snake River Plains in Idaho, big sagebrush did not recover to prefire densities until 30 years after an August fire.⁷¹ Big sagebrush may be eliminated from some areas due to repeated fire.⁷² Fires, including prescribed fires, that eliminate much of the big sagebrush would have an adverse effect on the pygmy rabbit and sage grouse populations in that area.

In general, burning in cheatgrass-infested big sagebrush types is not recommended if cheatgrass cover exceeds 50% or if cover of fire-resistant native grasses is less than 20%. Cheatgrass is more likely to invade after fire if the dominant native grass is not a fire-resistant species (for example, Thurber needlegrass or Idaho fescue) or if native grasses were in poor condition prior to fire.⁷³ Artificial seeding with native grasses is recommended after fire if cheatgrass was a major component of the prefire community or if it was a minor component and native grasses were in poor condition.⁷⁴ Communities in good condition may at least partially recover from temporary post fire increases in cheatgrass, especially when fire is followed by favorable precipitation.

Extreme care should be exercised when planning the use of prescribed fire or other vegetation treatments in sagebrush communities in the planning area. The NEPA document for the management plan should disclose the areas where the future use of prescribed fire is proposed, how noxious weeds, livestock grazing, soils, vegetation, wildlife, and other resources will be affected by such management.

Fire that destroys large tracts of sagebrush, or destroys key winter habitat, can be harmful to sage grouse and other sagebrush obligates.⁷⁵ Martin⁷⁶ suggested that had nesting

⁷⁰ Collins, P. D.; Harper, K. T. 1982. Habitat types of the Curlew National Grassland, Idaho. Provo, UT: Brigham Young University, Department of Botany and Range Science. 46 p. Editorial draft.

⁷¹ Chaplin, M. R.; Winward, A. H. 1982. The effect of simulated fire on emergence of seeds found in the soil of big sagebrush communities. In: Society for Range Management Abstracts: Proceedings, 35th Annual Meeting of the Society for Range Management; [Date of conference unknown]; Calgary, AB. Denver, CO: Society for Range Management: 37. Abstract.

⁷² Collins, Ellen I. 1984. Preliminary classification of Wyoming plant communities. Cheyenne, WY: Wyoming Natural Heritage Program/The Nature Conservancy. 42 p.

⁷³ Pechanec, Joseph F.; Stewart, George; Blaisdell, James P. 1954. Sagebrush burning good and bad. Farmers' Bulletin No. 1948. Washington, DC: U.S. Department of Agriculture. 34 p.

West, Neil E.; Hassan, M. A. 1985. Recovery of sagebrush-grass vegetation following wildfire. *Journal of Range Management*. 38(2): 131-134.

⁷⁴ West, Neil E.; Hassan, M. A. 1985. Recovery of sagebrush-grass vegetation following wildfire. *Journal of Range Management*. 38(2): 131-134.

Young, James A.; Evans, Raymond A.; Weaver, Ronald A. 1976. Estimating potential downy brome competition after wildfires. *Journal of Range Management*. 29(4): 322-325.

⁷⁵ Klebenow, Donald A. 1969. Sage grouse nesting and brood habitat in Idaho. *Journal of Wildlife Management*. 33(3): 649-662.

18-31

↑
habitat been limiting, large-acreage fires would probably adversely affect sage grouse populations. Autenreith and others⁷⁷ recommend that fire in winter use areas be applied cautiously: What may appear as an excess of sagebrush in summer may provide only minimal amounts of sagebrush in winter.

Additionally, sage grouse show lek fidelity and may not use burns as lekking grounds if there is a sufficient number of old leks.⁷⁸ Areas immediately surrounding leks, however, are heavily used as nesting grounds, and fire in areas surrounding leks may have a negative impact on consequent use of the surrounding areas by hens. Wallestad and Pyrah⁷⁹ recommend that sagebrush within 1.9 miles (3.2 km) of a lek not be burned in order to protect nesting habitat. Fire on the nesting grounds is not recommended in any season if nesting habitat is limited.

WWP appreciates the opportunity to comment on the Surprise RMP and DEIS. Please keep us informed as this process progresses, and feel free to contact me with any questions you may have in regards to these comments.

Sincerely,

Jen Nordstrom
WWP

Klebenow, Donald A. 1973. The habitat requirements of sage grouse and the role of fire in management. In: Proceedings, annual Tall Timbers fire ecology conference; 1972 June 8-9; Lubbock, TX. No. 12. Tallahassee, FL: Tall Timbers Research Station: 305-315.

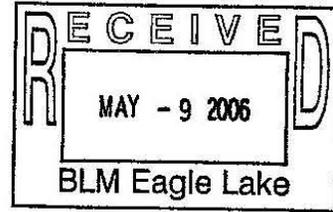
⁷⁶ Martin, Robert C. 1990. Sage grouse responses to wildfire in spring and summer habitats. Moscow, ID: University of Idaho. 36 p. Thesis.

⁷⁷ Autenreith, Robert; Molini, William; Braun, Clait, eds. 1982. Sage grouse management practices. Tech. Bull No. 1. Twin Falls, ID: Western States Sage Grouse Committee. 42 p.

⁷⁸ Benson, Lee A.; Braun, Clait E.; Leininger, Wayne C. 1991. Sage grouse response to burning in the big sagebrush type. In: Comer, Robert D.; Davis, Peter R.; Foster, Susan Q.; [and others], eds. Issues and technology in the management of impacted wildlife: Proceedings of a national symposium; 1991 April 8-4. Snowmass Resort, CO. Boulder, CO: Thorne Ecological Institute: 97-104.

⁷⁹ Wallestad, Richard; Pyrah, Duane. 1974. Movement and nesting of sage grouse hens in central Montana. *Journal of Wildlife Management*. 38(4): 630-633.

Susanville, CA
May 5, 2006



**To: Planning Coordinator
Bureau Of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130**

From: Bill Phillips

Subject: Comment RMPs all Field Offices

Here are some additions and modifications for your consideration for the Glossary of all three RMPs. I only read one and I am assuming that the other two are the same.

I may make comments for the other sections of the RMPs.

If you have questions about the comments I have made on the Glossary my phone number is 257-6700 and my FAX is 530-257-3020.

Bill Phillips

Bill Phillips

GLOSSERY

Here are some additions and modifications suggested for the glossary.

Appropriate Management Level [AML]

- 19-1 **ADD: This however, is expressed as a range with a minimum and a maximum number of animals that are to be on the [HMA] on December, 31 of any given year. This tells those with a special interest in these animals that there will never be less than this number of animals on the [HMA] at any given time. Also it insures other resource interests that there will never be more than the maximum number of animals on the [HMA] on January 1 of any given year. The objective is to manage within the [AML] range.**

Band [of horses]

- 19-2 **ADD: Young stallions that have been expelled from the family units, old stallions and stallions not strong enough to defend a group of mares form a more or less cohesive unit known as a bachelor band. Often old stallions that have lost their mares to a younger stronger stallion stay alone until they die of old age.**

Brush-Beating

- 19-3 **CHANGE: The use of one of several types of flails designed to shred brush to eliminate brush competition to allow understory to plants to grow with more vigor. There other tools used to knock over brush species for the same purpose.**

Climax Condition

- 19-4 **QUESTION: Does this definition allow for the changes that naturally take place in the vegetation complex in the sagebrush-steppe as it changes over time with fire, insect damage and other factors?**

Great Basin

- 19-5 **CHANGE: In the Great Basin all surface waters drain inward to terminal lakes or sinks, none flows to the oceans.**

Herd

- 19-6 **ADD: One or more stallions and his mares and associated bachelor bands.**

Home Range

- 19-7 **ADD:** Also applies to territories used by bands of wild horses or burros. An [HMA] may include home ranges for a number of different bands. Home ranges may overlap within an [HMA].

Intensive Grazing Management

- 19-8 **CHANGE:** Grazing management that uses grazing as a tool to meet some objective or objectives. This generally will use rest or rotational practices. The objective could be to restore plant composition, increase forage production, increase animal production etc. It generally will be done with additional investment in labor, capital and other resources.

Range Drill

- 19-9 **CHANGE:** Rangeland Drill
A seeding drill that is constructed of materials that are strong enough and heavy enough to be pulled over rough rangeland. This is as opposed to a farm drill used to seed farm land.

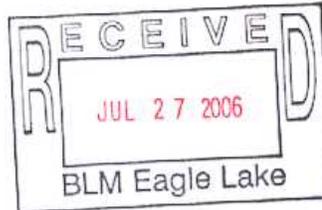
If there are any questions please contact me.

County of Lassen
Administrative Services



ROBERT F. PYLE
District 1
JIM CHAPMAN
District 2
LLOYD I. KEEFER
District 3
BRIAN D. DAHLE
District 4
JACK HANSON
District 5

July 25, 2006



John T. Ketelsen
County Administrative Officer
email: coadmin@co.lassen.ca.us

Julie Morgan
Assistant to the CAO
email: jmorgan@co.lassen.ca.us

Regina Schaap
Administrative Assistant
email: rschaap@co.lassen.ca.us

County Administration Office
221 S. Roop Street, Suite 4
Susanville, CA 96130
Phone: 530 251 8333
Fax: 530-251-2663

Timothy J. Burke, Field Manager
Alturas Field Office
Bureau of Land Management
Attention: Planning Coordinator
708 West 12th Street
Alturas CA 96101

Dayne Barron, Field Manager
Eagle Lake Field Office
Bureau of Land Management
Attention: Planning Coordinator
2950 Riverside Drive
Susanville CA 96130

Owen Billingsley, Field Manager
Surprise Field Office
Bureau of Land Management
Attention: Planning Coordinator
PO Box 460
Cedarville CA 96104

RE: Resource Management Plans Comments

The Bureau of Land Management (BLM) officially began the planning process in July 2003 to prepare Resource Management Plans (RMPs) and an Environmental Impact Statement (EIS) covering lands managed from the Eagle Lake, Alturas and Surprise field offices. Lassen County has participated in this process as a cooperating agency and at the invitation of BLM has invested considerable time in attending meetings and workshops. The County has provided BLM information, recommendations and relevant County policy based on the *Lassen County General Plan – 2000* and other public land and resource policy positions expressed by the Board of Supervisors that is pertinent to the development of the RMPs. Lassen County's involvement in this process has been to assist and coordinate with the BLM to develop RMPs that would be consistent with County policy and address issues in a manner that would be useable and understandable.

These comments pertain, as applicable, to each of the three RMPs. The RMPs are very lengthy and include considerable detail and information that required a great deal of effort from BLM personnel to compile and generate for public availability. Due to the length and awkward format typical of RMPs, a great deal of effort is also required of the County to review and comment.

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20-3

The Resource Management Plans refer to "coordination and consistency with other plans" in Chapter 1.9 and recognizes the help provided by cooperating agencies to make the planning decisions compatible as required by the Federal Land Policy and Management Act Section 202 (c)(9). Although the RMPs contain a range of alternatives and a preferred alternative that in many instances reflect consistency with the Lassen County General Plan, these comments identify a number of places in the RMP that contain language that is unclear, inconsistent and open to misinterpretation. The RMPs do not incorporate justification for decisions recommended that appear to be incompatible or inconsistent with the County. These draft RMPs reflect differences and inconsistency between the Eagle Lake, Surprise and Alturas field offices. It is also noted that coordination with other field offices (i.e., Carson City) has not occurred.

Travel Management: Non-Motorized

The Preferred Alternatives proposed by the Alturas and Eagle Lake Field Offices for non-motorized travel and future route development are consistent with and carries out Lassen County General Plan Goals, Policies, and Implementation Measures contained within the following:

Natural Resources Element

- Chapter 9 – Recreation Resources

Open Space Element

- Chapter 4 – Open Space for Outdoor Recreation

Circulation Element

- Chapters 4 and 5 – Railroads and Alternative Transportation and Public Trails

The proposed 277 miles of new trails, such as linking existing trails with a Honey Lake Valley Rim Trail proposed by the Eagle Lake Draft RMP and the 25.5 miles of new trails proposed by the Alturas Draft RMP, will provide an expanded range of recreation opportunities, improved access to outdoor recreation resources and will promote the discovery of resource diversity on public lands within Lassen County. Recreation and tourism components of the local economy will benefit from the enhancement and expansion of trails in Lassen County as contained in the RMPs.

Interpretation of natural, historic and cultural resources should be a critical component of new trail development and would enhance existing trails.

20-4

The Surprise Valley Draft RMP does not propose any specific new non-motorized trails and/or illustrate existing non-motorized trails. A RMP is an opportunity to analyze the inventory of existing trails and plan for potential new trails; as such, the Surprise Valley RMP should model the Recreation and Visitor Services and Travel Management sections of the Alturas and Eagle Lake Field Offices' Draft RMPs.

Travel Management – off-road vehicle use

(Recreation Opportunity Spectrum Chapter 2.10 and Travel Management Chapter 2.16)

The Eagle Lake RMP changes current BLM management as referenced on page 2-79:

“...vehicle travel is allowed outside of designated routes only when authorized by permit, in support of consumptive use (wood cutting, grazing and flat rock collection).”

Vehicle travel management provisions for off-road vehicle use is requested to be amended in all three RMPs to be consistent with the Alturas RMP (page 2-105) to allow for motorized retrieval of harvested big game when authorized by a state permitted tag as well as other permitted activities.

Supportive General Plan policies:

“WE12 POLICY: The County supports the management of wildlife game species for continued recreational and consumptive use as a matter of economic significance and with respect to hunting activity as a feature of local cultural heritage.”

WE13 POLICY: The County supports enhanced public access to wildlife resources for hunting and fishing, as well as for recreational and scientific wildlife observation, while respecting private property rights.”

Inter-basin transfer of water (Chapter 2.23.5)

The RMPs contain the following “Management Common to All Alternatives” that is requested to be amended as underscored:

- Projects that involve inter-basin transfer of water would be coordinated and consistent with the local water resource policies and plans of local and regional governments.

This amendment is necessary to comply with Lassen County General Plan:

“NR17 POLICY: The County supports measures to protect and insure the integrity of water supplies and is opposed to proposals for the exportation of ground water and surface waters from ground water basins and aquifers located in Lassen County (in whole or part) to areas outside those basins.

NR18 POLICY: The county may adopt specific resource policies and development restrictions to protect specified water resources (e.g., Eagle Lake, Honey Lake, special recharge areas, etc.) to support the protection of those resources from development or other damage which may diminish or destroy their resource value.

20-5

20-6

NR19 POLICY: The County supports control of water resources at the local level, including the formation of local ground water management districts to appropriately manage and protect the long-term viability of ground water resources in the interest of County residents and the County's resources."

Wildlife and Fishery (Chapter 2)

20-7

The RMP does a good job on habitat restoration, enhancement and maintenance, but does not adequately address migration corridor locations or protective measures. Public lands include substantial acreages of important habitats and provide connecting corridors between summer and winter ranges, fawning habitat, etc. There should be extensive coordination and information sharing among the four Area offices (Surprise Valley, Eagle Lake, Alturas and Carson City), California Department of Fish and Game and the Nevada Department of Wildlife regarding migration and corridor protection that should be included in the RMPs.

A related Lassen County General Plan policy is WE-9:

"The County supports cooperation between the California Department of Fish and Game and the Nevada Department of Wildlife in the management of interstate deer herds."

20-8

There is also a recommendation on page 4-64 of the Eagle Lake Field Office RMP that would dispose of BLM lands on Bald Mountain. Such a disposal for "community expansion or economic development" would be inconsistent with the Wildlife Element of the Lassen County General Plan due to very high deer winter range habitat values.

Wild and Scenic Rivers (Chapter 2)

The Eagle Lake Field Office RMP identifies portions of the Susan River, Willow Creek and Upper and Lower Smoke Creek as being eligible for designation as wild and scenic. The Preferred Alternative (2.14.10) would designate the Upper Smoke Creek into the Wild and Scenic Rivers system. The draft RMP does not recommend the Susan River or Willow Creek for inclusion.

20-9

The Alturas Field Office recommends the Upper Pit River Canyon and Lower Horse Creek for designation as wild and scenic rivers with a classification of "wild" and are located within a WSA (Wilderness Study Area). The County and BLM will need to confirm and agree to the boundaries of the WSA and wild and scenic rivers designation. The County will also need assurance that these designations will not preclude potential development of off-stream impoundments and reservoir sites on the Pit River such as the proposed Allen Camp Dam project.

The RMP preferred alternatives as they pertain to the Susan River, Willow Creek and the Pit River are consistent with the Lassen County General Plan if the RMPs include provision for the following policies:

“GOAL N-5: The development of new, well-planned reservoirs and other facilities and projects for water supply and/or flood control purposes which will benefit related resources and provide opportunities for multiple public benefits.

NR22 POLICY: Plans for reservoirs, flood control facilities and other water supply and flood control programs and projects shall regard the related impacts and cost-benefit relationships to other resource values and land uses which may be affected, and shall consider opportunities and design elements to achieve multiple public benefits including recreation and enhancement of wildlife and fishery resources.

NR24 POLICY: The County encourages feasibility studies, planning projects and, when appropriate, the development of new, well-planned reservoirs, flood channels and other facilities and programs which can serve to control flooding and help reduce flood-related damage.”

The water resources *Background* section of the General Plan states that:

“As early as the 1940’s and continuing to recent times, studies have been conducted for placement of dams along the Susan River, Pit River, Paiute Creek and Willow Creek. The prospect for development of additional surface water supplies in Lassen County are limited due to a lack of surplus water and the cost of its development. Nevertheless, development of new dams and reservoirs has the potential to provide resources for a number of uses including irrigation, flood control and recreation.”

Energy Transmission Corridors

Visual Resource Management page 2-163 et. seq., and Energy and Minerals page 2-16 et. seq.

The RMPs refer to energy related projects with regard to required analysis of visual impacts to be addressed in future EISs prior to development.

The County generally supports the use of existing highways and railways (including abandoned) to be included as transmission corridors.

The County also supports efforts that are addressing the needs to plan for and site energy corridors for transmission and generation in the western United States that may need to be accommodated on public lands within the RMPs.

The RMPs should also be updated in light of the National Energy Act proposed Trans-Sierra Route alternatives and recognize that such energy transmission corridors and related facilities

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20-10

siting be coordinated and consistent with the U.S. Department of Energy together with policies and programs of Lassen County and the Lassen Municipal Utility District.

Livestock Grazing (Chapter 2)

ISSUE #1 Grazing (or no-grazing) of “unhealthy”, “at-risk”, and “sites found healthy but lacking a key attribute”. The rewording on the errata sheet helps but there is still some confusion.

As currently written:

Page ES-7, see second bullet under Vegetation

- Grazing areas with...ecological sites rated as “unhealthy” would be closed until restoration is complete.....

20-11

Page 2-146, 4th bullet from top.

- Scientifically determine the causes for at-risk areas, unhealthy areas, and areas found to be healthy but lacking key attributes. Following this determination, restore 330,376 acres of vegetation known to be healthy but lacking key attributes and 271,683 acres of at risk vegetation..... Close these areas to grazing until restoration is complete, or at least until the site as made significant recovery and carefully managed limited grazing would not interfere with complete recovery.

Comment:

These bullet points can be interpreted to mean that the approx. 700,000 acres of rangeland would be immediately closed to grazing until restored. If this is in fact what is intended, we would strongly disagree with this policy. In many instances, such as sites dominated by annual grasses or juniper, the range condition will not be effectively remedied by removal of grazing. In fact, it is recognized in the RMP on page 4-251 that conversion of plant communities to annual grasses may not be reversible on many sites. Such a closure is also inconsistent with the preferred alternative in the livestock grazing section page 2-55.

If the grazing closure is intended to refer only to site-specific areas where there are active restoration projects, such as sites where invasive species are being controlled and desirable species re-seeded, or perhaps in certain fire rehabilitation sites, we would be more accepting of the policy. If this is the case, these bullet points should be re-written to more clearly describe the intent.

Request:

The grazing closures on the previously referenced range health classifications needs to be clarified and re-written such that it is clear in scope and intent and cannot be misapplied over vast areas of rangeland.

Lassen County General Plan Policy

“AG17 POLICY: The County supports grazing practices on private lands and lands managed by state and Federal agencies which support the long-term health and sustainability of rangeland resources.

AG18 POLICY: The County supports cooperative efforts between private sector interests and public agencies that incorporate economic viability while addressing environmental resource concerns such as the Eagle Lake / Pine Creek CRMP.

AG19 POLICY: The County advocates grazing policies on Federal and state lands which support the economic viability of related private livestock operations while maintaining the long-term productivity of rangeland ecosystems. Proposed changes in resource management policies regarding rangeland and use need to consider and mitigate potential economic, social and cultural impacts to Lassen County citizens and communities, and impacts to related private lands in Lassen County.”

ISSUE #2 Rest from browsing for shrub species to promote viable seed production.

As currently written:

Page ES-7 second bullet under Vegetation.

-Selected shrub sites would be rested from livestock grazing every 2 years to promote viable seed production.

Page 2-146, 7th bullet from top.

- Provide rest from grazing two out of every three grazing seasons for shrub species where rest is needed for optimum viable seed production especially on bitter brush, service berry and mountain mahogany sites.

Page 2-226 in table

- Provide two years rest from livestock grazing on selected shrub sites...

Comment:

First, the wording in these points is inconsistent as to the frequency of the desired rest, and needs to be clarified. Second, what constitutes *selected* shrub sites (as written in the bullet on pages ES-7 and 2-226)? That wording seems very wide-open especially relating to bitterbrush which is extremely widespread. Third, it should be determined at a site specific scale whether in fact a perceived lack of seed production is having any impact on shrub recruitment or cover, and if so, whether livestock browsing (rather than plant community competition or age of the stand) is the cause of such a loss in production. Lastly, are grazing strategies such as deferral, rotation, season of use, etc considered to be sources of “rest” under this policy? Or does the Bureau mean complete livestock exclusion at these sites? Some people might interpret “rest” to equate to no

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livestock grazing on the site at all. Fencing may serve well for isolated shrub populations, but on a larger scale we believe minimal use of browse can usually be accomplished through grazing management strategies.

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Although there may be specific sites staff has in mind, from what is written it is unclear as to where, when, how, and why the BLM would intend to implement this policy.

Request:

20-12
through
20-15

This language needs to be revised to be consistent through-out the document, and clarified under what conditions (when, where and how) shrubs would be rested from grazing. These conditions must reflect range site and plant community characteristics and need to recognize grazing rotations and management strategies as acceptable means of rest rather than complete exclusion of livestock.

Lassen County General Plan Policy

(See grazing policies above)

ISSUE # 3 Juniper management and control

Lassen County supports aggressive and effective control of western juniper control on BLM lands. For too long inaction has ruled the day as more and more productive rangelands are invaded by juniper reducing resource values for livestock, wildlife and watersheds. Since juniper invasion has, and continues to, occur at a huge scale and has so much impact on BLM lands and resources, there should be a very clear management direction in the RMP. In fact, the RMP does make a good case for aggressive juniper treatment on pages 3-79 and 4-234; however, there are some apparent inconsistencies as to how much juniper is present on the resource area or is intended for treatment.

20-16

Page 2-146 says that 31,062 acres of juniper woodlands are located on lands managed by the Eagle Lake Field Office. However, on page 3-167, Table 3.20-7 rates 97,226 acres as X3 habitat which is defined as sagebrush rangelands that have crossed an ecological threshold and have become juniper woodlands. That table identifies another 4,251 acres as R3 which is invaded by juniper and on the verge of crossing the ecological threshold from rangelands to woodlands. This obviously adds up to a far higher figure than the 31,062 acres above.

20-17

In several places (pages 4-207, 4-346, and 4-348) the RMP targets 15,000 to 20,000 acres of land where juniper will be reduced (by the way, on rangeland sites, juniper should be *removed* not *reduced*). Our concern is this target might be far too low.

We strongly support the first sentence of 5th bullet from the bottom on page 2-146 that says:

- On all other sites, pursue active abatement on invasive juniper.

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20-18

That sentence reflects a very simple, effective, and appropriate policy. If the BLM does need quantitative targets in the RMP, the figures above should be reconciled such that all juniper that is invading into sagebrush or other rangeland sites can be treated. Also, we do not believe that arbitrary acreage limits be placed on the means of juniper removal whether it be fire, mechanical or chemical.

20-19

Lastly, even on the soils listed as suitable for juniper woodlands, negative impacts from juniper dominance do still occur and thus while it may not be desirable to remove all juniper from these sites, active management and thinning should still be implemented. In Table 2.17-4 it is shown that a strong influence on understory vegetation begins to occur at 15% juniper canopy cover, and "sparse or absent" understory at 25% juniper cover. The time for thinning is prior to the loss of understory (less than 20% cover), not after it reaches the 35% threshold the BLM defines as "unhealthy".

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20-19

Request:

A simple straight-forward policy that clearly demonstrates an active and aggressive approach to controlling juniper invasion and does not include unnecessary limits on juniper removal needs to be articulated. Juniper should be actively removed on rangeland sites and properly thinned and managed on woodland sites.

20-17 &
20-19

Given the large acreage that needs to be treated we request that the BLM use the most cost effective means of juniper control so that the number of acres treated can be maximized. New invasions of juniper where trees are still small and the shrub and herbaceous plant community is still intact should be high priority for treatment.

Lassen County General Plan Policy

"AG24 POLICY: The County supports strong measures to eliminate or prevent the spread of invasive weeds and plant species including, but not limited to, medusahead, yellow starthistle, and perennial pepperweed (whitetop), and to control the adverse effects from the excessive spreading of such species as juniper and cheatgrass.

NR29 POLICY: Reads the same as AG24."

20-20

ISSUE # 4 ACEC (Areas of Critical Environmental Concern) - Eagle Lake Basin

There is some clarification needed with the language regarding ACEC in the Eagle Lake Basin.

As currently written:

On page 2-94, section 2.12.10 states that the Preferred Alternative is Identical to Alternative 2. However, we find some important differences.



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20-20

In Table 2.12-1 on pages 2-96 and 2-97 there are important differences in grazing allowed in the Eagle Lake basin ACEC between Alternative 2 and the Preferred. Under the preferred alternative the shorelines are closed to grazing with the "Uplands Open with Restrictions". Under Alternative 2 the "Uplands are open once every 3 years".

Comment:

As there are clear difference between the Alternatives, section 2.12.10 on page 2-94 appears to be incorrect and needs to be dropped or corrected.

Regarding Table 2.12-1, Page 2-97, Eagle Lake Basin, Preferred Alternative, what specifically are the grazing restrictions in the uplands? If these restrictions are typical of all BLM grazing allotments, maybe the words "with restrictions" can be dropped as in other parts of the table. After all, there are grazing restrictions on all BLM allotments which makes this wording redundant. If these restrictions in the uplands are intended to be above and beyond the current grazing program they need to be clarified and justified in the RMP.

Lake shore grazing has been generally eliminated on BLM lands except for a few small isolated parcels which are not fenced and not actively managed by the BLM. The grazing management within the basin was developed through the Eagle Lake CRMP (Coordinated Resource Management Plan) process and has worked well. The current grazing management should be recognized and identified as the preferred alternative.

Request:

The upland grazing management described in the table for Alternative 2 is unacceptable and thus the confusion of equating Alternative 2 and the Preferred Alternative on page 2-94 needs to be corrected or deleted. The RMP should recognize grazing management in the ACEC simply as a continuation of the current management already in place. Additional grazing restrictions are redundant and/or unnecessary.

Lassen County General Plan Policy

"AG18 POLICY: The County supports cooperative efforts between private sector interests and public agencies that incorporate economic viability while addressing environmental resource concerns such as the Eagle Lake / Pine Creek CRMP."

ISSUE # 5 Wild Horse AML

20-21

Comment:

We support active management of wild horses and burro populations. When horse and burro gathers are organized, we urge the Bureau to bring populations down to the *low end* of the AML (Appropriate Management Level) range. Thus as the population builds in succeeding years, it will still (hopefully) fall within the AML range rather than exceeding it.

Lassen County General Plan Policy

“AG23 POLICY: The County encourages strategy plans and strong measures to manage feral horses and burros on public and private rangelands and to minimize related damage to livestock and wildlife forage and water resources.

NR45 POLICY: Reads the same as AG23.”

ISSUE # 6 Water Quality

As currently written:

The second and third bullets under the preferred alternative on page 2-178 read as follows:

- Continue to allow public uses along streams and around other water bodies if state standards are either attained or improved at the same or greater rate than with out the activity.
- For streams with water-quality limited segments allow uses and activities in the watershed only if they do not impede restoring water quality to state standards.

Comment:

- As written these sentences could preclude almost any activity in the watershed if it were perceived to be an impediment to achieving state standards, *no matter how small the impact might be*. The current language is completely open to interpretation and could at some point be misapplied by individuals or groups who do not support multiple use land management.
- In the top paragraph on page 2-173, it is stated that waters within the BLM resource area generally don't meet state water quality standards, which are then described as 'unrealistic'. Therefore, almost any stream on BLM land could be expected to have a water quality limited segment, even if that assessment is based on unrealistic expectations. Such standards are not likely to be met regardless of activities in the watershed, and should not be the basis on whether certain activities will be allowed. Frankly, we don't recall an instance when the regional board staff has taken such a literal, black and white interpretation of state water quality standards as is written in these bullet points.
- It would seem that the first bullet point in the preferred alternative, and the management actions common to all alternatives, adequately cover the necessary management actions to maintain water resources and state compliance.

Request:

Delete the second and third bullet points in the list of management actions on page 2-178 and any where else they may occur or be referenced in the document.

20-22

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20-22

The following sentence could be used as a replacement:

"If monitoring data indicates that state water quality standards are not being attained on certain streams or stream segments, and uses and activities on BLM lands are contributing to the water quality impairment, appropriate BMP's will be implemented to mitigate the impacts of such activities."

Lassen County General Plan Policy

"NR14 POLICY: The County supports efforts by state and Federal agencies, including the California Department of Water Resources, to monitor the quantity and quality of the County water supplies and to protect the water resources of the County when such efforts are demonstrated to be based on sound, scientific assessment of potentially adverse impacts to those resources."

In conclusion, Lassen County appreciates the opportunity to participate as a cooperating agency through the process of scoping, preparing and reviewing the Resource Management Plans. The County recognizes the importance of these comprehensive plans that will guide the management of lands managed by the BLM in Lassen County for perhaps the next 20 years.

Lassen County also acknowledges the importance of continuing a collaborative effort with BLM to assure that the RMPs that are ultimately adopted are consistent and compatible with the plans and policies of the County. These plans, to be effective for the future, need to be well understood by those currently involved with its preparation so that matters of intent are not left open to misinterpretation. We request that BLM advise the County of any changes in these plans and that the County be given opportunity to review and comment on the proposed final draft RMPs prior to publication of the Record of Decision. Toward that objective, the Board of Supervisors requests that these comments be considered and that the BLM field offices continue to work together with the County in this effort.

Sincerely,



Robert Pyle, Chairman
Lassen County Board of Supervisors

RP:RKS:nes

SAGEBRUSH SEA CAMPAIGN
2224 W. PALOMINO DRIVE
CHANDLER, ARIZONA 85224
WWW.SAGEBRUSHSEA.ORG

Sent via e-mail and U.S. Postal Service

July 27, 2006

Alturas Resource Management Plan Comments
Attn: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130
necamp@ca.blm.gov

Dear Planning Coordinator:

I am writing on behalf of the Sagebrush Sea Campaign to submit comments on the Alturas Field Office draft Resource Management Plan and Environmental Impact Statement (draft RMP). The Sagebrush Sea Campaign is a regional conservation organization that focuses public attention and conservation resources on protecting and restoring the vast sagebrush-steppe landscape. The Campaign participates in public planning processes, advocates for natural resource protection, and uses education, research, legislation and litigation to conserve and restore the Sagebrush Sea for present and future generations.

21-1

We urge the Bureau of Land Management (BLM) to select Alternative 2, "Ecosystem Restoration and Protection," in the final Alturas Field Office RMP/EIS/ROD. The ecosystem restoration alternative offers the best hope for conserving and restoring public lands that have suffered more than 150 years of resource extraction (that continues on the landscape today), and now must accommodate new uses and factors as varied and significant as increased recreation, invasive species, and climate change. The following comments and enclosures address proposed management of livestock grazing, greater sage-grouse (*Centrocercus urophasianus*) and western juniper (*Juniperus occidentalis* var. *occidentalis*) in the preferred alternative in the draft RMP.

Livestock Grazing Management

21-2

All alternatives in the draft RMP would continue livestock grazing on nearly all of the planning area. Grazing closures recommended in the preferred alternative are minimal. Even under current law, the BLM can and should close additional areas to livestock grazing. Significant research (also alluded to throughout the draft RMP) indicates that removing livestock from public lands would improve riparian areas, upland habitats, soil health, and water quality and quantity; increase fish and wildlife populations; protect sensitive species; and contribute to the success of weed and juniper control programs. We recommend that the draft RMP include a grazing allotment management decision matrix for the planning area similar to that recently adopted by

21-3



↑
21-3

the BLM Prineville District in Oregon for the Upper Deschutes Resource Area to provide for the retirement of public land grazing allotments in areas of high ecological value and low demand for grazing. Please see the enclosed summary of the Upper Deschutes Resource Area grazing decision matrix and attachments.

Specific comments regarding grazing management in the draft RMP:

21-4

- We oppose making “additional AUMs available [to domestic livestock] as vegetation treatments are accelerated under the juniper management plan.” The recovery of native shrubs, grasses and forbs is key to restoring sites where western juniper is treated with fire or mechanical methods. Any additional vegetation that results from such treatments is needed to help stabilize soil, produce native seed, and defend the site against invasive species.

21-5

- We generally oppose the creation of grassbanks or “forage reserves” for grazing permittees, particularly in areas where grazing is already a dominant use of the landscape. Grassbanks are a poor use of taxpayer money and encourage and perpetuate poor grazing practices. *See* NPLGC, “Publicly Owned Grassbanks: Just Another Bailout” (factsheet), www.publiclandsranching.org/htmlres/fs_grassbanks_no_good.htm and NPLGC, “A Rational Alternative to Public Lands Grassbanks: Private Land Forage Cooperatives” (factsheet), www.publiclandsranching.org/htmlres/fs_private_forage_reserves.htm.

21-6

- Why is cheatgrass (*Bromus tectorum*) not included on the list and map of noxious weeds?

21-7

- The following statement in the draft RMP is misleading: “the persistence of exotic annual grasses (primarily medusa-head and cheatgrass) is expected to continue, regardless of whether livestock grazing occurs.” The scientific literature is clear that livestock grazing exacerbates the spread of weeds (A. J. Belsky and J. L. Gelbard. 2000. Livestock grazing and weed invasions in the arid West. Oregon Natural Desert Association. Bend, OR.), so it follows that exotic annual grasses will likely never be controlled as long as grazing continues, while methods may be developed to control these invaders if livestock were removed from the landscape. *See* J. E. Anderson and R. S. Inouye. 2001. Landscape-scale changes in plant species abundance and biodiversity of a sagebrush steppe over 45 years. *Ecol. Monographs* 71: 531 (documenting recovery of native vegetation on a large non-grazed tract of land, and refuting state-and-transition model opinions that shrub-dominated high desert habitats are stable over the long-term and would not recover following removal of livestock, and instead finding that perennial grasses increased significantly over a 45-year period and that adequate native species cover can make semiarid vegetative communities more resistant to exotic species invasion).

21-8

- “The experience of BLM technical staff indicates that annuals will persist, but that it is possible to slow or reduce their spread by applying intensive grazing management techniques in the surrounding areas.” What are “intensive grazing management techniques”?

Recovery of Greater Sage-grouse

The rangewide distribution of greater sage-grouse has declined by at least 44 percent while overall abundance has decreased by up to 93 percent from presumed historic levels. These decreases are the result of habitat loss, fragmentation, and degradation. Federal and state public land management agencies currently are responsible for about 70 percent of the remaining sagebrush (*Artemisia* spp.) steppe, with the Bureau of Land Management and U.S. Forest Service managing most of these lands for multiple uses. Greater sage-grouse will probably be listed as “threatened” or “endangered” under the Endangered Species Act unless public lands management improves.

C. E. Braun, a noted sage-grouse expert and principal of Grouse, Inc., has recently developed a strategy for protecting and restoring sage-grouse populations in the West. The “Blueprint for Sage-grouse Conservation and Recovery” is based on the latest scientific research and addresses livestock grazing, conifer encroachment, prescribed and natural fire and invasive weeds, among other factors that affect sage-grouse in the planning area. The goals of the “Blueprint” are to improve sagebrush habitats to increase greater sage-grouse abundance rangewide by at least 33 percent by 2015, and overall distribution of greater sage-grouse by at least 20 percent by 2030. The abundance goal is achievable following recommendations presented in the document while the distribution goal will be more difficult to obtain without a concerted effort to restore sagebrush-steppe.

Federal land management agencies, and particularly the BLM, are key to achieving the abundance and distribution goals, as they are responsible for managing sagebrush habitat that supports most of the remaining populations of greater sage-grouse. However, implementing the ‘Blueprint’ will require the BLM to adopt new and stricter management prescriptions for livestock grazing and other public land uses than those presented in the draft RMP. The ‘Blueprint’ should also compliment sage-grouse conservation plans devised by local working groups or similar coalitions, except that stricter guidelines (usually contained in the ‘Blueprint’) should always be used where management recommendations differ between the Blueprint and a local conservation plan. A copy of the ‘Blueprint’ is enclosed as comments on the draft RMP. The draft RMP must also heed recommendations contained in the BLM’s Greater Sage-Grouse and Sagebrush-Steppe Ecosystems Management Guidelines that includes various recommendations for sage-grouse habitat management.

21-9

21-10

21-11

- We could not find in the draft RMP where BLM has mandated seasonal protective buffers around greater sage-grouse leks and key nesting habitat, as is usually prescribed in other BLM RMPs. Management buffers are key to protecting sage grouse during critical parts of the year (i.e., lekking, nesting, brood-rearing). *See* Braun, ‘Blueprint.’

Western Juniper Management

Since 1870, concurrent with the introduction of domestic livestock and the resultant exclusion of periodic fire, the occurrence of western juniper in the sagebrush steppe has increased approximately ten-fold. Sagebrush habitat is being converted to western juniper woodland at a geometric rate. Western juniper is also invading and replacing quaking aspen (*Populus*

tremuloides) stands. Action is needed to reverse these trends and restore sagebrush steppe and quaking aspen stands in an integrated ecosystem maintained by periodic fire. Western juniper control must spare all old-growth western juniper trees. Restoration planning and implementation must carefully consider the effects of invasive non-native species—particularly medusa-head and cheatgrass—and livestock grazing on restored landscapes.

The Sagebrush Sea Campaign has produced a position paper presenting an ecologically based program for removing expansion western juniper from sagebrush steppe. A copy of “Managing Western Juniper to Restore Sagebrush Steppe and Quaking Aspen” is enclosed as comments on the draft RMP. Comparing the Campaign’s ‘Managing Juniper’ report to the draft RMP (and also considering Braun’s sage grouse ‘Blueprint’), we note the following:

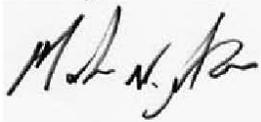
- 21-12
 - Significant research indicates that historic and *current* livestock grazing – and not just “overgrazing” as often characterized in the draft RMP – contributes to conditions that favor juniper encroachment.
- 21-13
 - Before western juniper treatments occur on public lands, it must be determined if the goal is ecosystem restoration *or* the production of forage for domestic livestock; only the former is ecologically sustainable.
- 21-14
 - The solution to western juniper encroachment is the reintroduction of fire and the elimination of livestock grazing in sagebrush steppe.
- 21-15
 - Fire (natural and prescribed) should be reintroduced only after livestock have been removed from an area for a sufficient period to allow for recovery of native vegetation and regeneration of soils.
- 21-16
 - Fire, both natural and prescribed, should be used to control western juniper once the landscape is demonstrated to be capable of handling the disturbance. Where inadequate ground cover exists to carry a robust fire with of sufficient heat and height to ignite the larger trees, those trees should be individually ignited.
 - Prescribed fires should be small to avoid negative effects to greater sage-grouse.
- 21-17
 - The use of mechanical methods to treat western juniper on public lands, including bulldozers, chainsaws, and chippers is destructive, aesthetically ugly and—most importantly—less effective over large tracts and fails to provide the many ecological benefits of fire. Fire is preferable to mechanical methods to control western juniper.
- 21-18
 - Any western juniper treatment and subsequent management must consider the potential to exacerbate and take measures to minimize the spread of invasive, non-native species. In some cases, treatment of individual juniper trees is preferable to a large ground fire to prevent weed invasion onto a treatment site (such as cheatgrass).

- 21-19
 - Commercial use of western juniper from public lands should not be allowed without assurances that such use will not exceed the supply of encroachment juniper that is targeted for removal from the landscape.
- 21-20
 - All old growth western junipers must be protected. Only young western junipers established post-European invasion (less than 100-150 years old) should be removed, and not all of them.
 - We support the designation of areas of critical environmental concern to protect old-growth juniper.
- 21-21
 - Burning is preferable to mechanical treatments to restore quaking aspen.
- 21-22
 - Livestock grazing should be excluded from treated areas for up to ten years following juniper treatment, and perhaps longer, to ensure recovery of native vegetation and avoid the rapid introduction of invasive weeds onto the site.

21-23 The draft RMP identifies extensive areas in the planning area for juniper control. We understand that this draft RMP and others are informed by a regional western juniper management strategy for federal public lands in northeastern California. Western juniper encroachment is also a management issue in central and southeast Oregon, southeast Idaho, and northern Nevada, and other BLM offices are developing juniper management plans in those states. The Sagebrush Sea Campaign strongly recommends that the BLM develop a programmatic management plan and environmental impact statement (similar to the BLM's Draft Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic EIS and Draft Vegetation Treatments on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Report) to help guide the development of all these plans, identify best management practices, and avoid duplication of effort.

Thank you for this opportunity to provide comments. These comments are also submitted to the Eagle Lake Field Office draft Draft Resource Management Plan and Environmental Impact Statement and Surprise Field Office Draft Resource Management Plan and Environmental Impact Statement, as applicable.

Sincerely,



Mark N. Salvo
Director

Encl. "The Grazing Decision "Matrix" in the BLM Upper Deschutes Resource Management Plan" (with attachments).

Braun, C. E. 2006. A blueprint for sage-grouse conservation and recovery. Unpublished report. Grouse, Inc. Tucson, AZ.

Sagebrush Sea Campaign. Managing western juniper to restore sagebrush steppe and quaking aspen (position paper) (draft 3.0). Sagebrush Sea Campaign. Chandler, AZ.

Alternative 7 (Preferred Alternative)

Livestock Grazing

In this alternative the BLM would use a formula to estimate potential for conflict and demand to help identify where problems are likely to occur (for additional details of how this formula works see Common to 2-7 section in this chapter, and Chapter 4 livestock grazing assumptions). This formula is changed somewhat from alternatives 2-6; most notably, an ecological conflict factor is added, and allotments would not be placed in "closed" or Reserve Forage Allotment (RFA) status in most cases, unless the grazing permittee voluntarily relinquishes his or her permit. In this alternative, livestock grazing would be modified as directed in Table 2-27 when thresholds of conflict and demand are exceeded. Appendix G shows which allotments would be affected. When conflicts are below the thresholds described above, they would be solved (in all alternatives) on a case-by-case basis by modifying livestock grazing, recreational use, fences, roads, and/or other uses, activities or developments as needed to reduce conflicts.

Some allotments would be placed in RFA status. These allotments would not be allocated to a specific grazing operator. The BLM would allow temporary, non-renewable use to federal permit holders when there is a demonstrated need to rest the permittee's allotment. "Need" for rest would include but not be limited to the following reasons: Prior to prescribed fire or necessary fence construction, or during/ after rehabilitation projects, wildland fire or prescribed fire, drought, flood, insect damage, or disease. Use would meet goals described for area in RMP and, if applicable, in AMP.

Grazing operators who have permits for allotments that fall into "IPR close," "IPR RFA," "IPR close or RFA," or "IPR open or RFA" status are under no obligation to relinquish their permits, and they are still able to transfer their permits to other qualified applicants.

Table 2-27 Grazing Matrix

		SOCIAL & ECOLOGICAL RATING								
		Low Ecological			Moderate Ecological			High Ecological		
		Low Social	Moderate Social	High Social	Low Social	Moderate Social	High Social	Low Social	Moderate Social	High Social
DEMAND RATING	Low Demand	IPR ¹ , Close or create RFA ²	IPR, Close or create RFA	IPR, Close or create RFA	IPR, Close or create RFA	IPR, Close	IPR, Close	IPR, Close	Close ³	Close
	Moderate Demand	Open	Open	IPR, create RFA	Open	IPR, Close or create RFA	IPR, Close	IPR, Close or create RFA	IPR, Close	IPR, Close
	High Demand	Open	Open	IPR, Open or create RFA	Open	IPR, Open or Create RFA	IPR, create RFA	IPR, Open or create RFA	IPR, create RFA	IPR, Close or create RFA

¹ IPR = if permit is relinquished

² RFA = Reserve Forage Allotment

³ Close = Discontinue livestock grazing for the life of the plan. BLM would provide two years notice of cancellation unless waived by permittee.

The Grazing Decision “Matrix” in the BLM Upper Deschutes Resource Management Plan

The preferred alternative in the Proposed Upper Deschutes Resource Management Plan and Final Environmental Impact Statement published by the Bureau of Land Management, Prineville District offers a new, efficient and amelioratory method to manage livestock grazing on the Deschutes Resource Area in eastern Oregon. Rather than continue the current management scheme, whereby conflicts between livestock grazing and other uses of public (and adjacent private) land are resolved on a case-by-case basis (and often never resolved to anyone’s satisfaction), the Upper Deschutes plan includes a new decision “matrix” to assist managers to decide whether current and potential grazing conflicts are so significant that livestock grazing might no longer be manageable under present conditions—and that there is a need to change conditions or discontinue grazing.

The matrix compares the value of a grazing allotment for livestock grazing to its ecological and social value for other uses (recreation, wildlife habitat, etc.), and measures the potential conflict that exists between grazing and the other uses (*see* **Grazing Matrix Table**). The value of an allotment for livestock grazing is assessed based on the demand among potential grazing permittees to use the allotment for grazing. If an allotment scores high for grazing on the decision matrix, and low for ecological and social uses, then the BLM will seek to continue livestock grazing on that allotment, resolving grazing conflicts on a case-by-case basis as necessary. However, if an allotment scores low for grazing use (i.e., low demand among grazing permittees to graze the allotment), and high for ecological or social values (e.g., allotment within Wilderness Study Area, grazing conflicts with sensitive species, allotment borders developed area), then the BLM may seek to close the allotment to livestock grazing or reallocate the forage as a grassbank (“Reserve Forage Allotment”). However, the BLM will only close or reallocate an allotment as a grassbank if the current grazing permittee voluntarily relinquishes the grazing permit to the agency.

The BLM devised a formula to determine the value of each allotment for grazing, ecological and social uses to estimate which allotments have the highest potential for conflicts. The plan applies the formula to each of the 124 active grazing allotments in the planning area (*see* **Grazing Guidelines – Allotment Evaluations**). Each allotment was given a “Social,” “Demand,” and “Ecological” score, which may be plotted on the decision matrix to help decide future management for each allotment when conflict occurs, or when a permit comes due for renewal.

The formula first measures the potential for social conflict on each grazing allotment, considering three factors: (1) miles of residential or resort zoning along allotment boundary; (2) amount of recreational use; and (3) percent of allotment within a special management area (e.g., Wilderness Study Area) that was designated at least in part for “social” values (e.g., visual resources, solitude). The factors making up the total social conflict score are weighted equally (each represents 33 percent of the total score).

Second, each allotment was scored for its demand for grazing, using eight factors: (1) waiting list for permit for allotment; (2) miles of residential or resort zoning along allotment boundary (this factor and factor #3 are calculated the same here as they are under social conflict); (3) amount of recreational use; (4) costs to install required new and maintain existing fences (assuming \$50/mi

for fence maintenance and \$4,000/mi for new fences); (5) percent of allotment that requires that water be hauled to livestock watering troughs; (6) existence of seasonal restrictions on grazing; (7) relative amount of forage (AUMs) on allotment; and (8) percent of allotment containing important deer, grouse, and elk habitats. Factors are weighted as follows: #1 is 20 percent of the total demand score, #2, #3, #4, #5, #7 are each 12 percent, and #6 and #8 are each 10 percent. An allotment's waiting list score is based on the professional judgment of a BLM Rangeland Management Specialist (12 years at Prineville District BLM).

Finally, criterion for determining the ecological value of a grazing allotment include: (1) percent of the allotment failing to meet Standards for Rangeland Health; (2) percent of allotment containing important deer, grouse, and elk habitats; (3) percent of allotment within a special management area (e.g., Wilderness Study Area) that was designated at least in part for "ecological" values (e.g., sensitive species). The factors are weighted as follows: #1 makes up 40 percent of the total ecological conflict score, #2 and #3 are each 30 percent.

Further details on the formula, including explication of how the social, grazing demand, and ecological values were determined and instructions on application of the grazing decision matrix, is available in the proposed Upper Deschutes plan. Assuming the plan is finalized as written, the preferred alternative, using the decision matrix, would reduce areas available for livestock grazing in the planning area by up to approximately 121,000 acres, reducing available AUMs by about 20% percent, if all permittees willingly relinquished their permits. About half of these acres would still be available as Reserve Forage Allotments, but the AUMs would not be allocated to specific permittees (*see Alternatives Grazing Comparison Chart*). While grazing operators may participate in voluntary permit relinquishment for any allotment under any alternative in the proposed plan, the grazing matrix provides additional opportunities for BLM managers to designate active allotments as other than "open" to reduce conflicts between livestock grazing and other uses on and adjacent to public lands in the planning area.

Table ES-1. Comparison of Grazing Management in Alternatives¹

Alternative 7 (Preferred Alternative) would reduce the areas available for livestock grazing over those identified in Alternative 1 (current management) by up to approximately 121,000 acres, reducing available AUMs by about 20% percent in the planning area, if all permittees willingly relinquished their permits. This would reduce conflicts between livestock grazing and other uses on and adjacent to public land. About half of these acres would still be available as Reserve Forage Allotments, but the AUMs would not be allocated to specific permittees.

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5	Alternative 6	Alternative 7
Livestock Grazing							
Acres available for livestock grazing ⁵	389,900	389,348	389,348	348,682	228,625	347,890	268,815
AUMs / Number of Allotments ⁶							
Available (Open)	25,840 / 124	25,779 / 124	25,779 / 124	23,545 / 86	13,261 / 61	24,375 / 115	20,785 / 84
Open or available as RFA ⁷	0	0	0	0	0	0	472 ⁹ / 1
Available as RFA	0	0	0	0	0	0	1,967 ¹⁰ / 10
RFA or not available ⁸	0	0	0	0	0	0	1,834 ¹¹ / 23
Not available (Closed)	0	69 / 0	69 / 0	2,345 / 38	12,530 / 63	1,508 / 9	721 ¹² / 6

¹ All numbers in this table are approximate. All percentages are in relation to the approximately 404,000 acres of BLM-administered public land within the planning area, not in relation to all land in the planning area.

⁵ The available acres are not 100% of the acres in the planning area; several thousand acres remain unavailable to grazing in all alternatives.

⁶ Allotments were counted as Open if any portion of the allotment remains Open in the alternative. Number of allotments counts La Pine unallotted as one.

⁷ RFA = reserve forage allotment (see text for description)

⁸ The "RFA or not available" column is a management discretion category.

⁹ This figure assumes the permittees voluntarily relinquish their permits. If they don't, the figures would drop to 0 and "open" would increase correspondingly.

¹⁰ Ibid

¹¹ Ibid

¹² Ibid

Land Uses

Livestock Grazing

Objective LG 1: Provide for continued livestock grazing, while reducing conflicts with and meeting needs of other uses and resources.

Rationale:

During the planning process, public comments urged the BLM to modify or discontinue grazing in sensitive areas, critical plant/animal habitats, and areas not grazed in many years. Livestock grazing permittees who rely on public lands also expressed continued concerns about the difficulty of managing allotments in areas adjacent to resorts and residential areas, and in areas of high recreation uses. BLM management direction is to reduce threats to public health, safety, and property as well as to provide guidance for grazing management.

FLPMA, the Public Rangeland Improvement Act (PRIA), the Taylor Grazing Act, and other acts direct public lands to be managed for multiple use and sustained yield; and, among other things, to provide for improved forage conditions to benefit wildlife, watershed protection and livestock production.

The Standards for Rangeland Health and Guidelines for Livestock Management (BLM 1997), provide standards by which the condition of watersheds currently under livestock management can be measured to evaluate upland and riparian function, ecological processes, water quality, and habitat for native, threatened and endangered, and locally important species. Based on the condition assessment, this direction also guides actions to be taken if livestock grazing is found to be affecting those factors. These Standards and Guidelines have been incorporated into this plan by reference, and form the basis for future evaluation of livestock use. However, these Standards and Guidelines do not include evaluation social and economic conditions that are prevalent throughout the planning area. The Grazing Matrix establishes classifications into which each allotment is placed depending upon a number of factors in addition to the Rangeland Health Standards. This approach is described under guidelines, and the classifications displayed in the Grazing Matrix.

Allocations/Allowable Uses:

General Uses

1. Allow prescribed livestock grazing to control weeds, reduce fire danger, or accomplish other management objectives, regardless of parcel status (including active, vacant, RFA, or area of discontinued grazing).
 - A. Prescribed grazing would only occur when BLM initiates such action.
 - B. Vacant allotments and areas of discontinued grazing would not be available for temporary non-renewable grazing use.
2. Allotment classifications shown in appendix G may be adjusted by more site-specific information about allotments.
3. Livestock grazing would not be allowed in the fenced area around Mayfield Pond, after an alternate water source for livestock is established.
4. Additional direction for livestock grazing in Peck's Milkvetch ACEC is described in the Special Management Areas section.
5. After a disturbance event¹¹ which results in undesirable soil or plant conditions, livestock grazing would typically not be permitted the remainder of the calendar year, and through the growing season of the next year. Exceptions would be for cases where such grazing would either not impede site recovery, or where livestock are used as a tool to aid in achieving certain recovery objectives (such as cheatgrass control). Livestock grazing would resume after interdisciplinary review and determination that soil and vegetation have recovered sufficiently from the initial disturbance to support livestock grazing.
6. Livestock grazing would be allowed in pastures if the disturbance event does not result in undesirable soil or vegetative conditions. Livestock exclusion after disturbance events would also not be required if livestock would not be trailed through the affected area, and attractants (e.g., water, supplemental feed, salt) are not provided within one mile. Attractants could be closer than one mile if physical barriers (e.g., rimrock, fences) would prevent livestock access to the affected area.
7. Prescribed or permitted livestock grazing could occur any time after disturbances in pastures containing affected areas if an interdisciplinary team designs and monitors the grazing to accomplish resource objectives (e.g. to control noxious weeds, or assist in getting broadcast seeds worked into the soil).

¹¹ Natural and human-induced events including but not limited to wildland fire, prescribed burns, timber management treatments, juniper cuts, and rehabilitation seedings.

Allotment Classification

8. FEIS Map 5 and the "Alt 7" column in Appendix C show areas available for livestock grazing. Allotments are shown or listed in one of several categories: "Open," "If permit is relinquished (IPR), Open or create Reserve Forage Allotment (RFA)" (see explanation of RFA below under guidelines), "IPR, create RFA," "IPR, Close or create RFA," "IPR, Close" or "Close." Some of these categories allow manager discretion (ones with "or").
9. Livestock grazing would continue to be allowed for allotments in the "Open" category on the Grazing Matrix (Table PRMP-4). See section below on "Using the Grazing Matrix" for instructions on how to rate allotments, and see Table PRMP-5 for allotments' raw scores on each factor. Currently about 90 allotments (75 percent) of the allotments are in the "Open" category.
10. Livestock grazing would continue to be allowed under permit or as an RFA for allotments falling in the "IPR, Open or Create RFA" category on the Grazing Matrix if the grazing permittee voluntarily relinquishes his or her grazing permit.
11. Allow livestock grazing as an RFA for allotments falling into the "IPR, Create RFA" category if the grazing permittee voluntarily relinquishes his or her grazing permit.
12. Livestock grazing would not be allowed under permit but could be allowed as an RFA for allotments falling into the "IPR, Close or Create RFA" category if the grazing permittee voluntarily relinquishes his or her grazing permit.
13. Livestock grazing would not be allowed for allotments falling in the "IPR, Close" category if the grazing permittee voluntarily relinquishes his or her grazing permit.
14. Livestock grazing would not be allowed for allotments falling in the "Close" category.

Guidelines:

1. Permits for Reserve Forage Allotments would not be held by specific grazing operators. In these allotments, temporary, non-renewable use could be granted to federal permit holders when there is a demonstrated need to rest a permittee's allotment. "Need" for rest would include but not be limited to the following reasons: Prior to prescribed fire or necessary fence construction, or during/after rehabilitation projects, wildland fire or prescribed fire, drought, flood, insect damage, or disease. Use would meet goals described for the area in the RMP and, if applicable, in an Allotment Management Plan.
2. Grazing operators in good standing can continue to hold or transfer permits to other qualified applicants in all but those allotments in the "Close" category on the Grazing Decision Matrix.

Using the Grazing Matrix

3. Estimate the potential demand for and social and ecological conflict in each allotment using the factors shown in Table PRMP-2. Note conflict/demand are interrelated, so there is some overlap of factors used in their estimates. The weighting of each factor in the conflict/demand rating is also shown in the Table PRMP-3.

Table PRMP-2 Grazing Matrix Factors¹

Factor title	What factor measures	How factor is calculated ²	Weight of factor		
			Social	Demand	Ecological
SMA Social	Percent of acres within allotment designated as a Special Management Area (SMA) in part for social values (e.g., WSA for scenery, solitude)	Acres SMA-social / total acres in allotment.	33		
Zoning	Miles of high-density zoning (resort, residential) along allotment boundary relative to number of AUMs in allotment, and relative to other allotments.	Miles X 4000 / AUMs in allotment. ³	33	20	
Recreation	Amount of recreational use in allotment	If C3 on Allotment Categorization Form (see App. G) is "M" then the score is 75; if it is "H" the score is 100.	33	12	
Wait List	Rancher interest in allotment	Relative interest shown in an allotment compared to other allotments, based on considerations including but not limited to applications, letters of interest and personal contacts.		12	
Fencing	Cost to install new fence and maintain existing fence, relative to other allotments.	Miles of fence maintenance X 4 X \$50 / mi / yr + miles of new fence X \$4,000 / mi / decade. ⁴		12	
Water	Percent of allotment needing water hauled to troughs	Permittee and BLM estimate of number of acres served by hauling water to troughs, divided by the total number of acres in the allotment.		12	
Seasonal	Amount of seasonal restrictions on livestock grazing.	Grazing restricted to one season = 100, two seasons = 50, three seasons = 25, year-round permit = 0		10	
Forage	Relative amount of forage in allotment, compared to other allotments in planning area	For each allotment, 2500 / AUMs. ³		12	
Wildlife	Percent of allotment containing important deer, grouse, and elk habitats.	For each allotment, 0.5 X (percent of acres deer winter range + percent of acres sage grouse habitat + percent elk winter range) ⁶		10	30
SMA Ecological	Percent of acres within allotment designated SMA at least in part for ecological values (e.g. Peck's Milkvetch ACEC).	Acres SMA-ecological / total acres in allotment.			30
Rangeland Health Assessment	Percent of Standards not met during Rangeland Health Assessment, where livestock have been determined to be part of that failure.	Number of Standards not met where livestock are a factor / total number of Standards (5)			40

¹ Each allotment's score on the above factors at the time of this printing is listed in Table LG2-XX. These scores are not constant; they change as the amount of residentially zoned land around allotments changes, as the proportion of the allotment where water is hauled vs. piped changes, and as each of the other factors making up the scores changes.

² All calculations are estimates, and would require site visit, updated information, and permittee input to get more accurate estimate. Scores at time of this printing are shown in Appendix G.

³ Score is multiplied (by number indicated) and scores over 100 are set at 100, to get a more even spread of scores and to make the indicators sensitive enough to register differences.

⁴ *But*

⁵ *But*

⁶ *But*

Table PRMP-3 Grazing Matrix Rating

Factor	Rating		
	Low	Moderate	High
Social	<34	34-66	>66
Demand	>66	34-66	<34
Ecological	<34	34-66	>67

Table PRMP-4: Grazing Matrix

		SOCIAL & ECOLOGICAL RATING								
		Low Ecological			Moderate Ecological			High Ecological		
		Low Social	Moderate Social	High Social	Low Social	Moderate Social	High Social	Low Social	Moderate Social	High Social
DEMAND RATING	Low Demand	IPR, Close or create RFA ¹	IPR, Close or create RFA	IPR, Close or create RFA	IPR, Close or create RFA	IPR, Close	IPR, Close	IPR, Close	Close ³	Close
	Moderate Demand	Open	Open	IPR, create RFA	Open	IPR, Close or create RFA	IPR, Close	IPR, Close or create RFA	IPR, Close	IPR, Close
	High Demand	Open	Open	IPR, Open or create RFA	Open	IPR, Open or Create RFA	IPR, create RFA	IPR, Open or create RFA	IPR, create RFA	IPR, Close or create RFA

¹ IPR = if permit is relinquished

² RFA = Reserve Forage Allowment

³ Close = Discontinue livestock grazing for the life of the plan. BLM would provide two years notice of cancellation unless waived by permittee.

Table PRMP-5: Indicators of and estimated levels of Conflict/Demand regarding Livestock Grazing (for use in Grazing Matrix).

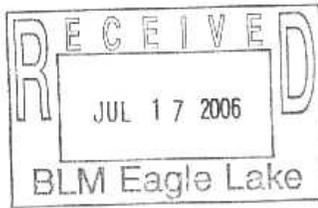
Allotment Number	Indicators (factors)										Estimated Levels Total score ¹ in category, and rating (Low, Moderate, High)				
	SMA Soc	Zoning	Recreation	Wildlife List	Fences	Water	Seasonal	Forage	Wildlife	SMA Eco	S&Gs	Social	Demand	Ecological	
0072	0	12	75	75	57	100	100	30	3	0	0	43	M	58	L
5001	0	100	75	90	29	100	50	100	3	0	0	88	H	72	L
5002	0	100	75	95	100	0	100	100	0	0	0	88	H	74	L
5003	0	100	0	95	100	100	50	100	0	0	0	51	M	72	L
5004	0	0	0	90	25	0	100	100	0	0	0	0	L	43	M
5006	0	100	75	95	100	100	50	100	100	100	0	88	H	91	L
5007	0	0	75	85	68	50	100	100	100	100	0	37	M	72	L
5011	0	0	0	0	17	0	0	100	100	0	0	0	L	24	H
5012	0	72	75	75	77	100	0	30	100	0	0	74	H	68	L
5018	0	41	75	50	27	0	50	51	100	0	0	58	M	48	M
5019	0	0	100	10	5	40	25	13	10	0	0	50	M	24	H
5022	0	100	75	75	42	0	100	40	0	0	20	88	H	56	M
5023	0	0	0	0	40	0	0	100	80	0	0	0	L	25	H
5024	0	0	0	0	20	0	25	100	100	0	0	0	L	27	H
5026	0	67	0	95	100	0	50	83	100	2	0	34	M	64	M
5031	0	0	75	90	100	0	0	37	100	0	40	37	M	53	M
5032	0	0	0	90	25	100	100	100	53	0	0	0	L	60	M
5050	0	0	100	85	11	100	50	89	100	0	0	50	M	68	L
5051	0	0	100	85	20	100	0	49	100	0	0	50	M	59	M
5052	0	0	100	85	50	100	0	100	82	0	0	50	M	67	L
5061	0	100	100	95	100	100	50	7	100	0	0	101	H	83	L
5064	0	0	0	65	23	100	50	57	100	0	0	0	L	50	M
5065	0	52	75	50	34	100	100	8	100	0	0	63	M	62	M
5066	0	29	0	75	32	100	100	74	100	0	0	15	L	63	M
5067	0	0	75	95	100	0	50	100	100	0	0	37	M	67	L
5068	0	0	75	95	100	100	50	54	100	0	0	37	M	74	L
5069	0	100	75	95	100	80	50	100	100	0	0	88	H	85	L
5070	0	0	75	95	100	100	50	13	100	0	0	37	M	69	L
5071	0	56	75	95	100	100	50	10	100	0	0	65	M	75	L

Allotment Number	Indicators (factors)										Estimated Levels Total score in category, and rating (Low, Moderate, High)						
	SMA Soc	Zoning	Recreation	Walking List	Fences	Water	Seasonal	Forage	Wildlife	SMA Eco	S&Gs	Social	Demand	Ecological			
5072	0	42	100	90	90	100	50	17	100	0	0	71	H	75	L	30	L
5073	0	13	100	60	10	100	0	4	100	43	0	56	M	49	M	43	M
5075	0	71	100	60	50	100	0	22	100	65	0	86	H	63	M	50	M
5076	0	0	0	75	4	0	100	37	100	0	40	0	L	40	M	46	M
5078	0	100	100	75	12	100	50	13	100	100	40	101	H	69	L	76	H
5079	0	10	100	75	12	100	50	25	100	49	40	55	M	60	M	61	M
5080	0	24	75	50	37	100	0	12	100	0	0	49	M	50	M	30	L
5081	0	0	0	80	36	0	100	100	100	0	0	0	L	52	M	30	L
5082	0	0	0	95	100	0	50	100	100	0	0	0	L	58	M	30	L
5084	0	0	75	95	100	100	50	100	0	0	0	37	M	69	L	0	L
5086	0	0	0	90	100	0	100	100	20	0	0	0	L	54	M	6	L
5088	0	0	0	90	12	0	25	100	79	0	0	0	L	42	M	24	L
5089	0	0	75	90	100	25	100	100	0	0	0	37	M	64	M	0	L
5092	0	0	100	90	36	0	100	76	0	0	0	50	M	53	M	0	L
5093	0	0	0	90	84	0	50	100	0	0	0	0	L	45	M	0	L
5094	0	0	0	90	13	100	25	100	0	0	0	0	L	46	M	0	L
5096	0	83	0	90	25	0	0	100	100	0	0	43	M	53	M	30	L
5107	0	0	0	90	6	0	25	69	0	0	0	0	L	30	H	0	L
5108	15	0	100	80	17	0	25	33	100	0	0	57	M	47	M	30	L
5109	0	0	75	60	17	100	0	10	100	0	0	37	M	46	M	30	L
5110	0	0	0	90	11	0	25	71	0	0	0	0	L	30	H	0	L
5111	0	100	75	75	37	100	100	51	0	0	0	88	H	69	L	0	L
5112	0	4	75	60	15	50	50	10	0	0	0	39	M	36	M	0	L
5113	0	0	100	60	27	50	100	25	0	0	0	50	M	46	M	0	L
5114	0	0	100	60	11	50	25	14	0	0	0	50	M	36	M	0	L
5115	0	0	100	50	24	0	50	23	0	0	0	50	M	33	H	0	L
5116	2	60	100	50	11	0	100	4	0	0	0	81	H	41	M	0	L
5117	5	0	100	50	9	0	50	5	0	0	0	52	M	29	H	0	L
5119	0	0	0	50	4	0	100	50	0	0	0	0	L	26	H	0	L
5120	4	0	100	50	13	50	25	11	0	0	0	51	M	33	M	0	L
5121	0	0	75	25	13	100	0	21	0	0	0	37	M	30	H	0	L
5122	13	100	75	85	13	0	25	37	0	0	0	95	H	47	M	0	L
5123	0	0	0	0	8	0	0	49	100	0	0	0	L	17	H	30	L

Allotment Number	Indicators (factors)										Estimated Levels						
	SMA Soc	Zoning	Recreation	Waiting List	Fences	Water	Seasonal	Forage	Wildlife	SMA Eco	S&Gs	Social	Demand	Ecological			
5125	0	0	100	50	14	50	25	8	0	0	50	M	33	H	0	L	
5127	0	0	100	25	14	100	25	4	100	0	0	50	M	44	M	30	L
5130	0	0	0	0	6	0	0	24	100	0	0	0	L	14	H	30	L
5132	0	25	100	25	21	75	0	6	100	0	0	62	M	42	M	30	L
5133	0	0	0	0	53	0	25	100	100	0	0	0	L	31	H	30	L
5134	0	0	100	0	14	5	0	4	100	0	60	50	M	25	H	54	M
5135	0	72	100	25	12	0	0	7	100	0	0	86	H	38	M	30	L
5136	0	57	100	10	13	0	75	7	100	0	0	78	H	41	M	30	L
5138	0	0	75	25	23	100	0	10	100	0	0	37	M	40	M	30	L
5140	0	0	75	0	6	0	50	2	100	0	0	37	M	25	H	30	L
5141	0	0	0	0	6	0	50	7	100	0	0	0	L	17	H	30	L
5142	0	100	75	0	23	0	0	54	100	0	0	88	H	40	M	30	L
5143	0	0	75	0	14	0	75	15	100	0	0	37	M	30	H	30	L
5145	0	0	100	0	16	0	50	15	100	0	0	50	M	31	H	30	L
5176	0	0	0	95	100	0	50	100	100	0	0	0	L	58	M	30	L
5177	0	0	0	90	16	0	50	25	100	0	0	0	L	38	M	30	L
5178	0	0	0	95	100	50	50	36	100	0	0	0	L	56	M	30	L
5179	0	0	0	90	100	0	50	100	60	0	0	0	L	53	M	18	L
5180	0	0	0	85	100	0	50	100	99	0	0	0	L	56	M	30	L
5182	0	0	0	95	100	0	50	32	100	0	0	0	L	50	M	30	L
5198	0	0	0	95	100	0	50	100	80	0	60	0	L	56	M	48	M
5201	0	43	100	75	13	100	50	18	0	0	0	71	H	53	M	0	L
5204	100	71	75	90	25	100	25	89	100	0	0	123	H	74	L	30	L
5205	56	0	75	85	48	0	0	33	100	0	40	65	M	46	M	46	M
5206	0	100	75	95	100	100	50	100	100	0	0	88	H	91	L	30	L
5207	100	0	75	85	39	100	25	66	100	0	40	87	H	63	M	46	M
5208	0	28	75	25	6	0	50	4	100	0	0	52	M	34	M	30	L
5209	93	0	75	25	11	100	25	5	100	0	20	83	H	40	M	38	M
5210	0	0	75	0	5	100	0	2	100	0	0	37	M	32	H	30	L
5211	0	0	100	10	7	85	0	8	100	0	0	50	M	36	M	30	L
5212	5	0	100	10	5	0	0	1	100	0	0	52	M	25	H	30	L
5213	44	0	100	10	8	100	0	4	100	0	0	71	H	37	M	30	L
5214	0	0	100	0	9	0	0	3	100	0	0	50	M	23	H	30	L

Allotment Number	Indicators (factors)										Estimated Levels Total score ¹ in category, and rating (Low, Moderate, High)			
	SMA Soc	Zoning	Recreation	Walking List	Fences	Water	Seasonal	Forage	Wildlife	SMA Eco	S&Gs	Social	Demand	Ecological
5216	0	0	75	85	75	0	100	100	0	0	20	37	M	8
5224	0	0	0	0	47	0	0	100	100	0	0	0	L	28
5228	0	0	0	0	7	0	0	15	100	0	0	0	L	13
5231	0	0	75	0	4	0	50	1	100	0	0	37	M	25
5233	0	0	0	0	3	10	0	5	100	0	0	0	L	12
5234	0	0	0	0	6	0	25	13	100	0	0	0	L	15
5252	0	0	75	95	79	0	50	74	0	0	0	37	M	51
5257	0	0	0	0	10	0	0	100	42	0	0	0	L	17
5261	0	91	0	0	14	0	25	57	100	0	0	46	M	32
7502	0	4	0	85	43	100	0	2	100	0	0	2	L	45
7504	0	11	0	75	9	0	25	27	100	0	0	5	L	33
7509	0	100	75	75	55	0	50	28	100	0	0	88	H	61
7514	0	100	0	90	61	0	100	93	100	0	0	51	M	68
7515	0	0	75	85	13	0	25	42	100	0	0	37	M	45
7530	0	0	0	90	3	0	100	78	0	0	0	0	L	38
7538	0	100	75	95	100	0	50	98	100	0	0	88	H	79
7552	0	2	0	60	7	50	0	4	100	0	0	1	L	34
7554	0	0	0	80	27	0	50	100	40	0	20	0	L	42
7559	0	28	75	60	8	50	25	14	100	0	0	51	M	46
7571	0	38	0	95	42	0	50	96	0	0	0	20	L	45
7572	0	100	0	90	29	0	25	100	0	0	0	51	M	48
7574	0	0	0	95	41	100	50	74	39	0	0	0	L	54
7575	0	82	0	80	55	0	75	34	0	0	0	42	M	44
7582	0	0	0	75	29	100	0	100	99	0	0	0	L	52
7586	0	61	75	80	21	100	75	76	0	0	0	68	H	63
7594	0	0	0	95	25	0	25	100	13	0	0	0	L	38
7595	0	100	0	80	22	50	25	35	100	0	0	51	M	53
7597	0	0	75	73	5	0	50	10	100	0	0	37	M	40
9599	0	6	75	75	26	50	50	0	100	0	0	40	M	49

¹ The raw scores for some factors were proportionally adjusted to achieve a field/cow spread between 0 and 100 (rating for above 1/3 falling above 67, at the "high" end). This was necessary to make the indicators sensitive enough to register differences between allotments. These adjustments are noted above by the adjusted factors.



Gary Schoolcraft
698-719 Beverly Drive
Susanville CA 96130
July 14, 2006

Alturas RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130

Dear Planning Coordinator,

These comments relate to Special Area Designations (ACECs) and Special Status Plants (SSP). Having worked on the designation of the Ash Valley RNA/ACEC and developed the Ash Valley Management Plan, I am very familiar with the uniqueness of this BLM resource.

Whatever alternative is chosen, it is important that this area get the protection it deserves. There are few places in California that has this large assemblage of rare or SSP. *Astragalus anxius* (List 1B) and *Ivesia paniculata* (List 1B) are known only from the immediate area of Ash Valley. Ash Valley is the only known California location of *Potentilla basaltica* (List 1B), which is otherwise known only from southwestern Humboldt County, NV. Ash Valley is near the southern extent of *Eriogonum procduum* (List 1B), known only from northern CA with one population in NV. *Dimeresia howellii* (List 2) and *Erigeron elegantulus* (List 4) are also present in Ash Valley. *Stenotus lanuginosus* (List 2) occurs immediately south of Ash Valley ACEC and is known from only 20 occurrences in CA.

In the mid 1980's when the RNA designation was done, the intent was to take that step for the beginning of protection for this very unique and valuable BLM resource. Subsequently, SSP monitoring was established, a mineral withdrawal was done, and a land exchange acquiring more of the rare plant habitat was completed. Livestock grazing was another issue that needed further attention.

During the development of this new planning document, I think it is time that BLM recognize the extreme importance of the Ash Valley RNA/ACEC and give it full protection from livestock grazing and OHVs. While few of the plants are grazed by livestock, the number of AUMs that are present for grazing in the ACEC are not worth the potential for impacts to this area from grazing. Trampling and soil impacts during spring could be detrimental to these plants. Medusahead has already been introduced to the ACEC, most likely by livestock. With continued livestock use and vehicle access to the ACEC, there is great potential to introduce more weeds that could potentially impact the SSPs and the ACEC. None of these plants depend on grazing for regeneration or establishment.

I feel that BLM could make a great stride forward in full multiple resource management by excluding livestock grazing and vehicle access to this very unique and valuable natural resource. The exclusion of livestock grazing from the ACEC could probably be done with no impacts to livestock grazing since few AUMs would be eliminated from use. Fencing along the Ash Valley road with a split rail type fence to exclude vehicles and livestock could further enhance this area.

22-1

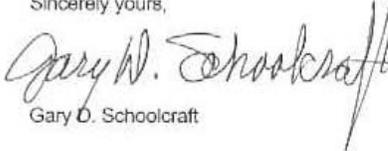
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22-1

So with minimal if any impacts to any other resources other than the commitment of time and funds, I would think that BLM and the Alturas Field Office Manager would not want to chance the potential for irreversible impacts to the ACEC through the continuation of livestock grazing.

I would also like to commend Alturas Field Office on the possible designation of several other ACECs in the development of the Alturas RMP. This also shows a commitment to full multiple resource management. The development of ACEC Management Plans for the management and protection of the ACEC resources is an important next step.

Thank you for your sincere consideration of my comments.

Sincerely yours,



Gary D. Schoolcraft

"Deon and Linda" <linda@pollett.net>
07/20/2006 11:17 AM
To
<necarp@ca.blm.gov>
cc

bcc

Subject
Eagle Lake RMP Comments

To Planning Coordinator Bureau of Land Management, Eagle Lake field Office
and Planning coordinator Bureau of Land Management Alturas field Office

- 23-1 Thank you for closing roads in several wilderness study areas and allowing fires to play an important role in maintaining the high desert's ecological health. Please continue to confine vehicles to designated routes and management of roadless areas for primitive recreation.
- 23-2 Please designate the seven areas of critical environmental concern.
- 23-3 Also please acquire public rights of way along abandoned railroad grades for non-motorized trails.
- 23-4 Please build new non-motorized trails.
- 23-5 Please manage Smoke Creek as a wild and scenic river.
- 23-6 Also, choose Alternative 2 as your Preferred alternative in the final version of the RMP, with modifications of;
- 23-7 Manage all wilderness study areas as primitive zones.
- 23-8 Manage the core portions of the Observation Peak, Shaffer Mountain, Shinn Mountain, Skedaddle Flats, Skedaddle West and Snowstorm Mountain Roadless Areas as primitive zones.
- 23-9 Also close all primitive and non-motorized management areas to mineral leasing in order to protect these wild places from development.

Linda Schreiber
Anderson, CA 96007

111,111,111x111,111,111=12,345,678,987,654,321
Linda Schreiber



United States
Department of
Agriculture

Forest
Service

Modoc National Forest

800 West 12th Street
Alturas, CA 96101
(530) 233-5811
TTY (530) 233-8708

File Code: 1920

Date: July 21, 2006

Alturas RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Dear Tim:

My staff has briefly reviewed your Draft Resource Management Plan and Draft Environmental Impact Statement for your area and provided the following comments:

- 24-1 • The Forest Service will soon be restricting OHV use to designated roads and trails based on national direction. The continued use, expansion, or designation of the Barnes Grade area for unrestricted OHV use is of concern. Since this area is adjacent to the Modoc National Forest we see it as a gateway to continued unmanaged OHV use on Forest Service Lands. The BLM should address its short and long term ability to restrict OHV use to BLM lands in the Barnes Grade area or restrict OHV use to designated roads and trails and prevent expansion of OHV use onto Forest Service Lands.
- 24-2 • Map WHB-1, and the discussion of wild horse territories (horse is spelled house) depicts two wild horse territories on the Modoc National Forest. Please note that we only have one (the Devil's Garden Wild Horse Herd). The area depicted as the Emigrant Horse Herd is the Emigrant Grazing Allotment and is part of the Devil's Garden Wild Horse Herd.
- 24-3 • Map WILD-1 depicts areas of management of the Modoc Sucker. BLM should consider and evaluate its impact to the Lost River and Short Nose Sucker in and around Clear Lake area. Assisting the USFWS in protecting the Lost River and Short Nose Sucker is important in Forest Service Management.
- 24-4 • We are concerned that Maps WILD-3 and WILD-4 depicting Deer and Antelope management on National Forest System Lands has not been fully coordinated with our plans and designated areas.



Caring for the Land and Serving People

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- 24-5
- The FEIS should discuss designation of Wild and Scenic Rivers effects on upstream use and management by other agencies or land holders. Will this designation require or cause increased protection of water quality and quantity by upstream land managers?
- 24-6
- We recommend expanding the discussion of Scenic Byway designation to more fully recognize County, Private, and Other Agency cooperation and working agreements to develop and manage this valuable resource activity. The Forest Service sees the designation and connection of the Emigrant Trails Scenic Byway down State Highway 299 with the Volcanic Scenic Byway along State Route 89 as the highest priority.
- 24-7
- The Modoc NF is about to begin its LRMP Revision process and would like to get copies of the BLM GIS database used to formulate your Preferred Alternative. Please have your database/GIS manager contact Sean Redar at 530-233-8739 to expedite this technology transfer of information.

We will not be commenting on the analysis of alternatives as this is based on your planning direction. As noted above our focus has been on those strategic areas in your plan that may affect management of the Modoc National Forest in the future. Thank you for the opportunity to comment. If your staff has specific questions about the above please contact Robert Haggard at (530) 233-8840.

Sincerely,

/s/ Stanley G. Sylva
STANLEY G. SYLVA
Forest Supervisor

cc: Bradley J Burmark
Tim Burke



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

July 27, 2006

Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Subject: Draft Environmental Impact Statement (DEIS) and Resource Management Plan,
Alturas Field Office, Lassen, Modoc, Shasta, and Siskiyou Counties, California
(CEQ # 20060150)

Dear Planning Coordinator:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. Our detailed comments are enclosed.

25-1

The project provides guidance for the management of public lands administered by the Alturas Field Office for the next 20 years. Based on our review, we have rated the DEIS as Environmental Concerns - Insufficient Information (EC-2) (see enclosed "Summary of Rating Definitions"). We have concerns regarding water quality/riparian impacts from livestock, especially in the watershed of the Pit River, an impaired water body under Clean Water Act Section 303(d), soil and vegetation, and rangelands. We request additional information regarding monitoring for compliance with the Northeast California Resource Advisory Council Recommended OHV Management Guidelines.

25-2

25-3

&

25-4

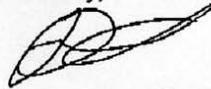
With regard to rangelands, we recommend BLM consider the sustainability of range resources in planning for the Alturas Field Office, where 91% of land is in grazing allotments. We understand local government officials suggest that economic considerations be high priorities in the making of resource management decisions. However, BLM must have a longer-term vision towards the sustainability of resources upon which ranchers and local communities depend. Environmental resource conditions that are expensive or impossible to reverse should be actively prevented. Examples are soil disturbances that lead to long-term negative changes in soil ecology and productivity, and plant communities at-risk for permanent conversion to exotic species. We suggest that long-term economic impacts to ranchers and local communities from the permanent loss of rangelands be considered in this long-term planning document.

25-1,
25-3, &
25-4
25-5

Consistent with these concerns, we have recommendations for changes to the preferred alternative to provide greater protection to rangelands and associated soils and vegetation, and to riparian areas from livestock. We recommend additional acreage be designated in Areas of Critical Environmental Concern (ACECs), and that some additional road closures be considered in support of resource protection.

EPA appreciates the opportunity to review this DEIS and commends BLM for a thorough document with an effective organizational format. When the Final EIS is released for public review, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3988 or Karen Vitulano, the lead reviewer for this project, at 415-947-4178 or vitulano.karen@epa.gov.

Sincerely,



Duane James, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosure: EPA's Detailed Comments
Summary of EPA Rating Definitions

EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT AND
RESOURCE MANAGEMENT PLAN FOR THE ALTURAS FIELD OFFICE, CALIFORNIA, JULY 27, 2006

Rangeland Health

The Draft Environmental Impact Statement (DEIS) states that over a quarter of all rangelands (119,618 acres) in the Alturas Field Office (AFO) are designated as Category 1, where rangeland health standards are not being met and livestock are the cause (p. 3-41). Despite this, the preferred alternative makes no changes in the active or authorized animal unit months (AUM) over current conditions (no action), while reducing acreage open to grazing by 2800 acres (p. 2-208).

The preferred alternative proposes to protect range resources through adjustments to grazing systems and allotment management plans for Category 1 allotments. These actions require more labor and management in planning and range improvements than at present (p. 4-93). We are concerned with this approach because many Bureau of Land Management (BLM) program areas have received insufficient funding to meet existing demands and future funding levels are uncertain but not likely to show substantial increases (p. 4-3). While the DEIS assumes existing personnel and resources will be redistributed to respond to new priorities, the amount of work accomplished annually to meet plan direction would continue to depend on annual budgets and overall BLM priorities. This economic environment could decrease the effectiveness of the preferred alternative's strategy to protect range resources; therefore, it is appropriate to also include other modes of protection for this resource, such as reducing the AUM.

The DEIS notes that components of the preferred alternative were selected to not only foster healthy vegetation but to provide for human commodity needs. Human commodity needs are important but must be weighed against the risk of vegetation type conversion. The DEIS states that if plant communities are allowed to cross a certain ecological threshold, they can achieve a degenerate and unproductive state that is very expensive, if not impossible, to reverse (p. 4-237). If degraded plant communities fall below the threshold for possible restoration, this would result in more substantial long-term economic impacts to ranchers. Within the last 25 years, noxious weeds have noticeably increased in areas of heavy livestock use, among other areas. While at least 10,154 acres of upland degraded soils would be restored under all alternatives (p. 4-83), we are concerned that not enough impaired rangelands are being improved for long-term protection of range resources.

Recommendation

25-3

BLM should consider some reduction in actual AUM in the AFO, focusing on Category 1 allotments and other allotments where land health standards are not being met due to unknown or other causes.

25-4

The DEIS states that when a permit is voluntarily retired, BLM will consider utilizing the allotment as a forage reserve (p. 2-208). We recommend that BLM ensure all retired allotments are used as forage reserves, focusing on relieving grazing pressure in Category 1 rangelands until rangeland health improves in these areas.

Livestock Impacts on Water Quality/Riparian Resources

As the DEIS notes, the main stem of the Pit River from Alturas to Shasta Lake is listed on the Clean Water Act Section 303(d) list as an impaired water body for nutrients, dissolved oxygen, and temperature. Agriculture-grazing is the potential source listed on the 303(d) list. The Bureau of Land Management (BLM) manages a significant amount of land adjacent to tributaries to the Pit River (p. 3-96) and the DEIS notes that livestock impacts on stream banks and riparian vegetation play a significant role in lowering water quality and elevating temperatures. It is generally agreed that the combined effects of these two factors have been most significant in the failure to meet water quality standards and proper hydrologic function (p. 2-164).

In the AFO, 15 miles of streams, 28 acres of springs and 46 acres of wetlands are known to not be in Properly Functioning Condition (PFC). It is likely that additional areas which have not yet been assessed would fail to meet land health standards (2-166). Thirty miles of streams are known to be in need of treatments for hydrologic function or water quality standards (p. 2-167). We commend BLM for proposing livestock (and other access) exclosures for all spring areas not in PFC (p. 4-301). Because the Pit River is in violation of livestock-related water quality standards, it is appropriate to extend this protection to all riparian areas not in PFC in the greater Pit River watershed.

Recommendation

We recommend that livestock grazing be prohibited and exclosures constructed in riparian areas designated as "functioning at risk" (FAR) until these areas are reassessed as being in PFC. While the DEIS states that livestock exclusion fencing would be constructed in areas that are FAR (p. 2-141), the table on page 2-223 does not indicate that the preferred alternative will fence these areas.

The DEIS states that riparian uses and activities in general would continue as long as there is unimpeded progress towards attaining PFC (p. 2-229). It is not clear how this would be determined and/or measured. Our recommendation of closing riparian areas FAR to livestock grazing is consistent with attaining progress towards PFC and we request it be included and clearly articulated in the preferred alternative. If this change is not made, include more information on how "unimpeded progress" towards PFC will be determined.

In the FEIS, include a map that more clearly delineates watersheds and includes the named waterways and reservoirs cited in the document.

25-1

25-6

Areas of Critical Environmental Concern (ACEC)

The preferred alternative designates 29,171 acres as ACECs, as compared to 40,079 acres and 83,007 acres under Alternatives 1 and 2 respectively. The DEIS states that the larger ACEC designation of Alternative 2 would better protect water resources and would result in major short-and long-term benefits to watershed health (p. 4-297). Benefits to recreation are also

greater where special management designations occur since closures and restrictions preserve natural and cultural resources and unaltered natural settings in these areas (p. 4-115).

Recommendation

EPA recommends the greater use of ACECs in the AFO for the protection of resources. We recommend acreage protected for the preferred alternative be closer to that of Alternative 2, with road closures in all ACECs to protect soils, vegetation, and riparian areas from sedimentation. Specifically, we recommend including in the preferred alternative:

- Pit River Canyon ACEC (6,703 acres) with 16 miles of river designated as Wild and Scenic for the benefit of riparian and river ecosystems, wildlife, and visual resources. This would have a negligible effect on OHV use since it is physically inaccessible to motorized vehicles, and would benefit vegetation and have only negligible effects on grazing (4-148).
- Lava ACEC (10,770 acres) to protect 20 acres of sensitive plants associated with vernal pools (4-145)
- Juniper Creek ACEC (1,182 acres) and Beaver Creek ACEC (972 acres) to protect riparian plant and animal communities, unique cultural resources, special-status plants and wintering wildlife habitat (p. 4-151).
- More acreage for the Likely Tablelands/Yankee Jim/Fitzhugh Creek ACEC to protect sensitive plants, cultural resources, and wildlife habitat, especially in areas around Fitzhugh Creek for the protection of riparian resources and cold-water fisheries (p. 2-65).

Impacts from Roads/OHV Use

We commend the BLM for the substantial reductions in cross-country travel by Off-Highway Vehicles (OHV) in the AFO. OHV use compacts soils and increases erosion. Repeated activities can strip land of native plants, cause gullyng and off-site sedimentation, and introduce and spread noxious weeds (p. 4-130). Changes in vegetation effect other resources; especially soils, water quality and quantity, health and abundance of wildlife, preservation of cultural resources, and the quality of recreational experiences (p. 4-215).

The preferred alternative closes less than 1% of the management areas to OHV travel. It closes 7 miles of dirt roads, and leaves 897 miles accessible via existing or designated roads and trails. In addition, the preferred alternative proposes a total of three special OHV management areas: Cinder Cone, Barnes Grade, and the Fall River Trail (p. 4-116).

EPA has concerns regarding the impacts to resources from OHV and motor vehicle use. In total, the preferred alternative would build 20 additional miles of permanent roads and 350 miles of temporary roads (p. 4-301). Energy proposals could build as many as 130 miles of permanent roads (4-49). Without a comparable closure of existing roads, soil, vegetation, and riparian

resources will suffer. In addition, Appendix C includes the Northeast California Resource Advisory Council Recommended OHV Management Guidelines, but the DEIS does not include a monitoring timeline to ensure that these guidelines are met.

Recommendation

- 25-7 EPA recommends additional road closures to protect resources. Areas where OHV traffic is responsible for significant increases in infestation by annual grasses and noxious weeds should be closed, including the mixed ceanothus chaparral communities of the Fall River watershed and the big sagebrush/desert peach associations near Alturas, California (p. 2-137).
- 25-5 As mentioned above, we recommend additional ACEC designations and the closure of roads in these areas. We also recommend the 600 acres of public land on the Williams Ranch be closed to OHV travel to protect riparian areas and fish habitat (p. 2-109),
25-8 especially since this area appears to be in a stream area designated as FAR (Map: Water-1). We are also concerned with the implementation of the OHV restrictions in the Day Bench area. It is not clear how alternating between designated and existing roads and trails in different times of the year will affect resources and patterns of use, and it might
25-9 encourage the creation of new roads and trails. We recommend this area's use be classified as designated roads and trails to avoid confusion and protect watershed resources.
- 25-2 The FEIS should discuss how compliance with the Northeast California Resource Advisory Council Recommended OHV Management Guidelines will be determined and details of associated monitoring. Specifically, address how compliance with Guideline 2 (ecological degradation from OHV use) and Guideline 14 (monitoring for utilization and impacts) will be ensured.

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

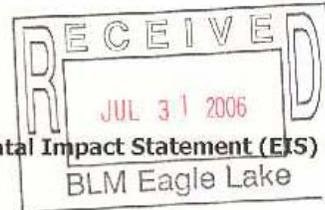
The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

COMMENT FORM
Alturas Field Office
Draft Resource Management Plan (RMP) and Draft Environmental Impact Statement (EIS)
Alturas, CA
Bureau of Land Management



Thank you for attending this public meeting. You may use this sheet, or your own format, to comment on issues that you would like to see addressed in the Proposed Final RMP and Final EIS. Comments must be sent by **July 27, 2006** to be included in the public record and addressed in the Proposed Final RMP and Final EIS.

PLEASE PRINT LEGIBLY

Name David and Penni Ericson
 Address 6712 Shady Dell Road
 City Macdoel State CA Zip 96058
 Affiliation (if any) Diamond E Ranch (West Mahogany Allotment)

Please check here to be added to the mailing list announcing availability of the Proposed Final RMP / Final EIS.

How YOU Can Make a Difference: The public can make a difference in the RMP / EIS process by making timely comments and by making useful and important comments, such as

- Comments on inaccuracies or discrepancies in factual information, data, or analysis.
- Comments on the adequacy of the analysis, including conclusions and interpretation of data.
- Comments identifying new impacts, alternatives, or mitigation measures.
- Comments on the interpretation of the significance or severity of impacts.

Comments

(Continue on reverse or use additional sheets if necessary. You may also attach your own written or typed comments.)

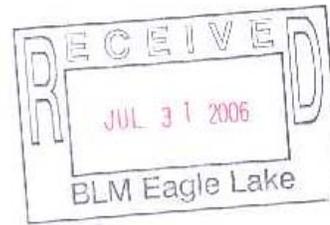
Please see the attached letter

	Comments will be available for public review at the BLM Alturas Field Office during business hours. Comments may also be published in the Proposed Final RMP / Final EIS. Only the names of individual commentors will be disclosed; personal home / email addresses will not be published in the Proposed Final RMP / Final EIS. In addition, in accordance with the Privacy Act, individuals (but not organizations and businesses) may request that their name also be withheld from public review and publication in the Proposed Final RMP / Final EIS by stating this request at the beginning of their letter.
--	---

Please hand in this form, or mail, fax, or e-mail your comments to:
 Alturas RMP Comments, Attention: Planning Coordinator, BLM Eagle Lake Field Office
 2950 Riverside Drive, Susanville, CA 96130
 fax: (530) 233-5696
 e-mail: necarmp@ca.blm.gov

July 23, 2006

David and Penni Ericson
6712 Shady Dell Road
Maddoel, CA 96058



Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

ATTENTION: Planning Coordinator, Alturas RMP Comments

We would like to enter these comments regarding the Draft Resource Management Plan for the Alturas Field Office. We do so with three decades of direct experience with the BLM as grazing allotment holders (our remarks will be limited to the Mahogany Peak area). During this time we have consistently been cooperative and conservation minded. In addition we have voluntarily maintained our ranch in the California Dept. of Fish and Game's *Ranch for Wildlife* program, cooperated with the Forest Service for raptor studies and been part of the *FSA Conservation Reserve Program*, all for almost 20 years.

26-1

Several references are made in the draft RMP concerning the possible use of the road up Padgett Bluff for public and agency access. The condition of this road (as recently as last month) is very primitive. A rock slide partially blocks the road, as do boulders the length of the road. In some places single file walking is best. Our observation over the years is that this is a delicate area, providing critical habitat for mule deer, raptors and other birds and large predators such as the cougar. It supports a wide array of native plant species. For these reasons designation as a four wheel drive road would be misleading and unsafe during much of the year as well as a poor decision for the health of the environment. This area would be better served with hiking/horseback trails such as the one proposed on Mahogany Peak.

26-2

As landowners and the BLM's neighbor we appreciate the acknowledgement that currently no legal access exists across our land to reach the Padgett Bluff Road from Shady Dell Road. After several negative experiences (open gates, trash, torn up roads, poaching, underage drinking and finally a rape) we closed this access and have maintained its closure for 25 years. For the past 18 months however we have endured the destruction of no trespassing signs and official complaints from a neighboring allotment holder regarding the right of public passage across our land. It is our hope that the BLM will use the RMP to clarify issues such as these in the future. While we have denied public access, it has not been our intention to prevent BLM access. Indeed we are very supportive of habitat and resource management activities. We believe that this area has not been studied fully enough, a belief supported by several references in the RMP.

We would encourage the BLM to contact us in the future to arrange for access when needed for management activities. We would be happy to help.

Thank you for providing this opportunity for us to provide comments and a special thanks to the staff that presented the program in Dorris. They were really great even though we were the only people there.

Sincerely,

David C. Ericson

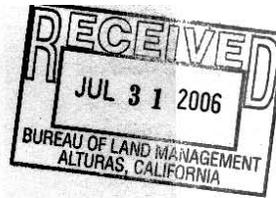
David C. Ericson

Penni L. Ericson

Penni L. Ericson



Alturas RMP Comments
Attn: Planning Coordinator
Alturas Field Office
708 W. 12th St.
Alturas, Ca. 96101



Dear Sir,

27-1

Our primary utilization of BLM land is on Mount Dome Tablelands due to the proximity of subject land. We would expect to continue exercising stewardship of the Tablelands in the future. A specific request is the proofing of the legality of the approach and access to Mahogany Mountain. Claude Singleton is aware of this problem. We would agree that the "open" designation in the past to thousands of acres was and is unmanageable and not in the best interest of the environment.

27-2

While we appreciate the attention to specific OHV management areas where a combination of open and limited to trails exists, we still have need for a number of longer trail opportunities as we move through the designation process. It is imperative that we plan for the future to provide for a growing need.

Please consider stewardship for these trails and areas to complement continuing and necessary dialogue.

We also understand and appreciate the need to keep some key motorized trails in a primitive condition to limit impact to other resources.

27-3

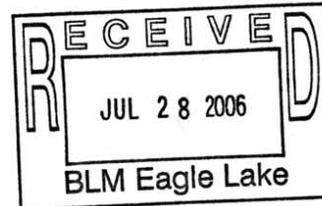
Please keep in mind that motorized use could profit greatly from the Rails to Trails conversion currently being considered by the Shasta and Modoc Counties and the Union Pacific. Surely there must be a way to include Motorized Recreation in such an endeavor to help accommodate growing numbers.

I realize that this is a rather abbreviated summation but, hopefully, it is a qualifying effort in the timeframe to secure continuing dialogue referred to earlier in this letter.

Thank you for your attention to these comments.

Tom Harris
Land Use Coordinator
Four Runners 4WD Club of Klamath Falls
and High Rock Trekkers of Nevada
Member, PNW4WDA, California Assn. of 4WD Clubs
And Blue Ribbon Coalition

**MODOC COUNTY
FISH, GAME & RECREATION COMMISSION
PO BOX 130
ALTURAS, CA 96101**



July 27, 2006

Alturas RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Office
2950 Riverside Drive
Susanville, CA 96130

RE: Comments on the Alturas Field Office Resource Management Plan

Dear Planning Coordinator:

The Modoc County Fish, Game & Recreation Commission opposes the language found in the Preferred Alternative Section 4.10 "only four-cycle gasoline engines, electric trolling motors or non-motorized boating would be permitted (no personal watercraft) on Delta and Moon Lakes, Bayley Reservoir and Nelson Corral Reservoir would be limited to non-motorized boating".

We believe these restrictions to be unnecessary to protect the fishing experience or the fishery resource. In addition many of Modoc County's fishermen are low income and would find it financially difficult to replace their two cycle boat motors immediately. Also, it would prohibit most handicap fishermen from using these fisheries. At the very least, there should be a transition period of several years before such regulations would become effective.

Sincerely,

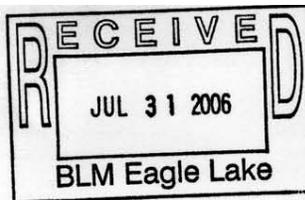
for Cheryl Kuent
Delbert Craig, Secretary
Modoc County Fish, Game & Recreation Commission

DC:ck

Cc: Modoc County Board of Supervisors

28-1

Owen Billingsley; Planning Coordinator
Re: Comments to DRMP-DEIS
July 27, 2006
Page - 1



**Estill Ranches, L.L.C.
John & Lani Estill
Jewell Estill
P.O. Box 655
Eagleville, California 96110**

July 27, 2006

Owen Billingsley, Field Manager
USDI-BLM
Surprise Field Office
602 Cressler Street
Cedarville, California 96104
Telephone: 530-279-6101
Telecopy: 530-279-2171

Surprise RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130
Email: necarmp@ca.blm.gov

Re: Comments to the *Draft Resource Management Plan and Environmental Impact Statement, Bureau of Land Management, Surprise Field Office, Cedarville, California* dated February 2006, including its undated errata sheet, as well as for the Eagle Lake Field Office and Alturas Field Office

Dear Mr. Billingsley and Planning Coordinator:

Commentor is Estill.

These comments are submitted by Estill Ranches, L.L.C. [which is a limited liability company authorized to do business in California (Number 199735110023) and in Nevada (LLC5250-1997), and whose members are John & Lani Estill, husband & wife, and Jewell Estill, mother of John Estill] and by John & Lani Estill, and by Jewell Estill.¹

Estill Ranches, L.L.C. owns private land within and adjacent to the Surprise Field Office, Eagle Lake Field Office, and Alturas Field Office, along with water rights, livestock and improvements, such as buildings, corrals, fencing, pipelines, water containers, reservoirs, wells, pumps, ditches, roads, equipment and motor vehicles. This private land, water rights, livestock, and improvements facilitate a yearlong cow-calf, stocker and ewe-lamb livestock operation which is dependent upon the use of the public lands within specific Allotments within the Surprise Field Office. The Surprise Field Office, the Eagle Lake Field Office, and the Alturas Field Office are within the geographical boundary of the Susanville Grazing District, California previously established by the Secretary of Interior on April 8, 1935, under the authority of the *Taylor Grazing Act*.²

Jewell Estill, John Estill and Lani Estill also use and depend upon the public lands within the Surprise Field Office, the Eagle Lake Field Office, and the Alturas Field Office for purposes other than facilitating a livestock operation. Specifically, they use the public lands for scientific, educational, spiritual, aesthetic and recreational (including camping, hiking, wildlife viewing, botanizing, bird-watching, sightseeing, photography, horseback riding and other) purposes. Based thereon, Jewell, John and Lani have a special interest in the protection and

¹ We were assisted in the preparation of these comments by *Robert N. Schweigert*, B.S Range Management/Wildlife Habitat, M.S. Forest and Range Management/Wildlife Habitat.

² Note. The Surprise and Eagle Lake Field Offices – which are within the Susanville Grazing District, California – also administer some public lands within Nevada due to the geographical convenience of such public lands to California. Such public lands within Nevada are also within a Grazing District, i.e. the Winnemucca Grazing District, Nevada, established on October 18, 1935.

enhancement of the resources upon the public lands, including as the resources relate to wildlife species and special status species.

Surprise Field Office Allotments applicable to Estill.

The *Draft Resource Management Plan and Environmental Impact Statement, Bureau of Land Management, Surprise Field Office, Cedarville, California* dated February 2006 ("DRMP") identifies in Map GRZ-1 the "Livestock Grazing Allotments" that appear to be part of the focus of the DRMP, though, as discussed further below, the DRMP is void of any discussion of the "Alternatives" relative to the specific Allotments, is void of any description of the "Affected Environment" relative to the specific allotments, and is void of any analysis of the "Environmental Consequences" relative to the specific allotments. Of the allotments identified on Map GRZ-1, Estill Ranches, L.L.C. owns the "base property" supporting the Grazing Preferences and holds the associated Grazing Permits upon the following allotments, as follows:

(1) Tuledad Allotment via a Grazing Permit effective through February 28, 2011, which is enclosed as Attachment "A";

(2) Bare Allotment via a Grazing Permit effective through February 28, 2013, which is enclosed as Attachment "B"; and,

(3) Red Rock Lake and Selic-Alaska Allotments via a Grazing Permit effective through February 28, 2016, which is enclosed as Attachment "C".

In addition, Estill Ranches, L.L.C. controls the "base property" via a base property lease supporting Grazing Preferences and holds the associated Grazing Permit upon the Duck Lake and Highway Allotments via a Grazing Permit effective through April 1, 2007, which is enclosed as Attachment "D".

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All six (6) of the allotments associated with Estill are within the southern portion of the Surprise Field Office, as illustrated in Map GRZ-1 of the DRMP, which implicate comments to the following areas and/or proposals discussed in the DRMP, as follows:

- 29-4 (1) A preferred alternative to establish the *Tuledad/Duck Flat CRMA* which will include a small portion of the southwestern part of the Bare Allotment and approximately the east half of the Tuledad Allotment (see Map CR-4). Estill opposes this preferred alternative and Estill urges adoption of Alternatives 1 or 3 on this point (see Maps CR-1, CR-3), as discussed further below.
- 29-5 (2) A preferred alternative to establish an *Appropriate Management Response Limited to Mainly Full Suppression* zone upon the public land area covering all six (6) of the allotments, except for an *Appropriate Management Response All Ranges Considered* zone upon the public land area covering a small north-central area of the Bare Allotment (see Map FIRE-1). Estill does not oppose this preferred alternative.
- 29-6 (3) A preferred alternative to establish specific zones relative to *Forest and Woodland Management* (see FOR-1) and *Fuels Management and Wildland Urban Interface Projects* (see FUELS-1) covering parts of all six (6) of the allotments. Estill does not oppose this preferred alternative but encourages planners to recognize livestock grazing as an important tool to remove excess forage while producing a viable product (beef and lamb) which benefits local and national economies. For the purpose of fire prevention livestock grazing should be increased via Temporary Non-Renewable (TNR) increases in authorized grazing whenever we have an

above average year in terms of rainfall and forage production.

29-7

(4) A preferred alternative to establish zones relative to *Land Tenure Adjustments* (see LANDS-1) covering parts of all six (6) of the allotments. Estill does not oppose this preferred alternative, assuming the grazer and adjacent landowner are given a first right of refusal to acquire the public lands subject to any sale disposal, per 43 C.F.R. 2710.0-6(c)(3)(iii).

29-8

(5) A preferred alternative to establish zones relative to *Leasable Minerals* (see MIN-1) covering the western half of the Tuledad Allotment and the northern 1/3 of the Bare Allotments, and to establish a zone of closure of *Leasable Minerals* covering a small southeastern portion of the Tuledad Allotment within what appears to be the Buffalo WSA (see MIN-1, WSA-1). Estill does not oppose this preferred alternative, as long as the "Prospective Oil and Gas Land" and the "Prospective Geothermal Land" development in Map MIN-1 is compatible with the authorized livestock use.

29-9

(6) A preferred alternative to establish the "*Buckhorn Back County Byway*" within the southeastern portion of the Tuledad Allotment (see REC-1). Estill does not oppose this preferred alternative, as long as the Byway is properly and adequately noticed and signed as to road conditions, livestock use, etc., and as long as the Byway remains compatible with the authorized livestock use.

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(7) A preferred alternative to establish various *Recreational Opportunity Spectrum* zones within all six (6) allotments (see ROS-1). Estill opposes this preferred



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alternative to extent it intends and/or is interpreted and applied to limit/close any motorized access to facilitate the livestock operations upon the six (6) allotments, particularly necessary at times to maintain range improvements and to manage the livestock. See also TRAV-1 (which purports to identify in the color brown "Existing Routes on BLM", which purports to identify in the color orange "Route Closures", and which purports to identify in the color green "Unauthorized Roads to be closed").³

29-10

(8) A preferred alternative to establish various *Recreational Opportunity Spectrum* zones within all six (6) allotments (see ROS-1). Estill opposes this preferred alternative to extent it intends and/or is interpreted and applied to limit/close any motorized access to facilitate the livestock operations upon the six (6) allotments, particularly necessary at times to maintain range improvements and to manage the livestock.

29-11

(9) A preferred alternative to establish various *Visual Resource Management* zones within all six (6) allotments (see VRM-1). Estill opposes this preferred alternative to extent it intends and/or is interpreted and applied to limit/close any motorized access to facilitate the livestock operations upon the six (6) allotments and to limit/restrict/close maintenance and/or construction of

³ Due to the scale of the Map TRAV-1, it is impossible for Estill to identify the locations of the routes, and requests within these comments that BLM provide Estill with a larger scale map of TRAV-1 covering the named six (6) allotments. Upon the receipt of such larger scale map, Estill intends to comment further as to TRAV-1. In the meantime, Estill has two comments: First, Estill urges BLM to coordinate with the County (or applicable Road District) as to status of such routes. Second, Estill opposes the preferred alternative in TRAV-1 to extent it intends and/or is interpreted and applied to limit/close any motorized access to facilitate the livestock operations upon the six (6) allotments, particularly necessary at times to maintain range improvements and to manage the livestock.

range improvements to manage the livestock upon the public lands.

29-12

(10) A preferred alternative to ratify/establish various *Herd Management Areas* within all six (6) allotments (see WHB-1). Estill does not oppose this preferred alternative as related to ratifying the boundaries of the existing Coppersmith HMA, the Buckhorn HMA and the Fox Hog HMA, but Estill opposes the enlargement of the Fox Hog HMA within the Bare Allotment, for the reasons discussed further below.

The "Purpose and Need" intends to "to provide overall management and long-term direction for the public lands and resources administered by the Surprise Field Office" (DRMP, p. 1-3), but yet the discussions associated with the "Alternatives", "Affected Environment" an "Environmental Consequences" fail to satisfy such intention.

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The DRMP is useless in providing overall management and long-term direction for the public lands as related livestock grazing. Livestock grazing is administered by the Surprise Field Office and authorized to Estill (and other permittees) on an allotment-by-allotment basis, but yet the DRMP fails to discuss the "Alternatives", "Affected Environment" and "Environmental Consequences" on an allotment-by-allotment basis. Based thereon, it is impossible for Estill (and the interested publics) to truly comment to the DRMP and to comprehend the "overall management and long-term direction for the public lands" within the six (6) allotments that Estill holds a grazing authorization. In other words, *where are we* and *where are we intending to go*? These questions are unanswered in the DRMP, and as a consequence, puts Estill in jeopardy to future arbitrary action by the BLM since really no one knows *where we are intending to go*. There is an old saying, *if you don't know where you are going, you will be lost when you get there*, truly illustrates the underlying discussion of the "Purpose and Need" of the DRMP.

The DRMP purports to answer the question of *where are we* (i.e. the "Affected Environment") at page 3-50 relative to the grazing allotments via a discussion of the "Rangeland Health Assessment Determinations". However, what is lacking in such discussion is at least the following:

(1) What specific standards were met and not met. Map GRZ-1 is useless in informing Estill and the interested public, what standards were met and not met on an allotment-by-allotment basis, and perhaps more importantly, on a pasture/area basis within an allotment. For example, Map GRZ-1 discloses that "Not all standards met" upon the Bare Allotment, but yet it may well be that only one of the Standards is not met and then only upon a specific area/pasture of the Allotment. Map GRZ-1 is a gross misrepresentation and gross oversimplification of a very important description of the "Affected Environment" and provide valueless information upon which to comment and upon which to rely for future management.

(2) What is the reason for why a particular standard was met or not met. Map GRZ-1 and the DRMP itself provides no discussion of why any particular standard was met or not met. While the DRMP at the bottom of page 3-51 and the top of page 3-51 provide a proper and complimentary picture of the accomplishments of meeting upland and riparian objectives through a variety of grazing management actions, the DRMP fails to provide such information on an allotment-by-allotment basis. It is possible that a standard is not met due to reasons beyond the control of the livestock operator, even when livestock may be the reason. For example, BLM has not authorized a particular improvement to mitigate or abate an inherent concern.

29-2

(3) A reference in the text of the "Affected Environmental" section or in the appendix of the underlying data and/or rangeland health assessments which discloses the basis for the met/not met standards, and which also discloses the basis for why a standard is met/not met. Map GRZ-1 and particularly the DRMP as a whole violate BLM's obligation to "prepare and maintain on a continuing basis an inventory of all public lands and their resource and other values", which intends "to reflect changes in conditions and to identify new and emerging resource and other values". 43 U.S.C. 1711(a).

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In addition, the DRMP purports to answer the question of *where are we intending to go* (i.e. the "Alternatives" and "Environmental Consequences") at page 2-44 and at page 4-66 relative to livestock grazing. However, what is lacking in such discussion is any discussion on an allotment-by-allotment basis. As eluded to above, each allotment have different challenges and opportunities relative to the range of Standards (and Guidelines) that exist. After discussing such challenges and opportunities, the DRMP should express a management direction upon an allotment-by-allotment basis, based upon such challenges and opportunities. For example, simply saying that we want to achieve Proper Functioning Condition of streams, says nothing of the fact that factual or legal factors may exist which prohibit to achieve such a Condition.

The "Alternative" discussion for livestock lacks specifics upon which to comprehend, and where specific as related to free-ranging bighorn sheep and domestic sheep, the DRMP errs.

29-1

Desired Future Condition and Goal relative to Livestock Grazing: While the "motherhood and apple pie" statements within the "Desired Future Condition" and "Goal" at page 2-40 are perhaps politically correct, such statements lack any substance, particularly on an allotment-by-allotment basis. As previously discussed (and which will not be repeated here), the DRMP continues in the "Alternative"

section relative to livestock grazing a gross over-simplification of *where we are intending to go*.

Objective relative to Livestock Grazing: The "Objective" at page 2-40 would appear to be specific stating:

"Adequate forage would be produced to support sustainable levels of livestock grazing **where compatible** with objectives for other resources and resource users".

29-13

Bold emphasis supplied However, we categorically reject, both factually and legally, that livestock grazing should made "compatible" to "other resources and resources users", if such word is to be interpreted and applied by BLM to mean that the authorization of livestock grazing is subordinate to the authorization of other resources and resource users. The word "compatible", as used by the DRMP, is not defined in its Glossary (see DRMP, p. G-13), and the word "compatible" is often legally used to mean that a particular use is subordinate to another use.⁴ To void such interpretation and application, we urge the replacement of the word "compatible" and the rephrasing of the "Objective" to state: "Adequate forage would be produced to support sustainable levels of livestock grazing **so as to be consistent** with objectives for other resources and resource users". Such change would also conform to the word "consistent" as defined by *Webster* and as referred to in Glossary of the DRMP at page G-13. It should be noted (and remembered) that the Surprise Field Office is within a Grazing District, wherein the Secretary of Interior determined that the public lands therein "are chiefly valuable for grazing and raising forage crops". 43 U.S.C. 315.

29-14



Management Comment to All Alternatives relative to Livestock Grazing: While it is appropriate for the DRMP to disclose at page 2-40 that "(r)evuew of

⁴ See, for example, 16 U.S.C. 460gg-4 (which states in part that the Hells Canyon National Recreation Act is to be administered "in a manner compatible with" seven objectives, two of which are "protection and maintenance of fish and wildlife habitat" and the continuation of existing uses, including grazing, "as are compatible with the provisions of this [Act]").

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29-14 existing permitted use-levels would be conducted on individual allotments through assessment”, the DRMP fails to disclose the methodology or methodologies upon which such assessment would be made. Forage production inventories and/or actual use-utilization methods are manualized procedures of BLM upon which to quantify grazing capacity and upon which to determine permitted use-levels, but yet the DRMP discloses nothing to the permittees (and to the interested publics) if such methods would be used to “(r)evuew ... existing permitted use-levels (AUMs). We urge BLM to do so.

29-15 We reject that the DRMP should specifically provide that “wild or prescribed fire would be rested from livestock grazing for a minimum of two growing seasons”. See DRMP, p. 2-41. As the DRMP immediately thereafter admits at page 2-41, it is possible that less time may be warranted. If truly the DRMP intends to “(r)evuew ... existing permitted use-levels ... through assessment”, then he DRMP should leave it to such assessment process to decide the period upon which to rest an area after a wild or prescribed fire.

29-16 We reject the categorical adoption and application at page 2-1 of the policies set forth in the “California BLM Supplemental Manual 1745 and Handbook 1745-1, Use of Native Plant Materials in California” when seeking to rehabilitate wild or prescribed burn areas and/or to rehabilitate or augment the forage resources of an area. The “hands should not be tied down” as to the management options that should be available to a Field Manager. For example, the cost or unavailability of native seed could likely negate the ability to immediately rehabilitate an area to protect soil and watershed resources, which would have the added consequence of allowing time for noxious weeds or other undesirable plants to obtain a stronghold upon an area. It is extremely short-sighted and imprudent to ignore the availability of other types of seed, such as forge kochia and crested wheatgrass.

29-17 ↓
We reject the categorical adoption and application at page 2-41 of maintaining of the 5,500 acres of existing “Livestock exclosure fencing” There may be other management actions that could arise in the future to modify or eliminate some of these exclosures. New livestock exclosures are problematic because the agency historically does not have the resources to maintain the fences

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once they are built. This puts an unreasonable burden on grazers to maintain additional fences or herd to keep their animals out of the exclosures. Before any new construction of fences or developments the funds to maintain the improvements need to be accounted for.

29-18
We reject the two references at page 2-41 that any water development should consider the needs of "wild horses". Wild horses and wild burros are to be managed within a natural thriving ecological balance with other uses, per the Wild Horse & Burro Act. The word "natural" does not include artificial water development. Moreover, a permittee should not be asked to water the wild horses, when it is possible that such obligation would/could constitute a taking of private property (i.e. water rights) that may be owned upon a permittee upon the public lands in California or Nevada.

29-19
We request some clarification at page 2-41 relative to the "Target utilization of key species". The literature and science supports that in many cases use levels should exceed 60% to support and maintain the vigor of native and non-native plants, particularly when a "wolf-plant" problem exists. In addition, data may indicate that the grazing system provides for sufficient needs of the native and non-native plants irrespective of the use levels observed overtime.

29-20
We contend that the "grazing permittee ... relinquishment" provision at page 2-42 should be removed, since the DRMP explicitly recognizes that should such process be initiated, that BLM would complete a land use plan amendment process.

29-21 ↓
Preferred Alternative relative to Livestock Grazing: We reject the suggestion in the Preferred Alternative at page 2-44 to "continue to authorize approximately 92,465 AUMs of livestock use annually", since such statement can be interpreted or applied to mean that livestock use could not exceed 92,465 AUMs and/or to mean that no increases in permitted use will be authorized over the life of the plan. We urge that the statement be rephrased to state: "... continue to authorize approximately 92,465 AUMs of livestock use annually, subject to site-specific assessment which may demonstrate a basis to increase, either temporarily or

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29-21 permanently, existing permitted use-levels (AUMs)". Compare DRMP, p. 4-75 (wherein the DRMP appears to get it right in the "Environmental Consequences" section, stating that "The Surprise Field Office would continue to annually authorize at least 92,465 AUMs of forage on 1,445,443 acres", adding that "overall livestock AUM authorization would increase by 1 to 5% ... during the life of the plan". However, we urge that the DRMP don't limit the forage allocation to only a potential increase of 1 to 5%, assuming that is a suggested limitation.).

29-22 While we don't reject *per se* that adjustments between livestock AUMs and wild horse AMLs within a herd management areas be "equitable" (see DRMP, page 2-44), we urge that when such "equitable" adjustments are made, consideration is given to factors, such as the number of years upon which wild horses and/or burros grazed in excess of AML, in which case it is urged that wild horses and burros be disproportionately removed to account for the history of excessive use by wild horses and burros, as against livestock. It is our experience that due to management failures by BLM (either caused by lack of time or money) excess wild horses and burros remain upon the public land to the detriment of the livestock resources and other resources. Disproportionate removals should be the standard operating procedure made in the plan when periods of excessive use occurs by wild horses and/or burros. In such situations, disproportionate removals would be "equitable".

29-23 We reject that apparent condition applied at page 2-44 relative to the construction of additional fencing. The Field Manager should not be limited or restrained in his/her ability to construct additional fencing (or water development) so as to simultaneously satisfy livestock and other objectives.

29-24 We reject that apparent condition applied at page 2-44 relative to the construction of additional water development. The Field Manager should not be limited or restrained in his/her ability to construct additional water development only where "minimal impact on other resources" would occur and only where "additional water development would benefit wildlife". While a Field Manager may want to consider such factors in authorizing additional water development, they should not be the only factors. The development of water for the purpose of
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29-24 ↑
better livestock distribution is a viable consideration, and should serve a basis for the authorization of additional water development independent of impacts to other resources and wildlife (though one could believe that all could be made consistent). See discussion above about the word “compatible”, wherein this about additional water development discussion clearly suggests that the DRMP intends, erroneously we might add, to make livestock grazing a second class citizen to other resources, i.e. subordinate to other resources.

29-25
Preferred Alternative relative to Livestock Grazing, i.e. domestic sheep:
While we agree that domestic sheep grazing should continue within the Tuledad, Selic-Alaska, and Red Rock Lake Allotments (and other allotments within the Susanville Grazing District), we categorically reject that such continued use is subject to “no evidence of disease transmission from domestic to bighorn sheep”. See DRMP, p. 2-44. The DRMP is void of any discussion of the scientific validity of a risk of disease transmission between domestic to bighorn sheep, and the best available literature and science demonstrate that the fallacy of such risk. We urge that this entire provision of the DRMP at page 2-44 be deleted.

Changing/eliminating the management of domestic sheep within the Tuledad, Selic-Alaska, and Red Rock Lake Allotments (and other allotments within the Susanville Grazing District, California) will do little to improve the overall viability of bighorn sheep populations if there are other significant factors that adversely impact the bighorn sheep. Evidence from sources often cited by the purported pro-disease transmission people like Foreyt, and evidence overlooked by Foreyt and others, indicate that there are other factors that adversely impact bighorn sheep populations, and that these other factors are as significant as, or perhaps more significant than, the purported disease transmission from domestic sheep.

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Cassirer et al. (1996) cite evidence that domestic sheep and bighorn sheep must be kept separated in order to maintain healthy bighorn populations, and Rudolph et al. (2003) cite evidence that organisms that cause bacterial pneumonia (Pasteurellosis) can be transmitted from domestic goats to bighorn sheep. These works both chronicle a die-off in the Hells Canyon area Idaho that killed an

estimated 327 bighorn sheep between November 1995 and March 1996. However, a close reading of these two works makes it clear that domestic sheep and feral goats cannot be implicated in the overall epizootic because the vast majority of the 97 bighorn sheep that were tested did not carry any *Pasteurella* strains that matched the DNA profile of strains isolated from the domestic sheep or feral goats. One bighorn sheep was infected with two *Pasteurella* strains identical with strains carried by a single goat. DNA analysis also indicated that common *Pasteurella* strains were shared between four bighorn sheep and three feral goats. The other DNA profiles from 96% of the bighorn sheep exhibited such a high degree of variation that the authors concluded "overall, DNA typing did not identify a single common *Pasteurella* organism in the affected bighorn sheep herds." Cassirer et al. (1996). Likewise, Rudolph et al. concluded "there is no evidence that those organisms (carried by the goat) were associated with subsequent disease or deaths (among the bighorn sheep)." Ultimately, the primary source of disease responsible for this bighorn sheep die-off came from something other than domestic sheep or goats, demonstrating that disease vectors other than domestic sheep play a vital role in bighorn sheep viability in the Hells Canyon area itself.

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In addition, Goodson (1982) cites five references that reported declines and die-offs in bighorn sheep populations due to bacterial pneumonia without any known association with domestic sheep. Mathis (2005) reported that poor bighorn lamb survival at the Desert National Wildlife Refuge near Las Vegas was due to pasteurella pneumonia despite the fact that these lambs, and many generations before them, had no association with domestic sheep. Similar cases of bighorn die-offs due to bacterial pneumonia without any known association with domestic sheep in the Black Gap area of Texas, in Nevada's Dutch Creek enclosure, and around the California lava beds were reported in the Desert Bighorn Council Transactions of 1972, 1973, and 1976 respectively. In each of these cases, sources other than domestic sheep must have triggered the bacterial pneumonia outbreaks that adversely impacted the bighorn sheep populations, again demonstrating that disease vectors other than domestic sheep play a vital role in bighorn sheep viability.

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Pasteurella species are widespread among both terrestrial and aquatic birds and mammals. *Pasteurella multocida* alone has been isolated from cattle, sheep, goats, pigs, bighorn sheep, bison, elk, deer, rabbits, and turkeys (Weiser et al. 2003). *Pasteurella* species are also known to be carried by cats, cougars, all ruminants, rodents, and birds. Ward et al. (2006) reported that “(e)ssentially all bighorn sheep populations harbor multiple strains of *Puasteurellaceae*, and *Pasteurella* or *Mannheimia* spp. have been incriminated as the cause of some epizootics of respiratory disease.” In this study, *Haemophilus somnus* (*Histophilus somni*) was isolated for the first time from reproductive and respiratory tissue in several bighorn sheep, including bighorn sheep that appeared to have died from pneumonia. They noted that *H. somnus* was found in alveolar debris in lung areas with noticeable inflammation. Such findings may be of particular importance because the organism is associated with respiratory disease and/or reproductive failure in American bison, domestic sheep, and cattle. *H. somnus* isolated from bighorn sheep differed from similar organisms previously isolated from domestic livestock by producing less pigment and exhibiting no growth enhancement under elevated CO₂ levels. These differences indicate at least some degree of host specificity and probably prevented the organisms from being detected in previous investigations of bighorn sheep disease. All of this evidence indicates that disease vectors other than domestic sheep, and disease organisms other than those from the *Pasteurellaceae* family, play a vital role in bighorn sheep viability. Yet, the DRMP ignores these factors completely, entirely ignores the body of work conducted by Ward and Weiser (including the papers cited above) and others who conclude that no evidence has ever shown that an epizootic in free-ranging bighorn sheep was caused by contact with domestic sheep, and instead focuses upon circumstantial evidence and confinement trials to conclude that the transmission of *Pasteurella* species from domestic sheep poses a significant risk to bighorn sheep.

29-26 ↓
Predation is another factor that can have a significant affect on bighorn sheep. In many free-range situations, predation has been found to be the number one cause of mortality for bighorn sheep. For example, Wehausen (1996) found that predation by mountain lions accounted for all the mortalities of radio-collared bighorn sheep in the Granite Mountains of California between 1988 and 1995, which is within the Susanville Grazing District. He reported that mountain lion

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predation caused bighorn sheep populations to decline to low densities in the Sierra Nevada and Granite Mountains of California and concluded that such predation “halted a previously successful restoration program for bighorn sheep ... and reversed the overall population trend.” Mountain lion predation was also the most significant cause of mortality among 91 radio-collared bighorn sheep studied between 1992 and 1996 in the Peninsular Ranges of southern California, accounting for an average of 63% of all mortalities in the six sheep populations studied (Boyce and Rubin 1996). Mortalities attributed to predation ranged from 27% to 100% in these six Peninsular Range bighorn sheep populations. In a more recent report regarding the Peninsular Ranges of southern California, Hayes et al. (2000) found that between 1992 and 1998, Mountain lion predation was the most frequent cause of mortality, accounting for 69% of all mortalities. This report concluded that “a sustained high level of predation by mountain lions, such as was seen during this study may impede the recovery of this population.”

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For at least the last 30 years that the California Fish and Game has been reintroducing bighorn sheep into the Sierra Nevada Mountains, it has documented every loss that it could find. About 55% of all the documented mortality of bighorn sheep has been due to predation (Findley 2005). Should predator populations increase, other prey sources become more scarce (perhaps through the reduction or removal of domestic sheep from BLM sheep allotments), or bighorn sheep and predator habitats shift to include more overlap (perhaps in response to wildfire, drought, increased recreational pressure, or other natural or management induced factors) predation could easily become the number one factor affecting bighorn sheep in the Surprise Field Office, as well as the remainder of the Susanville Grazing District. Yet the DRMP completely ignores the impacts of predation in its “Preferred Alternative” section (and “Affected Environment” section and “Environmental Consequences” section) to condition the continued authorization of domestic sheep use.

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There are numerous other factors that can cause mortality in bighorn sheep, including falls and injury, harvest, poaching, and vehicle collisions, and recognizes that other factors such as wildfire and drought can influence bighorn sheep viability, yet the DRMP completely ignores these factors. Legg et al. (1996)

29-27 ↑
investigated nine possible factors that may have contributed to a dramatic decline in the Tom Miner Basin bighorn sheep population (part of the upper Yellowstone metapopulation) between the late 1970's and the 1990's. Using a variety of data and information, the investigators eliminated most possibilities and were left with predation and weather as the most likely causes for the decline. Findley (2005) reports that about 20% of all the documented mortality of bighorn sheep in the Sierra Nevada Mountains has been attributed to avalanches, while none could be attributed to disease transmitted from domestic sheep (and 55% was from predation).

29-25 through 29-27
Despite evidence that many other factors have a significant bearing on bighorn sheep, the DRMP ignores all such factors other than disease transmission from domestic sheep. But even as to the purported disease transmission between free-ranging bighorn and domestic sheep, the DRMP ignores the best available information.

29-25 ↓
The likes of Goodson (1982), Toweill and Geist (1999), Foreyt and Jessup (1982), Onderka and Wishart (1988), Foreyt (1989), Desert Bighorn Council Technical Staff (1990), Callan et al. (1991), Martin et al. (1996), USDI Bureau of Land Management (1998), Bunch et al. (1999), Singer et al. (2000a, 2000b, 2000c, 2000d), Monello et al. (2001), Schommer and Woolever (2001)⁵, Singer et al. (2001), Dubay et al. (2002), and Garde et al. (2005) are often cited as evidence for purportedly linking domestic sheep to disease outbreaks in free-ranging bighorn sheep and to support the statement that "domestic sheep and bighorn sheep must be kept separated in order to maintain healthy bighorn populations." However, each of these references either relies solely upon circumstantial evidence, small clinical

⁵ Note. The Schommer paper cites Ashmanskas, 1995 in support of the claim that "(s)cientific research has proven that when bighorn sheep intermingle with domestic sheep, large numbers of bighorn sheep die." However, it is appears that such statement is cited from a Summary Judgment document from the United States District Court in Portland, Oregon, not from any peer review and/or scientific literature. Moreover, it is prudent to reveal that Ashmanskas, 1995 was a product of a review applied under the Administrative Procedure Act, and was not the product of: (1) a *Daubert* type hearing; (2) a judge/jury trial process wherein witnesses were subject to an oath and cross-examination; and/or, (3) the scientific method. See Schroeder, W.A. 2000. Junk or Science in the Court System: You may be surprised! *Rangelands* 22, No. 3:25-27.

↑ trials, or small groups of confined bighorn sheep as the basis for the findings. **No evidence has been provided to link domestic sheep to disease outbreaks in free-ranging bighorn sheep or to support the notion that domestic sheep and bighorn sheep must be kept separated in order to maintain healthy free-ranging bighorn sheep populations.** In fact, Cassirer et al. (1996) provides the only documentation that disease organisms may have been shared between domestic sheep and free-ranging bighorn sheep, but even in this case domestic sheep (and goats) cannot be implicated in the massive bighorn sheep die-off because only a small minority (approximately 4%) of the affected bighorn sheep carried organisms that matched those carried by the domestic animals. DNA profiles from the other 96% of the affected bighorn sheep exhibited such a high degree of variation that the investigators concluded “overall, DNA typing did not identify a single common *Pasteurella* organism in the affected bighorn sheep herds.”

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↓ Martin et al. (1996) are also cited to support the statement that “domestic sheep and bighorn sheep must be kept separated in order to maintain healthy bighorn populations.” Indeed, Martin et al. states “(n)o studies reported any bighorn herds, fenced or free ranging, that have come into contact with domestic sheep and remained healthy.” However, just one year latter it was reported that four Nevada bighorn sheep populations were studied where domestic sheep were sighted with the bighorns. Various *Pasteurella* species and strains were found within all of these Nevada bighorn sheep and within all but one of the domestic sheep, but no disease was detected in any of the bighorn populations and only one *Pasteurella* strain was shared between any bighorn sheep and the domestic sheep (Ward et al. 1997). Furthermore, no reports of disease epidemics or die-offs have been reported within these four Nevada bighorn sheep populations since 1997.

↓ Likewise, the notion that free-ranging bighorn sheep populations that are isolated from domestic sheep are safe from disease epidemics also cannot be supported by the evidence. Goodson (1982) cited five references that reported declines and die-offs in bighorn sheep populations due to bacterial pneumonia without any known association with domestic sheep. Similar cases of bighorn die-offs due to bacterial pneumonia without any known association with domestic

sheep have been documented at the Desert National Wildlife Refuge near Las Vegas (Mathis 2005), in the Black Gap area of Texas (Desert Bighorn Council Transactions of 1972), in Nevada's Dutch Creek enclosure (Desert Bighorn Council Transactions of 1973), and around the California lava beds (Desert Bighorn Council Transactions of 1976).

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Therefore, despite the direct implications within the DRMP at page 2-44, the association of bighorn sheep with domestic sheep is not followed by an imminent disease epidemic, and isolation of bighorn sheep from domestics is not a guarantee against a disease epidemic. See also the Comments submitted by the following individuals related to similar erroneous claims recently made by the Payette National Forest, Idaho, in February 2006, which are incorporated herein:

(1) Comments by Marie S. Bulgin DVM, Dip ACVM, MBA dated July 2006; Coordinator, University of Idaho, Caine Veterinary Teaching and Research Center; Sheep Specialist and Head of Food Animal Clinical Medicine; 1020 E. Homedale Road; Caldwell, Idaho 83607, which at enclosed as Attachment "E".

(2) Comments by Glen C. Weiser, Ph.D. dated July 12, 2006, and July 18, 2006; Research Scientist; University of Idaho, Caine Veterinary Teaching and Research Center; 1020 E. Homedale Road; Caldwell, Idaho 83607, which are enclosed as Attachment "F".

(3) Comments by Alton C. S. Ward, Ph.D. dated July 14, 2006, Professor emeritus, which are enclosed as Attachment "G".

29-2

The "Affected Environment" discussion for livestock lacks specifics upon which to comprehend, and omits any discussion that a conflict exists between free-ranging bighorn sheep and domestic sheep within the Tuledad, Selic-

Alaska, and Red Rock Lake Allotments (and other allotments within the Susanville Grazing District). DRMP, pp. 3-49 to 3-53.

See comments above about the reliance upon the "Rangeland Health Assessment Determinations".

We concur that the grazing management "in the late 1970's and early 1980's" has resulted in satisfying the objective "to maintain or improve the condition of the upland vegetation" to a point that "it is comparable to what is considered normal and healthy for the soil and the ecological site on which vegetation occurs". See DRMP, pp. 3-51 and 3-52. In addition, we concur that the grazing management "(s)ubsequent to the original RMPs" has been implemented to meet sensitive species, riparian, etc., type objectives. See DRMP, p. 3-52.

We reject the concept that "Forage production and availability naturally fluctuate annually in the Surprise Field Office area", as stated at page 3-52. This statement suggests that the Field Office is akin to ephemeral type rangeland, and clearly it is not. While we agree that annual precipitation may certainly affect the annual amount of production, we nevertheless contend that the livestock forage available on a temporary basis or a sustained yield basis can be a number that can be quantified and permitted, consistent with other management objectives.

We reject the concept at page 3-53 that "non-native annual brome grass species "will never be completely eliminated from the communities where they currently exists". Managing the timing and intensity of grazing can help eliminate and reduce the area of such areas, but as discussed above relative to page 2-41, i.e. "Target utilization", the DRMP needs to be clarified to authorize the Field Manager the request authority to authorize use levels beyond 60% to help remove the likes of cheatgrass and its seed source.

The "Environmental Consequences" discussion for livestock lacks specifics. DRMP, pp. 4-66 to 4-79.

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Methodology and Assumptions relative to Livestock Grazing: The DRMP at page 4-66 predicates itself upon certain methods or assumptions which are “relative”. For example, the words “Higher costs” are relative words. In addition, we reject the gross misrepresentation and gross over-simplification of the grazing capacity within the Field Office to be 16 acres per AUM. This figure appears to arise simply by dividing 92,465 AUMs by 1,445,443 acres (which equates to 15.63 acres per AUM). The available data, which is not reported in the DRMP, would indicate a grazing capacity in excess of 16 acres per AUM in the six (6) allotments to which Estill is authorized to graze livestock.

Information relative to Livestock Grazing: While the DRMP states at page 4-66 that “Adequate information is available to assess the impacts”, such information is not reported, discussed and/or analyzed in the DRMP. For example, the grazing capacity is not 16 acres per AUM on each allotment within the Field Office, and to make assumptions on impacts for each allotment based upon such assumption is completely arbitrary.

29-19

Impacts Comment to All Alternatives: We reject that the limit of 40-60% utilization “would not change under any alternative”. See DRMP, p. 4-67. As stated above, we urge the clarification of such point. We reject the concept at page 4-67 that “the season, duration, and frequency of wild horse use cannot be controlled”, since such can be controlled through timely census and timely removal of excess wild horses. We agree that “Seedings designed for livestock forage benefit” can have positive impacts, and should thus be a tool, including the use of non-native seedings, to achieve such positive impacts, as discussed above. See DRMP, p. 4-67. We reject any defined period of rest after wildfire, etc., as discussed above. See DRMP, p. 4-67. We reject that upland soil status claim, at page 4-68, since no data is reported disclosing that 49,894 acres “are not meeting Land Health Standards”.

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Preferred Alternative: We reject that “other high-priority resources” would/could supercede the livestock resources, i.e. make livestock subordinate to other resources within a multiple-use management area. See DRMP, p. 4-75. Moreover, the DRMP fails to disclose the “other high-priority resources” making any livestock grazing authorization subject to arbitrary action.

29-21 See comment above about AUM level and future AUM level. See DRMP, p. 4-75.

29-19 See comment above about "Target maximum utilization" level. See DRMP, pp. 4-75 to 4-76.

29-12 We reject the lack of analysis of the expansion of the Fog Hog HMA. See DRMP, p. 4-76. No discussion is made to legally warrant the expansion of the Fog Hog HMA. The proposed expansions is beyond the 1971 herd area.

29-16 See comment above about using non-native seed in intended treated areas. See DRMP, p. 4-76.

29-15 See comment above about the rest period after fire or seeding. See DRMP, p. 4-76.

29-32 We agree that the "existing good condition" created wheatgrass seedings "would be maintained", i.e. 36,740 acres. However, the DRMP fails to disclose the location of such acres. We are not seeing any reference on Map VEG-1 or Map VEG-2 to the existing "seedings". However, we reject that the "existing poor condition seedings on one allotment ... would be restored to native species-dominated communities and would no longer be managed as seedings", i.e. 8,400 acres (and perhaps 143,307 acres). Again, the DRMP fails to disclose the location of such acres. We are not seeing any reference on Map VEG-1 or Map VEG-2 to the existing "seedings". The cost to restore such "poor" seedings to native would be cost-prohibitive, and a more efficient use of time and money would be to assess means to manage the existing seedings. Related thereto, the DRMP provides no analysis as to the basis of distinguishing between a "good" and "poor" seeding. The literature/science would indicate that 5 acres or less per AUM would be an "excellent" seeding, and 5-10 acres per AUM would be a "good" seeding. See DRMP, p. 4-76.

29-33

29-25 See comment above about bighorn sheep and domestic sheep. See DRMP, p. 4-77.

Other Resources, as they relate to livestock, not otherwise discussed above.

29-9 through 29-11 (1) Access. The DRMP explicitly or implicit intends to restrict or close access based upon the following: (a) a preferred alternative to establish the "Buckhorn Back County Byway" within the southeastern portion of the Tuledad Allotment (see REC-1); (b) a preferred alternative to establish various Recreational Opportunity Spectrum zones within all six (6) allotments (see ROS-1); (c) a preferred alternative to closure of roads (see TRAV-1); (d) a preferred alternative to establish various Recreational Opportunity Spectrum zones within all six (6) allotments (see ROS-1); and, (e) a preferred alternative to establish various Visual Resource Management zones within all six (6) allotments (see VRM-1). Estill opposes these preferred alternatives to extent they intend and/or is interpreted and applied to limit/close any motorized access to facilitate the livestock operations upon the six (6) allotments and/or to limit/restrict/close maintenance and/or construction of range improvements to manage the livestock upon the public lands. *See attachment A-1*

29-34 (2) Water Rights. Estill rejects and opposes the application by USDI or BLM to apply for any water rights that are not consistent with law or that intend to subordinate the water rights of Estill.

29-4 (3) CRMA. Estill rejects and opposes the establishment of the Tuledad/Duck Flat CRMA, i.e. an 88,213 acre area. Such is unnecessary and unwarranted, and will only be intended and applied to subordinate the existing rights/entitlements of livestock grazing and other resource uses. See DRMP, pp. 2-13, 2-14.

29-35 (4) Utility Corridors. Estill encourages the development of Energy/Utilities Corridors to facilitate and coordinate the new interest in additional domestic sources of energy in the Western States. There have been increased applications to study energy resources in the Surprise Field Office and the DRMP should recognize the need to coordinate the potential new use of the public lands.

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If you have any questions, please call or write us. Otherwise, we reserve the right to supplement these comments (particularly after receipt of a better/large Map TRAV-1, see footnote 3 herein), and please be advised that we desire to be kept informed on a continual basis of all meetings, letters, memos, emails related to this matter. We look forward to working with you and the BLM.

Very truly yours,

Estill Ranches, L.L.C..

John & Lani Estill
Jewell Estill

by _____
John Estill

by
John Estill

Enclosures

P.S. While these comments, on their face, directly relate to the Surprise DRMP-DEIS, they equally intend to comment to the Eagle Lake DRMP and to the Alturas DRMP to the extent that our review of the Eagle Lake DRMP and Alturas DRMP have the same or similar statements therein.

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<mailto:info@sheepusa.org>

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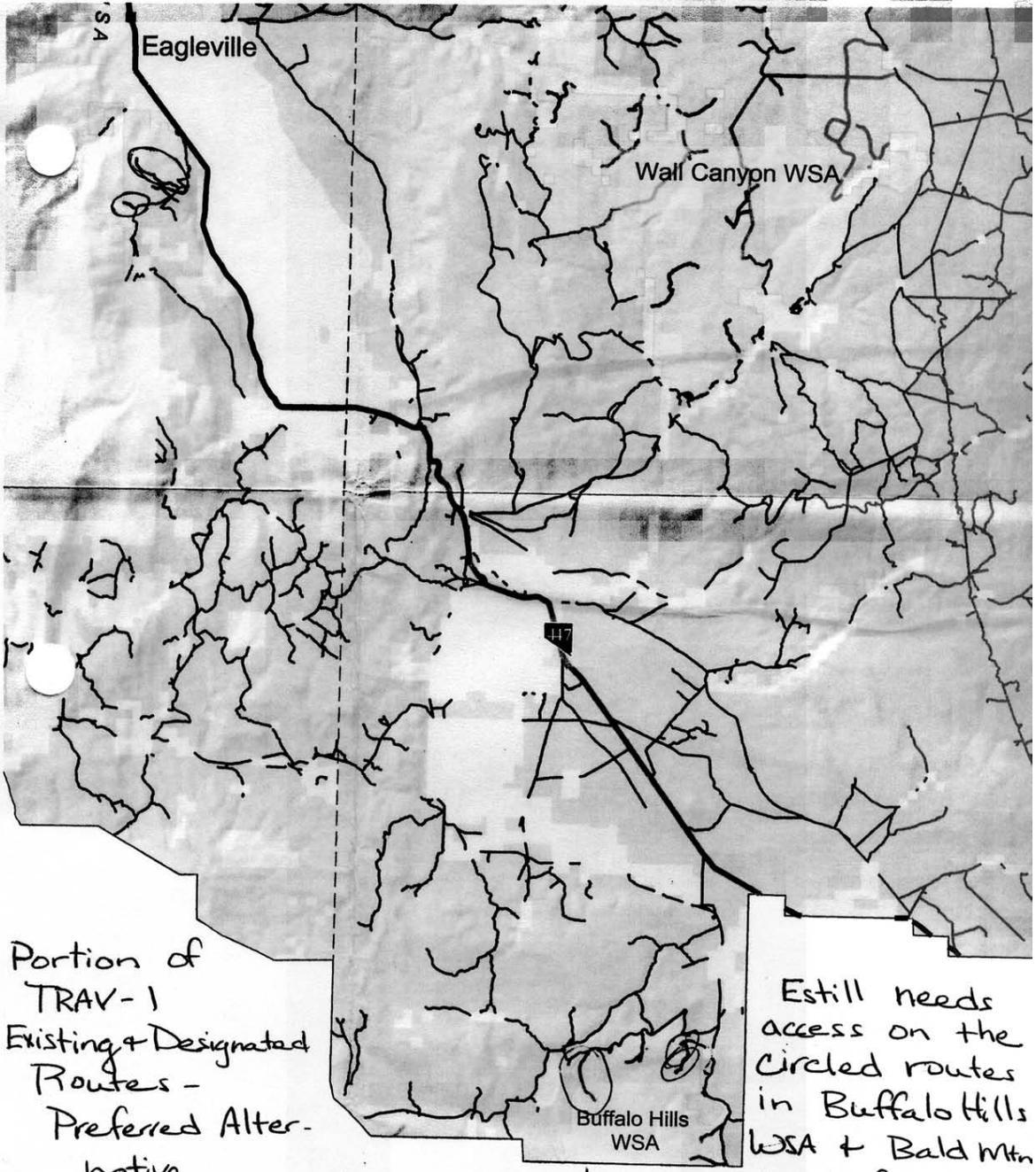
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Portion of
 TRAV-1
 Existing + Designated
 Routes -
 Preferred Alter-
 native

Estill needs
 access on the
 circled routes
 in Buffalo Hills
 WSA + Bald Mtn
 to camp tend for sheep-

herders and other livestock
 related activities. These are
 roads to historical sheep camps and are
 RS-2477 roads.

Attachment A-1



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Klamath Falls Fish and Wildlife Office
6610 Washburn Way
Klamath Falls, Oregon 97603
(541) 885-8481 FAX (541)885-7837



In Reply refer to:
1-10-06-TA-0153

AUG 17 2006

Memorandum

To: Field Manager, USDI Bureau of Land Management, Alturas Field Office
Alturas, California

From: Field Supervisor, Klamath Falls Fish and Wildlife Office,
Klamath Falls, Oregon *Curt Mullis*

Subject: Comments on the Draft Alturas Resource Management Plan and Environmental
Impact Statement

The Fish and Wildlife Service (USFWS) Klamath Falls Field Office (Service) has reviewed your Draft Resource Management Plan and Environmental Impact Statement (RMP) dated February, 2006. The RMP analyzes the effects of a range of alternatives that address significant issues concerning the management of approximately 503,045 acres (Planning Area) of lands administered by the Bureau of Land Management (BLM). These lands are located in the following Counties in California:

Siskiyou - 39,736 acres
Lassen - 268,214 acres
Modoc - 141,975 acres
Shasta - 53,120 acres

The five management alternatives developed for the Alturas RMP are:

No Action Alternative (required by NEPA): Retains current management through guidance and direction from current policies, and existing management plans.

Alternative 1. Resource / Economic Development: Emphasizes commodity production from BLM resources in accordance with local economies and land use plans from local communities and counties.

Alternative 2. Ecosystem Restoration or Protection: Maximizes efforts to maintain, restore, or improve components of the ecosystem using natural ecosystem processes.



Alternative 3. Traditional or Historical Uses: Emphasizes traditional community uses of resources and/or emphasizes historical uses and values.

Preferred Alternative. The Preferred Alternative was “crafted” from all of the other alternatives and combines management actions from all four of the above listed alternatives. This alternative has been designed and selected to best meet the purpose and need of the plan as described in Chapter 1; meet desired future conditions, goals, and objectives of individual and combined resources and resource uses. Each alternative listed above has a somewhat different concept and emphasis on how natural resources and resource uses would be managed.

The Service recognizes and appreciates the significant efforts made by the BLM in providing a collaborative citizen involvement approach to develop and analyze the draft RMP. The Service appreciates the opportunity to be involved early in the planning process. We offer the following comments and recommendations to assist the BLM in completing this analysis. We will focus most of our comments on the Preferred Alternative in this review.

GENERAL COMMENTS

It is our opinion that the BLM did a good job analyzing the complex and significant land management issues resulting from increasing demands on natural resources. We believe that ecosystem health and diversity, including impacts to habitat and wildlife are key issues to analyze in the RMP.

The Service appreciates your efforts to assess these impacts and the extensive use of geographic information system (GIS) analysis and maps. The Service is interested in the direct, indirect, and cumulative impacts to wildlife and their habitat resulting from implementation of the Preferred Alternative. Habitat quality and quantity within the Planning Area are the primary concerns for the Service. The Service recognizes that the demand for amount and diversity of recreational opportunities, like off-highway vehicle (OHV) use, is expected to increase. The capability to restore and support healthy ecosystems in conjunction with vegetation and wildlife habitat needs, while managing for expected increases in human use levels will become more difficult over the life of the plan. As a result, the Service recommends that the BLM fully evaluate current habitat conditions (e.g., habitat fragmentation), wildlife trends, and cumulative effects of all activities within the planning area, and develop a focused management direction necessary to ensure ecosystem viability for the long term.

30-1

SPECIFIC COMMENTS

Energy and Minerals

The Preferred Alternative would:

- Manage 445,997 acres as ‘open’ to mineral leasing under standard terms and conditions.
- Manage 470,052 acres as ‘open’ to locatable mineral development.

- Manage 435,385 acres as 'open' to saleable mineral development (i.e. mineral material pit establishment & decorative flat-rock collecting).

Lands within existing and proposed Areas of Critical Environmental Concern (ACEC), Research Natural Areas (RNA) and the 400 acre Lower Pit River wild and scenic river corridor would be closed to mineral material development. Determination of suitability for pit development would be based on site analysis for environmental conflicts. Development for this use would be approved or denied on a case-by-case basis. Existing pits would continue to operate according to approved rehabilitation plans.

Flat-rock permit applicants would be required to delineate the boundaries of proposed collection area(s) and the quantity of rock they intend to collect. Collecting would be limited to the drier months and trucks would be certified as free from noxious weeds prior to entering public lands. Previously approved personal use flat-rock collection areas would remain open. Authorized personal use would not exceed 3 tons per person per calendar year.

Comments: The draft RMP proposes leaving most of Alturas Field Office (AFO) lands open to mineral leasing. The Service suggests BLM consider limiting mineral development in the following areas:

- 1) Areas that provide important habitat for federally listed species, proposed species, candidate species, and BLM Special Status Species
- 2) Riparian and wetland habitat
- 3) Areas within 2 miles of sage-grouse lek sites

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We would also like to see a map that shows by category the acres proposed as open to mineral material development, and those proposed as closed. The RMP discusses the impacts of the alternatives to Renewable Energy, but also needs to display the impacts of Renewable Energy development on other resources.

The Service recommends that AFO integrate all appropriate guidelines and best management practices from these guidance documents into all future energy developments:

30-5

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Fire and Fuels

Most wildland fires in the AFO (81%) are ignited by lightning. Of the 519 fires on AFO lands within the last 20 years, only 10% burned more than 10 acres. Large fires (over 100 acres) burned an average of 7,800 acres of the AFO area per year over the last 20 years, but the amount varied greatly from year to year.

There are three strategies in the RMP to suppress wildland fires:

- Full suppression is a response where wildland fire ignitions are aggressively fought with the least cost and least acres burned philosophy.
- Appropriate Management Response (AMR) fires are prioritized based on values to be protected commensurate with cost. Critical suppression areas, such as wildland-urban interface (WUI), recreation sites, critical habitat, cultural sites, unstable soils, and ACECs are predetermined and full suppression constraints are used in these areas. An AMR could include aggressive suppression on one portion of a wildland fire while monitoring or containing another portion of the same fire.
- Wildland fire use (WFU) is where a naturally ignited fire is used to achieve specific resource goals for designated areas. WFU areas are pre-identified areas where wildland fire will be allowed to function in its natural ecological role to protect, maintain, and enhance resources.

The full range of AMR options would be employed on wildland fires for 97% of the management area. Wildland fire use plans would be developed for approximately 3% of the management area.

Several "communities at risk" to wildfire have been identified in the Federal Register: Fall River Mills, MacArthur, Day, Pittville, Little Valley, and Bieber. Other communities (e.g., Likely, Alturas, and Canby) that were not identified as a community at risk still have some WUI issues. Most human structures in the AFO area consist of scattered homes, ranches, and outbuildings that would not be defined as a community. Active public participation and citizen-driven solutions are important to reduce the risk of fire in the wildland-urban interface.

Fuel treatments will be used to reduce hazardous fuel accumulation, provide fuel breaks, and create defensible space around at-risk communities according to the following schedule:

Prescribed fire:	75 acres - 10,000 acres/year
Mechanical treatment:	75 acres - 10,000 acres/year
Biological treatment:	0 acres - 1,250 acres/year
Chemical treatment:	50 acres - 2,000 acres/year

As a part of the management of wildland fire incidents, AFO will develop and implement a Burned Area Emergency Stabilization and Rehabilitation (BAER) Plan. Emergency fire rehabilitation funds may be used to:

- Protect life, property, soil, water, and vegetation resources
- Prevent unacceptable onsite or offsite damage
- Facilitate meeting land use plan objectives and other federal laws and
- Reduce the invasion and establishment of undesirable or invasive vegetation species

Fuel treatments would occur on between 200 and 23,250 acres/year under the Preferred Alternative. The reduction of canopy and ladder fuels would improve forest health and resistance to wildfire, and the fire hazard would decline. Rehabilitation would emphasize native species, while allowing the use of introduced species as an intermediate step to stabilize communities and facilitate the restoration process. Up to 30 miles of new roads would be built, providing access for fire suppression vehicles and adding features that could act as fuel breaks.

Increased use of prescribed fire and mechanical fuel reduction should ultimately result in smaller and fewer wildland fires, and fire severity and intensity would also decline. This should also result in more natural potential vegetation groups across the landscape. All action alternatives would have higher fuel treatment costs than the No Action Alternative. All alternatives include juniper reduction as part of the fuels treatment strategy. Juniper reduction would help return some sites to a sage community, which would need to be maintained using prescribed fire. After wildfires and prescribed burning, BLM would seed with shrub/grass/forbs to reduce cheatgrass and other noxious weeds and non-native species in high-risk areas.

Comments: Vegetation response from judiciously applied fuels treatments would benefit most species of wildlife and could provide significant mitigation for the effects of full suppression management. If fuels reduction efforts exceed the rate of fuels accumulation, the risk of intense wildfires in sagebrush habitats could be gradually reduced.

Prescribed fire is one of the best and most cost-effective tools for improving wildlife habitats. With careful planning and implementation, prescribed fire could be instrumental in improving key wildlife habitats and for initial or follow-up treatment of invasive juniper. With proper site rehabilitation, this would be a valuable tool for restoring degraded sagebrush, aspen, mountain mahogany, bitterbrush, and meadow habitats. Prescribed burns could have major long-term benefits for terrestrial and aquatic wildlife under the Preferred Alternative.

Mechanical fuel treatments would be used to a similar extent as prescribed fire (75 to 10,000 acres/year), but would concentrate on western juniper. Juniper removal could permit reestablishment of bitterbrush and sagebrush habitats and provide substantial benefits for wildlife in aspen and mountain mahogany stands—if conducted nearer to the higher rates.

When compared to present conditions, the proposed fire and fuel treatment program could improve habitat for wildlife. The Service supports the proposed fire and fuel treatment program as outlined in the Preferred Alternative, with the understanding that impacts of specific actions will be individually assessed for their impacts to wildlife and those impacts will be mitigated to the extent feasible to accomplish both fire and wildlife objectives.

Forestry Resources

Forestry resources in the AFO can be placed in one of two categories: forestlands or woodlands. By definition, forestland is an area which is (or has the capacity to be) at least ten percent stocked with forest trees. For economic reasons, forestlands are subdivided into two groups:

- 1) Commercial (high-site) forestlands, capable of producing at least 20 ft.³ of merchantable timber per acre per year
- 2) Non-commercial (low-site) forests produce less merchantable timber. Low-site forests generally occur where commercial forestland grades into juniper woodland. In addition to western juniper, these forests can contain scattered ponderosa pine, Jeffrey pine, and occasionally oaks.

Woodlands are areas that produce trees not typically used for saw-timber. Woodland trees are usually sold in units other than board-feet and are not included in the commercial forestland allowable cut. The RMP defines woodlands as lands that cannot be reforested in less than 15 years.

From 1946 through the 1960s, logging activities on AFO concentrated on the selective removal of high-risk, old-growth trees (>200 years old) likely to die within 20 years. From the late 1970s until 1993, timber operations included a considerable amount of commercial thinning, which concentrated on trees approximately 120 years old and 21 inches diameter at breast height (dbh). Since 1993, salvage logging following fire, insect infestations, or disease has been the driving force for timber removal in the AFO area.

In the Preferred Alternative, 40% of commercially viable forestlands would be managed at a late succession stage. Trees greater than 30 inches dbh on low-site forests would not be harvested--except for salvage or where necessary to prevent insect outbreaks or disease, or reduce the potential for catastrophic wildfire. Forests would be managed to preserve ecosystem health and maintain a sustainable rate of harvest. Timber production and mechanical harvest would occur on 12,000 acres. Timber harvesting would not be allowed in commercial forestland on Mount Dome to preserve a bald eagle roosting area.

Comments: The Service supports the management of 40% of the commercial forestlands at a late succession stage. This strategy should help restore natural ecological systems to their proper functioning conditions. Hazardous fuels in the form of overstocked stands, needle accumulation, slash from previous logging operations, and an abundance of bitterbrush and other shrubs remain a concern. We would support some timber management in the Mount Dome bald eagle roosting area to reduce the risk of insect outbreaks, disease, and catastrophic wildfire. The Bear Valley Wildlife Refuge has done an excellent job designing treatments like this in a bald eagle winter roost.

Lands and Realty

- 30-8 **Comments:** We recommend that the BLM include in this section a stipulation that states that lands with habitat that may be important for the recovery of federally listed, proposed, or candidate species; or that contain designated or proposed critical habitat not be exchanged or disposed unless habitat for the species can be protected. We would also like to see BLM identify and acquire important wildlife habitats where those opportunities exist.
- 30-9
- 30-5 In the Preferred Alternative for Rights of Way we would like to see BLM follow the *Avian Protection Plan (APP) Guidelines* (2005) and the Service's *Guidance on the Siting, Construction, Operation and Decommissioning of Communications Towers* to minimize effects to wildlife.

Livestock Grazing

Livestock grazing activities on AFO are currently conducted on 457,519 acres in 145 grazing allotments. Livestock numbers were reduced and forage allocations were provided for wildlife in the 1960s. In the late 1990s, interdisciplinary rangeland health assessments using numbered categories began. Under this system, each allotment is placed into one of four categories according to identified rangeland health standards:

Category 1: Areas where one or more standard(s) is/are not met or significant progress is not being made toward meeting the standard(s), and livestock grazing is a significant contributing factor.

Category 2: Areas where all standards have been met or significant progress is being made toward meeting those standards.

Category 3: Areas where the status regarding one or more of the standards is not known or the cause of failure to meet the standard(s) is/are not known.

Category 4: One or more of the standards are not being met or significant progress is not being made toward meeting the standards, by causes other than--or in addition to--livestock grazing activities.

AFO has completed health assessments on 45 grazing allotments encompassing 300,000 acres of public land, assessing 17 of the 45 allotments as Category 1. AFO has increased compliance and short-term monitoring on Category 1 allotments and will implement long-term monitoring when funding and budgeting permit (*emphasis added*).

The primary objectives of the land health standards (as they relate to livestock grazing) are to increase vegetation quantity, quality, and forage availability; improve water conditions; and maintain diverse and healthy habitats for wildlife. To realize these benefits will require an interdisciplinary approach, stringent monitoring, use of 'best management practices,' compliance with land health standards, and additional cooperative grazing agreements between the BLM and permittees to rectify specific habitat conditions.

BLM would focus on managing the intensity of livestock grazing to comply with land health standards and guidelines protecting streams, wetlands, and riparian vegetation. This would include new fencing to better control the timing, location, and intensity of grazing in sagebrush habitats. Fencing would be used to further divide existing allotments and--by achieving better control--allow for longer periods of recovery between grazing episodes. This would help preserve plant vigor and habitat diversity and should have moderate benefits for mule deer and pronghorn. Where fencing is used to protect springs, streams, wetlands, and riparian areas, aquatic wildlife would also benefit.

Wild horse numbers would be reduced to the established AML in one herd management area (HMA) and the other HMA would be eliminated. This would significantly reduce impacts in and around water sources and other important habitats where these feral animals compete with native wildlife.

The Preferred Alternative includes the following:

- 1) Allotments will be managed in compliance with standards set forth in the *Northeastern California and Northwestern Nevada Standards and Guidelines for Livestock Grazing* (1999). There would be 145 active grazing allotments with 27,000 animal-unit-months (AUMs) authorized.
- 2) Rangeland improvements would be designed to benefit wildlife and watersheds, in addition to livestock. Improvements would minimize unacceptable livestock grazing impacts to riparian and spring areas and improve livestock distribution. Livestock water developments would be constructed outside riparian and wetland areas, or water-gap fencing would be used. Livestock salting sites would be located $\frac{1}{4}$ to $\frac{1}{2}$ mile from riparian areas, rare or unique plant communities and aspen stands to discourage damage by livestock.
- 3) Range management strategies will provide for the maintenance or restoration of watersheds, nutrient cycling, water quality, habitat for special status species, and quality habitat for populations of native plants and animals.
- 4) Continuous, long-term monitoring will be conducted on priority allotments.
- 5) Allotment management plans will be completed or revised for all Category 1 priority allotments, followed by lower category allotments as budget and time constraints allow.
- 6) Livestock grazing would be managed to minimize damage to aspen clones.
- 7) Existing livestock exclosures would be properly maintained and additional exclosures would be added to control grazing and trampling around springs and riparian areas of particular importance to wildlife.
- 8) Fencing would be passable to big-game in conformity to BLM wildlife specifications.
- 9) Temporary fencing would be used to protect 300 acres of riparian areas from livestock grazing, and permanent fencing would protect an additional 200 acres.
- 10) Browsing by livestock and deer on curlleaf mountain mahogany and oak woodlands would be limited to 50–60% of current annual growth to maintain productivity and

vigorous growth. Livestock would not be permitted to graze or seek shade in early seral stage mountain mahogany stands.

- 11) 'Grass banks' will be established to provide forage reserves for conservation benefits and management flexibility, thus helping to maintain rangeland health standards.
- 12) The BLM will work cooperatively with ranchers and other stakeholders to implement juniper treatments and reduce juniper encroachment in sagebrush/grassland communities, thereby restoring rangeland to health and economic viability.
- 13) Areas affected by wildfire, prescribed fire, or mechanical treatments would be rested for a minimum of two growing seasons before resumption of livestock grazing.

Comments: The Service recognizes that livestock grazing is a historic and legal use of public lands. However, we are concerned that the level of grazing in the Preferred Alternative may not allow some of the goals for fish and wildlife resources in the RMP to be met. Heavy livestock grazing, conducted over many years, can degrade areas adjacent to springs, streams, meadows, and reservoirs. This level of grazing could have negative consequences to federally listed, proposed, candidate and sensitive species. Although adjustments in grazing practices and increased use of fencing can help repair some areas, it may take additional measures to bring some grazing allotments into compliance with land health standards. We suggest that BLM consider reducing grazing pressure on the following areas:

- 1) Areas that provide habitat for federally listed, proposed, candidate and sensitive species
- 2) ACEC's established to benefit biological resources (wildlife, fish, and plants) or that contribute significantly to the conservation of these biological resources
- 3) Riparian and wetland habitat
- 4) Lands that provide key habitat for BLM Special Status Species where the populations are impacted by grazing

This list is not intended to be all inclusive but rather provided as an indication of the types of species concerns we have with regard to the livestock grazing program.

Areas of Critical Environmental Concern

Comments: The Service supports the proposed ACEC additions under the Preferred Alternative, especially those that protect sensitive plant and wildlife habitat. We have a concern where the RMP indicates that livestock grazing will still be allowed in ACECs. If livestock grazing is impacting sensitive plants or animals, then we suggest it be reduced or eliminated to address this problem.

Travel Management

In 2004, all existing roads (2,430 miles) in the AFO area were inventoried on the ground using global positioning system GPS technology. This information was assembled to produce the most accurate map of roads and trails ever created for the AFO.

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Under present management, 87% (441,077 acres) of the management area is “open” to motorized travel, 4% (19,986 acres) of the management area is “closed,” and 9% (41,982 acres) is “limited to existing or designated roads and trails.”

The Preferred Alternative would limit motor vehicles to existing or designated roads and trails on 99% (498,140 acres) of the AFO area. Less than 1% (4,825 acres) of the AFO area would be closed to motor vehicles. About 81 miles of roads would be seasonally closed, compared to six miles under present management. Exceptions for off-road travel and seasonal road closures include, but are not limited to the following authorized or permitted activities:

- Woodcutting in designated firewood-gathering areas
- For eradication of noxious weeds
- Permitted flat-rock collecting in designated areas
- Ranching activities
- Scientific studies
- BLM administrative activities
- Private property access
- Game retrieval

The Preferred Alternative would construct 25.5 miles of new non-motorized trails. Motorized boating would be unrestricted on West Valley Reservoir. Motorized boating in the Infernal Caverns/Rocky Prairie Special Recreation Management Area (SRMA) would be limited to trolling motors and four-cycle gasoline engines, (and *no* personal watercraft). Nelson Corral Reservoir would be limited to non-motorized boating as would the Lower Pit River and the Pit River Canyon Wilderness Study Area (WSA). Motorized over-snow travel would not be permitted on 8,000 acres in the Nelson Corral high-country.

Where existing roads are having an adverse ecological impact, they may be closed through plan maintenance in accordance with the *Northeast California Resource Advisory Committee Guidelines for Off-highway Vehicles*.

A formal transportation plan would be developed to coordinate road maintenance and construction with fire protection needs and juniper management activities, as well as providing public access. Until this plan is developed, heavily-used roads would be maintained to protect the public investment and ensure safe traveling conditions. If funding is made available, other road work necessary to facilitate certain resource management projects would be completed.

In some portions of the planning area, road density currently exceeds 2.5 mi/mi² when considering arterial, collector, and right-of-way roads. Wildlife in these areas is adversely impacted by the high road densities (Gucinski et. al. 2001). The Service would like to see an open road density target for wildlife emphasis areas of ≤ 1.5 mi/mi² in order to benefit wildlife.

The BLM would provide for and suitably manage OHV use on public lands to protect resource values, promote public safety, provide OHV recreational opportunities where appropriate, and

minimize conflicts between various users and user groups. Significant historic and cultural resources, traces of historic trails, vulnerable wildlife habitat areas and other critical resources would be protected. The Cinder Cone OHV Management Area (80 acres) would have an "open" (unrestricted OHV travel) designation. The Pit River Canyon (10,984), Tule Mountain (16,998) and Lava (10,750) WSAs would be "limited to existing roads and trails" to maintain their pristine natural character. OHV travel would be closed around vernal pools (20 acres) in the Lava WSA to protect the Boggs Lake hedgehyssop (a special status plant). OHV travel in the Coyote Ridge area is "limited to designated roads and trails," to protect at-risk or impaired soils (2,500 acres). Fitzhugh Creek (660 acres) and the meadows at Yankee Jim Ranch (200 acres) are closed to OHVs to protect critical riparian, wildlife, and canyon resources.

A trail would be designated for non-motorized access to Delta Lake from Bayley Reservoir during the annual spring closure of the Delta Lake Road. An early spring closure of the Delta Lake road is imposed yearly to prevent damage to the road, wildlife habitat, soil, and vegetation, and to minimize sedimentation of the Pit River (an impaired water course that contains several listed species).

Comments: The Service has concerns with the number of activities allowing motor vehicles to go off designated roads and trails. The Service would like to see these exceptions more tightly controlled (i.e. not everyone with a permit for firewood or flat-rock collecting should be able to drive anywhere they please). In order to reduce and minimize direct impacts of roads, including the related vehicle travel along them, to fish, wildlife, and botanical resources, we encourage the AFO to close and eliminate duplicate or parallel roads to the greatest extent possible. Additionally, wherever BLM closes roads, we recommend that the closed roads or road segments be restored to native habitat appropriate to the site, to the greatest extent possible. We are also concerned that BLM's budget to monitor and provide law enforcement patrols in such a large area may limit the effectiveness of those patrols. We expect many OHVs will continue to travel cross-country in violation of the new policy. We recommend BLM consider closing or limiting OHV travel to designated roads and trails only (our emphasis) on the following areas:

- 1) The Likely Tablelands should be seasonally closed from December 1 through April 15 to protect vulnerable wintering populations of pronghorn and deer.
- 2) The Barnes Grade/Crowder Flat OHV management area should be seasonally closed from November 15 through April 15 to protect deer populations on critical winter range.
- 3) The Cold Springs area should be seasonally closed from April 15 through July 15 to protect sensitive sage-grouse brood rearing habitat.
- 4) The Day Bench should be seasonally closed from November 15 through April 15 to avoid disturbance and protect critical wintering habitat for deer.
- 5) The Timbered Crater ACEC/RNA and Baker Cypress NA should be closed year-long to protect special status plants, wildlife, sensitive cultural resources, and managed for non-motorized recreation.
- 6) The Beaver Creek ACEC should be closed year-long to protect special status plants, wildlife, and cultural resources.

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- 7) Hayden Hill sage-grouse territory should be closed year-long to protect sage-grouse breeding habitat.
- 8) Williams Ranch should be closed year-long to protect sensitive wildlife habitats, riparian areas, and fish habitat.
- 9) The Likely Tablelands/Yankee Jim Fitzhugh Creek ACEC should be closed year-long to protect special status plants, wildlife habitat, and sensitive cultural resources.
- 10) At Nelson Corral Reservoir, the road at the south end of the dam and at the spring on the northwest corner of the reservoir should be closed year-long to prevent OHV damage to critical cold water spring sources, riparian areas, and trout spawning habitat.
- 11) The Sheep Valley and Old-Growth Juniper ACEC/RNA area should be closed year-long to protect riparian areas, rare fen-bog spring systems, old-growth juniper and degraded or at-risk soils.
- 12) The Ash Valley ACEC/RNA should be closed year-long to protect sensitive resources and promote a non-motorized recreational experience.
- 13) The Juniper Creek ACEC should be closed year-long to protect sensitive wildlife and cultural resources.
- 14) Closure to motor vehicles should be considered where OHV traffic is responsible for significant increases in infestation by annual grasses and noxious weeds. Two such areas are the mixed ceanothus chaparral communities of the Fall River watershed and the big sagebrush/desert peach associations near Alturas, CA.
- 15) Motorized travel in the Likely Tablelands should be limited to designated roads and trails from April 16 through November 30 to minimize disturbance of pronghorn and deer and to prevent habitat damage.
- 16) Motorized travel should be limited to designated roads and trails in the Cold Springs area to protect sensitive sage-grouse habitat (especially brood-rearing areas) and old growth juniper in the Old-Growth Juniper ACEC.
- 17) Motorized vehicles in the Barnes Grade/Crowder Flat OHV management area should be limited to designated roads and trails from April 16 through November 14 to protect critical winter deer habitat. Crowder Flat Road could remain open.
- 18) Motorized travel on the Westside grazing allotment should be limited to designated roads and trails to protect special status plants, and soils that are degraded or at-risk.
- 19) OHV travel on Day Bench should be limited to designated roads and trails from April 16 through November 14 to protect critical winter deer habitat. Day Cinder Pit Road could remain open.
- 20) OHV travel in the Hogback Ridge area should be limited to designated roads and trails to minimize the spread of noxious weeds and prevent damage to sensitive soils.
- 21) OHV travel in the Mahogany Mountain and the Mt. Dome/Tablelands areas should be limited to designated roads and trails to preserve and protect degraded or at-risk soils.
- 22) OHV travel in the Bloody Point Area should be limited to designated roads and trails to protect wildlife habitat and sensitive cultural resources.

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The Service would like to see the following travel allocations to protect wildlife habitat:

OHV Travel Designations	Area (acres)
Open	80
Limited to Existing Roads and Trails	340,158
Limited to Designated Roads and Trails	157,982
Closed	4,825

Vegetation

The BLM proposes to employ natural disturbance processes—particularly prescribed fire and wildland fire use—as the preferred method of restoring shrub communities, along with thinning (using mechanical and manual methods) to stimulate seeding and sprouting. Restoration of plant communities dominated by invasive juniper and/or decadent shrubs would be a high priority and treated according to the following schedule:

Prescribed fire:	75 acres - 7,500 acres/year
Manual treatment:	50 acres - 5,000 acres/year
Biological treatment:	75 acres - 2,000 acres/year
Chemical treatment:	50 acres - 2,000 acres/year
Mechanical treatment:	75 acres - 10,000 acres/year
Seeding with competitive species:	50 acres - 10,000 acres/year

The following vegetation treatments are also proposed:

- 1) Incorporate guidelines from the sage-grouse conservation strategies to restore sage-grouse habitat in mountain and Wyoming big sagebrush ecosystems.
- 2) Stands of curlleaf mountain mahogany would be rejuvenated or maintained with selected treatments on up to 1,000 acres per year.
- 3) Oak woodlands would be maintained with mixed age classes through selected treatments on up to 5,000 acres per year.
- 4) Sagebrush and juniper communities would be further defined to aid in juniper management, sagebrush restoration efforts, sage-grouse conservation strategies, and the achievement of wildlife habitat goals.
- 5) Lichen surveys would be conducted in old-growth juniper and low sage communities with rocky soils.
- 6) Management actions would protect unique and special habitats.
- 7) Old-growth pine would be preserved as a seed source and protected from timber harvesting. Old-growth trees would not be removed unless diseased or insect-infested.

- 8) Four new ACECs and/or RNAs (total area 26,021 acres) would be designated to protect vulnerable plant communities of local interest.
- 9) Stands of sagebrush, bitterbrush, ceanothus chaparral, Brewer's oak, skunkbush sumac, and birchleaf mountain-mahogany would be protected and maintained. Management actions would specifically aid the health and diversity of understory vegetation for the above plant communities. Prescribed burns would be conducted in patches to create a mosaic of age classes in birchleaf mountain-mahogany stands, especially in the Fall River watershed.
- 10) Management actions would be taken to create healthy, multi-aged stands of bitterbrush. Fuel loads would be reduced in this vegetation community, to reduce the likelihood of high-intensity wildfires, and healthy stands would be excluded from late-season livestock grazing.
- 11) Degraded stands would be rehabilitated and bitterbrush would be seeded in previously occupied or newly-suitable areas. Seeding in burned areas would be done in the first year following wildfire. Exclosure fencing would be used to exclude livestock and deer for three to five years.
- 12) Livestock grazing strategies would be modified or created to protect microbial crusts and achieve a natural mixture of grasses, forbs, and shrubs. Grazing strategies in silver sagebrush playas would support Nevada bluegrass.
- 13) In Wyoming sagebrush, mountain big sagebrush, and low sagebrush plant communities, perennial grasses would be seeded where these communities are invaded by annual grasses and also as an aid in the formation of microbial crusts.
- 14) Plant communities at-risk from frequent fires, or invasion by noxious weeds, or from type conversion to an early seral stage, would be seeded with native vegetation having the potential to out-compete or resist these negative trends. Desirable, non-native species may be used when better adapted to out-compete plant communities dominated by exotic annuals.
- 15) In ceanothus - mixed chaparral communities invaded by annual grasses (i.e. cheatgrass, Japanese brome, or medusahead) a combination of treatments would be implemented, including crushing, drill-planting competing native grasses and forbs, and prescribed fire. Proactive and aggressive eradication of recently-established exotic annual grasses would be carried out on the Big Tablelands of Siskiyou County.
- 16) A local native seed cache would be developed in which locally gathered, native seed would be collected from different "seed collections zones" within the management area. Collected seed would be grown locally for use in emergency fire stabilization and rehabilitation efforts, vegetation restoration, mining reclamation and livestock forage seeding projects.
- 17) Present non-native seeding projects where vegetation is in good to excellent condition would be managed to improve structural and species diversity and forage production. Non-native seeding projects in poor to fair condition would be managed to restore vigor and improve forage production in addition to improving species diversity. Seeding projects in very poor condition due to invasion by cheatgrass or other noxious weeds (particularly star thistle) would be aggressively treated and converted to native grasses.

- 18) Aggressive restoration methods would generally be employed in seriously degraded plant communities (e.g. Wyoming big sagebrush dominated by medusahead). Treatment procedures in this case would involve the following step-by-process: 1) Reduce medusahead (using grass specific herbicides, nitrogen sequestration, prescribed fire, and inoculation with microbes and/or mycorrhizal fungi), 2) Seed effected lands with desirable grasses and forbs that can aggressively compete with medusahead, 3) Maintain the health and vigor of these seedings for a sufficient time, 4) Seed again with locally gathered, native species.
- 19) Firebreaks (20 to 25 feet in width) composed of fire-resistant vegetation would be established to protect shrub communities invaded by annual grasses (principally cheatgrass and medusahead). Up to 36 miles of firebreaks would be established on the lower bench of the Likely Tablelands.
- 20) Implement fuel treatments, including prescribed fire, to reduce the effects of catastrophic wildfire on important wildlife habitats (e.g., sagebrush). Priority areas would be protected from catastrophic fires with green-stripping.
- 21) Heavily degraded sagebrush steppe habitats would require long-term reclamation and emergency action to retain biodiversity. Management activities which contribute to further fragmentation of these habitats would be discouraged.

Comments: The Service feels these goals are very worthwhile, although difficult to achieve. We commend the BLM for taking on such an ambitious vegetation management program.

Noxious Weeds & Invasive Species

BLM would implement integrated-weed-management (IWM) procedures on AFO. An IWM approach would be conducted in cooperation with the California Department of Food and Agriculture (CDFA); Modoc, Lassen, Shasta, Siskiyou and other nearby counties; affected private landowners and permittees; and various federal agencies and interested parties.

BLM would conduct periodic inventories of noxious weeds to detect new infestations and monitor existing infestations. Inventories would be increased in areas where large projects are implemented – such as clearing of western juniper. The early detection of new infestations throughout the management area would be emphasized together with rapid response and control of *all* new infestations. The highest priority for noxious weed inventory would be critical wildlife habitat, at-risk plant communities, high-use areas, roadsides, right-of-ways, livestock reservoirs, livestock trailing routes, and recreation sites.

Herbicide treatments could be used to control medusahead and cheatgrass, permitting regeneration of native vegetation. Chemical treatments could also be used to reduce invasive juniper and other undesirable vegetation.

Treatment sites would be monitored to determine effectiveness and impacts on non-target vegetation. Native species, or desirable non-native species, would be used to restore sites to their ecological potential. Any seed, hay, straw, and mulch used in the management area would be

required to be certified as “weed-free.” Stipulations would be attached to use permits and emergency stabilization and rehabilitation plans to reduce the spread of noxious weeds through contaminated seed, hay, straw, and mulch.

Areas of special interest would include new technologies in IWM (e.g., control of exotic annual grasses, restoration of sagebrush communities converted to annual grasslands). Another area of interest would be investigations into use of the herbicide Plateau™ (Imazapic) in conjunction with prescribed fire, nitrogen sequestration, and seeding native grasses as a treatment package for sites infested with medusahead and annual brome. These treatments would be part of restoration efforts in low sagebrush and Wyoming big sagebrush plant associations infested with medusahead grass.

Education efforts would be expanded to include public education and outreach programs outside the planning area. This would be done to prevent or minimize the spread of noxious weeds into the management area.

Comments: This is another worthwhile but difficult program. The Service is available to assist AFO control noxious weeds in whatever way we can.

Riparian/Wetland Associations

The Preferred Alternative would allow livestock grazing only in plant communities where grazing is compatible with the attainment of proper functioning condition and other riparian and wetland objectives. BLM will assess riparian areas for proper functioning condition, existing—or potential—natural community, and ecological site description to establish specific riparian management objectives. Livestock exclusion fencing would be constructed in riparian areas that are functioning at risk (FAR). Other activities would be managed to maintain or improve wetland habitats.

Comments: The Service supports all of the proposed wetland management objectives.

Rare and Unique Plants

The Preferred Alternative proposes to regenerate aspen stands by cutting, “pushing over” mature trees, ripping of root systems, burning, herbicide application, and protection from browsing. Quaking aspen would be introduced on sites with the potential to support this species. For aspen stands greater than ½ acre burned by fire, a minimum of 2 years rest from livestock grazing would be required. Light to moderate-intensity fires would be prescribed for California black oak and Oregon white oak woodlands dominated by young trees. Improvement and rejuvenation of decadent and young stands of curleaf mountain mahogany would be conducted through thinning, shearing, or selective bulldozing.

Comments: The Service supports the proposed aspen, oak, and mountain mahogany management objectives.

Special Status Plants

There are 14 species (54 occurrences) of Special Status Plants (SSP) known to occur on AFO land and potential habitat for 8 additional species on AFO land. Current risks to these species include grazing or trampling by livestock and wild horses, OHV damage, fire suppression, mining, flat-rock removal, invasive and exotic plant species, and soil erosion.

The California Native Plant Society (CNPS) is considering down-listing Baker's globemallow and Modoc milk-vetch to the CNPS list 4, which BLM would consider special interest species and deemphasize management. The BLM would ensure that management actions would not contribute to the decline of a SSP species, or to the need to 'list' (as threatened or endangered) these species under federal law. Prior to project implementation, surveys would be conducted for special status plants and their characteristic habitats at the appropriate time of year.

Monitoring should be conducted for all vernal pools, especially the "Green Place" vernal pool which is habitat for slender orcutt grass (*Orcuttia tenuis*, federally listed as 'threatened'). A long-term monitoring plot would be established for the soldier meadows cinquefoil (*Potentilla basaltica*, a federal 'candidate' species) in the Ash Valley ACEC/RNA. Only 50 plants have been located on an area of approximately ¼ acre, so BLM must ensure these plants are not inadvertently extirpated by management actions. BLM will monitor *Mimulus evanescens* at Moll Reservoir to study livestock trampling effects. AFO will continue studying the effects of fire on *Ivesia paniculata* in the Ash Valley ACEC; and cooperate with university researchers to determine which species of *Lomatium* (*hendersonii* or *roseanum*) is found in the area.

30-16 **Comments:** The Service would like the BLM to pay special attention to the management of *Orcuttia tenuis* and *Potentilla basaltica* and coordinate with the Service and adjacent landowners in managing for their recovery.

Western Juniper

Western juniper habitat is widespread throughout the AFO area. It is increasing in density and is further expanding its range. Western juniper is used by a variety of wildlife including hiding cover for deer and pronghorn. The juniper titmouse is highly associated with this habitat type and seems to prefer it over adjacent riparian woodlands. Other birds associated with the juniper dominate woodlands include Townsend's solitaire, mountain chickadee, mountain bluebird, American kestrel, pinyon jay, black-throated gray warbler, and dusky flycatcher. Swainson's hawks use scattered juniper for nesting. Many raptors, including ferruginous and red-tailed hawks, and golden and bald eagles, use juniper for roosting and hunting perch sites nesting. Some bat species found in the AFO area may also use juniper for roosting.

Juniper is considered an invasive species on those sites that are not true juniper woodland sites as mapped in soil surveys. Juniper has encroached into nearly all vegetation types, soil types, slopes, and elevations in the AFO area. It is apparent that the semi-arid plant communities found within the AFO can be negatively impacted by juniper encroachment. Competition for light, water, and nutrients can drive grasses and forbs from invaded sites. When present for an extended period of time, juniper may increase to the point of excluding important brush, grass, and forb components. If invaded sites are located on slopes, the loss of understory plant species can stimulate soil erosion. Once this occurs, it can be very difficult to reestablish native plant communities even when juniper is removed by cutting or burning methods.

It is believed that natural fire regimes played a significant role in preventing juniper from invading neighboring shrub-steppe plant communities. When natural disturbance regimes remained intact, the presence of juniper was limited to rocky outcrops, low sagebrush communities, and other areas that had low fire frequencies. Over the last century, however, fire suppression, land management practices, and climatic shifts enabled juniper populations to expand (Miller et al. 2005).

Due to the large number of acres that juniper is invading into (not true juniper woodlands), management activities have increased to remove invasive juniper through fuels treatments. Most recently, the AFO has removed juniper from riparian areas, aspen stands, mahogany stands, and other areas—but treatments are needed across many areas within sagebrush ecosystems. It is possible that many of the plant communities subjected to juniper invasion within the AFO have crossed a threshold, resulting in floral changes that are irreversible. Corresponding invasions of exotic annual grasses further complicate restoration efforts.

Restoration treatments proposed for removal of invasive juniper:

Mechanical harvesting	80,000 acres
Manual treatments	5,000 acres
Firewood cutting	15,000 acres
Prescribed burning	100,000 acres
Application of herbicides	8,000 acres

- 30-17 **Comments:** The BLM would construct 10 miles of permanent roads and 300 miles of temporary roads to facilitate juniper treatments. The Service would like to make sure the temporary roads are closed and re-vegetated as described in the roads section. We would also like to see AFO do the following:
- 30-18 1) Focus habitat improvement on reducing invasive juniper to promote shrub health and provide a diversity of age classes in stands of aspen, oak, mountain shrubs, sagebrush steppe, bitterbrush, and mountain mahogany.
- 30-19 2) Use a combination of treatments, including prescribed fire, to achieve desired forage/cover ratios and canopy cover.
- 30-20 3) Rehabilitate juniper treatment areas, wildfire areas, and other disturbed areas with native and, only if absolutely necessary, non-native seed and plantings.

- 30-21 4) Closely monitor the effects of landscape-level juniper removal on habitats and populations of special status species and sagebrush-associated species. Look for habitat and population trends to be used in strategic planning for the management of sagebrush-obligate species.

The Service is particularly interested in the removal of junipers in sage-grouse habitat that still has the potential to support sage-grouse. The removal of juniper may not result in the expected repopulation by native plant species that we want to reestablish. The response of the vegetation community to mechanical/fire removal of juniper will depend on the ecological resilience of each site. Results of the restoration to achieve the desired range of condition will likely be based on a number of factors including the type of fire, management practices after the fire, presence of existing non-native species (e.g. cheat grass), and soil type. Removal of junipers may not necessarily resolve the problem and initiate the natural successional process to reestablish native plant communities.

- 30-22 Juniper cutting and burning activities should be closely evaluated on a site-by-site basis. This would enable the BLM to prioritize mechanical removal and burns on areas likely to respond favorably, such as target sites still hosting adequate densities of understory perennial bunchgrasses. The Eastern Oregon Agricultural Research Center, based out of Burns, Oregon, has done a considerable amount of research on this issue and would be a valuable asset in assisting in prioritizing juniper control efforts and prescribing follow-up treatments to maintain or enhance the ecological integrity of impacted plant communities.

Water Resources

Current watershed uses of streams, riparian areas, and contributing uplands would continue--providing unimpeded progress is being made toward achieving State water quality standards, as well as riparian management objectives and riparian proper functioning condition (PFC). As specific plans are developed--such as allotment management plans (AMPs)—they would incorporate suitable BMPs. Important BMPs would include protection of streams, wetlands, spring sources, and uplands from overgrazing by livestock through construction and maintenance of 500 acres of additional exclosures. These would also incorporate and overlap exclosures protecting important wildlife habitat and archaeological sites. Also, bio-engineering projects would include intensive planting of woody vegetation along stream banks plus other forms of (riparian) vegetation manipulation and stream bank stabilization structures – such as placing downed juniper for erosion control. Such actions would be conducted on 25 miles of perennial, intermittent, and ephemeral streams.

- 30-23 **Comments:** We recommend that BLM include restorative measures to improve water quality and make significant progress toward achieving state standards and the needs of beneficial users in streams not currently in compliance. Restorative measures should emphasize natural recovery processes, livestock exclosures, planting of woody riparian vegetation, and construction of in-stream structures. We would like all streams, springs, and wetlands that do not meet PFC or desired future condition (DFC) be improved to meet those standards. Another 30 miles of streams are in need of treatments to improve either riparian hydrologic function or water quality.

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All programs and activities having the potential to degrade water quality should include BMPs as an integral part of activity plans.

Wildlife and Fisheries

Wildlife is one of the more visible and highly valued resources managed by the BLM. Since the health and welfare of all wildlife species are dependent on the condition of other supporting resources and vulnerable to the direct influence of human activities, management issues are complex.

The Federal Land Policy and Management Act of 1976 (FLPMA) requires that federal lands be managed to protect the environment and its ecosystems, where feasible, in its natural condition. FLPMA places fish and wildlife management on a par with other traditional land uses and requires that a portion of grazing fees be spent for "range betterment," including aquatic and wildlife habitat enhancement, protection, and maintenance on lands where livestock grazing occurs. It also requires that due consideration be given to fish and wildlife resource needs prior to approval of land exchanges.

BLM standards require that rangeland be managed so that: "...habitats are, or are making significant progress toward, being restored or maintained for federally threatened or endangered species, federally proposed (candidate) species...and other special status species." Compliance with the Endangered Species Act (ESA) involves a dual mandate for land management agencies. They must use their authority to carry out programs for the conservation of endangered and threatened species and ensure that any action conducted, authorized, or funded by the agency is not likely to jeopardize the continued existence of any endangered or threatened species. If the managing agency determines that its actions may affect a federally listed species or its identified critical habitat, consultation with USFWS is mandatory.

Corollary to this is the concept of special status species, which includes state-listed and BLM 'sensitive' species. These species are generally limited in their distribution, population, or habitat and may be at risk in certain geographical areas. Where evidence suggests that land-use is adversely affecting a special status species not currently listed as threatened or endangered (by the federal government), it is in the public interest to prevent its listing under the ESA. Restoration and maintenance may also be the preferred course of action where resource conditions are of high-quality or unique to the species of concern.

BLM Manual requires that state-listed species be managed at the level of protection required by state law or under BLM policy for Federal ESA candidate species, whichever would provide the best opportunity for its conservation. It also states that the protection afforded to candidate species shall be used as the minimum level of protection for BLM sensitive species.

Federally Listed Species

Threatened and endangered species and their critical habitats should be managed according to recovery plans, habitat management plans, and regional conservation strategies, as well as through reasonable and prudent measures, terms, conditions, and conservation recommendations

from plan and project-level biological opinions. [ESA 7(a)(1) & 7(a)(2)]. Management is equally applicable to federal candidate species or those proposed for listing. BLM lands should be managed to enhance or maintain habitats and populations of federally listed endangered or threatened species. Habitat should be managed to provide diverse healthy, natural conditions so that populations would recover, stabilize, and prosper. Management actions would contribute to increased populations of endangered or threatened species. This would increase the probability of the species being de-listed as a federal endangered species, or preventing listing of a species in the future.

Bald eagle: Bald eagles (*Haliaeetus leucocephalus*) in the lower 48 states were listed under the ESA as endangered in 1967 and down-listed to threatened status in 1995 (USFWS 1995). Bald eagles within this management unit have achieved most recovery goals for delisting (USFWS 1986).

Bald eagles are relatively common in the AFO area, with nesting territories and winter roost sites throughout. As many as 15 bald eagle nest sites occur on BLM-administered lands in the Fall River planning unit. Nest monitoring occurs almost yearly by various sources. BLM-administered lands provide important foraging habitat for bald eagles. A large wintering population of bald eagles uses several areas throughout the AFO. The wintering population has increased substantially over the last 25 years, consistent with the species recovery throughout its range. Mt. Dome is best known as one of the largest winter roost sites in California. This area, which supports as many as 600 wintering individuals, is managed under the Mt. Dome Management Plan (BLM 1981). Another roosting area is located in the Lava Wilderness Study Area. During the 2006 mid-winter survey a record number of bald eagles were found on the Goose Lake survey route.

Comments: In a model that assesses the effects of disturbance on breeding bald eagles, researchers found that eagles responded differently to stimuli depending on the type and duration of disturbance (Grubb and King 1991). Other researchers have made subsequent recommendations on the need for buffers around eagles. The Service is especially concerned about the potential harassment of eagles at nest sites from increases in truck traffic and OHV use adjacent to the nests.

Consultation with the Service on bald eagle management occurred in 2001, applying conservation measures necessary to protect nesting and roosting eagles. The Service has the following recommendations for bald eagle management:

- 1) Management plans can assist in the long-term maintenance and restoration of eagle habitat.
- 2) Timber and fuel management practices should be designed to maintain and enhance bald eagle nesting, roosting and foraging habitat.
- 3) Treatments may include thinning, prescribed burns, or leaving large-diameter trees as potential nesting sites.
- 4) Expand annual nest monitoring efforts and coordinate with other Federal and State agencies.

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- 5) Implement suitable seasonal, spatial, and other protective measures as required to safeguard nesting birds.

Modoc sucker: The Modoc sucker (*Catostomus microps*) is federally listed as endangered. It is found in the Pit River and several of its tributaries. In the AFO area, Ash Creek and Rush Creek have Modoc suckers year round. These small creeks are in the Warm Springs/Big Valley watershed near Adin. In the Fall River watershed, there is very little occupied, historic, or potential habitat and there is no designated critical habitat on lands administered by the AFO.

Consultation with the Service for Modoc sucker occurred in 2001. During that consultation, it was agreed that very little occupied, historic, or potential habitat and no designated critical habitat is found on AFO lands. The 0.25 mile of potential habitat on AFO lands that occurs on Dutch Flat Creek has been fenced from livestock grazing to improve riparian habitat for Modoc sucker. Other small sections of potential habitat on Ash and Willow Creeks have not received management applications due to the large amount of private lands in these areas.

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Comments: The Service would like to see the BLM manage their lands in accordance with the Modoc Sucker Recovery and Action Plans. Occupied, critical, and non-critical habitat should be managed to achieve proper riparian function. BLM should continue to inventory for the presence and abundance of this species and the composition of associated fish species within critical habitat. BLM should remain an active partner with the state and Federal agencies and private landowners to manage occupied and potential habitats. Where potential habitat exists on non-federal lands adjacent to BLM, seek acquisition of those lands, especially those that contain segments of critical habitat.

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Shortnose and Lost River suckers: Both the Lost River sucker (*Deltistes luxatus*) and shortnose sucker (*Chasmistes brevirostris*) are federally listed as endangered. There currently are no known occupied habitats on BLM-administered lands in the Alturas Field Office area.
Comments: BLM should continue to inventory for the presence of these species, in cooperation with State and Federal agencies. If suckers are found on AFO lands, implement appropriate conservation measures and develop an action plan using the draft recovery plans as a guide.

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Shasta crayfish: The Shasta crayfish (*Pacifastacus fortis*), a federally endangered species, is present in the Fall River watershed in the AFO area. This species is found mainly in the Pit River, where BLM-administered land is a minor component of the area. Recent ESA consultation with the Service (2001) reported the only potential effects on this species on BLM-administered land could occur at the Pit River Campground.

Comments: BLM should cooperate with State and Federal agencies to locate populations and identify habitat. Where habitat exists, implement appropriate conservation measures, and develop an action plan based on the recovery plan for the Shasta crayfish. Update the action plan to include lands newly acquired for the protection of this species. Maintain all current protective fencing at occupied springs and monitor site conditions.

Northern spotted owl: The northern spotted owl (*Strix occidentalis caurina*) is federally listed as threatened. Neither historical nor current northern spotted owl habitat has been identified in

the AFO area. None of the BLM-administered lands in the AFO area are within the northern spotted owl range identified in the Northwest Forest Plan (USDA and USDI 1994) or in designated critical habitat. There are no historical records of this species in Modoc County, but Northern spotted owls have been found in the high-elevation timbered portion of the Widow Peak area. Multiple surveys have failed to locate any nests, and three separate consultations with the Service have been conducted for this area. In the most recent consultation, current range, timber, and recreation management was identified to pose no threats to the owls using Widow Peak.

Comments: There are not enough data to indicate a population trend or range expansion for northern spotted owl in the AFO area. It is likely that some owls use southwestern Modoc County from time to time, in forest similar to that occupied by owls to the west. Where there is potential habitat for spotted owls, BLM should assess whether management actions may affect northern spotted owls or their habitat and consult with the Service if you determine they may.

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Table I: Species that have been federally petitioned for listing in the AFO Area

Species	Special Classification
Oregon spotted frog	Candidate
Yellow-billed cuckoo	Candidate
Greater sage-grouse	None
Tricolored blackbird	None
Pygmy rabbit	None

Yellow-Billed Cuckoo: The yellow-billed cuckoo (*Coccyzus americanus*) is a candidate for federal listing. There are no known records for this species on BLM-administered lands in the AFO area and no known populations in northeastern California. Yellow-billed cuckoos breed in mature riparian forests dominated by cottonwood and willow. There are two records from the nearby Modoc NWR from the 1980s, but these pertain to vagrant individuals. There is some evidence of a historical breeding population in Surprise Valley, but no indication of the size of the population.

Comments: It is reasonable to assume that the species had at least some presence in northeastern California up until the 1920s. It is unlikely that cuckoos will become reestablished in the area in the near future because of the lack of mature riparian forest.

Oregon Spotted Frog: The Oregon spotted frog (*Rana pretiosa*) is a candidate for federal listing. At present, there are no known spotted frog populations on lands administered by the AFO. Historical records indicate that this species was present on the Modoc Plateau, Pit River drainage, and in the Warner Mountains. A 1995 survey to these historical sites by Jennings and Hayes found no individuals present.

Spotted frogs are almost entirely aquatic dependent, generally found in or near a perennial water body including shallow water zones with abundant emergent or floating aquatic vegetation. Its habitat appears to generally include wetland complexes greater than 4 ha in size with extensive emergent marsh coverage that warms substantially. Sites always include some permanent water juxtaposed to seasonally inundated habitat (Pearl and Hayes 2004). Oregon spotted frogs may

have disappeared from more than 80 percent of their original range. The exact cause has not been determined, but is likely related to loss of shallow wetlands, habitat degradation, fragmentation, and introduction of exotic predators. Because there is little information on historical population sizes, trends are difficult to determine. It is likely, however, from the paucity of recent sightings that spotted frogs are extirpated in the region.

Threats to Oregon spotted frogs are many and myriad, and assignment of extra significance to any one threat can be misleading. Because relatively few populations of spotted frogs continue to survive, all sites take on enhanced significance (Pearl and Hayes 2005). Information needs include defining the boundary between the Columbia and Oregon spotted frogs and a map of potential and occupied habitat. Inventory needs include development of a standardized survey protocol for determining presence or absence and compilation of survey efforts.

The closely related Columbia spotted frog (*Rana luteiventris*) is much more widespread than the Oregon spotted frog and seems to have done better, although it is also a candidate for Federal listing. There is some possibility that Columbia spotted frogs could exist on AFO lands. They are known to occur to the north and east of AFO at present.

Comments: BLM should consider effects of livestock management, wildland and prescribed fire activities, realty transactions, contaminants use, and exotic species control as they relate to spotted frogs and spotted frog habitat. There may be potential sites on AFO where either *Rana pretiosa* or *Rana luteiventris* could be (re)-introduced if it can be determined which species was historically present and what factors caused their decline/extirpation in this region. To assist with that opportunity BLM should conserve wetlands, control non-native invasive plants such as reed canary grass, remove lodgepole pine encroaching into wetland complexes, and adopt measures to contain or eradicate bullfrogs.

Sage-grouse: The Sage-grouse (*Centrocercus urophasianus*) was petitioned for listing in 2002 and 2003 (USFWS, 2003a). The Service received three petitions to list the greater sage-grouse as a threatened or endangered species. In April of 2004, the Service completed our 90-day review of the petitions and determined that the petitions as well as other information in our files provided substantial biological information indicating that further review of the status of the greater sage-grouse was warranted. The Service then initiated a full status review to determine whether listing of the greater sage-grouse was warranted. In our 12-month finding published January 12, 2005 (USFWS, 2005b) the greater sage-grouse was found not-warranted for listing over its entire range.

The greater sage-grouse is the largest North American grouse species. Prior to European expansion into western North America, sage-grouse were believed to occur in 16 States and 3 Canadian provinces (Schroeder et al. 1999; Young et al. 2000). There may have been between 1.6 and 16 million sage-grouse in western North America (USFWS, 2000). At present, sage-grouse occur in 11 States and 2 Canadian provinces, ranging from extreme southeastern Alberta and southwestern Saskatchewan, south to western Colorado, and west to eastern California, Oregon, and Washington. Current population estimates range from approximately 100,000 to 500,000 individuals. Sage-grouse populations declined an average of 3.5 percent per year from

1965 to 1985. From 1986 to 2003, the population declined at a lower rate of 0.4% and fluctuated around a level that was 5% lower than the 2003 population (Connelly, et. al. 2004).

Sage-grouse depend on a variety of shrub-steppe habitats throughout their life cycle, and are particularly tied to several species of sagebrush. During the spring breeding season, primarily just after dawn, male sage-grouse gather together and perform courtship displays on display areas called leks, which can be used for many years. Sage-grouse leks are often located in open areas surrounding sagebrush (Connelly, et. al. 2004). A relatively small number of dominant males accounts for the majority of breeding on a given lek (Schroeder et al. 1999). Sage-grouse normally nest under sagebrush shrubs and nesting habitat contains tall grass cover (Gregg et al. 1994). Nests in lower quality habitats are usually unsuccessful due to nest abandonment and predation. Brood-rearing habitat is wet meadow and riparian habitats where the young can find abundant insects. These insects are a critical food source to young sage-grouse during their first few weeks of life. Sage-grouse winter in relatively dense sagebrush at a variety of elevations that include windswept ridges and sagebrush flats.

Sage-grouse occur throughout the Alturas Field Office planning unit and have a long history of presence in the Madeline Plains. Currently, seven leks are monitored yearly and another dozen are no longer used by grouse. Sage-grouse have probably been declining for years in Modoc and Lassen Counties (Armentrout 2004). Anecdotal information from older generation ranchers suggests that several thousand birds existed in Modoc and Lassen Counties during the 1940s and 1950s. Historical information about sage-grouse in these counties is not available before 1980; however, accurate lek count information has been obtained since the early 1980's.

The Alturas Field Office contains three sage-grouse population management units (PMU); Buffalo-Skedaddle, Likely Tablelands/Rocky Prairie, and Devil's Garden/Clear lake. These PMUs cover several million acres of potential sagebrush habitat in northern California and Nevada. These PMUs are being analyzed in a conservation planning effort by BLM's Eagle Lake, Surprise, and Alturas Field Offices, in cooperation with the CDFG and the Nevada Division of Wildlife.

Radio telemetry studies by CDFG determined the plains to be a significant summering area for sage-grouse. These studies showed that some birds that use the plains during summer move more than 50 miles. Survey efforts have found only 10% of all known leks are documented to be active, with 60% thought to be inactive, and there is not enough information to determine the status of the remaining 30%. The population of sage-grouse in the Cold Springs area has been increasing during the past few years due to improved habitat from prescribed burning. The Likely Tablelands population is less than 50 total birds and is at risk of extirpation. The Hayden Hill population is currently less than 30 birds and it too is in danger of extirpation. Only about 10% of the planning unit is in good condition for sage-grouse and other sage-obligate species. The spread of noxious weeds, decades of heavy grazing, and juniper encroachment have contributed to the degradation of sagebrush/grassland habitat. Habitat improvement projects will be necessary to maintain this population.

Comments: The BLM should provide a sage-grouse conservation strategy that addresses the following:

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- 1) Minimize human disturbances within breeding and nesting areas. Restrict activity on sage-grouse leks when active during breeding season. OHV management strategies to maintain sage-grouse habitat and use by sage-grouse should be implemented.
- 2) Some sage-grouse habitat within the planning area is highly fragmented by roads and trails. The identification and conservation of un-fragmented patches is important. The largest low road density patches warrant management attention and road closures should be strongly considered in these areas. Strategically closing roads and trails to enlarge un-fragmented patches within sage-grouse habitats could be an effective conservation strategy.
- 3) Removal or alteration of sagebrush should be discouraged within sage-grouse management areas, particularly near leks, nest sites, wintering areas, riparian areas, meadows, lake beds, and farmlands.
- 4) Prescribed fires in areas used by sage grouse during winter should be limited in size and cover no more than 20% of the area within any 20-year interval (depending on estimated recovery time for the sagebrush). Because the availability of critical wintering habitat is likely the most significant limiting influence on sage-grouse, any burning conducted in wintering habitat should be done with extreme caution as a means to restore habitat, and only very small portions of wintering habitat should be burned during any given season. Avoid using fire where increase of or invasion by cheatgrass is likely.
- 5) Grazing in sage-grouse breeding, brood-rearing, and winter habitats should be light enough to promote long-term sustainability of habitat and stocking rates should be reduced during drought.
- 6) Insecticides should not be applied to sage-grouse summer habitat. Organophosphorus and carbamate insecticides are especially toxic.
- 7) Avoid building powerlines, wind turbines, and other tall structures within sage-grouse habitat or within 5 miles of leks.
- 8) Cooperate with CDFG and other partners in systematic monitoring of sage-grouse populations.
- 9) Translocations could be considered to augment low population densities in conjunction with habitat management projects.

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The Service is particularly concerned with potential loss, degradation, and fragmentation of any more sage-grouse habitat to agricultural conversion, herbicide and mechanical treatments, OHV use, excessive livestock grazing, juniper encroachment, exotic species, wildfire, prescribed fire, powerlines, and recreational use. We support agricultural set-aside programs (such as the Conservation Reserve Program and the Wetlands Reserve Program) in sage-grouse management areas and encourage enrollees to plant a diverse range of perennial shrubs, grasses, and forbs and to retain annual residual cover. The BLM should consider the cumulative effect of roads, motorized trails, and power lines, which degrade sage-grouse habitat or alter the use of these habitats by inhibiting movement, causing displacement or avoidance during breeding season.

Pygmy rabbits: The pygmy rabbit (*Sylvilagus idahoensis*) was recently petitioned for federal listing but denied (USFWS, 2005c). The species depends on sagebrush, primarily big sagebrush

(*Artemisia tridentata*) located in deeper soils (Csuti et al. 1997). During most of the year, the pygmy rabbit feeds almost exclusively on the leaves of sagebrush. However, during summer, grass may account for up to 30-40% of the diet. Pygmy rabbit burrows are usually under big sagebrush. In some instances, they are known to use old badger and marmot burrows or natural cavities.

Potential habitat for pygmy rabbits exists in many locations in the AFO area, but these have not been systematically surveyed. The paucity of recent sightings suggests that the species is currently rare or may be extirpated in the region. Populations have been declining throughout its range over many decades, associated with conversion of sagebrush habitat to agricultural uses on privately held lands. Loss of favorable habitat to agriculture, over-grazing, and conversion of sagebrush to exotic grasslands presents a threat to the species. Roads and cleared areas may be barriers to dispersal.

Comments: We recommend that BLM conduct surveys for pygmy rabbit within suitable habitat to determine if an existing population is extant within the AFO area. If new populations are found:

- 1) BLM should monitor them to determine size and trend of the population.
- 2) Cooperatively develop a conservation strategy to protect occupied habitat.
- 3) Develop assessment parameters for habitat recognition and assessment strategies.
- 4) Develop 'best management practices' for other resource management activities to conserve pygmy rabbit habitat and extend management considerations into all potential habitat areas.

Tricolored blackbirds: The tricolored blackbird (*Agelaius tricolor*) was recently petitioned for Federal listing (Center for Biological Diversity 2004). The Tricolored Blackbird forms the largest breeding colonies of any North American landbird, with a single colony consisting of tens of thousands of birds. Once numbering in the millions, the Tricolor population has declined dramatically over the past 70 years. Tricolored blackbirds have grown increasingly rare as the extensive wetlands and native grasslands once used for nesting and feeding have been lost to development. The Tricolor population fell by about 37% between 1994 and 1997 and by an additional 38% between 1997 and 2000. California supports more than 99% of the entire population. The colonial nature of the tricolored blackbird makes it particularly vulnerable to extinction. Because the birds instinctively congregate into the largest breeding colonies possible as a defense against predation, a small number of individual colonies can contain a high proportion of the overall population. Thus, impacts on these colonies can have devastating results.

There are scattered, local breeding colonies of tricolored blackbirds in Modoc County; it is possible that some are established in BLM-administered wetlands in the AFO area. Although yearly sightings are common, there is little information on historical or current status of this species in the AFO area.

Comments: The Service recommends the BLM enhance habitat for tricolored blackbirds by protecting riparian and wetland areas and encouraging vegetation such as cattails and tules.

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BLM-sensitive species: Surveys have been conducted for a few state-listed and BLM sensitive species; Swainson's hawks, ferruginous hawks, bats, and willow flycatchers. There is very sparse information regarding the other state-listed and BLM sensitive species for the AFO area. For some species, there is not enough data to indicate presence or absence of the species. For others known to occur here, population trends can not be determined. Species status for the California-listed and BLM sensitive species described below are presented in Table II.

Table II: State-listed and BLM sensitive species in the AFO Area

Species	Scientific Name	Classification
Willow Flycatcher	<i>Empidonax traillii</i>	State endangered
Swainson's hawk	<i>Buteo swainsoni</i>	State threatened
Bank swallow	<i>Riparia riparia</i>	State threatened
Greater sandhill crane	<i>Grus canadensis tabida</i>	State threatened
California bighorn sheep	<i>Ovis canadensis californiana</i>	State threatened
Golden eagle	<i>Aquila chrysaetos</i>	BLM sensitive
Ferruginous hawk	<i>Buteo regalis</i>	BLM sensitive
Burrowing owl	<i>Athene cunicularia</i>	BLM sensitive
Juniper titmouse	<i>Baeolophus ridgwayi</i>	BLM sensitive
Northern sagebrush lizard	<i>Sceloporus graciosus graciosus</i>	BLM sensitive
Yuma myotis	<i>Myotis yumanensis</i>	BLM sensitive
Fringed myotis	<i>Myotis thysanodes</i>	BLM sensitive
Long-eared myotis	<i>Myotis evotis</i>	BLM sensitive
Small-footed myotis	<i>Myotis ciliolabrum</i>	BLM sensitive
Long-legged myotis	<i>Myotis volans</i>	BLM sensitive
Pallid bat	<i>Antrozous pallidus</i>	BLM sensitive
Spotted bat	<i>Euderma maculatum</i>	BLM sensitive
Townsend's western big-eared bat	<i>Corynorhinus townsendii</i>	BLM sensitive

Willow Flycatcher: Willow flycatchers breed in willow thickets, in riparian areas and wet meadow systems (CDFG 1999). Surveys in 2000 and 2003 found no willow flycatchers in the planning area.

Swainson's Hawk: There are no recent data on population size nor is there current monitoring of known pairs. The encroachment of juniper into formerly open habitats may provide additional nesting habitat but has reduced the foraging area available to Swainson's hawks.

Bank Swallow: There is no information on historical or current status of this species, but it is possible that some colonies are established in the AFO area. One known colony of bank swallows occurs in the Fall River area.

Greater Sandhill Crane: Several pairs of cranes have been found nesting on BLM-administered lands within the AFO area. Nesting areas and nest success have not been well documented. The

population trend for greater sandhill cranes overall has been increasing throughout Modoc County.

California Bighorn Sheep: Currently, no populations of California bighorn sheep are known to exist on lands administered by the AFO. There have been re-introductions on nearby districts since the late 1980s, and California bighorn sheep are found in the Warner Mountains east of the AFO area.

Golden Eagle: Golden eagles are long-lived and loyal to their territories (Steenhof et al. 1997). Locally, most golden eagles use cliffs for nesting, although some may use large trees (Menkens and Anderson 1987). A study by BLM biologists in northeastern California showed that jackrabbits and cottontail rabbits comprised over 90% of the biomass consumed by golden eagles in the breeding season (Bloom and Hawks 1982). Many golden eagle nest sites occur in the AFO area and the species is present within all watersheds. The BLM applies LOPs during the nesting season around known active nests. The golden eagle population trend is unknown, but there is no evidence of decline.

Ferruginous Hawk: The ferruginous hawk is commonly found in association with open grasslands, sagebrush flats, desert shrub, and juniper woodland fringes. The most common food sources are rabbits, ground squirrels and mice; but this hawk may also take birds, reptiles, and amphibians (CDFG 1999). They are uncommon but can be found locally during the winter months at lower elevations. There are a few records of pairs during the breeding season in Modoc County during the 1980s and 1990s. No known formal surveys have been conducted for ferruginous hawks in the AFO area, although it has been documented in most of the AFO area.

Burrowing Owl: The burrowing owl is a year-round resident of open grasslands and sagebrush stands. This small owl uses the burrows of ground squirrels and other small mammals to make its home and hunts from low perches where it may pounce on its prey. Burrows and shrubs are important to this species for thermo-regulation. Rodent-eradication campaigns can lead to abandonment of the area by burrowing owls. In areas where burrows are scarce, human-made structures such as pipes, culverts, and nest boxes have been used for nesting (CDFG 1999).

Burrowing owls are known to occur at the Madeline Plains, but no other documented sightings have been made in the past few decades. Most observations have been in association with culverts and other disturbed areas. This species has likely declined in northeastern California since the mid-1980s. The cause of this species' decline in Modoc County is unclear, although ground squirrels have been poisoned on private lands and large areas have also been converted to agricultural uses in the Madeline Plains area. There are no consistent and systematic surveys for these owls in the AFO area.

Comments: The Service has the following recommendations for burrowing owl management:

- 1) Inventory and map suitable habitat and determine species abundance.
- 2) Develop a conservation strategy to protect identified burrow locations and other seasonal habitats.
- 3) Develop parameters for habitat assessment.

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- 4) Develop 'best management practices' for activities affecting burrowing owls and their habitats.
- 5) Consider proactive management such as artificial burrows, prey enhancement projects, etc.

Juniper Titmouse: The juniper titmouse is found primarily in association with juniper and desert riparian areas. The juniper titmouse roosts in cavities of trees or snags, and nests in natural or human-made cavities (e.g., woodpecker holes or other natural cavities, or nest boxes). Juniper titmouse feed on spiders, insects, berries, and seeds gleaned from twigs, branches, and the bark of trees (CDFG 1999). Little is known about this species beyond its occurrence in particular habitat types, which are common on lands managed by the AFO.

Northern Sagebrush Lizard: The northern sagebrush lizard is widely distributed in the Great Basin shrub and juniper woodland habitats. It almost exclusively eats small arthropods, especially ants and beetles. It is believed that this lizard does not need free water. It is considered an important prey species for some snakes and predatory birds (CDFG 1999). Surveys have not been conducted for sagebrush lizards or their habitats in the AFO area.

BLM Sensitive Bats: A variety of sensitive bat species are found throughout the AFO area due to a high amount of suitable habitat. Rock outcrops, canyon cliffs, trees, and mineshafts provide roosting and maternity habitats. Northeastern California has few historic mining shafts that provide important bat habitat elsewhere. A variety of bat surveys have been conducted on BLM-administered lands in the AFO area and a large variety of species have been found. Significant nursery caves have been found, but there is much more potential habitat where surveys have not been conducted.

Yuma myotis inhabit open woodlands and forests with streams, stock tanks, and ponds over which they feed and drink. They roost in buildings, bridges, mines, caves, and crevices, as well as abandoned swallow nests. Winter habitat is poorly understood, but this species appears to hibernate (Altenbach, et. al. 2002).

Fringed myotis occur in a variety of habitats, including desert scrub, grasslands, sagebrush steppe, pinyon-juniper woodlands, and pine forests. They forage primarily on beetles on or near vegetation but also will prey upon moths and other flying insects over water and open areas. Trees are important day roosts; caves and mines are used only at night. This species usually forms nursery colonies numbering up to 200 adult females, but males are often found roosting alone or in small groups. This species does not migrate and hibernates in caves and mineshafts (Altenbach, et. al. 2002).

Long-eared myotis are found primarily in juniper and higher-elevation coniferous forests. Long-eared myotis feed along open habitat edges, in open areas, and over water. They avoid highly arid areas and are closely associated with water. Nursery colonies and roost sites consist of buildings, crevices, snags, and the spaces under bark. Caves are used primarily as roost sites. The long-eared myotis forages on beetles, moths, spiders, and flies over water, trees, and shrubs. This species does not migrate, but little is known of its winter hibernation habits (Altenbach, et. al. 2002).

Small-footed myotis occur in a variety of habitats, including desert scrub, grasslands, sagebrush steppe, pinyon-juniper woodlands, and pine forests. Summer and winter ranges appear to coincide. Often seen foraging over water and trees, these bats prey on aerial moths, flies, beetles, and bugs. Small maternity colonies are found in buildings, caves, and mines. These sites, as well as bridges and bark crevices can be used for roosting. Small-footed myotis prefer humid roost sites, and are often seen drinking water soon after emerging. They have a high tolerance for cold and can be found in drafty sites less tolerable to other myotis. The species is known to hibernate and often can be found feeding or roosting with other bat species (Altenbach, et. al. 2002).

Pallid bats occur in a variety of habitats, including desert scrub, grasslands, sagebrush steppe, pinyon-juniper woodlands, and pine forests. They prey primarily on large arthropods on the ground, including beetles, crickets, and centipedes, but also will take moths in flight. Their day roosts include trees, rock outcrops, mines, caves, buildings, and bridges. At night, they roost primarily under bridges, and in caves and mines. They do not migrate and sometimes awake from hibernation during winter to forage and drink (Altenbach, et. al. 2002).

Spotted bats occur in a variety of habitats, including desert scrub, grasslands, sagebrush steppe, pinyon-juniper woodlands, and pine forests. They are closely associated with cliff faces, where they primarily roost. They sometime roost during winter in caves and have been documented roosting in buildings. Spotted bats prey on moths and other flying insects, most often over canyons, riparian vegetation, or open meadows and shrublands. They are not known to congregate as they often forage and roost alone. They do not migrate and sometimes awake from hibernation during winter to forage and drink (Altenbach, et. al. 2002).

Townsend's western big-eared bats occupy a variety of habitats, including late-seral stage forests and riparian areas. Foraging habitats are varied, but they primarily prey on moths. These bats roost exclusively in caves, mines, and buildings. Caves need to meet specific microclimatic conditions for successful roosting, and this species is very susceptible to disturbance (Campbell and MacFarlane 2000). Potential habitats for this species include almost all vegetation types; however, the presence of caves, mines, buildings and other human-made structures is essential (Altenbach, et. al. 2002). Most potential roosting and reproduction habitats have not been inventoried in the AFO area.

Table III: Seasonal Use Restrictions and Distance Buffers for Specific Wildlife Species

Species	Sites	Distances	Dates
Bald eagle	nests	¼ mile non-LOS, ½ mile LOS, 1 mile blasting	Jan. 1 – Aug. 31
Bald eagle	winter roosts	¼ mile non-LOS, ½ mile LOS, 1 mile blasting	Dec. 1 – Apr. 1
Golden eagle	nests	¼ mile non-LOS, ½ mile LOS	Feb. 1 – Aug. 31
Northern goshawk	nests	¼ mile occupied, ½ mile prev. yr. nest	Mar. 1 – Aug. 31
Cooper's hawk	nests	¼ mile	Mar. 1 – Aug. 31
Sharp-shinned hawk	nests	¼ mile	Mar. 1 – Aug. 31
Ferruginous hawk	nests	¼ mile non-LOS, ½ mile LOS	Mar. 1 – Aug. 31

Red-tailed hawk	nests	¼ mile	Mar. 1 – Aug. 31
Swainson's hawk	nests	¼ mile non-LOS, ½ mile LOS	Apr. 15 – Aug. 15
Peregrine falcon	nests	1 mile	Jan. 1 – Aug. 15
Prairie falcon	nests	¼ mile non-LOS, ½ mile LOS	Mar. 15 – Aug. 15
Osprey	nests	¼ mile	Mar. 1 – Aug. 31
Burrowing owl	nests	¼ mile	Mar. 1 – Aug. 31
Flammulated owl	nests	¼ mile	Apr. 1 – Sept. 30
Great gray owl	nests	¼ mile	Mar. 1 – July 31
Great blue heron	nests	660 feet non-LOS, ¼ mile LOS	Mar. 15 – July 15
Greater sandhill crane	nests	¼ mile	April 1 – July 1
Townsend's big-eared bat	nurseries	n/a	Apr. 15 – Oct. 31
Townsend's big-eared bat	hibernaculae	n/a	Nov. 1 – Apr. 15

These are typical restrictions and general guidelines--specific dates and distances may vary depending on the nature of the proposed permitted action, local breeding chronology, and local (yearly) weather patterns.

Note: LOS = line-of-site

Other sagebrush-obligate species: Habitat for wildlife in the AFO area would be managed so that food, water, vegetation composition and structure, as well as security and thermal cover would be available and adequate for the year-round needs of native wildlife species. Habitats for all native terrestrial wildlife would be managed according to the *Standards and Guidelines for Rangeland Health in Northeastern California and Northwestern Nevada*.

Comments: Restore degraded and disturbed sagebrush habitats to healthy condition and collaborate with managing partners, private landowners, and other stakeholders to strategize and implement treatments. Management should be guided by these standards:

- 30-36 1) Wildlife habitats must include seral stages, vegetation structure, age classes, and patch-size adequate to support diverse and viable wildlife populations.
- 30-37 2) Ensure adequate reproduction and recruitment of plants and animals when favorable events occur.
- 30-38 3) Habitat areas are sufficient to support diverse, viable, and desired populations and are adequately interconnected with other, similar habitat areas to insure genetic exchange.
- 30-39 4) Non-native plants and animals would be managed to keep their populations at acceptable levels.
- 30-40 5) Migratory birds would be managed in accordance with the Migratory Bird Treaty Act and Migratory Bird Executive Order 13186, *Responsibilities of Federal Agencies to Protect Migratory Birds*.
- 30-41 6) Survey sagebrush associated species and determine demographic trends and habitat utilization.
- 30-42 7) Maintain or enhance the biodiversity of springs, wetlands, and riparian areas and sustain healthy multi-aged stands of aspen, mountain mahogany, oak woodlands, bitterbrush, and a variety of mountain shrub communities.

- 30-43 8) Provide sufficient water to meet the needs of upland game birds and other wildlife through maintenance of existing guzzlers and construction of new water sources in areas where natural water sources are limited.
- 30-44 9) Construct brush piles for upland game bird and small mammal habitat.
- 30-45 10) Translocations and/or augmentations of native species would be coordinated with state and federal wildlife agencies.
- 30-46 11) Implement seasonal protective measures and buffer zones as necessary to avoid or reduce disturbance of nesting raptors, cranes, herons, and important caves.

30-47 **Fish and Other Aquatic Species:** The BLM should inventory aquatic life forms and identify species, or groups of species, that need special management and determine species abundance.

30-48 Aquatic habitats would be protected from degradation and managed to recover, enhance, and maintain habitat for native and desirable nonnative fish populations and other aquatic species and protect streams, riparian and wetland ecosystems from degradation. All streams and fish-bearing springs would be managed to recover and maintain suitable habitat for native fish. In particular, the distribution and abundance of redband trout should be increased through restoration and maintenance of suitable habitat. Provide clean spawning gravels where these are lacking or inadequate. Projects would be based on 'best management practices' for restoration and rehabilitation. Develop additional reservoirs when appropriate to provide more water for game species, as well as additional public recreational opportunities. Monitor streamside vegetation and conduct macro-invertebrate sampling, and riparian trend analyses, to assess aquatic habitats on an ongoing basis. Modify the timing and/or utilization levels of livestock grazing, if it is determined that present use is contributing to the deterioration of aquatic and riparian habitats.

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Ungulates: The focus for big-game would be the management of 128,000 acres of priority mule deer habitat and 60,145 acres of key pronghorn habitat. These areas contain important year-round habitats as well as key wintering and fawning/kidding habitats. An additional 130,000 acres of important low sagebrush would be managed for pronghorns. Management actions would be designed to optimize vegetation health (i.e. improve age-class and species diversity to produce a suitable mixture of foraging and breeding habitats, as well as escape and thermal cover). Seasonal closure of roads and trails to protect big-game should be implemented on important wintering areas. New fences should be designed to allow unimpeded movement of wild ungulates and existing fences would be upgraded to that standard. Water would be left in cattle troughs for wildlife use from June through October of each year. Monitor and properly maintain existing and future water developments. Livestock grazing should be timed to reduce direct conflict with pronghorn kidding during May and June. Adjust allocations for livestock grazing so that adequate forage is available for big-game species in priority areas, especially for wintering big-game on the Likely Tablelands. Maintain and construct fences and exclosures using approved wildlife fencing specifications to facilitate freedom of movement and prevent injury to wildlife. Cooperate with State agencies to amend and update their herd management plans and GIS databases for big-game species. Invasive juniper would be eliminated or significantly reduced where encroachment has altered the ecological potential of ungulate habitats. Recovery of such sites may require reseeding with desirable native species.

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- 30-62 Rocky Mountain elk numbers could increase in the management area. BLM should coordinate with State wildlife agencies and other affected parties to develop a management plan for elk.
- 30-63 Reintroduction, transplantation, and natural expansion of bighorn sheep would be allowed. Poor-quality habitat in historic sheep range should be identified and improved where feasible. The AFO will coordinate with CDFG to develop a management plan prior to reintroduction of California bighorn sheep.

- 30-64 **Non-Native Wildlife:** Populations of undesirable non-native species would be eliminated or adequately controlled. Evaluate proposed introductions and translocations of non-native species in accordance with BLM policy and directives and habitat management goals and objectives.
- 30-65 Exotic or domesticated species that have reverted to a feral state (feral species) and are adversely impacting native species or habitats should be controlled in a manner consistent with state and federal policies, procedures, and regulations. Non-native species should only be allowed when
- 30-66 suitable native species are not available, biological diversity would not be diminished, ecological site inventory information indicates that a site would not support reestablishment of a species that historically was part of the natural environment, or resource management objectives cannot be met with native species. Coordinate with state wildlife agencies regarding introduced brown trout, rainbow trout, and brook trout.
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- 30-5 **California Wildlife Action Plan:** The State of California has developed a Wildlife Action Plan (CWAP) for the state. This comprehensive plan is designed to assess current populations, conservation status, and management and monitoring needs for all species of fish and wildlife under State management authority (mammals, birds, reptiles, amphibians, fish, and some aquatic invertebrates). We recommend that the Alturas RMP reference the CWAP and support it at some level.

- 30-68 When more detailed information regarding a particular species is required, wildlife information systems and species records should be used to conduct assessments of habitat quality for animals of management concern. The California Wildlife Habitat Relationships System (CWHR) and Habitat Evaluation Procedures (HEP) models may be useful for these assessments. These models are based on the assumptions that through habitat assessments, habitat capability (quality) for a particular species or group of species can be determined. The California Natural Diversity Data Base could be used to help assess the significance of BLM actions on special status animal species and rare plant communities.

Adverse impacts on wildlife would be greatest under Alternative 3 (primarily due to its focus on livestock grazing and recreation), followed by Alternative 1, No Action, the Preferred Alternative, and Alternative 2 (in that order).

- 30-69 **Service Recommendations:** All appropriate primary wildlife emphasis guidelines for habitat effectiveness, fragmentation, road densities, and habitat restoration treatments, should be applied to ensure that future proposed actions benefit wildlife and retain high wildlife use. Actions that
- 30-70 do not benefit wildlife or retain high wildlife use within primary wildlife emphasis areas should be modified or discontinued to retain high wildlife use within these areas.

Management should aggressively tackle the extensive and sometimes severe habitat degradation which has occurred over the past century as a result of historic land-use practices. This has resulted in invasive juniper encroachment, the proliferation of noxious weeds (primarily cheatgrass and medusahead), and excessive accumulation of forest and woodland fuels.

Management should embrace a three-tiered approach to ecosystem restoration:

1. Remaining intact habitats with viable wildlife populations would receive highest priority for maintenance actions aimed at preserving ecosystem function (e.g. a 'managed disturbance' regime).
2. Degraded habitats with the greatest potential for restoration and maintenance of plant and wildlife populations--or for re-connecting isolated habitats--would receive the highest priority for active management.
3. Heavily degraded habitats would be the focus of long-term, interagency and community-based planning and implementation efforts to reclaim sagebrush habitat over the long-term. Remnant wildlife populations within heavily degraded sagebrush habitats may require emergency action to retain biodiversity. Such actions may include: reintroduction of native plant species; introduction of intermediate, 'transition' vegetation types to displace exotics; and habitat manipulations or plantings to stem further losses (e.g., 'green-stripping,' to protect remnant habitat features from wildfire).

The AFO should partner with other conservation partners to determine the status and, where needed, improve conditions for BLM sensitive species and their habitats. BLM should survey for all State-listed and BLM-sensitive species to determine presence, abundance, distribution, and identify habitat or seasonal use areas. When a population of any of these species is discovered, an implementation strategy should be developed. Where appropriate, seasonal protective measures and buffer zones will be enforced where permitted activities compromise utilization of habitat by any of these species. Develop and maintain a GIS database to document and track information related to special status species and develop action plans.

Given the potential for damaging lands and disrupting plant and wildlife populations, we recommend establishing adaptive management procedures in order to track authorized and unauthorized OHV use to allow effective and timely resource management changes when necessary.

We appreciate the opportunity to comment on the RMP. The Service supports the BLM's efforts to provide a comprehensive framework for managing the BLM-administered public lands. We would like to work with you to further protect and enhance fish and wildlife species and their habitat. If we can be of any assistance, or if you have any questions regarding these comments, please contact Rick Hardy at (541) 885-2504.

Attachments

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Dan Skopec
Acting Secretary

California Regional Water Quality Control Board
Lahontan Region



Arnold Schwarzenegger
Governor

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
(530) 542-5400 • Fax (530) 544-2271
<http://www.waterboards.ca.gov/lahontan>

Eagle Lake RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130
necarp@ca.blm.gov
moggles@ca.blm.gov

REVIEW OF BUREAU OF LAND MANAGEMENT (BLM) RESOURCE MANAGEMENT PLAN (RMP) AND ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE EAGLE LAKE, ALTURAS, AND SURPRISE FIELD OFFICES

Note: I will restrict my comments primarily to those regarding grazing and its impacts on the environment.

Vol. 2, A-14 & 15 Standard 3 Water Quality – just a reminder that the Water Quality Objectives for the California Regional Water Quality Control Board, Region, can be accessed on our web site at:

http://www.waterboards.ca.gov/lahontan/BPlan/BPlan_Index.htm

Key water quality objectives related to monitoring of grazing-related impacts include:

Bacteria, Coliform

Waters shall not contain concentrations of coliform organisms attributable to anthropogenic sources, including human and livestock wastes.

The fecal coliform concentration during any 30-day period shall not exceed a log mean of 20/100 ml, nor shall more than 10 percent of all samples collected during any 30-day period exceed 40/100 ml. *The log mean shall ideally be based on a minimum of not less than five samples collected as evenly spaced as practicable during any 30-day period. However, a log mean concentration exceeding 20/100 ml for any 30-day period shall indicate violation of this objective even if fewer than five samples were collected.*

Biostimulatory Substances

Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect the water for beneficial uses.

Priorities include: (1) 303(d)-listed waterbodies; (2) endangered species; and (3) sensitive areas – riparian and wetland areas. However, no plans are outlined for BMP implementation or other corrective actions for these waters. For example, if a waterbody is 303(d)-listed for pathogens or nutrients, what is the formal process to verify the impairment and/or correct the problem?

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California Environmental Protection Agency



31-2 Extensive experience monitoring livestock impacts from cattle to surface water quality has shown that livestock, especially cattle, must be excluded from surface waters if fecal coliform standards are to be met. It is suggested that exclusion fencing be utilized extensively around surface waters, and that off-stream watering facilities be developed, rather than allowing direct access.

31-3 Sheep require different management—location of the base camp is more important. Sensitive areas should be excluded from grazing by locating the base camps at least ¼ mile from these areas, and herding to avoid. Watering of sheep directly in surface waters is not as problematic as with cattle because they tend to avoid water and have minimal impacts on water quality and stream environment zones so long as forage utilization therein is limited to within standards.

31-4 Appendix 2, A-25-37 The sentence with “National” Resource Conservation Service is incorrect (A-37). It should read Natural Resource Conservation Service.

31-5 The Section is generally good, but what sort of monitoring program will be used to verify compliance with State water quality standards? No monitoring program, protocol, or concrete process for developing monitoring plans is given.

31-6 Also, a number of waters are listed as being in violation of State standards, yet no formal mechanism is in place to notify the Regional Board when monitoring results show that standards have been violated. Essential fecal coliform data from the AMS was not included in the report, but should be. For example, data of fecal coliform for the Susan River at Hobo Camp suggests that it is an impaired waterbody for pathogens.

31-7

31-6 The BLM relies primarily on the Water Quality Control Board to identify impaired waters or high probability of impaired water (page A-36). However, if BLM is sampling these waters and Lahontan staff does not receive the data, how is Lahontan staff to determine if waters are impaired or not? There clearly needs to be a formal process for sharing of monitoring data. Perhaps this may be addressed in the Statewide MAA that is being developed by BLM management and the State Water Resources Control Board. We should make every effort to ensure that it is. In any case, BLM staff and Lahontan staff should meet soon to work out the details of cooperative data collection and sharing.

Sincerely,

Bruce T. Warden, Ph.D.
Environmental Scientist

JESSICA JIM
TRIBAL CHAIRMAN

MARIA ORAZCO CUE
VICE CHAIRMAN

JOLLEE GEORGE
TRIBAL SECRETARY



PIT RIVER TRIBE
37118 Main Street
Burney, CA 96013

Telephone
(530) 335 5421
(530) 335 3140 FAX

ELEVEN AUTONOMOUS BANDS

9/29/2006

To: Alturas RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

From: Sharon Elmore
Cultural Information Officer

RE: Pit River Tribe Comments

To whom this may concern:

We, the Pit River Tribe would like to make our comments on the Bureau of Land Management, Resource Management Plan and Environmental Impact Statement Book. Here are the comments below;

1. The book opens up to more mining of Geothermal, and minerals like obsidian, lava rock, and pumice stone, which we do not want. Less of the minerals taken the better off the landscape will be.
2. When a project of any kind is proposed and archaeological inventory and evaluation is conducted to determine appropriate action the Pit River Tribe should be contacted and be there when this is done, (especially when its in the Pit River Tribes ancestral area.)
3. Under alternative 1 economic development it says that known rock art locales would be thoroughly surveyed and recorded and a rock art brochure and guide would be developed for the resource area. This is a major red flag; people will see these prehistoric petroglyphs, rock art and some people will deface the rock art. The Pit River Tribe has serious concerns about the brochure sharing program and cultural tourism in this sacred and prehistoric arch, sites. We do not want indiscriminate access to these fragile cultural areas.

No development, geothermal leasing, obsidian mining, and power hydros at the expense of our sacred and archaeological sites. We are requesting a monitoring protocol put in

ATSUGEWI

ATWAMSINI

MADESI

ASTARAWI

APORIGE

AJUMAWI

HEWISEDAWI

ILMAMI

ITSATAWI

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HAMMAWI

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32-5

place to address what protection measures BLM is following to protect our sacred, village, and cultural sites.

Thank you,
Sharon Elmore, Cultural Information Officer for the Pit River Tribe.

ATSUGEWI

**DOCUMENTATION OF TRIBAL GOVERNMENT CONSULTATION
&
COORDINATION**

Bureau of Land Management, Alturas Field Office

CHECK TYPE (S) OF MEETING:

- | | |
|---|---------------|
| 1. Formal government-to-government consultation (BLM Manager w/Tribal Council/Chair) | <u> X </u> |
| 2. Government-to-government info sharing (BLM Manager or Liaison/BLM Staff w/Tribal Chair/Council) | <u> </u> |
| 3. Coordination on project/planning/program work or proposal (BLM Liaison/BLM Staff w/Tribal Staff) | <u> </u> |

TRIBE (Names & Roles): Pit River Tribal Council, Jessica Jim (Tribal Chairperson)

BUREAU OF LAND MANAGEMENT (Names & Roles): Tim Burke (Alturas Field Manager).

DATE(S) OF MEETING: 9/29/06 – Burney, CA

TOPIC(S) & MAJOR POINTS: Tribal Comments on the Draft Alturas RMP including working lunch.

Sharon Elmore (Cultural Information Officer) submitted written comments including 1. A request for less mining and geothermal development; 2. The Tribe should be contacted when any type of archaeological inventory or evaluation is proposed and should be on site when it is conducted; 3. There should be no rock art brochure and guide developed by the BLM; 4. There should be no development allowed at the expense of archaeological sites; 5. A monitoring protocol should be developed with tribal input and put in place to protect cultural sites.

Additional verbal; comments included:

- 33-1 -Improved access to public land puts cultural resources and artifacts at risk.
- 33-2 -The Tribe is interested in purchasing sensitive lands including Yankee Jim Ranch.
- 33-3 -Irvin Brown is interested in participating in the SHPO meeting scheduled for 10/6/06 to discuss Yankee Jim Ranch and the Sagebrush Steppe Restoration Strategy.
- 33-4 -Mr. Brown requested that I put together a letter discussing particulars of the meeting and of the Yankee Jim Land Health Assessment.
- 33-5 -If the 1st paragraph on pg. 2-9 is carried forward into the final RMP, Ms. Elmore requests that it include more of a discussion of the indigenous people in the area and mention Indian village sites.
- 33-6 -On pg. 2-10, 3rd bullet under Common to All, we were asked to define "regularly monitor and patrol."
- 33-7 -The Tribe expressed general opposition to economic development including: mining, wind energy, timber production and tourism.
- 33-8 -The Tribe discussed its interest in acquiring the same PG&E land that BLM has an interest in. If they can't acquire it, they would prefer that BLM does.
- 33-9 -The Tribe requested that they be included in the MOU between Kinross Gold, the Army Corps and BLM to acquire the mining mitigation land at Hayden Hill (pg. 2-45).
- 33-10 -The Tribe expressed its opposition to cultural resource flyers and brochures due to BLM's inability to monitor and protect sites with only one ranger.
- 33-11 -The Tribe suggested that BLM hire Native Americans to help monitor sites if the Economic Development Alternative is chosen.
- 33-12 -Livestock should not be allowed in archaeological sites of any kind.
- 33-13 -In the last paragraph on pg. 2-15, second sentence add "with tribes" after "In consultation".
- 33-14 -We should add, "Affected Tribes will be notified" to the provisions outlined in the 1st paragraph of pg. 2-16.
- 33-15 -Relative to the second paragraph on pg. 2-16, the Tribe requested that no confidential information be included in educational programs.

- 33-15 -The Tribe seemed generally satisfied with the information depicted on the Cultural Resources Sensitivity Map.
 -The Tribe is interested in a juniper removal stewardship contract or in contracting with BLM to remove juniper from sensitive archeological sites.
- 33-16 -The Tribe is interested in economic development opportunities related to juniper removal and renewable energy development.
- 33-17 -The Tribe requested that we remove the first paragraph from pg. 2-20.
- 33-18 -The Tribe asked that artifacts not be removed from public land
 -Robert Boyce, Tribal Administrator, requested a map of BLM land disposal areas.
- 33-19 -On pg. 2-9, the Tribe requested that we add Indian Trust Responsibilities under 2.2.2.
- 33-20 -The Tribe asked the location of the three ethnographic village sites.
- 33-21 -The Tribe requested that our flat rock policy include provisions for Tribal collection of lava rock because that is what is generally heated in sweat lodges (pg. 2-27).
 -They also asked that they be allowed to collect rock for personal use from areas identified through Tribal processes in addition to those areas designated by the BLM.
 -BLM should map potential collection areas.
- 33-22 -The Tribe asked for copies of larger scale maps than those available in the RMP. ☹
- 33-23 -They asked that fire rehab activities be undertaken in consultation with the tribe (pg. 2-34). ☹
 -The Tribe was aware that the West Valley Hydro application had been denied.
 -The Tribe asked about the Punkin fire. I said that Cheryl Foster-Curley was working with Mary and Wally Preston to schedule a time to rebury the bone fragments. Mary said that Wally had been busy in other areas.
- 33-24 -The Tribe requested additional time to submit comments. I said that we had extended about as far as we could go to get comments included in the Proposed Plan and Final EIS. I said we would continue to accept comments, but that those received after October would certainly not be considered in the Proposed Plan.

CONCLUSION(S) / AGREEMENT(S): An additional RMP comment meeting was scheduled for October 19th at 10:00 a.m. at the BLM conference room in Alturas. The Tribe suggested that BLM provide lunch

FOLLOW-UP & ASSIGNMENT(S) (What/Who/When):

COMPLETION OF FOLLOW-UP & ASSIGNMENT(S):

COPIES OF THIS DOCUMENTATION WERE SENT TO (INCLUDE SPECIFIC NAMES AND POSITIONS):

1. **TRIBE(S):** Jessica Jim, Sharon Elmore
2. **BLM LINE/STAFF(S):** Sue Noggles, Cheryl Foster-Curley
3. **PROJECT FILE:**
4. **BLM FIELD OFFICE TRIBAL LIAISON:** Tim Burke

Name of Recorder: Tim Burke
Date: 10/1/06

DOCUMENTATION OF TRIBAL GOVERNMENT CONSULTATION
&
COORDINATION

Bureau of Land Management, Alturas Field Office

CHECK TYPE (S) OF MEETING:

- | | |
|---|---------------|
| 1. Formal government-to-government consultation (BLM Manager w/Tribal Council/Chair) | <u> X </u> |
| 2. Government-to-government info sharing (BLM Manager or Liaison/BLM Staff w/Tribal Chair/Council) | <u> </u> |
| 3. Coordination on project/planning/program work or proposal (BLM Liaison/BLM Staff w/Tribal Staff) | <u> </u> |

TRIBE (Names & Roles): Alturas Rancheria. Vi Riley (Designated Tribal representative on consultation issues with the BLM. This as per letter received on 8/14/03).

BUREAU OF LAND MANAGEMENT (Names & Roles): Tim Burke (Field Manager), Cheryl Foster-Curley (Archaeologist).

DATE(S) OF MEETING: 9/19/06

TOPIC(S) & MAJOR POINTS: General review of draft RMP. Ms Riley was familiar with the document and made specific comments relative to the following issues:

She was concerned about siting communication sites and wind energy farms on mountain peaks.
She said that fire needs to be returned to the ecosystem.
She said that grazing can have beneficial effects and proposed a pilot program whereby ranchers would be allowed to manage their allotments with little or no interference from the BLM.
She did not feel that snowmobile use is an issue at Nelson Corral and BLM should not exclude it.
She questioned the 3rd bullet under Travel Management in the Executive Summary whereby, "Travel on the Nelson Corral Reservoir Road would be expanded." This is poorly worded. Limits on use would actually be expanded.
She was concerned that juniper management may lead to increased noxious weeds.
She suggested we set up trial plots with natural chemicals to control noxious weeds.
She said we should not use aerial herbicide treatments in riparian areas.
She asked about the non-native wildlife species we are proposing to eliminate in the RMP.

34-1
to
34-9

34-10

Ms. Riley was concerned that the Alturas Rancheria is being overlooked in the consultation process. They have not been consulted with on Yankee Jim Ranch, Descent Into Goose Lake, Invenergy or the West Valley Hydro Project.

CONCLUSION(S) / AGREEMENT(S): Ms Riley agreed to provide BLM with a map of the Alturas Rancheria's area of interest. BLM agreed to ensure that the Alturas Rancheria is consulted with on a more consistent basis. BLM gave Ms. Riley a full copy of the Draft RMP

FOLLOW-UP & ASSIGNMENT(S) (What/Who/When): Ms Riley will provide BLM with area of interest map when it becomes available

COMPLETION OF FOLLOW-UP & ASSIGNMENT(S):

COPIES OF THIS DOCUMENTATION WERE SENT TO (INCLUDE SPECIFIC NAMES AND POSITIONS):

1. TRIBE(S): Vi Riley
2. BLM LINE/STAFF(S): Cheryl Foster-Curley, Sue Noggles
3. PROJECT FILE:
4. BLM FIELD OFFICE TRIBAL LIAISON: Tim Burke
Name of Recorder: Tim Burke
Date: 9/25/06