RECEIVED
JUL 28 2006
BLM Eagle Lake

July 27, 2006

Mr. Dayne Barron, Field Manager
Eagle Lake Field Office
Bureau of Land Management
2950 Riverside Drive
Susanville, CA 96130

Re: Comments – Eagle Lake Field Office Draft Resource Management Plan and Environmental Impact Statement

Dear Mr. Barron:

My comments are in three categories, Edits Needed, Correction of Fact, and Resource Management and Use Decisions Needed in the Record of Decision.

**Edits Needed:**

1-1 Appendix G., Page A-73: Northern desert herned lizard should be corrected to: Northern desert horned lizard.

1-2 Page A-80: Black-throated sparrow and Sage sparrow are shown with the same scientific name. Black-throated sparrow should be *Amphisiza bilineata* while Sage sparrow is *Amphisiza belli*.

**Correction of Fact:**

1-3 Chapter 2 – Wildlife and Fisheries – Page 2-190 – **Lahontan Cutthroat Trout…:** Due to a court decision in Oregon hatchery reared Lahontan cutthroat are subject to the Endangered Species Act. For this reason California Department of Fish and Game (CDFG) is not currently raising them in their hatcheries or making plants of hatchery raised stock. The CDFG, however, is, in the near future, going to establish cooperative efforts with the BLM and U.S. Fish and Wildlife Service to reestablish Lahontan cutthroat trout into streams that once supported this species and have recovered sufficiently to support them in the future (Paul Chappell, 2006, Personal Communication).

1-4 Page 2-191 – **Lahontan Cutthroat Trout:** In light of the preceding discussion the statement should read: Cooperate with the California Department of Fish and Game, and the U.S. Fish and Wildlife Service in using local plantings of hatchery or other stock to reestablish LCT into their former habitat. This will require prioritizing potential streams (Appendix M) for habitat improvement necessary to support Lahontan cutthroat trout.

**Resource Management and Use Decisions Needed in the Record of Decision:**

1-5 **Wild Horses and Burros:** If the Eagle Lake Field Office is truly dedicated to managing within the Standards for Land Health it is inconceivable that there is no mention of, or decision for, developing Implementation Plans using current population models applicable to feral horse and burros (there are some models already developed), and other science to reestablish accurate, manageable Appropriate Management Levels. Surely the Eagle Lake Field Office is not going to concede to emotionalistic pap in managing wild horses and burros within the realm of Standards for Land Health? Refer to Page 4-236, Second to last paragraph. Had the literature citation not been removed it would be more evident that the science exists to support the need for modification of "Wild" Horse and Burro Appropriate Management Levels. **Recommendation:** Include a decision to develop Implementation Plans using science to test the viability of current AMLs, and to reestablish AMLs where scientific based models and other science supports such a change while supporting viable AMLs.

1-6 **Grazing Management:** Eagle Lake Field Office should be commended for the current decision addressing resting of allotments and lands available for grazing. The decision is not, however, complete. Please refer to Page 4-230 – Appendix C of the BLM Handbook. In the light of Appendix C of the BLM Handbook a grazing decision is required to designate priority species. Within these priority species must be palatable shrubs and trees, and grasses including antelope bitterbrush, mountain mahogany, aspen, silver buffalo berry, California black oak, serviceberry, riparian cottonwoods and willows, and at least bluebunch wheatgrass. The shrubs and trees listed are necessary for support of wildlife and maintenance of biological diversity. Bluebunch wheatgrass should be one of the most dominate native grasses within the Eagle Lake Field Office landscape but it is not. Palatable shrubs require two years rest to develop viable seeds, and establish seedlings. Trees such as aspen, cottonwoods, and willows require rest sufficient to allow their seedlings to grow out of reach of browsing species. Bluebunch wheatgrass does not tolerate early spring grazing and should be rested two out of three spring grazing seasons. NOTE: In Terrestrial Vegetation Chapter 2 Eagle Lake Field Office addressed the request by the California Wilderness Coalition to manage aspen, California black oak and mountain mahogany stands as ACEC's. Without a documented decision to manage these species according to their phenology ELFO will be ignoring public input. **Recommendation:** Develop a decision that identifies antelope bitterbrush, mountain mahogany, aspen, silver Buffaloberry, California black oak, serviceberry, cottonwoods, and willows as priority shrub and tree species in sites where they currently occur and where they have the potential to occur allowing them at least two years rest in each grazing cycle. Should aspen, cottonwood, and willows require additional rest the system will be revised to include the needed rest. Identify bluebunch wheatgrass as a priority grass species and document a decision to rest it from spring grazing two consecutive seasons in each grazing cycle. Note: Current antelope bitterbrush stands are predominately mature to decadent stages, containing very little evidence of recruitment.

1-7

**Fire and Other Disturbance Restoration:** A decision is needed that states following prescribed or wildland fire or other vegetation removing disturbance grazing by livestock and wild horses and burros not occur in the disturbed area until such time as the Resource Interdisciplinary Team has, based on scientific monitoring, determined a recommendation to the Field Manager to reopen the area to grazing is appropriate. The current clinging to an antiquated and regulatory inappropriate rest of two years does not, in most cases, allow disturbed sites to recover sufficiently to be consistent with the standards for land health.

Thank you for consideration of my comments.

Sincerely,

Donald J. Armentrout, CWB

July 27, 2006



Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

Re: Comments regarding Draft BLM RMP for The Eagle Lake Field Office

I have some comments regarding the RMP Draft:

1. I appreciate the extensive amount of work by dedicated BLM employees, volunteers, and contractors who have carried the plan to this point.

2. Here are some comments on the Bale's portion of the document:
   a. I appreciate his strong environmental concerns because we will be judged in the future by what we are doing NOW to protect the diminishing natural resources in our country.

3. Proposing The Eagle Lake basin/area as an ACEC is, in my opinion, a sensible move which may give more protection for natural resources and make funding available for needed trails and other work in the area.

2-1 4. I encourage the Wild and Scenic designation, as the proposed alternative, for the Susan River, Willow Creek, and upper Smoke Creek. Let developers be dammed, not the river! I say this as a person with engineering experience who has never seen a rational plan for using the Susan River for more water storage or for hydro power. My intuition is that there would be major expenses for a minimum benefit if a dam were to be constructed. Also, we presently have water storage with Hog and McCoy reservoirs. And of course, impoundment's reduce the overall amount of water because of evaporation.

5. The proposed road closures meet with my approval especially when we consider that nearly two thousand miles of existing roads remain to be used. Unfortunately another consideration is that unauthorized off road travel can't be entirely stopped and further attempts at "road making" by ORV's will continue.

6. The plans, and hopes, for more trails in various locations is good. One that I especially want to see will be through the conservation easement by the Stone Ranch in the North Eagle Lake area.

RE: SECTION 4.7 ON LANDS AND REALTY

I would like to see additions to the document regarding the **acquisition** of lands. At present I don't know of a formal process that is used by the BLM when a person or entity wants the BLM to acquire certain parcels.

Specifically I want to see something like the following:

2-2 **When a person or entity is interested in seeing that the BLM acquire private land, -their own or another persons, by exchange or purchase- they would be able to go to the appropriate Field Office, submit a written request, receive a case number, a written acknowledgment, and the name of a contact person in the agency. The file would be kept open and active until a decision could be made by the BLM regarding the disposition of the request. When a decision has been made the person requesting the land acquisition would be notified in writing. In the meantime the BLM would be responsible for status reports when requested.**

2-3 Regarding the disposal of land, the procedure used by the BLM should be plainly stated in the LMP, including the process that informs individuals that lands are available for purchase by the public.

Sincerely,

Martin Balding

Martin Balding

508-450 Stoney Lane
Susanville, CA 96130

STATE OF NEVADA
DEPARTMENT OF CULTURAL AFFAIRS
Nevada State Historic Preservation Office
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KENNY C. GUINN
Governor

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State Historic Preservation Officer

RECEIVED
JUN 2 2006
BLM Eagle Lake

May 30, 2006

Dayne Barron
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

RE: Comments on the draft RMP and EIS for the Eagle Lake Field Office

Dear Mr. Barron Dayne

The Nevada SHPO has reviewed the draft and has the following comments to offer:

3-1 Issue Area 8 (page 1-11). *How should the public lands be managed to sustain the traditional practices and traditional cultural properties of Native American Cultures?* The specific concerns listed here include management of archaeological properties including inventories, impacts to archaeological sites from land uses and vandalism/looting. Not all archaeological sites are traditional cultural properties that should be categorized for traditional uses. These are issues for archaeological sites in general, not just traditional cultural properties.

3-2 The preferred alternative will result in a number of impacts to native vegetation communities from restoration efforts (page 2-6). How will the Eagle Lake Field Office consult with tribes to integrate tribal needs for traditional plants with restoration activities?

3-3 Activities within the preferred alternative include an inventory of culturally sensitive areas. Were these identified by the consultant or are these areas identified by BLM staff? (page 2-15)

3-4 Were trails organizations such as the Oregon-California Trail Association (OCTA) or Trails West included in discussion about the management of historic trails identified in the Eagle Lake Field Office area? Many of these organizations have primary data and have identified and rated segments of trails in the field. Such organizations might assist in BLM meeting desired future conditions (page 2-99).

3-5 If major impacts are occurring due to vandalism in the form of surface collecting, pot hunting, and site destruction, it would be helpful to make recommendations regarding future management: assessment of sites affected, protection measures, or increased presence of law enforcement.

3-6 You might consider adding a statement of support for the use of site stewards to monitor endangered cultural resources. The Nevada SHPO manages a program to coordinate with federal agencies.

3-7 Chapter 3 (page 3-9) describes how cultural resources are being considered as part of a larger ecosystem. How do the National Register criteria fit into this? Are all sites eligible for inclusion in the National Register? On the basis of what context? How does this approach integrate with BLM's use categories? On what basis does the BLM set priorities for funding and staffing?

3-8 Chapter 4 discusses potential effects on cultural resources (page 4-10 to 4-11). However, the discussion revolves around perceived effects to archaeological and historic resources. Is there any way to gauge impacts to traditional cultural properties?

3-9 Chapter 4 recommends an ecosystem restoration to pre-1850 conditions (page 4-16). How will historic landscapes be identified and treated if the goal is to restore the ecosystem to pre-1850 conditions?

3-10 Chapter 4 recommends an increase in cultural resource management areas from 15 to 19 (page 4-16). What are the benefits of implementing such a plan? Would sites be evaluated?

Thank you for the opportunity to comment on the draft. If you would like to discuss these comments please call me at 775-684-3444 or e-mail me at ambaldri@clan.lib.nv.us.

Sincerely,

Alice M Baldrica

ALICE M. BALDRICA, Deputy
State Historic Preservation Officer

Cc: Ken Wilson, CSO, BLM
Tom Burke, NSO, BLM

"Joe Becker" <bjoe@ccxn.com>
06/07/2006 09:33 AM
Please respond to
"Joe Becker" <bjoe@ccxn.com>
To
<necarmp@ca.blm.gov>
cc

bcc

Subject
BLM Eagle Lake Field Office Draft Resource Management Plan

Dear BLM Manager:

I have traveled to Eagle Lake area of 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.

Thus we ask that you continue to keep our sportspeople both hunting &
4-1 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

July 26, 2006

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

Dear Planning Coordinator, or whomever else it may concern;

Friends of Nevada Wilderness is a membership organization based in Nevada. We have 1,200 members. Our organization and members are dedicated 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 in Nevada provide.

Please accept these comments from Friends of Nevada Wilderness regarding the Draft Resource Management Plans and Environmental Impact Statements for the Bureau of Land Management, Surprise and Eagle Lake Field Offices:

**Lands and Realty**

5-1 Friends of Nevada Wilderness appreciates and supports all points made in the following section of the Draft RMP for Eagle Lake District: (2.7.1, Goal 1, section 1.1, "Management Common to All Alternatives"). We urge the BLM to apply these comments to the Surprise District RMP as well.

**Travel management proposals for Wilderness Study Areas in Eagle Lake and Surprise districts**

The draft RMP for Surprise district states, "OHV use within the Massacre Rim, Sheldon Contiguous, South Warner Contiguous and Wall Canyon WSAs would be 'limited to designated routes.'"

Section 603 (c) of the *Federal Land Policy and Management Act* specifically 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…"

In addition, Chapter 1, section A, 1, of the *Interim Management Policy for Lands Under Wilderness Review* (H-8550-1) states: "The BLM's management policy is to continue resource uses on lands under wilderness review in a manner that maintains the area's suitability for preservation as wilderness."

Section B of the IMP underscores that "the 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."

5-2 The encouragement or facilitation of vehicle use within wilderness study areas by designating routes would impair wilderness values by increasing erosion (which in turn

threatens water quality—a potentially significant threat to sensitive and potentially listed species, such as the Wall Canyon Sucker in Wall Canyon WSA), increasing the opportunity for the introduction of invasive plants, fragmenting wildlife habitat, impairing the perception of roadlessness, degrading solitude, and reducing opportunities for primitive and unconfined recreation.

It can hardly be argued that the designation of routes within a WSA enhances wilderness values or meets the definition of untrammeled (defined in the IMP as unconfined, unrestrained or unimpeded).

Over time, impacts from designated routes within WSAs could accumulate to a point at which the total impact would impair wilderness suitability either by creating impacts that overall are noticeable, or by degrading the area's wilderness values so far as to significantly constrain Congress's prerogative regarding the area's suitability for preservation as wilderness. The existence of designated routes in WSAs would surely create enough grassroots opposition to wilderness to scare away any Congressman or Senator who wants to be re-elected from considering wilderness designation for the WSA in question.

5-2 The IMP requires the BLM to analyze and monitor the cumulative impacts and take steps to control those impacts. If the BLM persists in this preferred alternative to designate routes within the WSA, how will the BLM analyze and monitor impacts, and take steps to control cumulative impacts? Where in the RMP will you guarantee that the proposed action does not impair wilderness values?

Section 2.13.10 of the draft RMP also states: "If Congress designates any of these WSAs as wilderness, internal routes would be obliterated." However, the impacts from the designation of routes within WSAs could accumulate to a point that impedes restoration. Furthermore, these designated routes will be shown on maps which would still be in circulation after the possible designation of some of the WSAs as Wilderness areas, creating confusion among users, ongoing impacts and increased wilderness management problems.

At the time of designation, wilderness study areas allowed motorized and mechanized vehicle use on existing routes and trails. This informal passage of vehicles does not constrain Congress from designating the area as wilderness, as long as the IMP's nonimpairment mandate is upheld. The BLM has a responsibility to maintain vehicular traffic at the level that existed at the time of designation. The formalization of ways and routes within WSAs by designating them confers on them a formal status they did not previously enjoy. The designation of routes within WSAs creates a non-wilderness designation within WSAs, which clearly violates FLPMA and the IMP. Such a designation of uses conflicts directly with the intent of the Wilderness Act, FLPMA, and the IMP, and it significantly constrains Congress's prerogative regarding the area's suitability for preservation as wilderness. The introduction of the IMP states clearly: "The secretary must protect the wilderness values of each WSA until Congress makes the final decision regardless of the suitable/nonsuitable recommendation made."

In addition, the proposed travel management decision—to designate routes within WSAs—conflicts with the RMP's stated objective for travel management: "OHV use would be managed with a focus toward protecting natural ecosystems." (2.14.9)

These comments and concerns apply, as well as the recommendations below, where applicable, to designated route proposals for the Eagle Lake district as well.

In sum, the designation of routes within WSAs is inconsistent with the intent of Congress, as declared by the Wilderness Act, by FLPMA and by the BLM's own management guidelines as stated in the IMP.

If designating routes in WSAs is proposed by the BLM in an effort to reduce vehicle impacts on wilderness values, or to gain greater ability to enforce travel restrictions within WSAs, we sympathize. However, for the reasons discussed above, we still think this is a bad idea. 5-2

**Recommendations**

Perhaps one of the following ideas would provide resolution to the challenge your proposed action ofr both Surprise and Eagle Lake creates:

1. Designate all WSAs as "closed, with the exception of existing routes and ways" – meaning routes that existed at the time the WSA was designated. The proposed alternative for Eagle Lake district comes close to this, by creating closed areas within primitive cores of WSAs. We urge the BLM to expand this closed status to all WSAs in both Eagle Lake and Surprise districts; or
2. Designate the routes you prefer to keep open to vehicle traffic as "temporary routes" to underscore the temporary nature of the routes and the designations. Currently, your proposal to designate routes in WSAs confers on them the same status as any other designated route in the district. Clearly, there should be a difference in status between routes within and outside of WSAs.

In either case, please do not call any vehicle travel routes in WSAs "roads", whether they are designated or not, because the BLM's own definition road implies a permanent, maintained and graded structure, which conflicts directly with the intent of the Wilderness Act, FLPMA and the IMP. Also, do not publish the routes or ways, designated or otherwise, on any map; including them on maps will encourage great vehicle visitation to the WSAs, and contrain Congress's prerogative regarding designation of the WSA as wilderness in the future, for all of the reasons discussed above.

However, if the BLM does not find these suggestions workable, then Friends of Nevada Wilderness strongly recommends that OHV travel remain restricted to existing routes and trails within all WSAs in the Surprise district, and that none of these routes be formally designated.

We also support the closure of routes identified on map TRAV-1 in red. We would like to thank the BLM for this recommended action, as it clearly enhances wilderness values within WSAs. It is also consistent with the IMP nonimpairment mandate and the intent of FLPMA in designating wilderness study areas. We urge the BLM to expand recommended closures to include all routes that were not in existence when the WSAs were designated. We request the BLM to provide proof, in the form of maps from the date of designation and/or aerial photos from the time of designation to support the BLM's decision. 5-3

As you may know, Friends of Nevada Wilderness has a growing wilderness restoration program, and we would be happy to work with the BLM to identify restoration projects based on these closures, recruit volunteers for the projects, and spend good days working with our partners in the BLM getting good work done and doing good for the wild. 5-4

Sincerely,

Brian Beffort
Associate Director
Friends of Nevada Wilderness

May 30, 2006

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

Dear Eagle Lake Planning Coordinator,

The Eagle Lake Field Office is the steward for one of this country's most unique and remarkable landscapes. As one of the owners of the public lands in this region, I appreciate your proposals in the draft resource management plan to close roads in several wilderness study areas, manage Smoke Creek as a wild and scenic river, designate seven areas of critical environmental concern, confine vehicles to designated routes and manage much of the region for non-motorized or primitive recreation. I also support your proposal to allow fire to play an important role in maintaining the high desert's ecological health.

6-1
6-2

I urge the BLM to choose Alternative 2 as the preferred alternative in the final version of the management plan, with the following key changes: First, please manage all wilderness study areas as primitive zones. And second, please manage the core portions of the Observation Peak, Shaffer Mountain, Shinn Mountain, Skedaddle Flats, Skedaddle West and Snowstorm Mountain roadless areas as primitive zones. These areas have extraordinarily high wilderness qualities and deserve to be protected to the fullest extent.

Please develop a final plan for this remarkable region that will adequately protect its irreplaceable resources for the future.

Sincerely,

"Brasher, DeEllen M CIV, CNRSW" <deellen.brasher@navy.mil>
06/26/2006 09:43 AM
To
<necarmp@ca.blm.gov>
cc
"Brasher, DeEllen M CIV, CNRSW" <deellen.brasher@navy.mil>
bcc

Subject
Eagle Lake Resource Management Plan Comments from Military

Eagle Lake RMP Planning Coordinator:
On behalf of the Department of Defense activities that utilize the airspace that overlies the area covered by the Eagle Lake 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.

7-1

"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.”

Thanks,
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=100
3
60>

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:

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 <u>and utilizing twice the acreage</u> 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. 8-1

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. 8-2

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". 8-3

8-3 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.

8-4 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.

8-5 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

P.O. Box 228
Palo Cedro, CA 96073
(530) 547-3774

July 9, 2006

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

RECEIVED
JUL 10 2006
BLM Eagle Lake

Dear Planning Coordinator,

We are writing to urge BLM to choose Alternative 2 in your final version of the RMP for BLM lands located in northeastern California and Northwestern Nevada. We request that you modify Alternative 2 as follows:

9-1 **Designate all Wilderness Study Areas as primitive zones.**

9-2 **Manage roadless areas as primitive zones.**

9-3 **Close all primitive and non-motorized management areas to mineral leasing, to protect their wild character.**

9-4 **All eight miles of Willow Creek should be designated as a Wild and Scenic River.**

Respectfully Submitted,

Steve and Kathy Callan

Similar text received from

Sincerely,

Elin Klaseen
2900 Valentine Ln
Redding, CA 96001
530/247-7364
elin.klaseen@sri.com

and

Sincerely,
Jane Turney
Chico, CA

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.

In general, we support Alternative 2, emphasizing ecosystem restoration over other
10-1 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.

We strongly support all of the proposed Areas of Critical Environmental Concern
10-2 (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
10-3 acres also be fully protected for wilderness values and only be used for wildlife and primitive recreation.

The Eagle Lake RMP should recommend more creeks as suitable for Wild and
10-4 Scenic River designation, including Susan River, Willow Creek and Buffalo Creek. We are also concerned that there is a blurring of "semi-primitive motorized" with "semi-
10-5 primitive non-motorized" designations as "back country." Motorized and non-motorized use areas must be clearly distinguished and the latter enforced.

In general, the protection of streams and riparian areas should be prioritized to
10-6 protect biodiversity. This includes no chemical use near water, excluding livestock or cancelling allotments if there is riparian or water quality degradation from livestock use,
10-7 decommissioning roads near streams, etc. Roadless area protection from road incursions should also be emphasized. All rare and federally or state-listed plant and animal species
10-8 should be fully protected. Native species should always be given preference over non-
10-9 natives.

Suitable and potential Sage-Grouse habitat should be fully protected from fragmentation
10-10 and disturbance, including from mineral leasing activities, herbicide use, sagebrush 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
10-11 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
10-12 sensitive riparian areas either by fencing or by allotment cancellation.

10-13 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.

10-14 10-15 Juniper reduction should leave junipers with old growth characteristics and leave patches of 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.

10-16 There should be no logging in roadless areas.

10-17 There should be far less mineral extraction/leasing allowed and more acres of "No Surface Occupancy" restrictions.

10-18 10-19 10-20 10-21 10-22 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 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" 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 extraction.

10-23 10-24 We support Alt. 2 road closures-or more. All non-essential roads should be decommissioned if possible. Wildlife needs and natural hydrologic functioning should be prioritized over reservoirs, livestock ponds and other water diversions.

10-25 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 10 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.

# SUSANVILLE INDIAN RANCHERIA

RECEIVED
JUL 27 2006
BLM Eagle Lake

July 25, 2006

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

**RE: BLM Eagle Lake Field Office Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS)**

Dear Mr. Dayne Barron:

Susanville Indian Rancheria (SIR) is a federally recognized Indian Tribe, comprised of four distinct Tribes: Maidu, Northern Paiute, Pit River, and Washoe. The ancestral lands of the Susanville Indian Rancheria lie within the lands managed by the BLM Eagle Lake District. We appreciate the opportunity to comment and respond to the RMP and EIS. Clearly, SIR is concerned about potential effects to artifacts, Sacred Sites, and burials; however, Indigenous people consider cultural resources to be the land, air, water, wildlife, and ethnobotanicals. The SIR Environmental Protection Department (EPD) has reviewed the RMP and EIS, and has concluded that the best alternative for *Cultural and Paleontological Resources* is Alternative 2.

11-1

Cultural Resource Management Areas (CRMA) would be designated on 19 sites, and two cultural Areas of Cultural Environmental Concern (ACEC) would be designated providing increased protection and management of cultural resources. Livestock grazing would be rested 2 out of 3 years, reducing damage to individual sites. Cultural sites would be protected from OHV traffic and livestock damage. Buffer zones would be established and management would emphasize land health. Additional benefits would result as wild horses become managed within desired Appropriate Management Levels (AMLs).

11-2

In addition to the quarterly meetings that are ongoing and productive between SIR's Tribal Chairman and BLM's Field Office Manager in a *Government-to-Government* relationship, SIR further requests that the BLM Staff Archaeologist meet with the Tribal Governmental Liaison Committee (SIR's Cultural Committee) on a quarterly basis, This will not be considered consultation, but will assist in setting the stage for productive consultation between the Chairman and Field Manager. It is important to SIR that the cultural committee and staff from the EPD Cultural Department develop a relationship with the Eagle Lake BLM Archaeologist. Since the major impacts to cultural resources

745 JOAQUIN STREET • SUSANVILLE, CA 96130 • (530) 257- 6264 • FAX 257-7986

are site deflation and disturbance due to grazing (both domestic and non-native [wild horses]), recreational vehicles and roads, poor vegetation, soils and stream management, wind and water erosion, vandalism in the form of surface collecting, pot hunting, site destruction (especially shooting at sites), and fire history; SIR wishes to take a more
11-2 proactive role in working with the BLM.

Lastly, The SIR owns 80 acres of land SW of Buckhorn Reservoir (T 35N, R16E, S36, S1/2 of the SE corner) that is adjacent to BLM lands managed by the Eagle Lake Field
11-3 Office. SIR is interested in transferring this land to the BLM in exchange for property closer to the SIR land base in Susanville identified within the RMP. Please incorporate this into the Lands and Realty section of the RMP.

You may contact Melany L. Johnson, Cultural Resource Specialist, at 530-251-5633 or cultural@sir-nsn.gov with any questions or comments.

Sincerely,

Mr. Stacy Dixon
Tribal Chairman

Cc: SIR TGLC
Melany L. Johnson

john dozier <docjdozier@yahoo.com>
07/28/2006 01:28 PM
To
necarmp@ca.blm.gov
cc

bcc

Subject
BLM Eagle Lake Field Office Draft RMP---Public comment

Dear Planning Coordinator

I am offering comments on the Wild and Scenic Rivers
Alternatives in the RMP pages 2-103 to 2-109. As a
frequent user of the Bizz Johnson Trail and a long
time resident along Willard Creek just one half mile
from its confluence with the Susan River I am
especially interested in the alternatives presented.
Since my enjoyment of the trail as well as my family
home(for over 3 generations) as well as my enjoyment
of the river would be greatly impacted by any major
manipulation of the stream flow such as by dams or
12-1 diversions, I stronly support Alternative 2 for the
Susan Riverwhich would designate all eight eligible
miles of the river into the Wild and Scenic Rivers
System, and classify the Susan River as recreational.

Thank you for considering my input.

John Dozier

---

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JUL 17 2006
BLM Eagle Lake

July 11, 2006

Eagle Lake 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.

13-1

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

- Development of new water sources to extend seasonal water availability that supports wildlife.
- Coordinate with local county fish and game commissions and sportsmen's groups to determine management priorities and enhancement opportunities.
- 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 State game agencies.
- Implement Rocky Mountain elk management plans that include hunting as a management principal.

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

JAS. D. EASTON, INC. • 7855 HASKELL AVENUE, SUITE 202 • VAN NUYS, CA 91406-1902 U.S.A. • (818) 782-6445 • FAX (818) 994-3889
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**Pacific Gas and Electric Company**

**Eric Eisenman**
Director
ISO Relations & FERC Policy

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

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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.

14-1 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.

14-2 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.

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.

14-3

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

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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,

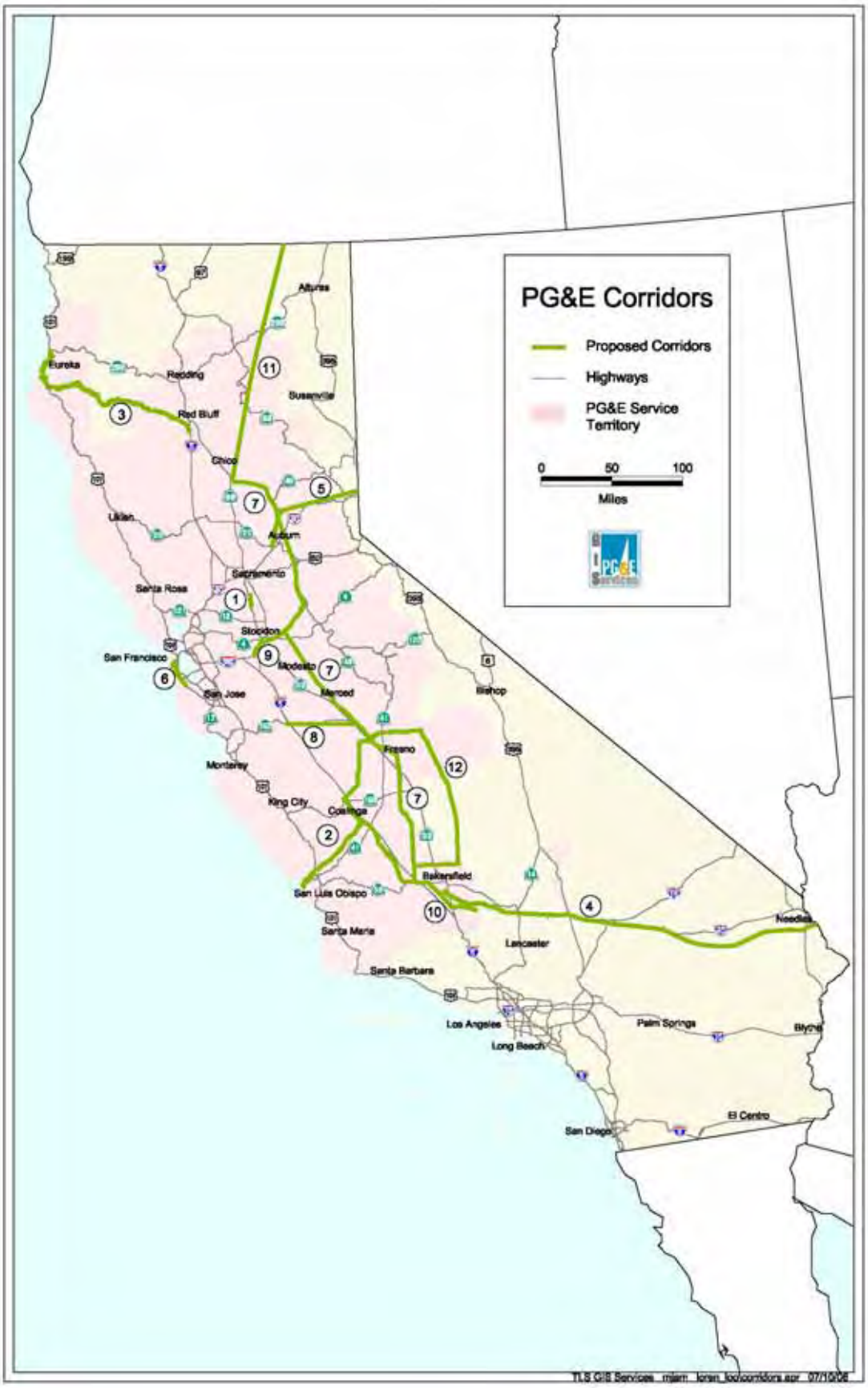
*Diane Ross-Leech*

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


PG&E Corridors
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TLS GIS Services

JOHN ESPIL SHEEP CO., INC.
John and Carolyn Espil
Brent and Vickie Espil
P.O. Box 150, County Road 33
Gerlach, NV 89412

Dayne Barron, Field Manager
USDI-BLM
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130

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JUL 26 2006
BLM Eagle Lake

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

**Re: Comments to the *Draft Resource Management Plan and Environmental Impact Statement, Bureau of Land Management, Eagle Lake Field Office, Susanville, California* dated February, 2006, including its undated errata sheet.**

Dear Mr. Barron and Planning Coordinator:

**Commentor is Espil.**

These comments are submitted by John Espil Sheep Co., Inc. (hereinafter, "Espil"), which is a Domestic Corporation authorized to do business in Nevada (Number C3660-1972) and is a Corporation authorized to do business in California (Number C0698485), and whose current members are John and Carolyn Espil, husband and wife, and Brent and Vickie Espil, husband and wife.[1]

Espil owns private land within and/or adjacent to the Eagle Lake Field Office (resource area), along with water rights, livestock and improvements, such as buildings, corrals, fencing, pipelines, water containers, reservoirs, wells, pumps, ditches, roads, equipment and motor vehicles. These private lands, water rights, livestock, and improvements facilitate a yearlong cow-calf and ewe-lamb livestock operation which is dependent upon the use of public lands within specific Allotments within the Eagle Lake Field Office, Susanville Grazing District. The Eagle Lake Field Office, the Surprise Field Office, and the Alturas Field Office are within the geographical boundary of the

[1] We were assisted in the preparation of portions of these comments by Robert N. Schweigert, B.S. Range Management/Wildlife Habitat, M.S. Forest and Range Management/Wildlife Habitat.

Susanville Grazing District, California previously established by the Secretary of Interior on April 8, 1935, under the authority of the *Taylor Grazing Act*.[2]

John and Carolyn Espil, and Brent and Vickie Espil, and their children, also use and depend upon the public lands within the Eagle Lake Field Office (resource area) for purposes other than facilitating a livestock operation. Specifically, they use the public lands for scientific, educational, spiritual, aesthetic, and recreational (including hunting, fishing, camping, hiking, wildlife viewing, botanizing, bird-watching, sightseeing, photography, horseback riding and other) purposes. Based thereon, John Espil, Carolyn Espil, Brent Espil, and Vickie Espil, and their children, have a special interest in the protection and enhancement of the resources upon the public lands, including as the resources relate to soils, watersheds, vegetation, wildife species, recreation, and opportunities for solitude.

It is on the basis of both our economic interests and our environmental interests that we comment to the Draft Resource Management Plan and EIS.

We make both overall general comments and specific comments relative to the Draft Resource Management Plan and Environmental Impact Statement (hereinafter, "DRMP"), with the expectation that a revised DRMP will be submitted to the public for review prior to a Final RMP being published. We believe a revised DRMP is necessary due to the considerable shortfalls of the DRMP. We have primarily commented herein to "Chapter 2" as it is the "action" section of the DRMP. However, we also provide limited comments to Chapter 3 and Chapter 4.

GENERAL COMMENTS.

15-1
15-2
15-3

* Throughout, the DRMP lacks sufficient specificity so as to adequately inform Espil and the public of the specific intentions of BLM relative to each of the resources (and particularly as it pertains to livestock management). The DRMP does not contain necessary site-specific analysis, but rather is generic in its discussion of management actions and in its assessment of impacts, to the point that the DRMP predicts that some impacts will be "major impacts", but admits that it cannot quantify such impacts. The DRMP in large part, fails to specify WHERE - i.e., which grazing Allotment(s) - the actions and impacts are expected to occur. The DRMP fails to specify which of several rangeland health indicators were "not met" or "missing", and this lack of specificity deprives Espil and the public of the opportunity to assess the accuracy of the purported Affected Environment (Chapter 3), the "Purpose and Need" for the DRMP Chapter 1), the appropriateness of the Alternatives (Chapter 2), and the veracity of the purported Environmental Consequences (Chapter 4).

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[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.

15-4 * The DRMP is internally inconsistent in its analysis of impacts to the various resources and/or uses. For example, the DRMP specifies what BLM deems to be "adverse impacts" for some resources (such as wildlife and special status plants), but not for others (such as livestock grazing). It is therefore incomplete and inconsistent, as well as lacking in specificity.

15-5 * The DRMP fails to specify a mechanism to determine changes in livestock permitted use if Standards and Guidelines are met on a grazing allotment, or determine changes in permitted use if the S&Gs are not met on such allotment. In other words, what method quantifies such change? This lack of specificity results in a failure to inform and assess for the public the quantifiable changes in permitted livestock operation that may be predictable within the foreseeable future.

15-6 * The DRMP throughout is biased toward "recreation" being the highest and best use of the planning area, often stating directly or inferring that livestock use will be "shoved aside" or fenced out if conflicts with recreationists occur. This is amidst the proposed action to intensify "recreation" use in areas where it is presently a low-intensity use of the land. Therefore, BLM is proposing and promoting increased un-Permitted use that BLM believes is likely to result in conflict with livestock use, and BLM will then use such increased conflict as an excuse to reduce/curtail/impair Permitted livestock grazing. We believe such proposed actions are unwarranted, unreasonable, and/or otherwise contrary to law.

15-7 * The DRMP throughout fails to accurately describe and analyze the "no action" alternative, which we contend is the management prescribed by the currently-effective Land Use Plan. One example of the mis-characterization is that the DRMP claims that "no action" would equate to "no change" in livestock grazing authorization, which is not what the currently-effective Land Use Plan prescribes. Rather, the currently-effective Land Use Plan predicts and prescribes increases in allocation of forage for livestock use where such uses are consistent with other resource objectives. In the case of (at least) the Twin Peaks Allotment, there exists adequate livestock forage to sustain increased livestock grazing authorization, consistent with other resource objectives.

15-8 * The DRMP is extremely poorly written, in that it fails for the most part to reference most of the proposed and alternative actions to the maps and tables included within the document. While this may not make the document unusable, it renders it much harder to follow the flow of proposed/alternative actions and consequences. For instance, only rarely does Chapter 2 (proposed action and alternatives) reference the numerous maps which (apparently) are meant to convey the information.

15-9 * As it pertains to livestock management and its effects on soils, watershed, vegetation, riparian, and wildlife species, there exists no "Purpose and Need" to pursue the Resource Management Plan, for the reasons stated below:

Throughout, the DRMP notes that either the land health standards relating to current livestock use are being met or that considerable progress has been made and is

continuing under the management and authority of the currently-effective Land Use Plan. The DRMP acknowledges, and we appreciate such acknowledgement, that the livestock permittees have been willing cooperators in making changes as necessary to result in achievement and/or progress toward achievement of land health standards. Nothing in the currently-effective Land Use Plan prohibits the continuation of such cooperation and coordination and continued further improvement of the resources, where such improvement can reasonably be expected as a result of altering livestock management practices in specific areas of specific allotments. Therefore, there is nothing about the current situation (ongoing cooperation and willingness of the grazing permittees to make necessary management changes) that "Needs" to be changed with a new Land Use Plan.

15-9

Similarly, where livestock management changes alone cannot be expected to result in the achievement of land health standards (e.g., areas dominated by cheatgrass that have crossed the "ecological threshold"), nothing in the currently-effective Land Use Plan needs to be changed, because the currently-effective Land Use Plan does not preclude BLM from taking aggressive actions to convert such areas to perennial vegetation, including via seeding of either native or non-native perennial species. This position is supported by the fact that the Standards and Guidelines of Rangeland Health were incorporated into the current Land Use Plans via a Record of Decision dated June 14, 1999 (see DRMP, Appendix B). Guideline 10 of the S&Gs prescribes "aggressive" action to reduce and prevent cheatgrass domination of the rangeland. Nowhere do the applicable S&Gs prohibit the use of "non-native" perennial species – such as crested wheatgrass and forage kochia - that are known to inhibit cheatgrass domination, nor the use of necessary chemical or mechanical treatments to aid in the establishment of either non-native or native perennial species. Therefore, the currently-effective Land Use Plan allows - and in fact requires - aggressive action against non-native invasive annual species, so that no "Purpose and Need" exists in order for BLM to address this issue.

It is nevertheless a fact that, notwithstanding the mandate for aggressive action contained within the currently-effective Land Use Plan, Eagle Lake Field Office has steadfastly refused to use such aggressive tactics and species. Such inaction is the one and only thing that has precluded progress in improving vegetation/soils/watershed/ livestock/wildlife values within the specific areas STILL dominated by cheatgrass and other invasive non-native annuals SEVEN YEARS after the mandate was adopted into the currently-effective Land Use Plan. While we realize that California BLM has a "native plant policy" (Nevada BLM does not), such policy does not and cannot supercede the mandates of the S&Gs approved by the Secretary of Interior. Further, while we support the use of native species where feasible, available, and not cost prohibitive, it is nevertheless a simple biological fact that native perennial grasses, forbs and shrubs are incapable of competing with cheatgrass in the areas of seed production, seed viability, seed germination rates, and germination timing. In each of these parameters, cheatgrass is superior to the native perennial grass species, and these facts render native species incapable of providing the necessary "aggressive" stance against cheatgrass that is mandated by (at least) Guideline 10 of the S&Gs. Because ELFO has refused to take the aggressive action authorized – in fact required - under the currently-effective Land Use Plan, we see no reason to conclude that a new Land Use Plan (which by law and

15-9 regulation incorporates the same S&Gs that are incorporated in the currently-effective Land Use Plan) is "Needed". Likewise, we see no reason to conclude that ELFO will change its unreasonable course of action to affect such aggressive treatment of cheatgrass and other invasive non-native annual species in support of the purported "Purpose".

**Specific Comments Relative to Eagle Lake Field Office Allotments Applicable to Espil.**

15-2 The DRMP identifies in Map GRAZ-1 the "Livestock Grazing Allotments" that appear to be the focus of the DRMP, though, as discussed above, the DRMP is void of any specific discussion of the "Alternatives" relative to the specific Allotments, is void of any specific description of the "Affected Environment" relative to the specific allotments, and is void of any specific analysis of the "Environmental Consequences" relative to the specific allotments. Of the allotments identified on Map GRAZ-1, Espil owns the "base property" supporting Grazing Preferences and holds associated Grazing Permits upon the Twin Peaks Allotment, Observation Allotment, and Shinn Individual Allotment, all within the northeast corner of the planning area.

## COMMENTS TO CHAPTER 2.

### SECTION 2.1 - *AIR QUALITY.*

15-10 Espil does not oppose the adoption of this Preferred Alternative, so long as prescribed fires are coordinated with Espil, and wildfire suppression and rehabilitation are coordinated with Espil, so as to not unduly interfere with the livestock operations within the Allotments, and so as to mitigate the impacts of such activities on livestock use. Such activities should also be conducted to result in the least adverse impacts to the aesthetics, vegetation, soils, fish, and wildlife of the areas, to the extent feasible while performing the activities.

### SECTION 2.2 - *CULTURAL RESOURCES AND PALENTOLOGY.*

The preferred alterative includes the proposal to establish certain "Cultural Resource Management Areas" (CRMAs). The DRMP proposes to establish the *S.O.B, Buffalo Hills, Dry Valley, Smoke Creek, Dodge Reservoir, Buckhorn, Upper Smoke Creek, and Deep Cut "Cultural Resource Management Areas" (CRMAs),* which will include substantial portions of Espil's grazing Allotments (see Map CR-1, refer to Map GRAZ-1 [north]). Espil opposes this preferred alternative, and Espil urges adoption of the "no action" or the "traditional uses" Alternative on this point, for the reasons stated below, and subject to comment c., below.

15-11 a. The DRMP contains no definition of a "Cultural Resource Management Area" (see Glossary), nor any specificity regarding the relationship (if any) of management with a purported CRMA to management of other multiple uses. The DRMP is therefore not specific as to what is intended and what are the environmental and economic consequences of the establishment of such CRMA's.

15-12 b. The DRMP contains no maps showing where such "CRMA's" would occur, if at all, under Alternatives other than the Preferred Alternative.

15-13 c. We do not believe the "no action" and "traditional uses" Alternatives accurately portray the current situation, in that we have not, to the best of our recollection, ever been coordinated with by BLM in the development of the CRMA's purported to exist under the "no action" and "traditional uses" Alternatives.

**SECTION 2.3 – *ENERGY AND MINERALS.***

The preferred alternative includes the provision to establish zones relative to *Leasable Minerals*. Except as consistent with Espil's other comments (including but not necessarily limited to RECREATION, CRMAs and ACECs), Espil does not oppose this preferred alternative (or any other), as long as the development is compatible with the authorized livestock use.

15-14 The preferred alternative includes the provision to establish zones relative to *Locatable Minerals*. Except as consistent with Espil's other comments (including but not necessarily limited to RECREATION, CRMAs and ACECs), Espil does not oppose this preferred alternative (or any other), as long as the development is compatible with the authorized livestock use.

The preferred alternative includes the provision to establish zones relative to *Saleable Minerals*. Except as consistent with Espil's other comments (including but not necessarily limited to RECREATION, CRMAs and ACECs), Espil does not oppose this preferred alternative (or any other), as long as the development is compatible with the authorized livestock use.

**SECTION 2.4 – *FIRE MANAGEMENT (APPROPRIATE MANAGEMENT RESPONSE).***

The preferred alternative includes the provision to establish an *Appropriate Management Response* zone upon the public land area covering most of the acreage contained within Espil's allotments, except for a *Full Suppression* zone upon a portion of the allotments (see Map FIRE-1). Espil does not oppose this preferred alternative.

**SECTION 2.5 – *FORESTRY.***

No Comment at this time.

**SECTION 2.6 – *FUELS MANAGEMENT.***

15-15 The preferred alternative includes provisions relative to fuels management to reduce fuels through, among other things, prescribed fire and "let-burn" areas (see Map FIRE-2), which covers parts of our Allotments. Espil does not oppose a modified preferred alternative that gives first priority for fine fuels reduction to Livestock Grazing, with a second priority to prescribed fire and/or "let burn" actions. In this manner, BLM could

encourage increased federal revenue through livestock grazing fees, livestock permittees could harvest available forage for at least some economic gain, and the same fuels reduction goals and objectives could be achieved using livestock, so as not to implicate adverse short-or long-term adverse impacts to wildlife habitat. Only as a second-priory level, where livestock grazing is not feasible for the desired effect, should prescribed fire
15-15 and/or "let burn" actions be undertaken for fuels reduction. Fire, whether prescribed or "let burn", has potentially-significant short-term and long-term adverse impacts to wildlife habitat that livestock grazing does not have, and should only be undertaken if livestock grazing would not reasonably be expected to achieve the objective. Further, any prescribed fires and "let burn" decisions relative to Espil's Allotments must be coordinated well in advance with Espil so as to not jeopardize the lives of livestock or unduly interfere with the livestock operations within the Allotments, and so as to, to the extent possible, mitigate such activities relative to livestock use.

***SECTION 2.7 – LANDS AND REALTY.***

The preferred alternative includes provisions to dispose of certain federal land parcels (see Map LANDS-1). Espil does not oppose this preferred alternative, assuming the grazer and adjacent landowner is given a first right of refusal to acquire the public lands
15-16 subject to any sale disposal, per 43 C.F.R. 2710.0-6(c)(3)(iii), with the understanding outlined in the text of the Preferred Alternative, which clarifies that the realty map may not identify all lands for disposal and other lands may also be disposed of through sale and other means. This may be a foreseeable future action for lands adjacent to Espil private lands in our Allotments.

**SECTION 2.8 – *LIVESTOCK GRAZING.***

Section 2.8 of the DRMP requires considerable revision, and these revisions likewise implicate necessary changes to Chapter 4. We believe such changes to Chapter 4 are or should be self-evident in our comments to Chapter 2, and do not therefore belabor such necessary changes within these comments. In the event, however, that BLM may have any additional questions regarding necessary changes to Chapter 4, as a result of our comments herein, we will be happy to provide such additional comments upon request by BLM.

**Subsection 2.8.1. *Desired Future Condition.***

15-17 The Desired Future Condition provisions of the DRMP are not Livestock Grazing DFC's, but rather "Vegetation" DFCs.

This subsection should be revised to provide for, among other things, the authorization of
15-18 maximum livestock permitted use (or lesser levels if applied for by the permittee) consistent with the achievement of other resource management objectives and rangeland health standards and guidelines (i.e. "optimum" livestock authorizations).

**Subsection 2.8.2.** ***Goal.***

Subsection 2.8.2 should be revised to state: "Authorize the optimum livestock forage grazing possible within each Grazing Allotment (i.e. the maximum level - or a lesser level if applied for by the permittee - consistent with other resource objectives and public land uses (allocations) specific to the grazing Allotment."

15-19 Stated in this manner, the goal is really an "optimum" of livestock grazing authorization, because it permits the most use that is at the same time consistent with other resource objectives and allocations. This goal would permit less than maximum livestock use at the permittee's application, but would not preclude economic and environmental benefits as a result of using forage that is shown to be available on a sustained basis (i.e. consistent with other objectives).

Monitoring data collected over time concludes that additional sustained forage is available within (at least) the Twin Peaks Allotment.

**Subsection 2.8.3.** ***Objectives.***

15-20 Subsection 2.8.3 is not a Livestock Management Objective, but rather is a Vegetation objective. It needs to be re-written to focus on livestock use, including authorization to harvest additional forage available on a sustained basis. While we recognize that livestock authorization is premised on available forage, the Objectives, as written, are not clearly stated as livestock objectives, but are properly placed under the Vegetation sections of the document.

Therefore, the Objective should be similar to the Goal, discussed above, but should be quantified within the revised DRMP and specified for each Grazing Allotment, using monitoring data currently available to ELFO. In the case of (at least) the Twin Peaks Allotment, the quantification of "optimum" livestock forage is considerably higher than that level of use currently authorized.

**Subsection 2.8.4.** ***Legislative, Regulatory, and Policy Direction.***

15-21 Subsection 2.8.4 should include reference to (at least) the Taylor Grazing Act in addition to the cited legislation. This will also make this subsection consistent with Subsection 2.8.5.

**Subsection 2.8.5.** ***Management Common to All Alternatives.***

15-22 Subsection 2.8.5 should be revised to provide for allotment management plans (AMPs) ***or their functional equivalents***. Functional equivalents to AMPs are often contained in Final Multiple Use Decisions, in Settlement Agreements to appeals, and (as noted in the DRMP) other less formal agreements.

15-2 We note at this point, but the problem is universal throughout the DRMP, that there is contained nowhere in the DRMP a site-specific accounting of where (i.e. what allotments, what range sites, what watersheds) the list of rangeland improvements are proposed to be applied, either under the "common to all alternatives" subsection, or regarding any of the alternatives.

**Subsection 2.8.6. *No Action Alternative.***

15-7 Subsection 2.8.6 does not accurately portray the "no action" alternative, which we contend is management under the currently-effective Land Use Plan. Among other things, the currently-effective Land Use Plan does not: 1) restrict livestock forage allocation within the whole of the area to 52,250 AUMs, but rather provides for, predicts, and prescribes increases in livestock forage allocation; 2) preclude or ed-emphazise new rangeland projects, but instead contains provisions for new rangeland projects where needed to increase livestock and wildlife distribution throughout the planning areas; 3) restrict species seeded in new seedings (or "maintained" seedings) to native species only.

**Subsection 2.8.7. *Economic Development.***

15-23 Subsection 2.8.7 does not identify any scientific, economic, or resource basis for the proposed limitation of livestock forage allocation to 60,000 AUMs within the whole of the planning area, nor for the proposed limitation of new seedings to an area of only 8,000 acres.

15-2 As throughout the DRMP, no site-specific description of the proposed seeding areas, new fences, or other range improvements is included in Chapter 2.

**Subsection 2.8.8. *Ecosystem Restoration.***

15-24 Subsection 2.8.8 proposes to "rest" allotments/pastures for two years out of three. This is a completely arbitrary proposal, with no rational basis in the science.

15-25 Subsection 2.8.8 proposes to use the lowest utilization level as recommended by the RAC, rather than the upper limits or highest allowable use levels. However, this is contrary to the implementation procedures of Guideline 16.

15-26 Subsection 2.8.8 proposes to use chemical herbicides and seedings to aggressively treat areas dominated by annual species. While we do not take issue with this provision, it should not be limited to only the "ecosystem restoration" alternative. The provision to aggressively treat areas dominated by cheatgrass and other annual species should be "common to all alternatives", because it is Guideline 10 of the S&Gs.

15-27 Subsection 2.8.8 provides that existing water sources will be maintained for use by wildlife, and infers or states that livestock permittees will be required to assure the working function and provision of water for wildlife in years/periods of the year when the permittees are precluded from using the water source for livestock. Besides being a

15-27

logistical impossibility, we believe this provision is contrary to state water law, and we believe further that it is contrary to the effective cooperative agreements and/or range improvement permits relative to our Grazing Allotments. Furthermore, it would be an unreasonable burden to require a grazing permittee to provide water for wildlife species at times other than when the livestock are using the pasture and/or allotment.

**Subsection 2.8.10.** ***Preferred Alternative.***

15-9

As stated under "General Comments herein, there exists no "Purpose and Need" for the Preferred Alternative as written at Subsection 2.8.10. The currently-effective Land Use Plan provides for all (or, alternatively, does not preclude any) of the generic and non-site-specific proposals contained under this subsection.

**SECTION 2.9 – *RECREATION AND VISITOR SERVICES.***

**Subsection 2.9.10 (*Economic Development*) and 2.9.13 *(Preferred Alternative).***

15-28

Subsection 2.9.10 and 2.9.13 propose to create new Special Recreation Management Areas, one of which is the South Dry Valley (See Map REC-1). Espil opposes the creation of this SRMA. BLM should adopt the "No Action" alternative relative to this area.

The creation of a SRMA will have the likely result of increasing concentrated off-road vehicle use, which is detrimental to the resources of the area. It will likely lead to intrusions onto private lands and private and public riparian resources both within and outside the purported boundaries of the SRMA. As attention is added to the area, and additional visitation occurs, increased visitation to areas outside the "attention zone" will also occur, which will have the foreseeable likely impact of conflict with wildlife and livestock. This is a conflict that does not exist with dispersed recreation, at least not to the extent that will likely occur with special management attention focused on the area.

**SECTION 2.10 – *RECREATION OPPORTUNITY SPECTRUM.***

**Subsection 2.10.1.** ***Desired Future Condition.***

15-9

There exists no "Purpose and Need" for the Preferred Alternative, nor any alternative other than the "No Action" alternative, as the Desired Future Condition already exists under the currently-effective Land Use Plan.

**Subsection 2.10.11.** ***Preferred Alternative.***

15-6

Espil opposes the Preferred Alternative, and urges adoption of the "No Action" alternative (assuming the DRMP maps accurately state the ROS classification under the currently-effective Land Use Plan).

15-6

The Preferred Alternative would adversely impact our ability to maintain livestock management infrastructure, including springs, pipelines, fences, corrals, salting locations, etc. In addition, the Preferred Alternative would result in more concentrated, not more dispersed, recreation on areas where roads remain open. This concentration has the likely foreseeable consequence of increasing recreation conflicts between and among recreationists, and has the further likely consequence of increasing recreationist/wildlife conflicts and recreationist/livestock conflicts.

The No Action Alternative would continue to provide the greatest degree of dispersed recreation and recreational choices throughout the ELFO, particularly within our Grazing Allotments.

**SECTION 2.11 – *SOIL RESOURCES.***

**Subsection 2.11.3. *Objectives.***

15-29

The objective that "Erosion and sedimentation would be prevented" and "sedimentation of sensitive aquatic environments would also be prevented" are unrealistic and unattainable objectives. Erosion - and its consequence, sedimentation - are part of the natural condition of the ELFO, and have been going on since the formation of Earth. Furthermore, it is probable that the most effective natural erosive force within the ELFO is moving water (aquatic habitat). Therefore, it is an impossibility to "prevent" erosion and sedimentation, and especially so within "aquatic" habitats. In fact, without erosion and sedimentation, there could exist no stream banks supporting riparian vegetation.

**Subsection 2.11.5. *Management Common to All Objectives.***

15-3

Espil questions the veracity and accuracy of the information and/or analysis and interpretation of such information that BLM relies upon to conclude that ½ of the surveyed acres within the ELFO do not meet the "land health standard".

Espil contends that such characterization is not supported by or reflected by Map SOILS-1, and Map SOILS-2, which appear to show that only "slight" deviation from that expected at reference areas (which are usually "pristine" areas) is the current situation over the vast majority of the subject area. We note that Maps SOILS-1 and SOILS-2 do not contain any symbol within the key for areas that have "no" deviation, so we presume that the symbols for "slight deviation" include "no deviation". Additionally, the discussion at Subsection 3.12.2 does not support the notion that ½ of the surveyed acres within ELFO do not meet the "land health standard" for soils, but instead supports the conclusion that the vast majority meet such standard.

Either the DRMP mis-states the current condition at Chapter 2, or BLM has taken a biased approach to determining whether the "land health standard" has been met, or such approach is not based upon the approved indicators of rangeland health, or the information is flawed, or a combination of the above has occurred.

15-3 We believe this is particularly true as to our Allotments, which have shown an improved ecological trend, a "condition" measurement repeated over time, as opposed to the one-point-in-time inventory and purported analysis relied upon within the DRMP.

**Subsection 2.11.6.** ***No Action Alternative.***

15-29 This comment applies to all alternatives relative to "Sediment Intrusion Buffer Zones": The notion that any management can prevent sediment "intrusion" (except perhaps on the very tops of the mountain) is ludicrous. Sedimentation (via erosion) is a natural phenomenon.

If the DRMP intends to address "higher than backround" erosion and sedimentation areas, it fails to specify what levels constitute such concern, and where those areas exist on the landscape.

**Subsection 2.11.10.** ***Preferred Alternative.***

15-9 As written, there exists no "Purpose and Need" for the Preferred Alternative. None of the actions (except perhaps "sediment intrusion buffer zones") are precluded by the currently-effective Land Use Plan.

Further, as pertains to "sediment intrusion buffer zones", the DRMP does not specify what are "sensitive sites", except it appears to consider "water bodies" and "sensitive vegetation" as such sensitive sites.

15-30 However, neither "sensitive water bodies" nor "water bodies" is defined for the purposes of the Preferred Alternative or any other alternative (see Glossary), and the meaning of the DRMP is not clear. Potentially, this undefined, non-specific wording could include every developed or undeveloped seep; every developed or undeveloped spring; every ephemeral, intermittent, or perennial stream; every man-made stock-water pond; every overflow pond on pipelines; every trough location; and every man-made or natural lake. This lack of specificity renders the DRMP ambiguous, and the assessment of Environmental Consequences in Chapter 4 invalid.

15-31 Further, "sensitive vegetation" is not defined (see Glossary). Potentially, the undefined, non-specific wording could include any vegetation that BLM at a future date "retroactively" determines to be "sensitive". This lack of specificity precludes Espil and the public from properly assessing the Affected Environment, the Alternatives, and the purported Environmental Consequences.

**SECTION 2.12 – *AREAS OF CRITICAL ENVIRONMENTAL CONCERN***

Subsection 2.12.8 (*Ecosystem Management)* and 2.12.10 (*Preferred Alternative).*

Espil opposes the designation of Lower Smoke Creek, Buffalo Creek Canyons, and North Dry Valley ACEC's, and urges the adoption of the "No Action" alternative relative to these areas.

The above-noted areas either do not meet the Relevance and Importance Criteria, or alternatively, no special management has been demonstrated to be needed.

15-32 While we agree that Buffalo Creek Canyon is scenic, we do not believe that such scenery is unique for the region or the nation nor makes the area "outstandingly remarkable". As to the discussion regarding the Buffalo Hills Toll Road, such toll road terminated at two ends on private lands at Buffalo Meadows Ranch and Goat Camp, both now owned by Espil. BLM has not solicited our support of this ACEC designation or Historic Trails preferred alternative, notwithstanding the fact that the private lands were what made the taking of a toll at all possible, and notwithstanding our ownership of basically the terminus of both ends of the toll road. Further, as noted in the DRMP, the WSA status already protects the VRM characteristics, and the low likelihood of mineral development also discussed in the DRMP makes any proposal to alter the landscape unlikely. The discussion at DRMP p. A-58 of continuing growth in Reno, a proposed power plant far distant from the site, and a hypothetical dam in Buffalo Canyon are pure fantasy as they relate to the "vulnerability to change" criterion.

15-33 The reasons given at DRMP p. A-61 through A-62 for proposing Lower Smoke Creek as an ACEC likewise do not stand the test of relevancy, importance, or vulnerability to change. Among other reasons the area fails the tests are, as stated in the DRMP, a road traverses nearly the entire length of the proposed ACEC (and is so close to the stream that it effects the achievement of riparian functionality), and the Dry Valley Rim WSA already encompasses the proposed ACEC. Therefore, an "additional layer" of protection is not necessary to further "protect" whatever values exist in the area. The other reasons provided at DRMP p. A-61 through A-62 do not meet the criteria and/or would not be changed by the proposed designation.

15-34 While North Dry Valley possesses certain attributes as listed at DRMP p. A-62, such attributes do not constitute a unique reason for designation as ACEC, and do not demonstrate any likely "vulnerability to change" requiring an ACEC. We further find it incongruous that the DRMP proposes to create a nearby SRMA – which will attract and increase OHV use to the larger surrounding area – while expressing purported concern at DRMP p. A-62 about OHV and other recreational activities to purportedly unusual soil formations essentially immediately next-door to the proposed SRMA.

**SECTION 2.13 – *HISTORIC TRAILS.***

**Subsection 2.13.10. *Preferred Alternative.***

15-32 & 15-33

Espil opposes the Preferred Alternative, and urges the adoption of the "No Action" Alternative.

See reasons discussed above relative to DRMP SECTION 2.12.

**SECTION 2.14 – *WILD AND SCENIC RIVERS.***

**Subsection 2.14.8 *(Ecosystem Restoration)* and 2.14.10 *(Preferred Alternative).***

Espil opposes adoption of Alternative 2 and/or the Preferred Alternative relative to Upper Smoke Creek and Lower Smoke Creek.

15-35

Neither of these stream segments exhibit "outstandingly remarkable" values so as to qualify them as wild and scenic reaches of river, nor that would classify Upper Smoke Creek as "wild". Lower Smoke Creek, having no qualifications to be deemed a wild and scenic river, needs no subsequent classification as "recreational".

Map WSR-3 does not depict Lower Smoke Creek as being proposed for such designation under the Preferred Alternative.

The currently-effective Land Use Plan already provides WSA protections for the areas which these watercourses traverse, and the currently-effective Land Use Plan and AMP provide for livestock management designed to promote achievement of the land health standards related to the stream courses. Therefore, no "Purpose and Need" is demonstrated for a change in the status of these stream segments.

**SECTION 2.15 – *WILDERNESS STUDY AREAS***

**Subsection 2.15.1. *Desired Future Condition.***

15-36

Espil contends that the DFC listed at this section is a DFC relative only to Alternatives 2 and the Preferred Alternative, but not to the other Alternatives. In other words, the DFC is stated as a separate stand alone DFC, but is stated as the DFC that would occur consistent with the Preferred Alternative.

**Subsection 2.15.6. *No Action Alternative.***

15-37

We do not believe the DRMP accurately reflects the "No Action" alternative. We do not believe the currently-effective Land Use Plan prescribes the acquisition of all private lands within the subject WSAs to be acquired. Further, as applies to this purported alternative and all other alternatives, Espil contends that if private lands need to be acquired by the federal government in order to assure the non-impairment of WSAs for

15-37 wilderness values, then the designation of such areas was incorrectly made by BLM in its original assessments of suitability, and any continuing designation as WSA's is unreasonable and unwarranted.

**Subsection 2.15.8 *(Ecosystem Restoration) and* 2.15.10 *(Preferred Alternative).***

Espil opposes the adoption of either of the above-noted alternatives, and urges the adoption of the No Action alternative relative to the closure of existing routes within the Skedaddle, Five Springs, Dry Valley Rim, Twin Peaks, Buffalo Hills, and Poodle Mountain WSAs; and relative to the construction of non-motorized, non-mechanized travel routes (i.e. "trails") within the Skeedaddle, Dry Valley Rim, and Twin Peaks WSA's.

15-38 The closure of the subject routes would impair our ability to maintain the livestock infrastructure within our Grazing Allotments.

The development of new "hiking and horseback" trails would invite increased use of the WSA's, which we consider to be adverse to the existing opportunities for solitude. There furthermore exists no reasonable "Purpose and Need" to construct developed trails, because wild horse, livestock, and wildlife trails provide sufficient access into and through the subject WSA's. Any person interested in the enjoyment of the area and the opportunity for solitude can readily access the WSAs via these dispersed animal trails.

Further, increased visitation on developed, rather than dispersed, trails will likely lead to adverse impacts to wildlife and wild horses (including such possible adverse impacts as such as aversion fragmentation of habitat); would undoubtedly cause impacts to our livestock/wildlife water sources; would likely lead to livestock and wildlife being chased or scared off water sources, and we believe would constitute harassment of livestock which is prohibited by state livestock laws.

**SECTION 2.16 – *TRAVEL MANAGEMENT.***

15-39 Espil opposes the Preferred Alternative and others as applicable, consistent with our comments herein elsewhere pertaining to RECREATION, WSAs, ACECs, WSRs, and others. We urge adoption of alternatives consistent with the comments herein.

**SECTION 2.17 – *VEGETATION.***

15-40 We believe that this Section does not entirely conform to the Standards and Guidelines criteria (as are reported at 2.17.4). The fact that different wildlife species thrive in different ecological seral stages means that in order to meet the biodiversity standard, a variety of seral stages (which might include those that lack purported "key attributes") are necessary for attainment of the criteria. The Vegetation Section appears to aim toward "potential natural community" or "late seral condition" rather than a variety of seral stages.

15-40

We further contend that until the specific habitat requirements for the mix of wildlife species is known and assessed against the Affected Environment, no conclusion of "lacking key attributes" is reasonable. Specifically not discussed in the DRMP is "what attributes are missing that are 'key', and for which wildlife species or mix of species are the missing attributes 'key'?" This specificity is crucial, because not all wildlife species need, desire, or use the same "key attributes".

An area dominated by cheatgrass and devoid of sagebrush overstory may be lacking the 'key vegetative attribute' for sagegrouse, but may be "good" habitat for chukar. Likewise, relative to pronghorn and mule deer, burned areas that lack big sagebrush cover may be deemed to lack a 'key vegetative attribute' for mule deer, but the very lack of such attribute increases the desirability of the habitat for pronghorn. Conversely, in areas with good canopy cover of tall big sagebrush, the presence of the 'key vegetative attribute' – big sagebrush – for mule deer represents the lack of a 'key attribute – open, low-stature vegetation - for pronghorn.

**Subsection 2.17.3 – *Objectives.***

15-41

Espil contends that the objectives relative to the number of acres in each category listed at Subsection 2.17.3 do not reflect the existing environmental conditions of the Affected Environment within the planning area. This contention is supported by the fact that BLM did not sample the planning area in a random manner, but rather prioritized and inventoried the planning area to reflect a "worst case scenario". In establishing the implementation protocols for the S&Gs, BLM notified the public in 1999 that it intended:

> "to conduct rangeland health assessments on all allotments within the next 5 years. First priority for these assessments will be given to those allotments where we already know or suspect one or more of the standards are not being met." (DRMP, page A-23).

Therefore, the reasonable conclusion is that BLM concentrated its sampling inventory efforts on those areas and portions of allotments that BLM knew or suspected represented the "worst case scenario", rather than randomly sampling the planning area acreage. It is this "worst case scenario" that is depicted at Subsection 2.17.3 – in other words, the 30%, 33%, and 30% division may apply to the 200,000 acres of the "known or suspected to not meet" acres within the planning area that were inventoried, but such projections regarding "lacking key attributes" and "at risk of becoming unhealthy" to the hundreds of thousands of acres within the planning area is not a reasonable exercise.

The objectives for this subsection should be re-written to reflect the following changes:

> The DRMP purports that 33% of the entire planning unit (330,496 acres) are currently in "healthy" condition, but "lacking key attributes". However, because BLM concentrated its inventory and assessment efforts on areas and portions of allotments "known or suspected" to lack key attributes, the objective only properly applies to 33% of the 200,000 acres inventoried, or 66,000 acres.

15-41

The DRMP purports that 30% of the entire planning unit (306,579 acres) are currently "at risk" of becoming unhealthy. However, because BLM concentrated its inventory and assessment efforts on areas and portions of allotments "known or suspected" to lack key attributes, the objective only properly applies to 30% of the 200,000 acres inventoried, or 60,000 acres.

Likewise, because BLM concentrated its inventory and assessment efforts on areas and portions of allotments "known or suspected" to lack key attributes, the reasonable conclusion is that the remainder of the planning area (approximately 874,000 acres) are currently "known or suspected" to be "healthy".

These are the acreage figures that should be reflected at Subsection 2.17.3.

**Subsection 2.17.7. *No Action Alternative.***

15-42 To the extent that the purported No Action alternative is not consistent with the currently-effective Land Use Plan, Espil contends that the currently-effective LUP defines such alternative.

**Subsection 2.17.11. *Preferred Alternative.***

15-9 Espil opposes the Preferred Alternative and urges the adoption of the "No Action" Alternative. As stated herein above, there is no demonstrated "Purpose and Need" for this proposed action.

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15-44
15-41
15-24

Among other shortfalls, the Preferred Alternative: 1) is not specific as to what constitutes "functional/structural groups", or what that "function" or "structure" is; 2) is unreasonable in its call for "preservation" of biological crusts and the use thereof as the indicator of natural ecological sites; 3) repeats the errors of the "objectives" subsection relative to acres in each "health category", and; 4) unreasonably projects resting shrub species for two years out of three.

**SECTION 2.18 – *NOXIOUS WEEDS.***

Espil supports the preferred alternative.

**SECTION 2.19 – *RIPARIAN-WETLAND ASSOCIATIONS.***

15-2 As with most of the DRMP, this section lacks the necessary specificity to provide Espil and the public with the information contained within the records and files of BLM, and precludes the opportunity to properly assess the appropriateness of the alternatives on a site-specific basis, specifically as it applies to Espil's grazing Allotments.

15-9 To the extent that comment is possible, Espil contends relative to its grazing Allotments that the current management under the currently-effective Land Use Plan and the

15-9 currently effective AMP, is sufficient to maintain and enhance the riparian-wetland habitats of Espil's grazing Allotments.

**Subsection 2.19.4.** ***No Action Alternative.***

Espil contends that Subsection 2.19.4 does not accurately reflect the "No Action" alternative provided under the currently-effective Land Use Plan and the currently effective functional equivalent of an AMP on Espil's allotments. Among other inaccuracies at this Subsection are the facts that the current management: 1) does not emphazise maintenance of riparian exclosures over the construction of new exclosures, and; 2) does not prioritize areas functioning at risk-static and -downward over other areas. Nothing in the current management precludes either prioritization, but it is rather a matter of discretion on the part of the authorized officer.

15-45
15-46

15-9 As with other actions, there exists no "Purpose and Need" for the proposed action under the Preferrred Alternative which is precluded by the currently-effective management plans.

**SECTION 2.20 –** ***SPECIAL STATUS PLANTS.***

Espil supports a modified Preferred Alternative that eliminates reference to "special interest plants". The DRMP page G-50 defines "special interest plants" as plants that are "recognized by the scientific community but are not included in BLM's sensitive plant list". However, we believe that the Preferred Alternative, as written, would have BLM abrogate to the State of California, BLMs authority to determine what plants are to receive special management attention on public lands. Further, nothing precludes the scientific community from requesting of the State Director that certain species be specifically included on BLM's sensitive species list.

15-47

**SECTION 2.21 –** ***VISUAL RESOURCES MANAGEMENT.***

15-48 Espil comments to this section consistent with its comments contained elsewhere herein, particularly but not necessarily limited to comments relating to RECREATION, WSAs, ACECs, WSRs, etc.

**SECTION 2.22 –** ***WATER QUALITY AND HYDROLOGIC FUNCTION.***

15-9 Nothing in this Section suggests a "Purpose and Need" relative to the Preferred Alternative that deviates from accepted practices under the currently-effective Land Use Plan and currently-effective AMPs regarding our grazing Allotments.

15-2 As with most of the DRMP, this section lacks the specificity required to permit Espil and the public a reasonable opportunity to review what is intended and what are the potential environmental and economic consequences.

**SECTION 2.23 – *WATER SUPPLY.***

15-9 Nothing in this Section suggests a "Purpose and Need" relative to the Preferred Alternative that deviates from accepted practices under the currently-effective Land Use Plan and currently-effective AMPs regarding our grazing Allotments.

15-2 This section also lacks the specificity required to permit Espil and the public a reasonable opportunity to review what is intended and what are the potential environmental and economic consequences.

**SECTION 2.24 – *WILD HORSES AND BURROS.***

15-9 Nothing in this Section suggests a "Purpose and Need" that deviates from accepted practices under the currently-effective management plans regarding the species.

**SECTION 2.23 – *WILDLIFE AND FISHERIES.***

15-49 Espil contends that the various DFCs, Goals, and Objectives within the various subsections are or may be self-contradictory, depending upon the wildlife species at issue, because managing "for" the habitat needs of one species may equate to simultaneously managing "against" the habitat needs of another species.

**Subsection 2.25.4 Goal 3 – Ungulates.**

15-50 This Subsection lacks the specificity required to permit Espil and the public a reasonable opportunity to review what is intended and what are the potential environmental and economic consequences. As stated elsewhere herein, the biological requirements for pronghorn and mule deer are considerably different from each other, but the occupancy of the two species upon the landscape overlaps, as is demonstrated by Map WL-4 ("Deer Priority Habitat Areas") and Map WL-5 ("Pronghorn Priority Habitat Areas"). The DRMP fails to specifically identify the areas of the rangeland relative to our Grazing Allotments where pronghorn habitat management would take priority over mule deer habitat management, instead simultaneously depicting "all" habitat as "priority habitat" for both species. However, BLM cannot have it both ways: fi BLM is managing "for" one of the species, it is managing "against" the other.

15-51 Espil contends that the scientific evidence available at the time of this DRMP does not support a conclusion that domestic sheep have been shown to transmit disease to bighorn sheep in open range situations, and there exists no reason to presume a removal of domestic sheep permits is either a condition precedent, or is a likely event in the foreseeable future. However, because the relinquishment of domestic sheep permits is not a likely foreseeable occurrence within the life of the proposed RMP, the "goal" at this subsection should be reworded to state that bighorn sheep are not proposed for introduction to the planning area under the auspices of this RMP, and any such introduction would require a Plan Amendment and EIS.

**Subsection 2.25.4 Goal 4 – Sagebrush Ecosystems and Sagebrush-Obligate Species.**

15-2 This section lacks the specificity required to permit Espil and the public a reasonable opportunity to review what is intended and what are the potential environmental and economic consequences. The DRMP fails to specifically identify the areas of the range relative to our Grazing Allotments where the proposed actions and impacts would occur.

## COMMENTS TO CHAPTER 3

We incorporate by reference our comments to Chapter 2 to our Comments relative to Chapter 3.

**SECTION 3.9 – *LIVESTOCK GRAZING***

**Subsection 3.9.1. *Historical Setting.***

Subsection 3.9.1 makes the assertion that "Livestock were forced off adjacent National Forest lands onto public domain (now BLM-administered) lands and applicants' exaggerated claims of historical use on public domain land during the priority years (1929-1934) were used to establish grazing levels under the Taylor Grazing Act of 1934.
15-52 However, the DRMP cites no historical authority for its assertion of "exaggerated claims of historical use". Contrary to the assertion, "overstocking" of the range is acknowledged by the DRMP to have occurred, so the reasonable conclusion is that the applicants' claims were NOT exaggerated, and excessive stocking actually occurred. This inflammatory statement should be removed from the revised DRMP, unless BLM can cite a historical reference coincident with the period to show that the permit applicants provided false information to the Taylor Grazing Service in the 1930's.

**Subsection 3.9.3. *Current Livestock Grazing Conditions.***

While Subsection 3.9.3 discloses that Rangeland Health Assessments have been conducted, it fails it two respects to provide the level of specificity needed: first, it fails
15-53 to disclose that monitoring of utilization, actual use, and range condition has also occurred over time on the allotments subject to the DRMP; second, it fails to report on a
15-2 site-specific basis (i.e. on the allotment level) what the monitoring and RHA information disclose.

It is not sufficient for BLM in the Affected Environment Section of the DRMP/EIS to
15-2 merely report that information exists. It is instead necessary to disclose for the permittees and for public review the quantification of that information on a site-specific (i.e., allotment-specific) basis.

**Subsection 3.9.4.** ***Current Livestock Management.***

15-54 Subsection 3.9.4 incorrectly states that the "primary management objective for livestock management has been to increase perennial grass composition." Instead, the currently-effective Land Use Plan and AMPs for (at least) our grazing allotments contain a variety of objectives, including the maintenance and improvement of rangeland ecological condition, riparian maintenance and improvement, etc.

**Subsection 3.9.5.** ***Observed Trends.***

15-2 & 15-41 Subsection 3.9.5 does not report what are the trends in range condition. This information should be supplied in this subsection of the DRMP, and should be supplied on a site-specific (i.e. allotment-specific) basis. At least as concerns our grazing Allotments, such trends in range condition have been stable to upward trends in range condition since the initiation of our AMPs. This information is known by us to be within the records and files of the ELFO, and we request that such trend in ecological conditions be reported and exposed to public review in the revised DRMP.

**SECTION 3.12 –** ***SOIL RESOURCES.***

**Subsection 3.12.2.** ***Assessment of Soil Condition and Present Management of Soil Resources.***

15-2 Subsection 3.12.2 reports the functionality of soils as percentages of watersheds, which is at least an improvement over much of the remainder of the DRMP. However, this subsection does not relate the findings to specific and practical management units, i.e., allotments and pastures, so that even this reported information is not useful in assessing management on a site-specific basis.

15-55 This Subsection also fails to report which of the 12 parameters resulted in the soil functionality being "at risk" or "non-functioning" for different areas. It is this site-specific information that is critical to an adequate understanding of the present Affected Environment and therefore the reasonableness of management actions and the purported Consequences.

**SECTION 3.16 –** ***VEGETATION***

**Subsection 3.16.1.** ***Terrestrial Vegetation.***

15-41 Espil contends that the projections of acreage in the various "health" categories as listed in Table 3.16.2 is erroneous as a result of BLM's biased sampling techniques. See comments herein relative to Subsection 2.17.3. This comment also pertains to Table 3.20-3, and anywhere else that applies application of the biased monitoring results to the whole of the planning area.

15-2 Besides correction for BLM's biased sampling techniques, this subsection, as with the rest of the DRMP, needs to report the information on a site-specific (i.e., allotment-specific) basis.

**Subsection 3.16.5.** ***Wetland and Riparian Alliance.***

15-2 While the reported functionality within Subsection 3.16.5 is consistent with findings on our grazing Allotments, this Subsection, along with the rest of the DRMP, needs to report the information on a site-specific (i.e. allotment-specific) basis.

**Subsection 3.16.7.** ***Noxious Weed Species.***

15-56 It is unclear why the DRMP mixes the concept of noxious weeds with the concept of invasive weeds. The discussion of the two concepts should be separated, as there are management as well as legal distinctions between the two concepts.

15-57 While it is obvious how fire suppression has allowed juniper to invade stands of sagebrush, the DRMP fails to explain how "overgrazing [by] livestock" purportedly has caused juniper invasion of sagebrush stands, particularly since livestock do not exhibit a high dietary preference for big sagebrush.

15-2 Tables 3.16.5 and 3.16.6 fail to provide site-specific (i.e., grazing Allotments) locations of the various occurrences of Special Status Plants and Noxious Weed occurrences. This lack of specificity deprives Espil and the public of the necessary information to assess the proposed management actions and Consequences relative to their grazing Allotments.

**SECTION 3.16 –** ***WATER QUALITY.***

15-2 This Section fails to provide site-specific (i.e., grazing Allotments) information, as well as specific information regarding "which" parameters of water quality or riparian functionality are not meeting standards. This lack of specificity deprives Espil and the public of the necessary information to assess the proposed management actions and Consequences relative to their grazing Allotments.

**SECTION 3.30 –** ***WILDLIFE AND FISHERIES.***

15-2 This Section fails to provide site-specific (i.e., grazing Allotments) information, as well as specific information regarding "which" parameters of "biotic integrity" or "biotic diversity" were assessed as not meeting a particular standard. This lack of specificity deprives Espil and the public of the necessary information to assess the proposed management actions and Consequences relative to their grazing Allotments.

## COMMENTS TO CHAPTER 4

We incorporate by reference our comments to Chapters 2 and 3 as comments to Chapter 4. To the extent additional comments are necessary, we add the following:

### SECTION 4.8 – *POTENTIAL EFFECTS ON LIVESTOCK GRAZING*

**Subsection 4.8.1.** ***Methodology and Assumptions.***

15-58 Unlike other sections dealing with Methodology and Assumptions, there is no specific description of what constitutes "adverse" versus "beneficial" impacts to Livestock Grazing. See, for example, Subsections 4.2.3 (Cultural Resources), 4.3.1 (Energy and Minerals), 4.5.1 (Fire and Fuels), 4.12.2 (ACECs), 4.14.1 (WSAs), 4.15.1 (Travel Management), 4.18.1 (Special Status Plants), 4.20.1 (Water Resources), 4.21 (WH&B), 4.22.1 (Wildlife and Fisheries). This inconsistency and lack of specificity deprives Espil and the public of the necessary information to assess the proposed management actions and Consequences relative to their grazing Allotments.

Thank you for the opportunity to comment to the DRMP. Please keep us informed of all additional opportunities to participate in this process.

Sincerely,

John R Espil

*For*

John Espil Sheep Co., Inc.

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BLM Eagle Lake

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**Estill Ranches, L.L.C.**
**John & Lani Estill**
**Jewell Estill**
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July 27, 2006

Owen Billingsley, Field Manager
USDI-BLM
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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 LakeField 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

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[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.**

16-1 through 16-3

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:

16-4 (1) A preferred alterative 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.

16-5 (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.

16-6 (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.

16-7 (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).

16-8 (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 along as the "Prospective Oil and Gas Land" and the "Prospective Geothermal Land" development in Map MIN-1 is compatible with the authorized livestock use.

16-9 (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 along as the Byway is properly and adequately noticed and signed as to road conditions, livestock use, etc., and as along as the Byway remains compatible with the authorized livestock use.

16-10 (7) A preferred alternative to establish various *Recreational Opportunity Spectrum* zones within all six (6) allotments (see ROS-1). Estill opposes this preferred

16-10 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]

16-10 (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.

16-11 (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.

16-12 (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.**

16-1 through 16-3 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 permitteees) 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 ol' 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.

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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:

16-2

(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 over-simplification 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 3-51provide 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 is 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.

16-2

(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).

16-1 & 16-3

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.**

16-1

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".

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
16-13 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.

16-14 ↓ Management Comment to All Alternatives relative to Livestock Grazing: While it is appropriate for the DRMP to disclose at page 2-40 that "(r)eview 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]").

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)eview ... existing permitted use-levels (AUMs). We urge BLM to do so. 16-14

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)eview ... 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. 16-15

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. 16-16

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 16-17

16-17 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.

16-18 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.

16-19 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.

16-20 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.

16-21 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

16-21 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.).

16-22 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".

16-23 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.

16-24 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

16-24 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.

16-25 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.

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.

16-25

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.

16-25 *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 $CO_2$ 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.

16-26 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

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."

16-26

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.

16-27

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)

16-27

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).

16-25 through 16-27

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.

16-25

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."

16-25 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).

16-25

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".

16-2

**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.**

16-2 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.

16-28 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.

16-29 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.

16-3 **The "Environmental Consequences" discussion for livestock lacks specifics. DRMP, pp. 4-66 to 4-79.**

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16-30 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 be 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.

16-19 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
16-31 4-67 that "the season, duration, and frequency of wild horse use cannot be controlled", since such can be control through timely census and timely removal of excess wild horses. We agree that "Seedings designed for livestock forage benefit"
16-16 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,
16-15 p.4-67. We reject any defined period of rest after wildfire, etc., as discussed above.
16-2 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".

Preferred Alternative: We reject that "other high-priority resources" would/could supercede the livestock resources, i.e. make livestock subordinate to
16-13 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.

16-21 See comment above about AUM level and future AUM level. See DRMP, p. 4-75.

16-19 See comment above about "Target maximum utilization" level. See DRMP, pp. 4-75 to 4-76.

16-12 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.

16-16 See comment above about using non-native seed in intended treated areas. See DRMP, p. 4-76.

16-15 See comment above about the rest period after fire or seeding. See DRMP, p. 4-76.

16-32 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

16-33 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.

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16-25 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.**

16-9 through 16-11 (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

16-34 (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.

16-4 (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.

16-35 (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..

by _____
John Estill

John & Lani Estill
Jewell 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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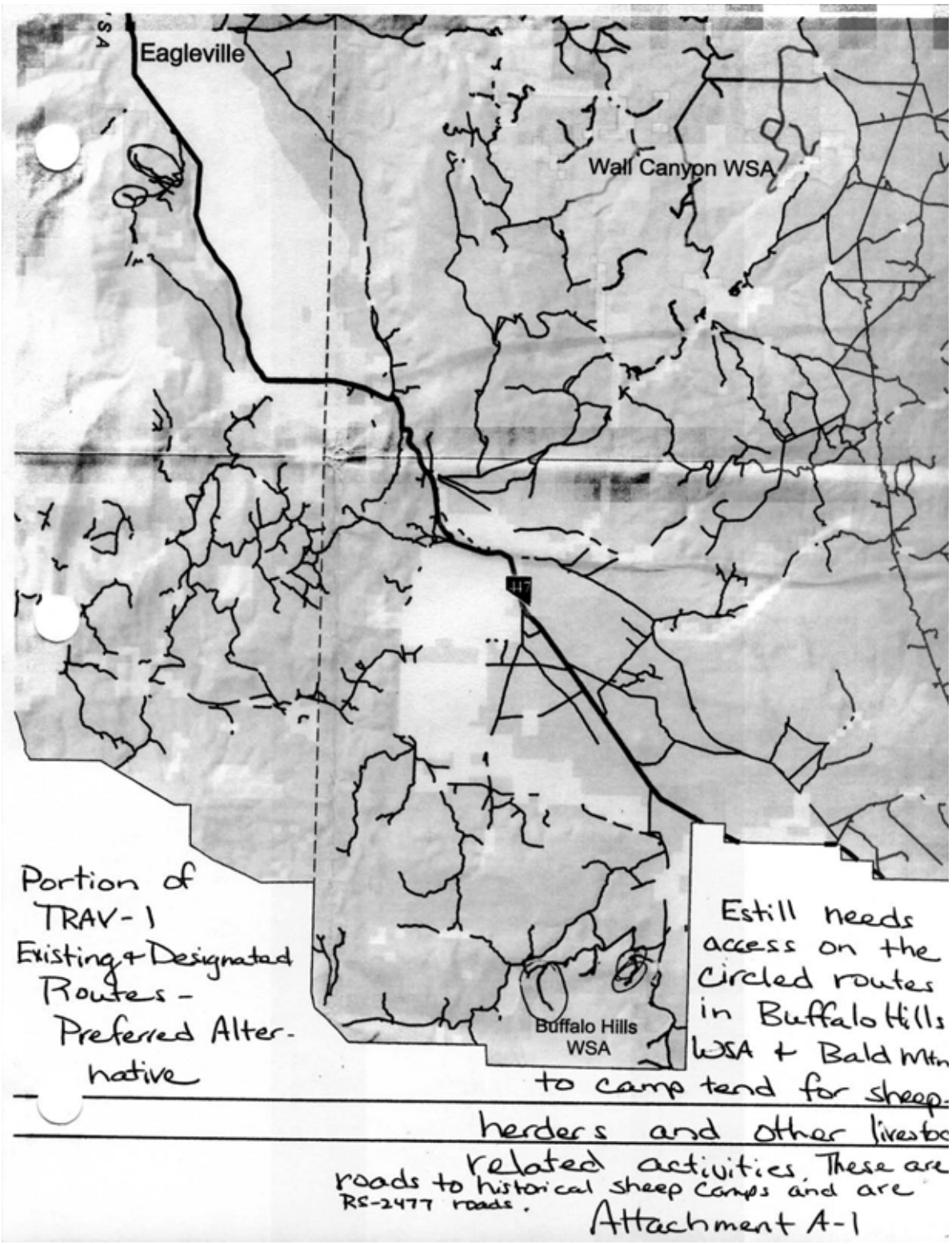
Eagleville
Wall Canyon WSA
Buffalo Hills
WSA
Portion of
TRAV-1
Existing + Designated
Routes -
Preferred Alter-
native
Estill needs
access on the
circled routes
in Buffalo Hills
WSA + Bald Mtn
to camp tend for sheep-
herders and other livesto
related activities. These are
roads to historical sheep camps and are
RS-2477 roads.
Attachment A-1

# 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**

17-1 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.

17-2 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.

17-3 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**

17-4 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**

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
17-5 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.

In addition, the draft RMP repeatedly states that Twelve Mile Creek is "administratively suitable" for designation. "Administratively" is an unnecessary
17-6 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. 4-174)

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).

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
17-7 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." Thus, interim protection would remain for eligible river segments until the political
17-7 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.

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
17-8 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.

17-9 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**

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.

17-10

**Summary**

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.

17-2

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).

17-3

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.

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?

17-5

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.

17-7

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.

17-9

17-9 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.

17-10 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.

17-11 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
<necarmp@ca.blm.gov>
cc

bcc

Subject
Additional comment from Friends of the River

Dear Ms. Noggles:

18-1 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
To
07/26/2006 01:01 PM Paul Brink/CASO/CA/BLM/DOI@BLM
cc
Jeff Jarvis/WO/BLM/DOI@BLM
Subject
voice

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.

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
18-1 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
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Send Mail UPS or Fed-Ex to:
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"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

Eagle Lake 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,

Bryan W. Griess
Assistant Executive Director

Enclosure

COMMENTS OF THE

# TRANSMISSION AGENCY OF NORTHERN CALIFORNIA ON THE U.S. BUREAU OF LAND MANAGEMENT EAGLE LAKE 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 Eagle Lake 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 individuals from the Eagle Lake and Alturas BLM staff 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), Unites 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 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 its 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 compliment 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 renewable generation development, 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 Eagle Lake Field Office's DRMP/EIS, as the Eagle Lake Field Office has local responsibility for portions of the geographic area surrounding or adjacent to TANC's proposed energy corridor.

**SPECIFIC COMMENTS**

The Eagle Lake DRMP/EIS, within Chapter 3.8, Lands and Realty, notes that the "BLM has not formally designated any right-of-way utility corridors or use areas under any of its previous planning documents. But BLM has been directed to begin coordinated, intergovernmental, interagency, right-of-way corridor planning…in partnership with industry and public groups." Eagle Lake's DRMP/EIS also references guidance provided by the National Energy Policy (2001), which encourages the development of renewable energy resources, including wind, to promote diversity in future domestic energy supplies. In conducting its coordinated efforts with respect to right-of-way corridor planning and based on the aforementioned references from Eagle Lake's DRMP/EIS, BLM seems interested in exploring corridors that promote/compliment wind energy development. The Eagle Lake DRMP/EIS also notes that "policy has been established to encourage the development of wind energy in acceptable areas." Furthermore, the DRMP/EIS notes that wind energy development is determined to be "an acceptable use of public land" and is not prohibited by previous planning documents. BLM's position with respect to wind generation development is encouraging to TANC. TANC believes that BLM's position should also include encouragement of the development of all renewable resources, including geothermal.

While not entirely consistent with other BLM field office DRMP/EIS documents (the BLM's Alturas and Surpise Field Office DRMP/EIS documents do not specifically express interest in furthering the development of wind generation, as does the Eagle Lake Field Office in its DRMP/EIS), Eagle Lake's position, which seems to support both national and state policy objectives (through the development of the state of California's Renewable Portfolio Standard), expresses a clear interest in renewable energy development, namely wind generation. TANC believes that its suggested east-west transmission corridor between northern California and northern Nevada will further the achievement of these national and state policy objectives while remaining consistent with acceptable land uses expressed in Eagle Lake's DRMP/EIS.

Complementing these national and state objectives, which clearly identify the importance of wind energy development, are positions taken by local governments to

promote clean renewable energy development. Lassen County, a portion of which is subsumed in Eagle Lake's 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.

The general consistency of this message and the seemingly clear interest in identifying energy corridors that will promote the development of renewable, notably wind, resources should not reduce attention to potential environmental issues related to energy corridor designation. TANC appreciates the numerous concerns and considerations that exist in relation to the environmental impacts of electric transmission projects and 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 Eagle Lake 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 is 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.

TANC is encouraged by Eagle Lake's efforts to address the importance of renewable energy development in the West. 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 Eagle Lake Field Office will be those energy corridors identified in northern California and northern Nevada. These corridors, even today, represent critical paths that can serve to interconnect developing generation resources to areas of significant load growth.

However, TANC is concerned that the *Preferred Alternative* (Sub-Section 3.6 under Section 2.7.3) for Section 2.7.3, Goal 3: Right-of-Ways discussed in Chapter 2, namely the use of existing right-of-way facilities, primarily 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 were 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 pursing a 300 MW upgrade of these facilities,

additional, new transmission facilities are needed to allow for increased imports into California; which is why TANC continues to strongly advocate an east-west transmission corridor between California-Nevada and beyond.

Unfortunately, the Alturas Transmission Project **will not** provide any benefit to the growing energy requirements of California because it is a north-south corridor not an east-west corridor. 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 Eagle Lake Field Office's draft Resource Management Plan and Environmental Impact Statement. TANC believes that it is critical the Eagle Lake Field Office make the following modifications/enhancements to this document:

19-1 1. Continue and expand your support for and recognition of the need for the development of renewable (wind and geothermal) energy sources;

19-2 2. Recognize the need for and support the designation of an east-west energy corridor between Northern California and Nevada; and

19-3 3. Support of 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.

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July 27, 2006

**email/Certified Mail**
Eagle Lake RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, California 96130

Client: Bright-Holland Co.
Subject: Eagle Lake BLM EIS
File: 48651.015

Please be advised my office represents Bright-Holland Co. ("Bright-Holland"), a Nevada corporation and Jackrabbit Properties, LLC ("Jackrabbit"), a Nevada limited liability company (collectively "BHC"). BHC owns approximately 74,000 acres and is a significant property owner holder in the planning area subject to the draft Resources Management Plan ("RMP") and draft Environmental Impact Statement ("EIS") for the Eagle Lake and Surprise planning area. The property affected by the Eagle Lake RMP and EIS consists of approximately 20,000 acres and the property affected by the Surprise RMP and EIS consists of approximately 54,000 acres. Specifically, within the Eagle Lake planning area these private real estate holdings are located in the Buffalo Creek Canyon area, Lower Smoke Creek and Upper Smoke Creek areas and North Dry Valley areas. BHC owns property within or near the Eagle Lake planning area in the following proposed areas of critical environmental concern ("ACEC"):

1. Pine Dunes ACEC
2. Buffalo Creek Canyons ACEC
3. Lower Smoke Creek ACEC
4. North Dry Valley ACEC

BHC also owns significant property where the RMP and EIS for planning areas designate the historic trails. For example, the following trails are within or adjacent to BHC properties:

1. The Noble Emigrant Historic Trail, and
2. Buffalo Hills Toll Road Historic Trail.
3. Military Route

Similarly, BHC has substantial in-holdings within and adjacent to the following Cultural Resource Management Areas ("CRMA"):

1. Upper Smoke Creek CRMA
2. North Dry Valley CRMA

20-1 The restrictions placed on public land for these historic trails and CRMA may limit existing or future uses of the neighboring BHC properties or they may impede access or utility rights of way through the CRMA to or from these private properties.

20-2 Finally, the proposed Wild and Scenic River ("WSR") segment is within or adjacent to portions of the Upper Smoke Creek Ranch owned by BHC. Both the Upper and Lower Smoke Creek river and creek segments run through my client's property, a portion of which is proposed to be classified as recreational. In addition, a segment of the Upper Smoke Creek segment runs through BHC's property and is proposed to be classified as a wild and scenic river providing the highest degree of protection. The recreational classification allows broader uses while still protecting qualifying values.

My client has several areas of concern based on its existing and future uses and entitlements and the proposed impact to private property based on the draft RMP and EIS. They are as follows:

20-3 1. Geothermal Use. The planning document should not affect BHC's applications on public lands or prohibit BHC's ability to continue its geothermal exploration and resource development both on private and public lands. If the planning document intends to restrict those uses, it should be specifically amended in the planning document.

Bright-Holland owns several properties within the proposed North Dry Valley ACEC (see RMP/EIS Map – ACEC-2), all of which are believed to have substantial geothermal resource potential. Bright-Holland's affiliate, Jackrabbit, has also submitted four federal non-competitive geothermal lease applications covering 8,360 acres of public lands adjacent to these private land parcels, all of which are also located within the proposed North Dry Valley ACEC. Although the proposed ACEC would remain open for geothermal leasing under the RMP Preferred Alternative, permanent "No Surface Occupancy" (NSO) stipulations would be applied to all mineral leases within the ACEC "to protect unique resources." (RMP/EIS page 2-19). These NSO stipulations would prohibit any use of the surface lands for any geothermal operations associated with the leases, including the construction or use of geothermal well sites, access roads, or pipelines, each of which would be necessary to develop these resources.

Application of this NSO stipulation to each of these leases would effectively prevent any geothermal resource development on these geothermal leases, and would severely restrict the ability of Bright-Holland to develop the geothermal resources likely present under its private lands within the proposed ACEC. Bright-Holland believes that such a gross restriction on the ability to develop these renewable, "green" energy resources is not consistent with the National Energy Policy; Executive Order 13212; BLM implementation of the National Energy Policy; the Geothermal Energy Research, Development, Demonstration Act of 1974; and the policy of the Department of the Interior, consistent with Section 2 of the Mining and Mineral Policy Act (MMPA) of 1970 and sections 102(a)(7), (8), and (12) of the Federal Land Policy and Management Act of 1976 (FLPMA), to encourage the development of mineral resources, including geothermal resources, on federal lands.

Instead of applying a blanket NSO stipulation to all geothermal leases within the proposed ACEC, Bright-Holland requests that the Preferred Alternative be revised to apply stipulations which instead specifically protect only those "unique" resources for which the ACEC is

being proposed. The proposed RMP Preferred Alternative identifies under "Management Actions" those actions determined appropriate to protect the "unique" resources within the proposed ACEC (RMP/EIS pages 2-93 and 2-94):

20-3

- Protect cultural resources under provisions of Section 106 of the National Historic Preservation Act.
- Protect raptor nesting sites under provisions of the Migratory Bird Act, and the Bald Eagle Act (includes golden eagles).
- Provide for continued use as an antelope kidding ground.
- Protect scenic values of escarpments and cliff faces.

These "Management Actions" could be used as resource-specific stipulations in lieu of the blanket NSO stipulation. Language which also reserves for the BLM authorized officer appropriate discretion for the adoption of site-specific allowances to avoid known or subsequently identified "unique" resources could also be included.

20-4

2. Grazing Allotment. Currently, BHC has grazing allotments in the Eagle Lake RMP on the Winter Range within the North Dry Valley ACEC. John Expel is the sub-lessee and Jackrabbit is the lessor. Jackrabbit owns Bonham Ranch. The Eagle Lake RMP prohibits grazing allotments which would adversely impact the current grazing allotment and entitlements. Bright-Holland respectfully requests these grazing entitlements remain in place without restrictions or changes to the existing quantity of livestock allowed, otherwise, there will be adverse impacts on the private lands owned by BHC.

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3. Water Resources. BHC has several statements of diversion and use of water under both riparian and appropriative rights that are on file with the California State Water Control Board, Division of Water Rights. Several of these are either on Smoke Creek or its tributaries. These water rights have been used for both irrigation and livestock watering for well over one hundred (100) years. Designation of this portion of Upper Smoke Creek as a WSR has the potential to adversely impact those water rights held by BHC on private lands within the designated section of Upper Smoke Creek by placing limits on water diverted and used in conjunction with BHC's ranching operations. Copies of the Statements of Diversion and Use are included with this correspondence and the RMP and EIS should be revised to reflect BHC's priority and vest rights to its water resources.

20-6

4. Water Rights. The Eagle Lake RMP, page 3-96, provides there is no stream flow data for Upper Smoke Creek. This is incorrect. USGS Investigations Report 93-4043 entitled, "Hydrogeologic Setting and Hydrologic Data of the Smoke Creek Desert Basin, Washoe County, Nevada and Lassen County, California, Water Years 1988-1990. collected streamflow data from 24 sites (page 12) along the entire course of Smoke Creek. Page 4-172 correctly states the Lower Smoke Creek system is affected by water use on Upper Smoke Creek. This section reports there are no water rights of record on Upper Smoke Creek. While this is technically accurate, it ignores the Statements of Diversion and Use filed with the California State Water Control Board, Division of Water Rights that are discussed in the paragraph above and copies of which are included with this correspondence.. These filings are recognized as to the appropriation and use of water prior to 1914 on the subject properties..

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On page 4-173 the statement is made that the all the water impounded in Smoke Creek Reservoir is used for irrigation except five (5) cubic feet per second ("CFS"). This is incorrect as there is nothing in Permit 021019 issued by the California Division of Water Rights that require any of the water stored in this reservoir to be used to sustain the BLM's five (5) CFS flow under its Nevada water right Permit 55489. A copy of Permit 021019 is also included with this correspondence. In addition, the repeated reference to the BLM's minimum or guaranteed five (5) CFS flow inaccurately reflects actual conditions on Lower Smoke Creek. There are no guarantees to the BLM that this flow will be provided or that it even exists. Streamflows are subject to many factors, not the least of which is precipitation. The fact that the BLM established a right to five (5) CFS is not a guarantee that the water would be available for use in any given year. In addition it ignores the historical use of the water upstream under the priority vested rights on the Rock Springs Ranch (formerly Smoke Creek Ranch) in Nevada in addition to the California permit for the Smoke Creek Reservoir. These vested rights provide for the use of water from Smoke Creek, Rush Creek and tributary springs on BHC property. This includes the right to divert water on the property and to file changes that move water on and off the BHC property. Copies of these vested water rights are also included with this correspondence.

20-7

Although we believe the Smoke Creek segments, specifically Lower Smoke Creek in the 3.2 mile segment should maintain its free flowing character, at the same time the classification or designation of the creek under the RMP should not interfere or impair BHC's existing water rights entitlements. All private land owners should not be prohibited, for example, from transporting its water from its property through public lands in the North Dry Valley area to and along the Tuscarora pipeline corridor. See orange area on Map ACEC-2 (Area of Critical Environmental Concern-Preferred Alternative). In this regard, the RMP and EIS should be amended to include the existing Tuscarora pipeline and right of way should not be affected by any of the designations under the RMP. This corridor should receive a "utility corridor" designation allowing pipelines, power, water and utilities through this existing right of way and allowing the right of way to be extended or widened, if necessary, for construction easements. The Tuscarora pipeline right of way currently travels through the North Dry Valley ACEC area and we are concerned the plan may impair or jeopardize additional ROW requests without an express reservation within the planning document. Similarly, as discussed below under Section 5, the plan discusses prohibiting the issuance of right of way permits through various areas, for example, the Pine Dunes RNA/ACEC however, the planning document should include a statement confirming in all of the proposed ACECs that right of way permits may be issued without additional restrictions. See additional discussion in Section 6 below.

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5. Trail Systems. Further, this utility corridor designation should also follow existing right of ways, for example, the two (2) historic trails which travel through and adjacent to the BHC properties, namely Noble Emigrant Historic Trail and Buffalo Hills Toll Road Historic Trail. The utility corridor designation should follow existing roads and other disturbed areas by preference.

20-10

Similarly, additional access roads and travel lanes will be needed to and from BHC's private property.

20-9

6. Access Rights and Right of Way. BHC is concerned the BLM may be taking the position through this planning document that it will not issue rights of ways in Wilderness Areas and/or ACEC areas. The right to obtain right of way permits should be retained by express authority in the planning document.

20-9

Section 2.7.3.1 (Lands and Realty – Rights-of-Way) of the proposed RMP states that "New right-of-way facilities would be located within or next to existing rights-of-way, to the extent practical, to minimize adverse environmental impacts and the proliferation of separate rights-of-way." BHC supports this management goal, but is concerned that these "right-of-way corridors" (such as described for the Alturas Transmission Line route under the proposed RMP Preferred Alternative [RMP/EIR page 2-48]) would not continue to be available for use by other parties if located on public lands within a proposed ACEC (or on public lands with other land use restrictions). One example of our concern is the existing right-of-way for the Empire Lateral of the Tuscarora Pipeline, which is located in part within the proposed North Dry Valley ACEC. BHC could find no statement in the proposed RMP which explicitly maintains the availability of this existing corridor for additional rights-of-way. BHC believes that the continued availability of this (and other) right-of-way corridors for additional linear projects should be explicitly identified in the RMP Preferred Alternative, so that this ACEC (and other land use restrictions, if adopted through the RMP process) are not later interpreted as a prohibition against new uses of these existing rights-of-way.

Section 2.7.3.1 (Lands and Realty – Rights-of-Way) of the proposed RMP also states that "Owners of nonfederal land surrounded by public land managed under the Federal Land Policy and Management Act (FLPMA) would be allowed a degree of access across public land, which would provide for reasonable use and enjoyment on the nonfederal land. The use of certain rights-of-way built on public lands before FLPMA would be recognized as a valid use even though the authorities authorizing the use have since been repealed…." (RMP/EIS page 2-47) As an owner of nearly 74,000 acres of private land scattered amongst the public lands of the Eagle Lake and Surprise planning areas, BHC would like to emphasize the critical importance of this access to private lands across public lands. The adopted RMP needs to ensure BLM's full and cooperative implementation of this commitment to private land access, especially in those areas (such as the proposed ACECs or Wild and Scenic Rivers) where additional restrictions on other uses of the public lands would be adopted by the BLM.

7. Visual Impacts. Further, the planning document in part confirms no visual impact specifically in Class I areas and the planning document is unclear as to whether pipelines, access roads, utility lines, and power lines and infrastructure will be impaired or jeopardized as a result of the planning document. If this is not the case, an expression of this intent should be incorporated by reference into the planning document.

20-11

These are just a few of the concerns given its significant BHC property holdings in the planning area and we believe all of those concerns can be addressed with revisions to the planning document, however, there may be other land use conflicts that could occur and the planning document should remain flexible including amending the management plans if necessary to allow future uses. Specifically, the existing wilderness study areas are managed with a visual resource management designation of Class I, requiring protection of scenic quality and other restrictions. If the existing wilderness study areas receive a wilderness classification, the visual resource management designation of Class I remain; however, those restrictions should not impair existing or future uses on neighboring properties or fringe areas. We are concerned if a standard is adopted by the BLM, which in effect, provides visual changes may be seen but should not attract the attention of the casual observer, this provision may prohibit or impair BHC's future rights or existing entitlements to access or change the place of use of its water, including constructing pipelines, utilities, or access roads and/or obtain BLM right of way permits for personal or development purposes. Accordingly, flexibility in the management plan is critical. Use of the lands outside the Wilderness Areas should not be restricted

because of proximity to the Wilderness Area.

20-11 The RMP and EIS and resulting designations and classifications should not impair or otherwise interfere with the existing entitlements such as geothermal leases, grazing allotments, water rights, access and the ability to obtain rights of way from the BLM in the various planning areas.

20-12 BHC respectfully requests the right to supplement these comments and receive notices of any future developments. BHC also requests a meeting with the BLM to resolve these concerns in the planning document.

As always, should you have any questions, please feel free to contact my office.

Very truly yours,

**Pierre A. Hascheff, Chtd**

By: ***Pierre Hascheff***

PAH:njc
Enclosure
copy to: Todd/Sam Jaksic

# SIERRA CLUB CALIFORNIA/NEVADA REGIONAL WILDERNESS COMMITTEE

July 27, 2006

Eagle Lake RMP Comments
Eagle Lake Field Office
Bureau of Land Management
*Attention:* Planning Coordinator
2950 Riverside Drive
Susanville, CA 96130
Via E-Mail: necarmp@ca.blm.gov Fax: 530-257-4831

**Subject: Comment on Eagle Lake Draft Resource Management Plan**

Dear Planning Coordinator:

The Sierra Club's California/Nevada Regional Wilderness Committee, representing the Sierra Club's nearly 200,000 members in California and Nevada, (who include many public lands visitors and activists) has long taken a keen interest in management of our public lands. Knowledgeable Californians enormously appreciate the undisturbed, wild, and little-visited aspects of the public lands in northeast California and northwest Nevada. Their remoteness from urban population concentrations augments their value. Particularly, the block of six large Wilderness Study Areas crossing the state line and separated only by minor dirt roads (Dry Valley Rim, Twin Peaks, Buffalo Hills, Five Springs, Skedaddle, and Poodle Mountain [Winnemucca]) has attracted our special interest for their suitability for remote, quiet recreation and their ecological significance due to size, value as wildlife habitat, and pivotal location offering connectivity to other public lands (such as the High Rock Canyon area.) We have visited these areas numerous times on various regional committee outings over the last 10 years as well as a national Sierra Club outing in 2001.

I am writing on on behalf of our committee, and, personally, as a citizen activist interested in public lands, especially wild lands.

I applaud the BLM for some excellent, environmentally protective measures proposed in the draft plan: we strongly support your proposal to close vehicle routes in wilderness study areas and to confine vehicles to designated routes only, while managing the majority of areas between open vehicle routes for primitive (non-motorized) recreation. We also strongly support your decision to plan more trails for hikers and other non-motorized visitors. It is also laudable that you plan to let natural fires resume a vital role in maintaining the natural vegetation communities of this Great Basin desert ecosystem. I approve, too, of proposals to establish 7 Areas of Critical Environmental Concern (ACECs) and especially support BLM's excluding of most of these ACECs from establishment of travel route rights of way (in Pine Dunes, Eagle Lake, North Dry Valley, Susan River, and Buffalo Creek), and for closing Pine Dunes and Susan River to grazing. I thank BLM for recommending portions of Smoke Creek for Wild & Scenic River designation and proposing to manage it under wild and scenic river guidelines.

However, on the whole, we support Alternative 2, called the Ecosystem Restoration Alternative, rather than the stated Preferred Alternative, and urge you to adopt Alternative 2 as your proposed management plan. This will assure the best and most protective stewardship of wild nature and opportunities for remote, quiet recreation for the Eagle Lake area. 21-1

Let me recommend two desirable improvements on the provisions of Alternative 2:

1) All wilderness study areas should be managed as primitive. You propose to have part of the Buffalo Hills WSA managed as "backcountry" under the Recreation Opportunity Spectrum; this is undesirable, as this prescription allows for motorized use, which is inappropriate in a WSA (beyond routes identified when the WSA was first established. And, even such routes need not always remain, see below.) The maps in the September 2000 "Nevada Wilderness Study Area Notebook" show only three small ways entering this WSA, two of them for a very short distance from the north, and the third, for a slightly longer distance, from the south. 21-2

2.) In addition to the WSAs, there are key roadless areas, which also deserve management as primitive, so as to maintain their roadless character; those that I am aware of are Skedaddle Flats, Skedaddle West, Observation Peak, Shinn Mountain, Snowstorm Mountain, and Shaffer Mountain. We urge you to consider the public benefit of keeping these areas roadless in this planning period; roads can always be given the nod in the future, should a need for them be demonstrated. However, once the original roadless quality is lost, it is very difficult to restore it. Roadless lands are all too rapidly becoming a scarce commodity in the nation! 21-3

General RMP Recommendations:

1] Wild & Scenic River System:
We ask that the final plan recommend Wild & Scenic status for ***all*** creeks and rivers identified as eligible in the draft plan: Lower Smoke Creek, the Susan River, and Willow Creek as well as Upper Smoke Creek which we do thank you for recommending. The other streams identified above also deserve inclusion. If not recommended in the final plan, please provide better documentation for non-recommendation. 21-4

2.] Vehicle routes in WSAs:
We urge that all roads and vehicle routes in all WSAs be closed except those identified on the original maps establishing the WSAs. The non-impairment clause in FLPMA, sec. 603, requires BLM to guard against encroachment on the wilderness character of these WSAs through additional vehicular use or other inappropriate activities. That is, the WSAs' wilderness values must not be 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 so as to protect their wilderness values. This IMP requires WSA management in accordance with the nonimpairment standard, because within a WSA preservation of wilderness values is paramount. The IMP clearly prohibits new motorized routes and also allows for *restriction of existing routes*. Thus even designated routes that existed at the time of WSA establishment should be reviewed regularly to determine if resource damage or 21-5

other considerations call for restrictions on motorized routes, including "limited" use stipulation that may be seasonal or may limit such use as licensed to permittees and other specified users, or to BLM administrative use only. BLM must keep in mind that WSAs were established *for* their wilderness qualities, and "closed" is the preferable prescription for vehicle routes inside WSAs.

21-5 Where illegal routes within a WSA are identified, BLM should make every possible effort to restore and rehabilitate these. Our committee worked with BLM on several restoration field trips to restore and rehabilitate illegal routes in certain WSAs (for example, Buffalo Hills) that had come into existence since the initial inventory. We urge BLM to continue this kind of rehabilitation process in case any new routes become established illegally and to help prevebt their proliferation or extension.

3. Inventory of Lands with wilderness characteristics:
We urge BLM to include in its final plan, the commitment to maintain a continual and ongoing inventory of lands to determine their wilderness qualifications, according to
21-6 Secs 201 and 202 of FLPMA. We support such inventory analysis for non-WSA lands as described in the DRMP's Appendix I (which should be incorporated into the final RMP). We thank BLM for the commitment (in Appendix I) to manage protectively non-WSA lands that have been identified to contain wilderness characteristics.

4) Areas of Critical Environmental Concern (ACECs). As mentioned we support your proposal for new ACECs. We also support and thank you for closing all ACECs to off-road vehicle use, (or at least, if such use is permitted, to keep it to presently designated routes only.) In addition:

Please maintain ACEC status for Lower Smoke Creek to avoid fragmentation of the
21-7 area via damage from vehicular use. ***Exclude*** development of rights-of-way from the proposed Aspen Way ACEC.

21-8 We urge that you add the Aspen Groves ACEC to your recommendations in the Preferred Alternative.

We note that the ACECs recommended in your Preferred Alternative encompass only a
21-9 little over 10 percent of the area of the Eagle Field Office lands. This is smaller than it should be to adequately preserve these landscapes and natural values. Your final RMP should significantly expand acreage of the recommended ACECs. If not, then at the minimum, provide better documentation and rationale for non-recommendation.
21-10 Also, better analyze areas nominated in scoping comments by outside organizations (including Sierra Club) and consider them for designation, especially an ACEC nominated for the area along Skedaddle Creek.

5) Grazing:
We seek a grazing closure for Eagle Lake Basin to protect the Basin's sensitive
21-11 vegetation. Even if BLM does not adopt Alt. 2 as its plan, as I have recommended, I urge that the plan adopt the grazing prescription of Alt. 2 (especially for ACECs). Reting areas from grazing use is very beneficial.

6) VRM: (Visual Resources Management):

21-12 VRM categories in all WSAs or ACECs should be kept at least as high as their present level. None should be subjected to a lowered VRM category. For example, the Susan River ACEC should stay at II instead of being reduced to VRM II/III.

7) The Eagle Lake office manages significant sagebrush lands that are good habitat for the sage grouse, a BLM species of special concern. We urge the highest level of protections for sage grouse populations, based on the best available science. The .25

21-13 miles - .6 miles No Surface Occupancy restrictions around sage grouse leks is too small; a larger area need to be protected. Appendix H, which deals with Conservation Strategy for Sage Grouse in the Buffalo-Skedaddle Population Management unit, does not offer adequate provisions to protect the populations here. For example, restrictions on oil and gas development, an activity known to be highly problematic for sage-grouse habitat, are not addressed at all

Thank you for considering the comments made here on the Draft RMP for Eagle Lake. Sierra Club wilderness volunteers in California and Nevada look forward to working with your office in future to maintain the wilderness character of the wild lands managed by the Eagle Lake field office and to help restore wilderness character where feasible. Please keep us informed of your management actions and proposals and any future opportunities for public involvement, including service projects.

Sincerely,

Vicky Hoover, Sierra Club
Chair, California/Nevada Regional Wilderness Committee
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bcc

Subject
Comments on ELFO Draft RMP and EIS

These comments are provided for the Draft Resource Management Plan/EIS for the Eagle Lake Field Office. I realize my comments are late by one business day, but my copy of the Draft RMP/EIS was not mailed to me until June 30, 2006 - providing less than 30 days to review the documents, rather than the 90 days originally intended. Since the RMP/EIS was sent to me somewhat late, I trust my comments will be considered even though they are one day late.

22-1

My primary comment involves Part 2.9.5.8 (Hunting and Shooting Sports) of Chapter 2, page 2-60. In particular, I strongly object to the blanket closures of the lands adjoining the Bizz Johnson Trail (BJT) to all hunting and shooting. These closures include all BLM lands within the "rim-to-rim" area of the Susan River Canyon between Susanville and Hwy 36 at Devil's Corral, and all BLM lands within a quarter of a mile of both sides of the trail from Hwy 36 to the Lassen NF boundary.

I do not believe that the rationale for closing these lands to hunting and shooting is at all adequate, as such rationale is stated on page 3-54 of Chapter 3.1. This part includes a statement that "occasional shooting of various types of guns in the Susan River Canyon between Devil's Corral and Susanville will continue. Currently there has been no restriction of shooting within the canyon except at trailheads and on or across the BJT." No instances or documentation are provided of any dangerous shooting incidents or shooting accidents occurring on or near the BJT. There is no study data that shows any safety problem with shooting or hunting in the 20 years that I lived and worked in Susanville, or in the 25+ years that the BJT has been established. The only reason provided for closing this area is the arbitrary statement that "Serious injury or death could occur if a trail user, angler, or other canyon visitor is accidentally shot." This is a totally speculative concern, with absolutely no backup data and no basis in fact or reality. By the same standards applied to shooting and hunting, it would be equally valid for the RMP to

state "Toddlers under the age of 6 years are highly susceptible to falling off of the BJT bridges or accidentally wandering into the fast-moving Susan River. Serious injury or death could occur if this happens. Therefore, all children under the age of 6 years old shall be banned from BLM land within a quarter mile of the Susan River."

The proposed ban on hunting and shooting within the BJT Special Recreation Management Area is therefore arbitrary and capricious, with no documentation of any actual safety problems occurring as a result of such legal activities. This proposed hunting and shooting ban should therefore be removed from the RMP.

22-1 In support of my contention that such a ban would be arbitrary and capricious, I would like to point out that the Draft RMP describes an actual problem area on page 3-52, concerning equestrian use of the BJT: "Equestrian traffic has a greater impact on trail conditions than other uses. ... If casual equestrian use increases to a level where trail tread loosening from horses' hooves becomes an ongoing problem that adversely affects other trail users..." such users will be directed to the South Side Road Trail. Equestrian use is acknowledged as a major impact on the BJT, but no proposal for an outright ban is made. Instead, an alternative route within the Canyon is suggested, to be required only on actual proof that equestrian use is in fact causing unacceptable impacts. Contrast this with the outright ban of another legal activity, hunting and shooting, from all BLM lands within the Canyon or 1/4 mile on each side of the BJT, with absolutely no evidence that there are any existing problems associated with hunting and shooting. The existence of such management favoritism toward one activity with known existing impacts (equestrian use), is clear evidence that the proposed ban of another activity with only speculative impacts (hunting and shooting) is both arbitrary and capricious. I trust that this proposed ban will be removed from the Final RMP.

Peter Humm
PO Box 1377
Mountain Home, ID 83647.

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THE WILDERNESS SOCIETY

CALIFORNIA WILDERNESS COALITION

California Wild Legacy Project

NRDC

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."

23-1 ***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).

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.

23-2 ***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.

23-3 ***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.

23-4 ***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.

23-5 ***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).

23-6 ***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.

23-7 ***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.

23-8 ***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.

23-9 ***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

23-10 ***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.

23-11 ***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."

23-12 ***Recommendation:*** We ask that measures be taken to protect this area from the damaging effects of grazing, including consideration of adopting an alterative 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.

23-13 ***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.

23-14 ***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.

23-15 ***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.

23-16 ***Recommendation:*** Adopt ACEC Alternative 2 as the preferred alternative, designating Juniper Creek ACEC.

23-17 ***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.*

23-18 ***Recommendation:*** Designate the 17,896 acre Timbered Crater ACEC.

23-19 ***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.

23-20 ***Recommendation:*** Adopt ACEC Alternative 2 as the preferred alternative, designating Beaver Creek ACEC.

23-21 ***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.

23-22 ***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.

23-23 ***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.

23-24 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.

23-25 ***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.

23-26 ***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.

23-27 ***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.

23-28 ***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.

23-29 ***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

23-30 ***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

23-31 ***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.

23-32 ***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.

23-33 ***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.

23-34 ***Recommendation:*** We request that an alternative be considered that closes Willow Creek to these types of uses.

23-35 ***Recommendation:*** We recommend that AMR be adopted as the fire management prescription.

d. Lower Smoke Creek ACEC

23-36 ***Recommendation:*** Designate Lower Smoke Creek ACEC.

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

23-37 ***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.

23-38 ***Recommendation:*** An alternative should be considered that closes Lower Smoke Creek to rights-of-way.

e. Eagle Lake Basin ACEC

23-39 ***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.

23-40 ***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.

23-41 ***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.

23-42 ***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

23-43 ***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.

23-44 ***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.

23-45 ***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

23-46 ***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.

23-47 ***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.

23-48 ***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.

23-49 ***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.

23-50 ***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

23-51 ***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.

23-52 ***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

23-53 ***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.

23-54 ***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.

23-55 ***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.

23-56 ***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

23-57 ***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

23-58 ***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

23-59 ***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

23-60 ***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

23-61 ***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."

23-62 ***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.

23-63 ***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.

23-64 ***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 it 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.

23-65 ***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.

23-66 ***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.

23-67 ***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)

23-68 ***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.

23-69 ***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 . . ."

23-70 ***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 Officeare managed as VRM I in the Preferred Alternative.

23-71 ***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.

23-72 ***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.

23-73 ***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.

23-74 ***Recommendation:*** BLM should carry the management prescriptions for energy and minerals described in the preferred alternative forward.

23-75 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

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
23-76 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.

However, the Draft RMP is confusing and contradictory on this score. For example, page 2-113
23-77 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).

On pages 4-193 and 4-194 the Draft RMP describes the dire and no doubt accurate description of
23-78 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. <u>General Support for Management Common to All Alternatives</u>

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:

23-79 • We would prefer that the BLM consider an alternative that would manage all WSAs as VRM I or VRM II if released by Congress
23-80 • 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

23-81 • 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."

23-79 through 23-81 ***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.

23-82 ***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.

23-83 ***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.

23-84 ***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.

23-85 ***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".

23-86 ***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.

23-87 ***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:

23-88
- 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

23-89
- 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

23-88 & 23-89 ***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.

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.

23-90 ***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.

23-91 ***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.

23-92 ***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.

23-93 ***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.

23-94 ***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.

23-95 ***Recommendation:*** BLM should carry the management prescriptions for Energy and Minerals described in the preferred alternative forward.

23-96 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.

23-97 ***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.

23-98 ***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.

23-99 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.

23-100 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

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. 23-100

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)

23-101 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 23-102 outside WSAs," the ROS map (REC-6) does not show any primitive zones outside of WSAs. We 23-101 request that the final version of the RMP be changed to include primitive zones in the core 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.

23-103 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.

23-103
23-102
23-104 To protect all six of these roadless areas, we request that the Preferred Alternative in the final version of the RMP propose to manage them as VRM II zones, that primitive ROS zones be established in their cores, and that new road construction be prohibited in these areas except for landowners access or emergency purposes.

23-105 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?

23-106 ***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).

23-107 ***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.

23-108 ***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.

23-109 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).

23-110 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.

***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
23-111 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

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
23-112 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.

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.
23-113 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.

***Additional recommendations***: BLM should consider closing additional acreage in the Alturas
23-112 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 expanded and clarified to comply with the attached *Blueprint for Sage-grouse Conservation and Recovery*.

B. Eagle Lake RMP

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
23-114 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.

23-115 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.

23-116 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.

23-117 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.

23-114 through 23-117 ***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

23-118 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.

23-119 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*.

23-120 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.

23-118 through 23-120 ***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.

23-121 **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

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
23-122 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).

23-123 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

23-123 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

23-124 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.

23-125 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

23-126 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.

23-127 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**

23-128 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.

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.

23-129

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,

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e-mail lireland@ix.netcom.com
July 28, 2006

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

24-1 I hope that you will select Alternative 2 as your proposed management plan, in the final RMP, strengthening it to manage all WSA's as primitive zones and to manage the still-roadless portions at Observation Peak, Shinn Mountain, Snowstorm Mountain, Shaffer Mountain, and Skedaddle as primitive zones.

We already have plenty of roads on public lands for all levels of driving; we don't need any more. We have enough business and recreational traffic in these areas to cause noticeable wear-and-tear; we need to reduce the impact of these uses by keeping them simple. Survival for vegetation and animals in high desert areas is chancy; both need as little disturbance as possible. Restoration is nigh-impossible here, so damage has to be prevented in the first place.

LaVerne Ireland

RECEIVED
JUL 28 2006
BLM Eagle Lake

Date: July 27, 2006

To: Eagle Lake RMP Comments
Attn: Planning Coordinator-BLM
Eagle Lake Field Office
2950 Riverside Dr.
Susanville, CA 96130

From: Wayne Jambois
110 So. Roop St.
Susanville, CA 96130

Dear Mr. Barron,

Thank you for allowing me to comment on the Eagle Lake Field Office Draft Resource Management Plan and Environmental Impact Statement. After reviewing these documents, I do have a number of comments to make and they are as follows;

25-1 On Page ES-3 under Cultural And Paleontological Resources, the Draft's Preferred Alternative designates two archeological areas of critical environmental concern. One of these areas is the Deep Cut allotment, an area that is of great importance and sensitivity to sportsmen and wildlife. This allotment has a long history of abuse and mismanagement and needs to be brought back to healthy state to allow wildlife to flourish there once again. This area should be rested from grazing until such time it is again in a healthy state with great attention on non-native noxious weed (plant) eradication, planting of native shrubs and grasses and protection and restoration of the riparian areas.

25-2 On page E-4 under the caption of Livestock Grazing. I am concerned about the resting of allotments and grazing lands "annually". I prefer the higher percentages of allotments and lands to be rested and I wait with bated breath to see whether or not these percentages survive to be seen in the final Document (Decision) after the fallout from the livestock operators and their political supporters. Hopefully, a political decision will not be made by the Bureau to lower these percentages. However, with that said, I question whether annual grazing will be effective in maintaining healthy rangelands that will, in turn, benefit wildlife, my primary concern. Bluebunch wheatgrass should be the predominant perennial grass on these lands but, until it is well established, it cannot withstand annual grazing nor early grazing on emergent shoots. New communities of bluebunch wheatgrass should be left alone for at least two years. In addition, there is no discussion of rest for the habitats of woody vegetation and only one year of rest for newly established seedlings will not be adequate for protection. Also, "new seedings" should be of native plants, not exotics like crested wheat grass that only create biological deserts for wildlife.

25-3
25-4
25-5

25-6 Page 2-43 Goal2 Lands for Potential Disposal. One of the land parcels that is slated for disposal is Bald Mt. (page 4-64, paragraph eight). I am adamantly opposed to

25-6 the sale of Bald Mt. as this large block of land is contiguous to the Bass Hill Wildlife Area and contains significant wildlife values, provides open space, recreation opportunities and prevents further development which is detrimental to wildlife. It would be far more appropriate to transfer this block of land to the State of California to be annexed to the Bass Hill Wild Life Area than to sell it private interests or developers.

25-7 Page 4-87 Summary of Effects- Preferred Alternative. I am troubled by the number of acres and AUM's that are discussed in the last two paragraphs on this page. Are these numbers cast in cement and what is meant by "levels"? What happens to these numbers in the event of a severe drought or some other calamity such as catastrophic fire events? Where is the flexibility needed for proper management spelled out?

25-8 General Comments. There is discussion in Volume One about future utilities being built in existing utility corridors and I support this action. An issue which is not discussed in this document is how this document is coordinated with other RMP's, particularly with the Carson City Field Office. While parcels of potentially disposable land in the southern part of the RMP is discussed, there is no mention of the critical wildlife migration corridors that exist there and no discussion whatsoever of the proposed development on those lands on the Nevada side of the state line by the cities of Reno and Sparks, should they be successful in annexing those lands, some of which are more than 30 miles from their respective city centers. How are these wildlife migration corridors to be protected and where is the planning discussion concerning coordinated management actions by the Eagle Lake and Carson City Field Offices? What about water exportation projects and pipeline corridors and how will these affect migratory wildlife? Is there and coordinated planning discussion and effort taking place between the Bureau's Carson City and

25-9 Susanville offices with the California Dept. of Fish and Game and the Nevada Dept of Wildlife on wildlife issues in this area? Answers to these issues are crucial for the effectiveness of this document.

In closing, I would like to add that I sincerely appreciate the time, money, effort and resources that have been expended to produce these documents and provide a management strategy for our public lands administered by the Eagle Lake Field Office.

Sincerely,

Wayne Jambois

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

RECEIVED
AUG 3 2006
BLM Eagle Lake

July 27, 2006

Dayne Barron, Field Manager
Eagle Lake Field Office
Bureau of Land Management
2950 Riverside Drive
Susanville, CA 96130

Subject: Eagle Lake Field Office Draft Resource Management Plan and Environmental Impact Statement (EIS), Lassen, Plumas and Sierra counties, California, and Washoe County, Nevada [CEQ #20060151]

Dear Mr. Barron:

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced document. Our review and comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementation Regulations at 40 CFR 1500-1508, and Section 309 of the Clean Air Act.

The Draft EIS assesses alternatives for management of 1,022,767 acres of Federal land by the Bureau of Land Management's (BLM) Eagle Lake Field Office. The Draft EIS is well organized and provides much useful information regarding the resources in the field office area. In addition, it appears that the Preferred Alternative will improve resource conditions there. We have some concerns, however, regarding impacts to water quality and riparian habitat from grazing and off-highway vehicle activities. We recommend revising the Preferred Alternative to address these concerns and addressing them in the Final EIS. We have, therefore, rated this Draft EIS as EC-2 – Environmental Concerns-Insufficient Information (see enclosed "Summary of Rating Definitions"). Our detailed comments are enclosed.

26-1, 26-2

We appreciate the opportunity to review this Draft EIS and request a copy of the Final EIS when it is officially filed with our Washington, D.C., office. If you have any questions, please call me at (415) 972-3988, or have your staff call Jeanne Geselbracht at (415) 972-3853.

Sincerely,

Duane James, Manager
Environmental Review Office

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Enclosures: Summary of Rating Definitions
EPA's Detailed Comments

# 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."

Eagle Lake Resource Management Plan Draft EIS
EPA Comments – July, 2006

Watershed Impacts – Riparian/Wetland Areas, Soil Resources, Water Quality

Grazing and off-highway vehicle (OHV) use can significantly affect the functioning condition of wetland and riparian areas over the long term by increasing erosion, compaction, sedimentation, and runoff rates. These impacts lead to changes in channel geomorphology and water quality, including increases in temperature, nutrients, fecal coliform, total suspended solids, turbidity, and other contaminants.

According to the Draft EIS (p. 2-152), BLM's objective is to have all riparian areas making progress toward properly functioning condition (PFC) and meeting Land Health Standards throughout the field office area. Therefore, the Preferred Alternative emphasizes adjusting grazing strategies where grazing is limiting progress toward land health goals and riparian and wetland areas are functioning at risk with static or upward trends. EPA supports BLM's management activities that result in progressing toward PFC and encourages BLM to consider setting higher goals, such as those under the Ecosystem Restoration Alternative, for PFC and functioning at risk with static or upward trends.

26-1 **Recommendation:** In addition to managing riparian and wetland areas functioning at risk in an upward trend, BLM should vigorously manage grazing in riparian and wetland areas that are functioning at risk in a static or downward trend in order to facilitate their recovery.

Under the Preferred Alternative, BLM would also investigate enlarging protected riparian areas. It is unclear whether the Preferred Alternative would require 100-foot buffer zones or 50-foot buffer zones in surface waters that do not meet PFC or water quality standards. Temperature is an important aspect of stream PFC, and improving streams to meet their pre-disturbance natural shade and associated vegetation characteristics is critical. In California, the water quality standard that applies to temperature is:

> "The natural receiving water temperature of intrastate waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Board that such alteration in temperature does not adversely affect beneficial uses."

26-1 **Recommendation:** We recommend grazing buffer zones of at least 100 feet along water bodies that do not meet PFC or water quality standards in order to reduce stresses that could impede improvements of these conditions.

The Preferred Alternative would restrict OHV use to designated routes in most of the field office area and completely close some areas to OHV use. This should help improve soil conditions, habitat, and water quality in the area. However, some routes that would remain open to OHV use under the Preferred Alternative appear to be adjacent to streams

that either are at risk of not meeting water quality standards, do not meet standards, or are impaired (Maps Travel-6 and Water-1).

26-2 **Recommendation:** EPA recommends that BLM include in the Preferred Alternative closure of all OHV route segments adjacent to these waters to improve soil conditions, habitat, and water quality.

Rangeland Health

The Draft EIS (p. 3-44) defines rangeland health assessment (RHA) categories 1 through 4, by which grazing allotments are rated. However, the document does not provide the ratings for each allotment. In addition, Appendix M provides the stream survey summaries for the field office area. It is unclear how the RHA category ratings, stream surveys, or monitoring data will be used to develop new grazing allotment management plans for individual allotments as they are renewed over the life of this RMP.

26-3
26-4 **Recommendation:** The Final EIS should include the RHA ratings for existing allotments in the field office area, and indicate the goals for improving RHA ratings under each alternative. The Final EIS should also discuss how stream survey, monitoring, and rangeland health data will be used to determine specific management activities for individual allotments as they are renewed over the life of this RMP.

July 14, 2006

Dayne Barron
Field Manager
Eagle Lake Field Office
Bureau of Land Management
2950 Riverside Drive
Susanville, CA 96130

Dear Dayne,

27-1

I was disappointed that the Susan River was not included as a Recreational River in the proposed Eagle Lake BLM Resource Management plan. My interpretation of the draft is that Lassen County opposed this on the basis that a dam might eventually be built on the Susan River.

My understanding is that the California Department of Water Resources does not think that a dam on the Susan River is viable. Dams are being decommissioned all over the West, not building new ones. It would clearly seem to be the "preferred alternative". In my opinion to not recommend such a designation may be politically correct but it is not the preferred alternative

A free flowing Susan River is a boon to tourism in our area and would preserve the River in perpetuity. This would be a significant accomplishment for such a landmark river and I urge you to change the preferred alternative to a designation of the Susan River as a recreational river.

The trails proposed in the plan were very impressive.

Thank you for your consideration.

Sincerely

Kevin Justis
705-380 Travis Lane
Susanville, CA 96130

CC Stan Bales

July 22, 2006

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

RECEIVED
JUL 24 2006
BLM Eagle Lake

Dear Sir/Madam:

28-1 I would like to express my support for the BLM's Resource Management Plan for northeastern California and northwestern Nevada. I recently had the good fortune to view a slide presentation of some of the key areas covered by this plan and support the protection of these areas covered in the Eagle Lake RMP.

Very truly yours

Al Luedecke
1 Bartram Terrace
Chico, CA 95926

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

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RECEIVED
JUL 28 2006
BLM Eagle Lake

July 25, 2006

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

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

Dear Planning Coordinator:

The Modoc County Board of Supervisors (County) appreciates the opportunity to submit comments on the Bureau of Land Management's Eagle Lake 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 for more than a decade 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**

The County believes this draft represents a solid start to the finalizing of a foundation document that will direct management in the Eagle Lake Field Office for the next fifteen to twenty years. The Field Office staff should be commended for picking up the pieces

after the loss of the private contractor and finishing the draft while still carrying on their normal responsibilities.

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 somewhat grim budget prospects in the next few years. 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 Eagle Lake Field Office for years. In order to be fully utilized and understood by the public, it should be as easy as possible to use.

29-1 The County suggests that each chapter have its own table of contents. Each and every sub-section number should be listed in this table of contents. This will make it very easy for the public to find the specific topic for which they are searching.

29-2 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
29-3 helpful if each map contained the page number that references the text of the same subject. This would greatly enhance the readability of the RMP.

29-4 We also suggest that it be done for the tables as well. Referencing the page number that contains the subject matter displayed on the table will aid greatly in the document's usability.

Fences

The Preferred Alternative proposes a number of new designated areas that contain resources that require an increased level of protection from livestock grazing, Off Highway Vehicles and other perceived threats. In many cases this protection will take the form of fenced exclosures. Without endorsing or opposing the validity of the proposed exclosures, the County believes the current practice of forcing the fence
29-5 maintenance on the neighboring grazing permittee or allowing the exclosure fence to deteriorate without any maintenance at all should not continue. The County urges that concurrently with the construction of any new exclosures, a maintenance strategy using underutilized fire crews, inmates or some other labor pool be established. Grazers should not continue to be burdened with this increasing workload.

Fire Management

29-6
29-7 The County urges the establishment of a regional native seed bank. This will increase the likelihood that enough native seed is available to replant burned areas. 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.

Livestock Grazing

29-8 The County believes the Historical Setting should be rewritten. It was probably drafted by the long since departed private contractor and contains language that is selective in nature and does not paint a complete picture of livestock grazing for the past 140 years.

29-9 The County wishes to continue to express the strong opposition to Alternative 2 that was expressed in the RMP development. While proposed as a reduced grazing alternative by only allowing full use of the allotment once every three years, it is in actuality a "no graze" proposal. Few grazers would be able to maintain their herd numbers when they would only be able to use their permit every third year. The County understands the reason for its inclusion but finds it is worse than a straight forward "no graze" alternative because it is deceptive. We find it absolutely unacceptable.

Travel Management

29-10 The County appreciates the efforts the Eagle Lake Field Office has put forth over the last several years to help both Lassen and Modoc County acquire the abandoned Modoc Line rail corridor. The County's primary interest in obtaining the corridor is to preserve it intact for possible future rail use. That is, in fact, the primary purpose for rail banking, the corridor's present status. The County supports recreational uses of the corridor in the interim, but does not support any designation that would make it difficult to return rail use in the future.

29-11 Both the Eagle Lake and Alturas RMP contain language that the public could misinterpret. The County believes if both Field Offices are citing Modoc County as partners in the acquisition effort, then both RMPs should be consistent. The County urges Alturas and Eagle Lake to develop compatible language, especially for the Preferred Alternative.

Vegetation

29-12 The County supports the Preferred Alternative and understands that this alternative is crafted to allow for the implementation of the "Restoration of the Sagebrush Steppe and Associated Ecosystems in Northeast California and Northwest Nevada Through Improved Management of Western Juniper and Other Natural Resources" Environmental Impact Statement currently being developed. The County suggests a statement be included supporting the implementation of that document in the Eagle Lake Field Office.

Socio-Economics

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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 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 county revenue.

29-15

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

29-16

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 northeast California and northwest Nevada. 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 freshly leased private replacement forage, it displaces a cow that was already in the county's economy. IMPLAN does not capture this loss correctly.

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 (5 months/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 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 Eagle Lake 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

Dan Macsay, Chairman

"bobmclaughlin" <bobmclaughlin@myway.com>
07/26/2006 11:42 AM
Please respond to
bobmclaughlin@myway.com
To
necarmp@ca.blm.gov
cc

bcc

Subject
Eagle Lake RMP

The purpose of this email is to provide brief comments on the Eagle Lake portion of your Draft Resource Management Plan for field offices in northeastern California/Nevada. I believe you have produced an excellent draft plan. Your final plan should incorporate just a few changes. You should close the Eagle Lake basin to grazing like the Pine Dunes and Susan
30-1 River areas to protect sensitive vegation. Also, you should manage all
30-2 wilderness study areas as primitive areas, and manage the core portions of
30-3 Observation Peak,Shaffer Mountain, Shinn Mountain, Skedaddle Flats, Skedaddle West, and Snowstorm Mountain Roadless Areas as primitive zones.

I strongly support your proposals to:

Close selected roads in wilderness study areas.

Allow certain natural fires.

30-4

Confine vehicles to designated routes.

Manage areas adjacent to vehicle routes as primitive.

Designate seven ACECs.

Create non-motorized trails from abandoned railroad grades.

Build new non-motorized trials.

Manage Smoke Creek as a wild and scenic river.

No banners. No pop-ups. No kidding.
Make My Way your home on the Web - http://www.myway.com

July 27, 2006

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

Re: Draft Eagle Lake Resource Management Plan and EIS

VIA E-mail and U.S. Postal Service

Dear Sir or Ma'am:

These comments on the Draft Eagle Lake Resource Management Plan (RMP) and Environmental Impact Statement (DEIS) are submitted on behalf of the Western Watersheds Project, Inc. We offer the following comments in regards to the management of domestic livestock grazing contained in the draft RMP:

Public lands managed by the Eagle Lake Field Office (ELFO) cover approximately one million acres in northeastern California and northwestern Nevada. The area offers an amazing diversity of forests, lakes, scenic river canyons, expansive high deserts, and a variety of fish and wildlife species, including the Eagle Lake trout which is found only in Eagle Lake.

Domestic livestock grazing is the predominant resource use in the project area. The field office area manages 54 grazing allotments and 49 permittees whose livestock annually graze about 1 million acres (987,779 acres) with and out 52,000 AUMs of forage. Generally, all livestock grazing allotments are considered active. Under the preferred alternative, 98% of the field office area would be open for grazing.[1] We ask that the RMP include a provision to
31-1 allow the BLM and/or permittees to permanently retire grazing allotments when conditions permit.

**Comment Period**

The comment period for the Eagle Lake RMP DEIS extended from April 28, 2006 through
31-2 July 27, 2006. However, in June the ELFO issued a 36-page errata sheet for the draft RMP and DEIS in order to correct errors in the original document. Since that document is somewhat extensive and was issued at such a late date, we ask that the BLM re-issue the DEIS, including 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.

[1] DEIS p. 2-55

**Purpose and Need**

31-3 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…"[2]

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).[3] "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.[4]

31-3 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
31-4 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 Eagle Lake RMP and DEIS, the BLM has recognized many times that the quality of the land in the project area is severely diminished. Thus, when the RMP seeks to

[2] 43 U.S.C. § 1752(d) (emphasis added)
[3] 43 U.S.C. §§ 1901(b)(2), 1903(b)
[4] See id. § 1902(d)

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.

31-5 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

31-6 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.

31-7

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). In addition, this fails to provide any

31-8 recourse to the interested public should the BLM fail to improve habitat conditions and other resources associated with the domestic livestock grazing program after the RMP is implemented.

The DEIS states that the goal of the livestock grazing program is to manage the public rangelands for long-term productivity and sustainability of native plant communities and maintain and enhance native herbaceous and woody perennial vegetation through plant

31-9 diversity and "reasonable" utilization[5], yet it fails to define what constitutes a sustainable level of livestock grazing or what constitutes "reasonable" utilization. The DEIS claims the following changes or modifications in existing grazing strategies or plans would include the following:[6]

1. Season of use would be adjusted on sensitive soils or until soils can support the weight of livestock and when adequate forage is available
2. Permitted grazing may be modified (may include reduced season of use and livestock numbers) annually to reflect current conditions, especially during drought or when there is not enough water to support livestock for an entire grazing season
3. Water quality meets State standards
4. Air quality meets State standards
5. Provide habitat as necessary, to maintain a viable and diverse population of native plant and animal species, including special status species

31-7 The discussion of these standards fails to include allowable use standards and guidelines and/or objectives that are paramount to achieving or maintaining the above listed standards. Moreover, these modifications and the discussion of proposed changes to livestock grazing

31-10 management fails to discuss how this direction in the new RMP will or will not comply with the Standards for Rangeland Health (SRH).

[5] DEIS p. 2-50
[6] DEIS 2-55

More importantly, the ELFO 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 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.

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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.

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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. NRCS[9] 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 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.

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[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

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 Chihuihuan 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%.

31-16

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 al[13] 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 al[14] 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.

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

[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.

31-16 at least minimum compliance with these standards in the RMP until these standards can be evaluated at the site-specific level.

**Impacts**

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.

31-17 Despite the requirements of NEPA and other laws governing the administration of public lands, the DEIS for the Eagle Lake 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.

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".

31-17 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 is limited to a mere two pages in the DEIS.[16] The 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.

31-18 Furthermore, NEPA requires that the public receive the underlying data that is the basis for professional opinions. The only statement regarding the impacts to resources from domestic livestock states: "Most of the effects on grazing under the Preferred Alternative would be minor. Many would be beneficial by taking management actions that help meet or make progress toward maintaining land health standards."[17] How do management actions
31-19 influence habitat? What are the impacts? The DEIS fails to disclose this information. The
31-20 negative impacts associated with domestic livestock grazing are completely missing from the DEIS. Instead the DEIS asserts, without presenting any supporting evidence, that grazing as

[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.
[16] DEIS p. 4-86 through 4-88
[17] DEIS p. 4-88

31-20 proposed will be beneficial to forage, vegetation, watershed conditions, bank stabilization, riparian resources, soils, and wildlife.[18]

31-21 Table 3.16-4[19] shows the functional condition of streams and wetlands in the planning area. Ten percent of these areas are experiencing a downward trend and another 17% had trends that were not apparent. Only 65 percent of riparian habitats are in PFC, mostly due to reduced canopies and lack of regeneration, herbaceous plant communities dominated by shallow-rooted species such as Kentucky bluegrass, and over-widened stream channels. These are characteristic impacts of domestic livestock grazing, and the BLM should be honest and tell the public what is causing them. The DEIS fails to disclose what management activities are responsible for such a widespread failure to meet the standards of rangeland health and other legal requirements.

Belsky, et al.[20] 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.[21] 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**.[22]

In addition, Platts[23] 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.[24] Moreover, **livestock grazing is still considered to be the most pervasive source of upland and riparian habitat degradation in the arid West**.[25]

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[18] DEIS 4-87
[19] DEIS 3-125
[20] 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.
[21] Ibid
[22] 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.
[23] 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.
[24] Flather, C.H., et.al. 1994 Species endangerment patterns in the United States. USDA Forest Serv. Gen. Tech. Rep. RM-241.
[25] U.S. General Accounting Office. 1988. Public Rangelands: some riparian areas restored, but widespread improvement will be slow. 85p.

31-21

Blackburn[26] and Trimble and Mendel[27] 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.

In the planning area, livestock grazing has detrimentally altered wetland, seep, spring, and other riparian habitat. It is very likely that domestic livestock grazing is the reason a vast majority of the streams and riparian areas in the planning area fail to meet the minimum PFC requirement.

This argument is further supported by the fact that the BLM asserts throughout the DEIS that most allotments in the planning area need improved and increased management. 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 declining influence of livestock related businesses on the local economy, this degradation is unacceptable.

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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.[28] 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.[29] Deleterious effects of grazing have been observed in all vertebrate classes. Response of native wildlife to grazing varies by habitat.

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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

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

[26] 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.

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

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

[29] 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,

31-23 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.

31-24 And, Bock et al.[30] 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.

31-25 The DEIS admits that bighorn sheep, 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 action that would eliminate domestic sheep in areas that are used by bighorn
31-26 sheep (aside from stating that re-introductions would not occur until domestic sheep grazing
31-27 is phased out), 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
31-28 of wildlife and violates NEPA's requirement to disclose all past, present, and reasonably foreseeable future impacts.

31-29 Moreover, the DEIS claims that RHA information is currently available, yet fails to disclose this information, in violation of NEPA.[31]

31-30 In Addition, the DEIS fails to disclose the amount of existing range "improvements" in the planning area including cattle guards, miles of fence, acres of seeding, acres of land treatments, reservoirs and stock ponds, spring developments, miles of pipeline, guzzlers and wells. Yet, 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 other

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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 Wildlife and America. Council on Environmental Quality, Washington, D.C.
[30] Bock, C.E., V.A. Saab, T.D. Rich, and D.S. Dobkin. 1993*b*. 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.
[31] DEIS p. 3-44

resources in the planning area. Moreover, the DEIS completely fails to disclose any impacts that have resulted from already existing improvements and impacts that will result from constructing even more.

31-31 Holechek et al[32] 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 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.

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.

31-32

For example, along Mahogany Creek, Nevada, reduction in grazing had little benefit; only a complete removal brought about habitat improvement.[33] Ames[34] 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.[35] As Davis[36] 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-

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

[33] 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.

[34] 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.

[35] 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.

[36] 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.

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.[37]

31-32 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 before the blast, showing the arid land is less resilient to long-term low intensity disturbances.[38]

31-33 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.[39]

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.[40] The range management community has been conducting a war against big sagebrush (*Artemisia tridentata*) for over 50 years.[41]

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[37] 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.

[38] 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

[39] 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

[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.
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.

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

Literature highlights the importance of sagebrush to a variety of wildlife ranging from sage grouse and the almost forgotten pigmy rabbit to big game.[42] Wildlife researchers have argued that the importance of sagebrush as forage, and effects of foraging on sagebrush are not fully appreciated.[43] Regarding the sagebrush steppe ecosystem, West[44] 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 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.[45] Historical abundance of big sagebrush has

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[42] 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 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.
[43] 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.
[44] 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.
[45] 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.

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.

31-34

Rasmussen and Griner[46] 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.[47] reported male sage grouse loafing areas with 31 percent canopy cover. Additionally, Katzner and Parker[48] 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.[49]

For sagebrush species other than big sagebrush, Walchek[50] reported that a population of Brewer's Sparrows were living in an area of silver sagebrush having canopy cover of 53 percent. Petersen and Best[51] 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.

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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.

[46] 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

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

[48] 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.

[49] 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.

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

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

31-35 Big sagebrush habitat types are the dominant vegetation communities on the majority of public lands in the planning area. However the DEIS fails to disclose whether or not sagebrush habitats throughout the Eagle Lake Field Office have been manipulated to increase forage for domestic livestock, fails to disclose, in comparison to other places outside the planning area whether or not few large, extensive stands of sagebrush remain, and the status of production and vigor of these habitats field-office wide. Due to the regional losses of sagebrush communities, and the wildlife that depend on them, maintenance and improvement of existing sagebrush habitat is important.

Since grazing is the main management activity affecting the project area, it is relatively easy to assert 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 ELFO 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.

31-36 The DEIS claims that livestock grazing is a major influence on sagebrush and riparian habitat in the ALFO and that 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.

The DEIS only states "Beneficial effects on sagebrush steppe and shrub communities are expected as a result of this management approach because it would prevent fragmentation of communities and would provide for their frequency, distribution, and ecological integrity across the landscape."[52]

31-37 Furthermore, the RMP proposes numerous vegetation treatments, including prescribed fire, reducing conifer encroachment, etc. in the hopes of "improving" the condition of vegetation within the planning area. Is the BLM proposing to reduce fuel loads in sagebrush
31-38 communities? Does the risk of insect infestation refer to sagebrush? Exactly how will sagebrush communities be manipulated? What are the expected impacts from treatment of
31-39 these communities? These are serious questions that must be answered in the FEIS.

31-40 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.

[52] DEIS 4-234

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.[53] In fact, the just cited researchers found the following:

- 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.

31-40

Anderson and Inouye[54] 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. 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.

31-41

**Sage Grouse**

[53] 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. Primaray 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.
Wambolt Carl L. and Harrie W. Sherwood. 1999. Sagebrush response to ungulate browsing in Yellowstone. Journal of Range Management. 52:363-369.
[54] 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 Monograaphs, 71(4), 2001, pp. 531-556.

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.[55]

In presettlement times, the range of the sage grouse paralleled the range of big sagebrush. Basin big sagebrush provides important cover for sage grouse.[56] Populations of sage grouse have declined primarily because of loss of habitat due to overgrazing, elimination of sagebrush, and land development.[57] Sage grouse populations began declining from 1900 to 1915, when livestock utilization of sagebrush rangeland was heavy.[58] 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.[59]

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.[60] 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. spp. tridentata*) communities. Sage grouse are totally dependent on sagebrush-dominated habitats.[61] Sagebrush is a crucial component of their diet year-round, and sage grouse select sagebrush almost exclusively for cover.[62]

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[55] U.S Fish and Wildlife Service April 16, 2004

[56] 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.

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

[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] 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.

[60] 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.

[61] 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.

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

When not on the lek, sage grouse disperse to the surrounding areas.[63] Some females probably travel between leks. Patterson[64] 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.[65] 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.[66]

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.[67]

Lack of adequate nesting and brooding cover may account for high juvenile losses in many regions.[68] A decline in preferred prey may also result in increased predation on sage

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

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

[65] 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.

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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.

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

Sime, Carolyn Anne. 1991. Sage grouse use of burned, non-burned, and seeded vegetation communities on the Idaho National Engineering Laboratory, Idaho. Bozeman, MT: Montana State University. 72 p. Thesis.

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.

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.

[66] 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.

[67] 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.

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

grouse. Nest losses to predators vary throughout the range of sage grouse, but predators are more successful in areas of poor-quality nesting habitat.

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
31-42 sage grouse need higher levels of sagebrush canopy cover than the RMP indicates and livestock reduce that cover.

These factors may put healthy sage grouse habitat at odds with livestock grazing in some areas of the ELFO. How will the agencies and the management plan provide these
31-43 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, Ph.D. Grouse Inc., Tucson, Arizona, **May 2006.** Furthermore, the FEIS should discuss whether or
31-44 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. Few if any fire history studies have been conducted on basin big sagebrush. Sapsis[69] 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).[70] 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
31-45 variation in fire frequency in this system should be expected."[71]

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.[72]

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[69] 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.
[70] 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.
[71] 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
[72]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,

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.[73] In Idaho, wildfires in basin big sagebrush-needle and thread grass communities may create unstable soil conditions leading to wind erosion and "difficulty in seedling establishment."[74]

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.[75] Big sagebrush may be eliminated from some areas due to repeated fire.[76] 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.

31-45

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.[77] 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.[78] 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

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AB. Information Rep. NOR-X-309. Edmonton, AB: Forestry Canada, Northwest Region, Northern Forestry Centre: 176-181.

[73] 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.

[74] 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.

[75] 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.

[76] Collins, Ellen I. 1984. Preliminary classification of Wyoming plant communities. Cheyenne, WY: Wyoming Natural Heritage Program/The Nature Conservancy. 42 p.

[77] 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.

[78] 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.

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.[79] Martin[80] suggested that had nesting habitat been limiting, large-acreage fires would probably adversely affect sage grouse populations. Autenreith and others[81] 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.

31-45

Additionally, sage grouse show lek fidelity and may not use burns as lekking grounds if there is a sufficient number of old leks.[82] 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 Pyrah[83] 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 limit

The Western Watersheds Project appreciates the opportunity to comment on the Eagle Lake RMP and DEIS. Please keep us informed as this process progresses, and feel free to contact me at with any questions you may have in regards to these comments.

Sincerely,

Jen Nordstrom
Western Watersheds Project

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[79] Klebenow, Donald A. 1969. Sage grouse nesting and brood habitat in Idaho. Journal of Wildlife Management. 33(3): 649-662.
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.
[80] Martin, Robert C. 1990. Sage grouse responses to wildfire in spring and summer habitats. Moscow, ID: University of Idaho. 36 p. Thesis.
[81] Autenrieth, 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.
[82] 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.
[83] Wallestad, Richard; Pyrah, Duane. 1974. Movement and nesting of sage grouse hens in central Montana. Journal of Wildlife Management. 38(4): 630-633.

# Californians for Western Wilderness

A project of Resource Renewal Institute

July 26, 2006

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

*Advisory Board*
John Adams
Steve Allen
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Rob Coughlan
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Via E-Mail: necarmp@ca.blm.gov
& Fax: 530-257-4831 2 pages. Please call 415-752-3911 if transmission problems.

Ladies & gentlemen:

I am writing on behalf of the more than 735 members and supporters of Californians for Western Wilderness, an unincorporated citizens organization dedicated to encouraging and facilitating citizen participation in legislative and administrative actions affecting wilderness and other public lands in the West.

We are pleased that the BLM is undertaking this planning for the Eagle Lake Field Office. Our members explore the area in your jurisdiction, enjoying the variety of landscapes: mountains, deserts, canyons, and grasslands. They value the wildlife as well: deer, pronghorn, elk, and varied birdlife.

32-1 We urge you to adopt Alternative 2 (Ecosystem Restoration Alternative) as your final management plan. This will give the natural resources in the Eagle Lake area the maximum level of protection, the level they deserve. We request the following modifications to Alt. 2.

32-2 1.) Please manage all wilderness study areas as primitive zones. By using this restrictive designation, you will help ensure that the WSAs continue to maintain their wilderness character and remain eligible for wilderness designation in the future.

32-3 2.) Please also manage as primitive zones (in alphabetical order) Observation Peak, Shaffer Mountain, Shinn Mountain, Skedaddle Flats, Skedaddle West, and Snowstorm Mountain Roadless Areas.

Under the Preferred Alternative, we appreciate the following recommendations and urge that they be adopted regardless of which alternative is selected as final. We offer some suggestions though for strengthening some of the recommendations.

1.) Managing upper Smoke Creek under wild and scenic river guidelines.

32-4 1.a.) We urge you to recommend Wild & Scenic status for *all* eligible creeks and rivers in the draft: lower Smoke Creek, the Susan River, and Willow Creek.

**Comments of Californians for Western Wilderness**
**Eagle Lake Draft RMP**

32-5 2.) Closing roads and routes in WSAs.

32-6 3.) Restricting vehicles to designated routes only and managing the land between routes as primitive and non-motorized zones. After the plan is adopted, we hope these elements are ***strictly*** enforced. Vehicle damage to resources is one of the most destructive problems all across the West.

4.) Designating Areas of Critical Environmental Concern (ACECs). We particularly support the exclusion of rights of way for travel in the following ACECs: Buffalo Creek, Eagle Lake, North Dry Valley, Pine Dunes, and Susan River. We also support the exclusion of off-road vehicles from non-designated routes in ACECs.

32-7 4.a.) But please, ***do not*** remove ACEC status from the Lower Smoke Creek area. It also should not have the possibility for vehicle routes to fragment it.

32-8 4.b.) Development rights-of-way should be ***excluded*** from the Aspen Way ACEC.

32-9 4.c.) Buffalo Creek should be managed ***totally*** as "primitive" under the Recreational Opportunity Spectrum, in order to eliminate vehicle use within it. This will provide maximum protection for the resources that the ACEC is designed to protect.

32-10 5) We approve of the fact that Pine Dunes and Susan River are closed to grazing.

5.a.) We request that Eagle Lake Basin also be closed to grazing to protect vegetation in the Basin.

32-11 We request that no WSA or ACEC be subjected to a lowered Visual Resource Management category than it is currently managed at. In particular, we are disturbed that the Susan River is proposed to drop to VRM II/III. Please leave it where it is no: II.

32-12 Finally, we request that maximum protections be enacted for sage grouse populations, based on the best available science. The .25 miles - .6 miles no surface occupancy restrictions around sage grouse leks is not adequate for the species' protection. We urge that this be strengthened.

Again, we thank the BLM for the opportunity to comment on the Draft RMP for Eagle Lake, and we strongly urge the adoption of the suggestions outlined above. Please keep us informed of your decisions in this matter, and add Californians for Western Wilderness to your mailing list for notification of future opportunities for public comment in your field office.

Respectfully submitted,

Michael J. Painter
Coordinator

RECEIVED
MAY - 9 2006
BLM Eagle Lake

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]**

33-1 **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]**

33-2 **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**

33-3 **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**

33-4 **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?**

33-5 **Great Basin**

**CHANGE: In the Great Basin all surface waters drain inward to terminal lakes or sinks, none flows to the oceans.**

**Herd**

33-6 **ADD: One or more stallions and his mares and associated bachelor bands.**

**Home Range**

33-7 **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**

33-8 **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**

33-9 **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.**

**Eagle Lake DRMP Comments**

**Susanville CA**
**May 30, 2006**

**Attention Planning Coordinator**
**Bureau of Land Management**
**Eagle Lake Field Office**
**2950 Riverside Drive**
**Susanville, CA. 96130**

**From: Bill Phillips** Phone 257- 6700
**PO Box 1171**
**Susanville CA. 96130**

**The Eagle Lake DRMP seems to be well organized and easier to follow than some of these documents that I have read.**

**These are my comments and suggested additions or modifications for those sections that I have read. I did not read the entire document.**

**General Comment**

34-1 **Does this DRMP have objectives that are beyond the capability of the BLM to accomplish in the next 20 years?**

34-2 **Does this DRMP set limitations on actions that may be desired in the future?**

**Give these questions consideration before the final.**

**Executive Summary**

**Livestock Grazing**

***1 page ES4**

34-3 **CHANGE: Maintain 987,779 acres open to livestock grazing on 54 allotments.**

***3 page ES4**

34-4 **CHANGE: Grazing systems will provide periodic rest or deferment from grazing by domestic livestock on 80% to 90% of total area open to livestock grazing.**

**Vegetation**
***6 page ES7**
**CHANGE: Work toward restoring Wyoming and mountain big sagebrush ecosystems containing sage-grouse habitat.**
34-5 **COMMENT: It is my opinion that it is beyond the capability of the BLM to restore all of the sagebrush ecosystems within the sage-grouse habitat in the next 20 years.**
***7 page ES-7**
**Does not match 2.17.11 Preferred Alternative page 2-145 *7 Which states:**
34-6
> **"Complete seedings using locally gathered native seed. If local seed is not available or can not be gathered in time, use nonlocal native seed with the approval of the BLM State Director.**

**Wild Horses and Burros –page ES9**
34-7 ***1 CHANGE: Manage wild horses and burros on one established herd management area [HMA] and wild horses on two established [HMAs] on 828,596 acres covering 81% of the Eagle Lake RMP area.**

**2.8 Livestock Grazing**
**2.8.10 Preferred Alternative- page 2-55**
34-8 ***3[bottom of page]**
**CHANGE: rose to increased**

**2.17 Vegetation**
**2.17.11 Preferred Alternative-page 2-146 [upper half of page]**
***7 COMMENT: The use of local gathered seed is more important for some species than for other species. This is very expensive and germination is often very low and seed is generally not available when needed as is the case in a heavy fire year. This probably is more important for some shrub species and may be so for some forb species. The necessity for local gathered seed should be checked into before going to this expense. Grass species in general do not need local gathered seed and are often available on the market.**
34-9
***7 COMMENT: It is very important to seed areas subject to invasion by cheatgrass the fall following a fire or in the spring following a fire. If seeding is delayed cheatgrass can invade the site and exclude the establishment of other species. This is caused by cheatgrass seedlings**
34-10

out competing other species. By waiting a year or two to collect local native seed the window for successful seeding will generally be closed.

34-11 *7 COMMENT: Where seed for native species are not available then, in my opinion, it is better to seed crested wheatgrass or some other adapted species than to let the site be taken over by cheatgrass.

34-12 *7 COMMENT: Crested wheatgrass is much superior to cheatgrass which will occupy the site of many many years if it is allowed occupy the site. Sagebrush has a much greater chance to return to a site seeded to crested wheatgrass than a site that is controlled by cheatgrass or medusahead.

34-13 *7 COMMENT: In the Great Basin there have many failures with attempts to seed native species.

34-14 *7 COMMENT: I suggest that before seeding native species that the responsible party go and visit seedings of native species that are successful on a like site and find out what species were used and how the seeding was done.

2.17.11 Juniper Woodland- page 2-146 [bottom half of page]

34-15 *1 ADD: Use manual removal of small Juniper on Wyoming big sagebrush sites that are used by sage-grouse.

COMMENT: Using fire to control Juniper on the Wyoming big sagebrush site will often convert the site to cheatgrass which will control the site into the foreseeable future. Wyoming big sagebrush is generally very slow to reoccupy a site after it is burned. It is much cheaper to kill a Juniper that is a foot tall than it is kill a Juniper that is a foot in diameter. By letting Juniper grow and dominate a site it will already have changed the sagebrush ecosystem and will be very difficult or impossible to restore. Fire is a much more acceptable tool on the mountain big sagebrush site. The DRMP may allow for manual control of small Juniper. However, this approach does not seem to be stressed in the plan to the extent that I feel that it should be. There may be outside funding for such work in the future in sage grouse areas.

**2.24 Wild Horses and Burros**
**Page2-182 -2nd paragraph- last sentence**
34-16 **CHANGE: Animals removed during gathers are sought after in the regular adoption program provided they are three years if age and younger. Also there is a demand for some horses four years of age from these herds. However, in general there is little demand for horses five years of age and older.**

**2.24.1 Desired Future Condition**
**First sentence**
34-17 **CHANGE: Change the wording to match the wording in CFR Subpart-4700 Sec. 4700.0.-6 [a]. "Wild horses and burros in the Eagle Lake RMP area will be managed as self sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat."**
**COMMET: For the herds in the Eagle Lake RMP area it is not possible to achieve a [Thriving Natural Ecological Balance]. There are not enough predators to achieve this.**

**Last sentence- First paragraph**
34-18 **ADD: provided that they are placed into the adoption at 4 years of age and younger.**
**COMMENT: In general wild horses 5 years of age and older lack an adoption demand.**

**Last paragraph-page 2-182**
34-19 **COMMENT: I have a bias against fertility control. I hope that this is not used after herds nation wide reach AML. I see this as a way to manage zoo animals not wild free-roaming horses and burros.**

**2.24.4 Management Common to All Alternatives[page2-183]**
34-20 ***5 COMMENT: Gathering at 3 year intervals will make it possible to place horses into the adoption program at a young age and will achieve an almost a 100% adoption rate from the herds of Eagle Lake RMP area.**

***6 COMMENT: See previous comment.**

**2.24.9 Preferred Alternative-[page 2-185]**

34-21 **COMMENT: I would help if there was a chart showing AMLs for the Preferred Alternative.**

**First * bottom of page 2-185**

**CHANGE: Horses will gathered as soon as the upper range of AML is reached.**

34-22 **COMMENT: Unless fertility control is used or there is an unusual death loss this will generally occur within three years for herds with a management program removing and adopting young animals from the herd and with the AML spread as indicated. Where foals, yearlings and two year horses are removed from the herd the annual rate of increase is higher than for a herd that has not been gathered for some time.**

Bill Phillips

**Bill Phillips**

*County of Lassen*
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July 25, 2006

RECEIVED
JUL 27 2006
BLM Eagle Lake

Timothy J. Burke, Field Manager
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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.

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
35-1 open to misinterpretation. The RMPs do not incorporate justification for decisions
35-2 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.
35-3 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.

The Surprise Valley Draft RMP does not propose any specific new non-motorized trails and/or
35-4 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)."

35-5

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:

35-6

- Projects that involve inter-basin transfer of water would be coordinated <u>and consistent</u> with <u>the local water resource policies and plans of</u> 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.

> 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)**

35-7 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."

35-8 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.

35-9 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.

35-10 ↓ 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

35-10

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)**

35-11

**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…..

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:***

35-12
35-13
35-14
35-15

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 deferment, 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

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.

35-15

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.

35-12 through 35-15

***Request:***
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.

35-16

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.

35-17

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.

35-17
35-18

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.

35-19

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".

***Request:***

35-17
35-18
35-19

A simple straight-forward policy that clearly demonstrates an active and aggressive approach to controlling juniper invasion and does not included 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.

35-17 &
35-19

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."

35-20

**<u>ISSUE # 4</u> 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.

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".

35-20

***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."

**<u>ISSUE # 5</u> Wild Horse AML**

35-21

***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**

35-22

***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.

35-22

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

420.32.01/BdResponseRMP7-06

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
necarmp@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.

36-1 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 alterative in the draft RMP.

**Livestock Grazing Management**

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
36-2 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
36-3 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
↓

36-3 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:

36-4
- 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.

36-5
- 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.

36-6
- Why is cheatgrass (*Bromus tectorum*) not included on the list and map of noxious weeds?

36-7
- 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).

36-8
- "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
36-9 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
36-10 and Sagebrush-Steppe Ecosystems Management Guidelines that includes various recommendations for sage-grouse habitat management.

36-11
- 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:

36-12 • 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.

36-13 • 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.

36-14 • The solution to western juniper encroachment is the reintroduction of fire and the elimination of livestock grazing in sagebrush steppe.

36-15 • 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.

36-16 • 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.

36-17 • 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.

36-18 • 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).

36-19 • 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.

36-20 • 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.

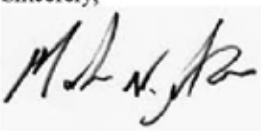
36-21 • Burning is preferable to mechanical treatments to restore quaking aspen.

36-22 • 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.

36-23 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.

BLM. 2004. Proposed Upper Deschutes Resource Management Plan/Final Environmental Impact Statement. BLM, Prineville District, Deschutes Resource Area. (September 2004). Vol. I: 170.

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 | 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 Alternatives[1]

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

BLM. 2004. Proposed Upper Deschutes Resource Management Plan/Final Environmental Impact Statement. BLM, Prineville District, Deschutes Resource Area. (September 2004). Vol. III: 50-58.

# 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 event[8] 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).

[8] Natural and human-caused 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 G 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 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.

<u>Guidelines:</u>

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 Factors[1]

| 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.[5] | | 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 C.
[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] *Bad*
[5] *Bad*
[6] *Bad*

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[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 is if permit is relinquished
[2] RFA is Reserve Forage Allotment
[3] Close is Discretionary livestock grazing for the life of the plan. BLM would provide two years notice of cancellation or Close required by permanent.

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 | Waiting 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 | M | 1 | L |
| 5001 | 0 | 100 | 75 | 90 | 29 | 100 | 50 | 100 | 3 | 0 | 0 | 88 | H | 72 | L | 1 | L |
| 5002 | 0 | 100 | 75 | 95 | 100 | 0 | 100 | 100 | 0 | 0 | 0 | 88 | H | 74 | L | 0 | L |
| 5003 | 0 | 100 | 0 | 95 | 100 | 100 | 50 | 100 | 0 | 0 | 0 | 51 | M | 72 | L | 0 | L |
| 5004 | 0 | 0 | 0 | 90 | 25 | 0 | 100 | 100 | 0 | 0 | 0 | 0 | L | 43 | M | 0 | L |
| 5006 | 0 | 100 | 75 | 95 | 100 | 100 | 50 | 100 | 100 | 100 | 0 | 88 | H | 91 | L | 60 | M |
| 5007 | 0 | 0 | 75 | 85 | 68 | 50 | 100 | 100 | 100 | 100 | 0 | 37 | M | 72 | L | 60 | M |
| 5011 | 0 | 0 | 0 | 0 | 17 | 0 | 0 | 100 | 100 | 0 | 0 | 0 | L | 24 | H | 30 | L |
| 5012 | 0 | 72 | 75 | 75 | 77 | 100 | 0 | 30 | 100 | 0 | 0 | 74 | H | 68 | L | 30 | L |
| 5018 | 0 | 41 | 75 | 50 | 27 | 0 | 50 | 51 | 100 | 0 | 0 | 58 | M | 48 | M | 30 | L |
| 5019 | 0 | 0 | 100 | 10 | 5 | 40 | 25 | 13 | 10 | 0 | 0 | 50 | M | 24 | H | 3 | L |
| 5022 | 0 | 100 | 75 | 75 | 42 | 0 | 100 | 40 | 0 | 0 | 20 | 88 | H | 56 | M | 8 | L |
| 5023 | 0 | 0 | 0 | 0 | 40 | 0 | 0 | 100 | 80 | 0 | 0 | 0 | L | 25 | H | 24 | L |
| 5024 | 0 | 0 | 0 | 0 | 20 | 0 | 25 | 100 | 100 | 0 | 0 | 0 | L | 27 | H | 30 | L |
| 5026 | 0 | 67 | 0 | 95 | 100 | 0 | 50 | 83 | 100 | 2 | 0 | 34 | M | 64 | M | 31 | L |
| 5031 | 0 | 0 | 75 | 90 | 100 | 0 | 0 | 37 | 100 | 0 | 40 | 37 | M | 53 | M | 46 | M |
| 5032 | 0 | 0 | 0 | 90 | 25 | 100 | 100 | 100 | 53 | 0 | 0 | 0 | L | 60 | M | 16 | L |
| 5050 | 0 | 0 | 100 | 85 | 11 | 100 | 50 | 89 | 100 | 0 | 0 | 50 | M | 68 | L | 30 | L |
| 5051 | 0 | 0 | 100 | 85 | 20 | 100 | 0 | 49 | 100 | 0 | 0 | 50 | M | 59 | M | 30 | L |
| 5052 | 0 | 0 | 100 | 85 | 50 | 100 | 0 | 100 | 82 | 0 | 0 | 50 | M | 67 | L | 25 | L |
| 5061 | 0 | 100 | 100 | 95 | 100 | 100 | 50 | 7 | 100 | 0 | 0 | 101 | H | 83 | L | 30 | L |
| 5064 | 0 | 0 | 0 | 65 | 23 | 100 | 50 | 57 | 100 | 0 | 0 | 0 | L | 50 | M | 30 | L |
| 5065 | 0 | 52 | 75 | 50 | 34 | 100 | 100 | 8 | 100 | 0 | 0 | 63 | M | 62 | M | 30 | L |
| 5066 | 0 | 29 | 0 | 75 | 32 | 100 | 100 | 74 | 100 | 0 | 0 | 15 | L | 63 | M | 30 | L |
| 5067 | 0 | 0 | 75 | 95 | 100 | 0 | 50 | 100 | 100 | 0 | 0 | 37 | M | 67 | L | 30 | L |
| 5068 | 0 | 0 | 75 | 95 | 100 | 100 | 50 | 54 | 100 | 0 | 0 | 37 | M | 74 | L | 30 | L |
| 5069 | 0 | 100 | 75 | 95 | 100 | 50 | 50 | 100 | 100 | 0 | 0 | 88 | H | 85 | L | 30 | L |
| 5070 | 0 | 0 | 75 | 95 | 100 | 100 | 50 | 13 | 100 | 0 | 0 | 37 | M | 69 | L | 30 | L |
| 5071 | 0 | 56 | 75 | 95 | 100 | 100 | 50 | 10 | 100 | 0 | 0 | 65 | M | 75 | L | 30 | L |

| Allotment Number | Indicators (factors) | | | | | | | | | | | Estimated Levels Total score[1] in category, and rating (Low, Moderate, High) | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | SMA Soc | Zoning | Recreation | Waiting 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 | 88 | 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 Total score[1] in category, and rating (Low, Moderate, High) | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 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 | 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 | 125 | 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 | Waiting 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 | 57 | M | 8 | L |
| 5224 | 0 | 0 | 0 | 0 | 47 | 0 | 0 | 100 | 100 | 0 | 0 | 0 | L | 28 | H | 30 | L |
| 5228 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 15 | 100 | 0 | 0 | 0 | L | 13 | H | 30 | L |
| 5231 | 0 | 0 | 75 | 0 | 4 | 0 | 50 | 1 | 100 | 0 | 0 | 37 | M | 25 | H | 30 | L |
| 5233 | 0 | 0 | 0 | 0 | 3 | 10 | 0 | 5 | 100 | 0 | 0 | 0 | L | 12 | H | 30 | L |
| 5234 | 0 | 0 | 0 | 0 | 6 | 0 | 25 | 13 | 100 | 0 | 0 | 0 | L | 15 | H | 30 | L |
| 5252 | 0 | 0 | 75 | 95 | 79 | 0 | 50 | 74 | 0 | 0 | 0 | 37 | M | 51 | M | 0 | L |
| 5257 | 0 | 0 | 0 | 0 | 10 | 0 | 0 | 100 | 42 | 0 | 0 | 0 | L | 17 | H | 13 | L |
| 5261 | 0 | 91 | 0 | 0 | 14 | 0 | 25 | 57 | 100 | 0 | 0 | 46 | M | 32 | H | 30 | L |
| 7502 | 0 | 4 | 0 | 85 | 43 | 100 | 0 | 2 | 100 | 0 | 0 | 2 | L | 45 | M | 30 | L |
| 7504 | 0 | 11 | 0 | 75 | 9 | 0 | 25 | 27 | 100 | 0 | 0 | 5 | L | 33 | H | 30 | L |
| 7509 | 0 | 100 | 75 | 75 | 55 | 0 | 50 | 28 | 100 | 0 | 0 | 88 | H | 61 | M | 30 | L |
| 7514 | 0 | 100 | 0 | 90 | 61 | 0 | 100 | 93 | 100 | 0 | 0 | 51 | M | 68 | L | 30 | L |
| 7515 | 0 | 0 | 75 | 85 | 13 | 0 | 25 | 42 | 100 | 0 | 0 | 37 | M | 45 | M | 30 | L |
| 7530 | 0 | 0 | 0 | 90 | 3 | 0 | 100 | 78 | 0 | 0 | 0 | 0 | L | 38 | M | 0 | L |
| 7538 | 0 | 100 | 75 | 95 | 100 | 0 | 50 | 96 | 100 | 0 | 0 | 88 | H | 79 | L | 30 | L |
| 7552 | 0 | 2 | 0 | 60 | 7 | 50 | 50 | 4 | 100 | 0 | 0 | 1 | L | 34 | M | 30 | L |
| 7554 | 0 | 0 | 0 | 90 | 27 | 0 | 50 | 100 | 40 | 0 | 20 | 0 | L | 42 | M | 20 | L |
| 7559 | 0 | 28 | 75 | 60 | 8 | 50 | 25 | 14 | 100 | 0 | 0 | 51 | M | 46 | M | 30 | L |
| 7571 | 0 | 38 | 0 | 95 | 42 | 0 | 50 | 96 | 0 | 0 | 0 | 20 | L | 45 | M | 0 | L |
| 7572 | 0 | 100 | 0 | 90 | 29 | 0 | 25 | 100 | 0 | 0 | 0 | 51 | M | 48 | M | 0 | L |
| 7574 | 0 | 0 | 0 | 95 | 41 | 100 | 50 | 74 | 39 | 0 | 0 | 0 | L | 54 | M | 12 | L |
| 7575 | 0 | 82 | 0 | 80 | 55 | 0 | 75 | 34 | 0 | 0 | 0 | 42 | M | 44 | M | 0 | L |
| 7582 | 0 | 0 | 0 | 75 | 29 | 100 | 0 | 100 | 99 | 0 | 0 | 0 | L | 52 | M | 30 | L |
| 7586 | 0 | 61 | 75 | 80 | 21 | 100 | 75 | 76 | 0 | 0 | 0 | 68 | H | 63 | M | 0 | L |
| 7594 | 0 | 0 | 0 | 95 | 25 | 0 | 25 | 100 | 13 | 0 | 0 | 0 | L | 38 | M | 4 | L |
| 7595 | 0 | 100 | 0 | 80 | 22 | 50 | 25 | 35 | 100 | 0 | 0 | 51 | M | 53 | M | 30 | L |
| 7597 | 0 | 0 | 75 | 73 | 5 | 0 | 50 | 10 | 100 | 0 | 0 | 37 | M | 40 | M | 30 | L |
| 9999 | 0 | 6 | 75 | 75 | 26 | 50 | 50 | 0 | 100 | 0 | 0 | 40 | M | 49 | M | 30 | L |

[1] The raw scores for some factors were proportionally adjusted to achieve a fairly even spread between 0 and 100 (aiming for about 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.

"Deon and Linda" <linda@pollett.net>
07/20/2006 11:17 AM
To
<necarmp@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

Thank you for closing raads in several wilderness study areas and allowing fires to plaly an imprtant role in maintaining the high desert's ecological health. Please continue to confine vehicles to designated
37-1 routes and management of roadless areas for primitive recreation.

37-2 Please designate the seven areas of critical environmental concern.

37-3 Also please acquire public rights of way along abandoned railroad grades for non-motorized trails.

37-4 Please build new non-motorized trails.

37-5 Please manage Smoke Creed as a wild and scenic river.

37-6 Also, choose Alternative 2 as your Preferred allternative in the final versio of the RMP, with modifications of;

37-7 Manage all wilderness study areas as primitive zones.

Manage the core portions of the Observation Peak, Shaffer Mountain, Shinn
37-8 Mountain, Skedaddle Flats, Skedaddle West and Snowstorm Mountain Roasdless Areas as primitive zones.

Also close all priitive and no-morotorized management areas to miineral
37-9 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

Stanley Bales/CASO/CA/BLM/DOI
06/06/2006 09:47 AM

To Rhonda Noggles/CASO/CA/BLM/DOI@BLM
cc
bcc
Subject Fw: Public Comment for RMP

Sue-
Lisa asked that I forward this to you incase it didn't get through on her first attempt.
Stan
----- Forwarded by Stanley Bales/CASO/CA/BLM/DOI on 06/06/2006 09:46 AM -----

Lisa Sedlacek
<lsedlacek@fs.fed.us>
06/05/2006 09:23 AM

To jfontana@ca.blm.gov
cc sbales@ca.blm.gov, snoggles@ca.blm.gov
Subject Public Comment for RMP

After reviewing the Bureau of Land Mangement draft Resource Management Plan this weekend, I found that the areas of my interests, wilderness, trails and recreation portions of your plan were considered.

38-1 I appreciate your vision in developing a trail system around the Eagle Lake Basin, Honey Lake and the Diamond Mountains. It seems like you have considered all the different user groups and are willing to provide non-motorized and motorized alternatives for both parties that are interested in riding, hiking and exploring trails. I am also excited to learn more about the Skedaddle Mountains.

I have learned from your plan, learned how to be a better manager, technical writer and I take on the challenge on continuing your vision on neighboring National Forest Lands.

Lisa Jo Sedlacek

(Embedded image moved to file: pic24058.jpg) pic24058.jpg

STETSON ENGINEERS INC.

2171 E. Francisco Blvd., Suite K • San Rafael, California 94901 • (415) 457-0701
FAX: (415) 457-1638 • email: sr@stetsonengineers.com

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2659 W. Guadalupe Rd., Suite D213 • Mesa, Arizona 85202 • (480) 839-5910
FAX: (480) 839-6560 • email: mesa@stetsonengineers.com

SERVING CLIENTS SINCE 1957

July 27, 2006

Reply to: San Rafael

**Via Fax (530) 257-4831 and**
**Email necarmp@ca.blm.gov**

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

Re: Eagle Lake Field Office RMP and DEIS

Dear Planning Coordinator:

Thank you for the opportunity to provide comments on the Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) of Eagle Lake Field Office prepared by Bureau of Land Management (BLM). We have reviewed portions of the Draft Resource Management Plan and Environmental Impact Statement related to the Smoke Creek Complex. A portion of the Smoke Creek basin is within the Pyramid Lake Indian Reservation.

The following comments are provided on behalf of the Pyramid Lake Paiute Tribe.

39-1 1. Tribe supports the Wild and Scenic River designations for the Upper and Lower Smoke Creek as set forth in Alternative 2 and Preferred Alternative. All 10.6 eligible miles in the Upper Smoke Creek are classified as *wild*. Similarly, all 3.2 eligible miles in the Lower Smoke Creek should be classified as *wild* instead of *recreational*.

39-2 2. Both the upper and lower reaches of the Smoke Creek should be closed to mineral development, grazing, off-road vehicles and settlements to protect water quality.

39-3 3. Under Alternative 2 and Preferred Alternative, no dam construction and water diversions are allowed in the Upper Smoke Creek. Dam construction and water diversions are allowed in the Lower Smoke Creek under Preferred Alternative, but not under Alternative 2. Similar to Alternative 2, dam construction and water diversions should not be allowed in the Lower Smoke Creek under Preferred Alternative. Such improvements and diversions will impact water resources of the Smoke Creek basin within the Reservation.

39-4 4. BLM should not accommodate inter-basin and transbasin transfers of water from the Smoke Creek basins. Such transfers will impact water resources of the Pyramid Lake Indian Reservation.

39-5 5. BLM should assert riparian rights in California portion and instream flow rights in Nevada portion of the Smoke Creek for the maintenance of fish habitat.

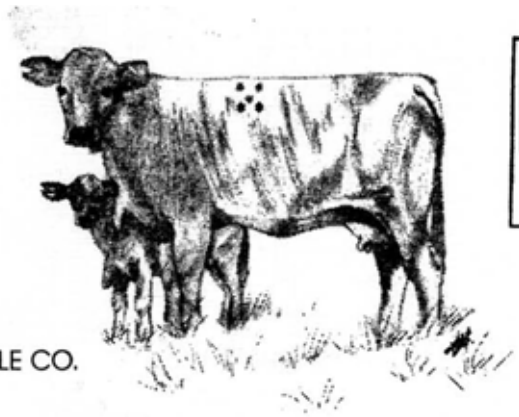
Thank you for the opportunity to provide comments.

Sincerely,

Ali Shahroody
Stetson Engineers Inc.

cc: Norm Harry
Randy Tobey
John Jackson
Bob Pelcyger
Don Springmeyer

F:\STAFF FILES\ALI\AS to Eagle Lake RMP Comments_072706.doc



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JUL 27 2006
BLM Eagle Lake

FIVE DOT LAND & CATTLE CO.
P.O. Box 50
Standish, CA 96128

(530) 254-6987
FAX: (530) 254-6968

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

July 27, 2006

Dear Sir,

Thank you for the opportunity to comment on your RMP.

Here are my responses regarding:

40-1

1. 2.17 Vegetation, page 2-146, 4th point (this is also in the Executive Summary "Vegetation", 2nd point, page ES-7).

   This paragraph seems to say that "at risk areas, unhealthy areas and areas found to be lacking key attributes…close these areas to grazing until restoration is complete…"

   *Comments:* Many of these areas are classified as such because of invasive weeds. Elimination of grazing will have minimal, if any at all, impact on their restoration. Many of these areas will never recover to a healthy status as the weeds will always be there. Grazing would be precluded forever. There is no scientific or logical basis for this blanket requirement and it should be taken out.

40-2

2. The table on pages 2-96 and 2-97 contains errors in regards to grazing in the Eagle Lake Basin ACEC.

40-2 *Comments:* First it is stated in page 2-94 that the preferred alternatives is the same as alternative 2. This table does not correspond with that. Second this table states that Eagle Lake shoreline is "closed to grazing". This table should be changed to match the last paragraph on page 4-148. There is minimal grazing around the lake now and no scientific evidence to justify closing the lakeshore to all grazing. Nor is this compatible with the Stone Ranch Easement which is designated as an agricultural area and contains intermingled public and private ground.

3. 2.24 Wild Horse and Burros

40-3 *Comments:* While AMLs are set in this plan at recommended levels, reality is such that AMLs are really a minimum level and usually within 2-3 years numbers are well in excess (often several times AMLs). The population grows exponentially until funding allows for another gather. Gathering should reduce numbers below AMLs to allow for reproduction and be scheduled on a regular basis. So for at least a few years numbers are actually within AMLs.

Thank you for the opportunity to comment and all the work that went into your document. It is a job well done.

Sincerely,

Todd Swickard
Five Dot Land and Cattle Company

# Lassen County Cattleman's Association

P.O. Box 811 Susanville, CA



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JUL 27 2006
BLM Eagle Lake


**Livestock and Grazing related comments on the BLM Eagle Lake Field Office Resource Management Plan**

July 26, 2006

Most of the following comments pertain to language that we find to be unclear, inconsistent, or open to misinterpretation. While the Lassen County Cattlemen have generally enjoyed a good working relationship with the current BLM staff and administration, we believe that considering this new RMP will likely have a shelf-life of 20 years or so, such language should be made clear now, so that it will not be misapplied in the future.

**ISSUE #1 Grazing (or no-grazing) of "unhealthy", "at-risk", and "sites found healthy but lacking a key attribute". The rewording on page 7 of the errata sheet is far better,**

***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…..

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.

***Our comment:***

41-1

These bullet points can be interpreted to mean that the approx. 700,000 acres of rangeland would be 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.

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.

41-1

***Our Request***
The references to grazing closures on certain range health classifications needs to be clarified such that it cannot be misinterpreted. The corrections on page 7 of the errata sheet replacing text on 2-146 are a big improvement. The wording on page 1 of the errata sheet for page ES-7 still needs some improvement.

**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 form livestock grazing on selected shrub sites...

***Our comment:***
41-2
41-3
41-4
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 deferment, 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 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.

41-5

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.

41-2 through 41-5

***Our request:***
Please make this language consistent through-out the document, and clarify under what conditions (when, where and how) shrubs would be rested from grazing. These

41-2 through 41-5

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. Replacement language in the errata sheet for page 1-146 answers some of these questions, but further clarification is needed in other sections where rest of shrubs is discussed.

**ISSUE # 3 Juniper management and control**

We support 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.

41-6 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 is obviously adds up to a far higher figure than the 31,062 acres above.

41-7 In several places (page 4-207 and 4-346, 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.

41-7 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. Aggressive, proactive treatment of small trees that comprise new juniper infestations would be the most cost-effective to treat and could be removed prior to major impact to the native vegetation.

41-8 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.

41-8

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".

41-7 & 41-8

***Our request***
A simple straight-forward policy that clearly demonstrates an active and aggressive approach to controlling juniper invasion and does not included 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.

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.

**ISSUE # 4 ACEC - Eagle Lake Basin**
There is some clarification needed with the language regarding ACEC in the Eagle Lake Basin.

41-9

***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.

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".

***Our 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 process and has worked well. The current grazing management should be recognized and identified as the preferred alternative.

***Our 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

41-9 the ACEC simply as a continuation of the current management already in place. Additional grazing restrictions are redundant and/or unnecessary.

**ISSUE # 5 Wild Horse AML**

***Our comment***

41-10 We support active management of wild horses and burro populations. When horse and burro gathers are organized, we urge the Buearu to bring populations down to the *low end* of the AML 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 and last bullet 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.

***Our comment:***

41-11

- 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'. It would seem based on this text, that almost any stream on BLM land could be expected to have a water quality limited segment, even if that is 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.

41-11 ***Our 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.

Thank you for the opportunity to comment on the Resource Management Plan. We look forward to working with the BLM staff to resolve these questions and clarify the points listed above.

Sincerely,

Todd Swickard
President, Lassen County Cattleman's Association

SIERRA CLUB
FOUNDED 1892

RECEIVED
JUL 31 2006
BLM Eagle Lake

July 26, 2006

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

Re: Eagle Lake RMP Comments

The Shasta Group promotes the conservation of natural resources in northern California and encourages the careful stewardship of our public lands. Our membership spends a considerable amount of time each year on our public lands in a variety of recreational pursuits, including using trails for hiking. We appreciate the opportunity to provide the following comments regarding the Eagle Lake RMP.

We commend the Eagle Lake Field Office staff for proposing to:

- Close roads in several wilderness study areas.
- Allow fires to play an important role in maintaining the high desert's ecological health.
- Confine vehicles to designated routes.
- Manage most of the areas between open vehicle routes for non-motorized or primitive recreation.
- Acquire public rights of way along abandoned railroad grades so they can become non-motorized trails.
- Build new non-motorized trails.
- Manage Smoke Creek as a wild and scenic river.
- Designate seven new areas of critical environmental concern (ACECs).

**Comments on Areas of Critical Environmental Concern (ACECs):** We want to thank the BLM for proposing to protect these special areas: Buffalo Creek Canyons, Eagle Lake Basin, North Dry Valley, Pines Dunes Research Natural Area, Susan River, Willow Creek, and Lower Smoke Creek. However, the Shasta Group does have some concerns with specific ACEC issues, listed below.

**1. Rights-of-way (for travel routes):** We agree with excluding the proposed Pine Dunes, Susan River, Eagle Lake, North Dry Valley and Buffalo Creek ACECs from establishment of rights of way (for travel
42-1 routes). We also urge you to exclude the Willow Creek ACEC from any rights-of-way for water
42-2 diversions or dam construction. Please eliminate consideration of removing WSA status for the Lower
42-3 Smoke Creek ACEC, which would exclude the area from rights-of-way. The Shasta Group also recommends that the Aspen Way proposed ACEC also be closed to development of rights-of-way.

**2. Recreational management (ROS):** The Buffalo Creek ACEC as proposed would be designated partly "primitive" and partly "backcountry," which allows for motorized vehicle use. We request that the
42-4 Buffalo Creek ACEC be managed entirely under the ROS category of "primitive," which does not allow motorized vehicle use.

42-5 **3. Visual Resources (Viewsheds):** The Susan River area is currently managed in the Visual Resource (VRM) category #II. The RMP proposes to lower it to VRM II/III, which we find undesirable. We urge BLM not to lower the VRM category in any WSA or proposed ACEC.

42-6 **4. Grazing**: The Shasta Group urges the closure of Eagle Lake Basin to grazing, to protect sensitive vegetation and to put its management on the same course as Pine Dunes and Susan River.

42-7 **5. OHV Management**: The Eagle Lake office has proposed that all its ACECs be closed to off-road vehicle use, or at the least that such use be kept to routes that are presently designated. The Shasta Group concurs that this is a good plan, and thanks you for the foresight in managing ORV/OHV use.

42-8 **Comments on Wild & Scenic Rivers:** The Draft plan finds portions of the Susan River, Willow Creek, upper Smoke Creek, and lower Smoke Creek to be eligible for W&SR status, but recommends designation only for upper Smoke Creek. The Shasta Group asks that eligible portions of Susan River, Willow Creek, and lower Smoke Creek be recommended for W&SR designation, as well.

42-9 **Commments on Sage Grouse Protection:** The Shasta Group finds that the RMP includes some helpful conditions and restrictions on activity in order to protect sensitive sage grouse, but provisions are not sufficient to protect the populations in the area. The Preferred Alternative prescribes "no surface occupancy" (NSO) stipulations for oil and gas activities within .25 to .6 miles of sage grouse "leks" (courtship areas). Alternative 2, the Ecosystem Restoration Alternative, contains conflicting and unclear restrictions for oil and gas management. We strongly urge the BLM to strengthen and clarify the protection for sage grouse.

42-10 Finally, the Shasta Group requests the BLM to choose Alternative 2, the Ecosystem Restoration Alternative, as its Proposed Management Plan in the final version of the RMP rather than the present Preferred Alternative, because Alternative 2 is significantly better for the environment. However, Alternative 2 should be modified in two ways to strengthen protection for key roadless areas:

- 42-11 Manage all wilderness study areas as primitive zones.
- 42-12 Manage the core portions of the Observation Peak, Shaffer Mountain, Shinn Mountain, Skedaddle Flats, Skedaddle West, and Snowstorm Mountain Roadless Areas as primitive zones.

Thank you again for the opportunity to present the comments and concerns of the Shasta Group of the Sierra Club.

Dianna M. Thrasher

Dianna M. Thrasher, Secretary
Shasta Group, Mother Lode Chapter
P.O. Box 491554
Redding, CA 96049

EAGLE LAKE RMP COMMENTS
ATTN: PLANNING COORDINATOR
BUREAU OF LAND MANAGEMENT
EAGLE LAKE FIELD OFFICE
2950 RIVERSIDE DRIVE
CALIFORNIA, 96130

RECEIVED
JUL 17 2006
BLM Eagle Lake

43-1

I am writing to protest the plans to sell off parcels of land from Sierra Valley!. These lands belong to all of us and are not for sale at any price. These lands are crucial to the health of the Sierra Valley – its livestock, wildlife, the aquafirs and grandwater recharging areas. They are home to the wintering herds of Tahoe Truckee deer herd, the hawks. These are the air quality restoration and provide not only a home to numereous creatures who make their entire life cycles in this area.

We make very frequent trips to Reno, Nevada for groceries, doctors, dentists, etc. and for the past 30 years have been counting the numbers of winged fowl, presence of small creatures, coyotes, and the sources of food for all of these. In the past 30 years we have seen the numbers of Hawks decrease from a high of 33 to now only one or two sitting on the tops of the power lines. There used to be an abundance of Clark's Nuthatchers, wild song birds that inhabit the fields, all manner of hawks and a few falcons. Now those numbers have disappeared.

The aquafirs supply the watersheds for the Feather River Wild and Scenic Rivers (all branches). They are the home to nesting waterfowl with many nesting boxes sitting in the waters. These nesting boxes were made by the Biology and Wildlife Classes at the high schools and placed where the waterfowl nest. These young people expect the adults and the BLM to preserve both water and waterfowl as well as the other animals who water here at great peril to their lives from the motor traffic which is increasing.

As we motor to Reno for the necessities, we find the landscape intriguing, interesting to observe, to contemplate the native peoples who called this their home.

A number of people from the UNR and Feather River College have done exploratory studies, finding the sites from which artifacts have been extracted for study. There is much history in this region.

By proposing to sell off (and YOU had the requirement to MANAGE IT ONLY for the people of this area – not sell it) parcels, you are catering to the rich who care nothing for this area – only the filling of their pockets – while we who live here, who love this area, for the wildlife – deer, coyotes, foxes, winged fowl, bats and all who use this water for their lives do NOT WANT IT SOLD.

We did not come to this area in 1903 (our families) expecting our lands to be sold off from under us. NOR DO WE WANT ANY OF IT SOLD.

Let those who want more land go to the desert and build their high rises, their cities and breathe their polluted air, drink their sewerage treated waters high in chemical additatives to make it palatable (but not unlike drinking toilet refuse). Leave our Sierra Valley – its flat areas, its hills, its waters, its wildlife alone.

Shirley Whalen (Mrs.)
P.O. Box 536
Mohawk Vista Rd. 4
Blairsden, California, 96103

Washoe County
Department of
Community
Development
1001 E. Ninth St., Bldg A
Post Office Box 11130
Reno, NV 89520-0027
Tel: 775-328-3600
Fax: 775-328-3648

RECEIVED
JUL 20 2006
BLM Eagle Lake

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

RE: Review and Comment on the Adequacy and Accuracy of the Draft Environmental Impact Statements for Eagle Lake and Surprise Resource Management Plans.

Washoe County, in accordance with its status as a cooperating agency, has completed its review on the adequacy and accuracy of the Draft Environmental Impact Statement for the Eagle Lake and Surprise Resource Management Plans. The review consisted of an initial analysis by Washoe County staff with additional review and comment by the Washoe County Planning Commission on July 6, 2006 and Washoe County Board of County Commissioners on July 18, 2006.

Each comment is preceded by the page number and the chapter number within the DEIS document that the comment addresses. Comments are not listed in order of importance or significance, but in order of page reference.

**SURPRISE FIELD OFFICE**

44-1 1. (Pg. ES-7, 4th bullet) Under Special Area Designation-Wilderness Study Areas change "right-of-trails" to "right-of-way".

44-2 2. (Pg. 2-7, Ch.-2.1.5) Include text about coordinating prescribed fire projects with the adjacent BLM Field Offices, due to potential negative impacts on special events on "down-wind" public lands.

44-3 3. (Pg. 2-16, Ch.-3.3, (2)) In the restrictions on Leasable Minerals recommend moving the protection of Sage Grouse Leks from a "Seasonal Restriction" to a "Closed" category.

44-4 4. (Pg. 2-31, Ch.-2.5.10 ¶1) Recommend that the Preferred Alternative limit post-fire timber salvage sales on commercial forestlands to existing roads and low-impact methods.

44-5 5. (Pg. 2-56, Ch.-2.11.5) Recommend better protection of important resources in the "Areas of Critical Environmental Concern" by designating all ACEC's as "closed to all mineral activity".

44-6 6. (Pg. 2-70, Ch.-2.14) The Travel Management section text should be clearer on what the practical differences are between the designation of off-highway vehicle routes as "existing" and "designated".

44-7 7. (Pg. 2-83, Ch.-2.16.10) Suggest that somewhere in this section that "chemical treatments" be explained.

44-8 8. (Pg. 2-87, Ch.-2.17.10) Recommend that the Preferred Alternative include "Emphasize restoration of infested noxious weed sites to native vegetation".

Adrian P. Freund,
AICP,Director

COMMUNITY
DEVELOPMENT

44-9 9. (Pg. 2-98, Ch.-2.20.10) Recommend that the Preferred Alternative include "Construct fences or exclosures to protect springs, streams, and riparian areas".

44-10 10. (Pg. 2-99, Ch.-2.21) Recommend including explanation of "instream" and "riparian" rights at this location or other appropriate location in the document.

44-11 11. (Pg. 2-113, Ch.-6.4, ¶1) The text reads that locally developed conservation strategies for special status species would be used to identify fire suppression areas. Recommend also adding to this; "land tenure decisions; off-highway vehicle regulations and utility corridor decisions".

44-12 12. (Pg. 2-129, 3rd bullet) Include explanation of "consumptive uses" in reference to Soil Resources.

44-13 13. (Pg. 2-145) Under the Sagebrush Obligate Species section the second bullet should also include the "Washoe-Modoc Sage Grouse Conservation Strategy".

44-14 14. (Pg.2-166) Recommend an individual section in the Impacts Summary Table for "Special Status Plants".

44-15 15. (Land Tenure Adjustments Map) Correct the mistake of "green hatching" continuing west of the "Potential Disposal" (Zone 3).

**EAGLE LAKE FIELD OFFICE**

44-16 1. (Pg. 2-7, Ch.-2.1.5) Include text about coordinating prescribed fire projects with the adjacent BLM Field Offices, due to potential negative impacts on special events on "down-wind" public lands.

44-17 2. (Pg. 2-17, Ch.-3.3, ¶5) In the restrictions on Leasable Minerals recommend moving the protection of Sage Grouse Leks from a "Seasonal Restriction" to a "Closed" category.

44-18 3. (Pg. 2-21, Table 2.3-5) Recommend including all ACEC's as being closed to Locatable Minerals development.

44-19 4. (Pg. 2-22, Table 2.3-6) Recommend including all ACEC's as being closed to Saleable Mineral Extraction.

44-20 5. (Pg. 2-35, Ch.-2.5.10 ¶1) Recommend that the Preferred Alternative limit post-fire timber salvage sales on commercial forestlands to existing roads and low-impact methods.

44-21 6. (Pg. 2-41, Ch.-1.1, 4th bullet) Recommend re-writing this to make it's intent more easily understood.

44-22 7. (Pg. 2-41, Ch.-1.1, 7th bullet) Recommend removing the words "withdrawal" and "condemnation" since they don't fit as acquisition methods.

44-23 8. (Pg. 2-45, ¶3) Recommend re-writing the sentence and adding a descriptive word for clarity.

44-24 9. (Pg. 2-48, Ch.-3.6, 3rd bullet) Recommend changing the word "consider" to "promote".

44-25 10. (Pg. 2-55, Ch.-2.8.10, 3rd bullet) Recommend changing the word "rose" to "increased".

44-26 11. Pg. 2-94, Ch.-8.7) Recommend adding specific management actions that will keep off-highway vehicle use in the proposed South Dry Valley Special Recreation

44-26 Management Area from negatively impacting resources in the adjacent North Dry Valley Area of Critical Environmental Concern.

44-27 12. (Pg. 2-114, Ch.-2.16) The Travel Management section text should be clearer on what the practical differences are between the designation of off-highway vehicle routes as "existing" and "designated".

44-28 13. (Pg. 2-115, ¶1) Recommend adding "Limited" as a title for 2nd bullet and adding "Closed" as a title for the 3rd bullet.

44-29 14. (Pg. 2-116, ¶3) Recommend adding "within Limited areas" to the end of the first sentence.

44-30 15. (Pg. 2-118, ¶3) Recommend adding an appropriate minimum depth of snow (i.e. 6") that must be on the ground for over-the-snow vehicle travel.

44-31 16. (Pg. 2-148, Ch.-2.18) Recommend that the Eagle Lake Field Office survey noxious weeds in Washoe County as part of their Integrated Weed Management Plan.

44-32 17. (Pg. 2-148, Ch.-2.18, 3rd sentence) Recommend removing the duplicate word "lands" from the sentence.

44-33 18. (Pg. 2-149, Ch.-2.18.5) Recommend that this section include "Emphasize restoration of infested noxious weed sites to native vegetation".

44-34 19. (Pg. 2-160, Ch.-2.20.5) Recommend acquiring data or performing field surveys, within the Washoe County portion of the Eagle Lake Field Office, on "Special Status Plant species so field office can comply with the stated management objectives in this section.

44-35 20. (Pg. 2-181, Ch.-2.23.10) The Preferred Alternative text states "Assert instream flow rights in Nevada and riparian rights in California on all perennial and important intermittent streams". Recommend including explanation of "instream" and "riparian" rights at this location or other appropriate location in the document.

44-36 21. (Pg. 2-198, Ch.-5.4, 2nd bullet) Recommend including the name of the relevant Sage Grouse working group "Washoe-Modoc Working Group".

44-37 22. (Map WL-3) Recommend including additional data such as Sage Grouse Lek locations in addition to the PMU boundary.

Should you have any questions, or require clarification regarding the attached comments, please do not hesitate to contact me, at 328-3617. Thank you for the opportunity to comment.

Sincerely,

Bill Whitney

Bill Whitney, Senior Planner

BW/bw

# United States Department of the Interior

**FISH AND WILDLIFE SERVICE**
Nevada Fish and Wildlife Office
1340 Financial Blvd., Suite 234
Reno, Nevada 89502
Ph: (775) 861-6300 Fax: (775) 861-6301


July 27, 2006
File No. 1-5-06-TA-239
Ref. File No. 1-5-05-SP-202

Memorandum

To: Planning Coordinator, U.S. Department of the Interior, Bureau of Land Management, Eagle Lake Field Office, Susanville, California

From: Field Supervisor, Nevada Fish and Wildlife Office, Reno, Nevada

Subject: February 2006 Draft Resource Management Plan and Environmental Impact Statement for the Eagle Lake Field Office

Attached are the U.S. Fish and Wildlife Service's, comments and suggested edits on the Draft Resource Management Plan (RMP)/Environmental Impact Statement (EIS) for the Eagle Lake Field Office. These comments include input from several staff members in our Reno Office. Our review was also coordinated with our Klamath Falls and Sacramento Field Offices. We appreciate the opportunity to review and provide comments and edits on the Draft RMP/EIS.

Please reference File No. 1-5-06-TA-239 in future correspondence concerning this input. If you have any questions, or require additional information, please contact me or Kevin Kritz at (775) 861-6300.

Sincerely,

for Robert D. Williams
Field Supervisor

cc:
U.S. Fish & Wildlife Service, Klamath Falls Fish & Wildlife Office, Klamath Falls, Oregon
U.S. Fish & Wildlife Service, Sacramento Fish & Wildlife Office, Sacramento, California

TAKE PRIDE IN AMERICA

## General Comments

Renewable Energy

45-1

The Draft Eagle Lake RMP/EIS does not provide a discussion related to wind, solar, or biomass energy development. Does this mean that this type of development would not be allowed on the Eagle Lake BLM land base during the course of the RMP? Please clarify your proposed action with regards to development of these types of renewable energy development. We suggest that if BLM intends to allow this type of development a program discussion should be provided which includes, the number of acres open to this type of development, a map showing where this activity could take place, and any constraints or stipulations that BLM may place on this type of development. Also, the effects of this type of development on other resources should be analyzed in Chapter 4.

Also, if the Eagle Lake BLM Field Office intends to permit wind energy development then we request that BLM adhere to U.S. Fish and Wildlife Service guidance for wind energy development when permitting any future wind energy projects. We recommend that the Eagle Lake BLM Field Office fully adopt both the Service's *Interim Guidelines to Avoid and Minimize Wildlife Impacts from Wind Turbines* and guidance contained in the Service's *Prairie Grouse Leks and Wind Turbines: U.S. Fish and Wildlife Service Justification for a 5-Mile Buffer from Leks; Additional Grassland Songbird Recommendations* briefing paper. We also recommend that all appropriate guidelines and best management practices from these U.S. Fish and Wildlife Service guidance documents be integrated into all future wind energy developments on the Eagle Lake BLM Field Office.

Eagle Lake BLM Field Office Road System

45-2

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 Eagle Lake BLM Field Office to close and eliminate duplicate or parallel roads to the greatest extent possible. Additionally, wherever BLM closes roads to address parallel road concerns, we recommend that the closed roads or road segments be restored to native habitat appropriate to the site, to the greatest extent possible.

Program Areas in the Draft RMP/EIS

45-3

When the program area listings in the Table of Contents (pages 1, 11, and 111) are compared for Chapters 2, 3, and 4, we note that they are largely the same but there are some differences. The program listings for Chapter 2, 3, and 4 should match for consistency and ease in tracking them throughout the document. For example, in the Table of Contents there is a listing for riparian-wetland associations under Chapter 2 but no similar listing under Chapters 3 and 4.

Nevada Comprehensive Wildlife Conservation Strategy (CWCS).

45-4 In 2005, the Nevada Department of Wildlife (NDOW), working with other state, federal, non-governmental organizations, and private interests, developed a Comprehensive Wildlife Conservation Strategy for the state of Nevada. This comprehensive plan is designed to assess current populations, conservation status, and management and monitoring needs for all species of fish and wildlife under NDOW's management authority (mammals, birds, reptiles, amphibians, fish, and some aquatic invertebrates). We did not see any reference to the Nevada CWCS in the Draft Eagle Lake BLM RMP/EIS, or any indication that Eagle Lake BLM Field Office will embrace all or parts of the CWCS, in terms of management actions that are within the authority of the Eagle Lake BLM Field Office. We recommend that the Eagle Lake BLM RMP EIS at least reference the CWCS and agree to support it at some level. Finally, we recommend that BLM document the level of support that will be provided towards implementation of the CWCS and include this in the RMP EIS.

California Comprehensive Wildlife Conservation Strategy

45-5 The State of California has also completed a Comprehensive Wildlife Conservation Strategy. As per our comments above regarding the Nevada CWCS, we also recommend that the Eagle Lake BLM Field Office reference this document in the RMP/EIS and indicate at what level it will be supported by BLM.

**Specific Comments**

**Section 2.3.3 Leasable Minerals**

Page 2-20, 3.8 Preferred Alternative

45-6 The Draft Eagle Lake BLM RMP/EIS indicates that about 608,088 acres would be open to leasing for fluid minerals (391,339 acres with standard terms and conditions, 137,071 acres with seasonal or other restrictions, and 79,678 acres with no surface occupancy). This means that about 60 percent of the Eagle Lake BLM land base would be open to leasing for fluid minerals with either some stipulations or major stipulations. It also means only about 40% of the Eagle Lake land base would be closed to fluid mineral leasing. We do not support this approach and the large proportion of the Eagle Lake land base that would potentially be open to leasing for fluid minerals like oil and gas. We find that the approach proposed in the Draft RMP EIS is not consistent with many of the goals and objectives for fish and wildlife resources under the Preferred Alternative as stated in the Draft RMP/EIS. Allowing this level of potential minerals leasing on the Eagle Lake land base is perplexing because Appendix D of the RMP indicates the potential for this type of development is limited and that oil and gas activity over the next 15-20 years is likely to be sporadic.

Having 60 percent of Eagle Lake Field Office lands open to fluid mineral leasing conflicts with conserving fish and wildlife resources. We suggest BLM seriously reconsider allowing this many acres to be open to fluid minerals leasing. We recommend that BLM also consider closing: 1) areas that provide habitat for federally listed species,

45-6 proposed species, and candidate species; 2) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 3) riparian and wetland habitat in general; 4) no leasing activity of any kind within 2 miles of any of the lek sites within the Buffalo-Skedaddle sage-grouse PMU; 5) key deer fawning habitat and priority deer winter habitat; and 6) pronghorn fawning habitat and priority pronghorn winter habitat; 7) areas that provide habitat for any BLM Special Status Species that could be impacted by this type of development.

Page 2-20, 3.8 Preferred Alternative

45-7 On page 2-20 the RMP/EIS indicates that 391,339 acres would be open to mineral leasing under standard terms and conditions compared to the Executive Summary where it states that 388,594 acres are open to mineral leasing under standard terms and conditions. These figures should be rechecked and reconciled so that the same figures are used consistently throughout the RMP/EIS.

45-8 Finally there is no map provided in the map portion of the document that shows by category the acres proposed as open to leasing and those proposed as closed. We suggest this type of map be developed and included in the final RMP/EIS.

**Section 2.3.4 Locatable Minerals**

Page 2-21, 4.8 Preferred Alternative

45-9 The Draft Eagle Lake BLM RMP/EIS indicates that about 1,014,361 acres would be open to locatable mineral development for minerals like gold, silver, mercury, and zeolites. This means that about 99 percent of the Eagle Lake BLM land base would be open to locatable mineral development. It also means only about 1 percent of the Eagle Lake land base would be closed to locatable mineral development. We do not support this approach and the large proportion of the District land base that would potentially be open to locatable minerals development. We find that the approach proposed in the Draft RMP EIS is not consistent with many of the goals and objectives for fish and wildlife resources under the Preferred Alternative as stated in the Draft RMP/EIS. Allowing this level of potential locatable mineral development on the Eagle Lake land base is perplexing because Appendix D indicates that over the next 15-20 years BLM expects that exploration activity for gold and industrial minerals will only result in the development of two mines.

Having 99 percent of Eagle Lake Field Office lands open to locatable mineral development conflicts with conserving fish and wildlife resources. We recommend BLM seriously reconsider allowing this many acres to be open to locatable mineral development and consider the following areas for additional closures: 1) areas that provide habitat for federally listed species, proposed species, and candidate species; 2) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 3) riparian and wetland habitat in general; 4) no locatable mineral development activity of any kind within 2 miles of any of the lek sites within the Buffalo-Skedaddle sage-grouse PMU; 5) key deer fawning habitat and priority deer winter habitat; and 6) pronghorn fawning

45-9 habitat and priority pronghorn winter habitat: 7) areas that provide habitat for any BLM Special Status Species that could be impacted by this type of development.

**Section 2.7 Lands and Realty**

Pages 2-43 to 2-46, 2.7.2 Goal 2: Lands for Potential Disposal

45-10 We recommend that BLM include in this section a stipulation that states that lands with habitat for federally listed, proposed, and candidate species, or proposed or critical habitat would not be exchanged or disposed of unless the party acquiring the lands agrees to maintain the habitat for the species.

Page 2-48, 3.6 Preferred Alternative

In the Preferred Alternative for Rights of Way we recommend the following be added as bulleted points to the existing bullet points on page 2-48. The first recommended

45-11 addition is that "All future electric utility line developments would follow the guidance provided by the Avian Protection Plan (APP) Guidelines released in 2005." (This guidance was developed jointly by the U.S. Fish and Wildlife Service and the electric utility industry working through the Avian Power Line Interaction Committee. It is available online at http://www.aplic.org). The second recommended addition is that "future BLM communication site developments would be consistent with the U.S. Fish

45-12 and Wildlife Service's *Guidance on the Siting, Construction, Operation and Decommissioning of Communications Towers* to minimize effects to migratory birds. "

**2.8 Livestock Grazing**

Pages 2-51 and 2-52, Management Common to All Alternatives

We have a concern with regard to the discussion provided in the RMP/EIS on these pages. The concern relates to BLM Environmental Impact Statement DES 03-62 regarding Proposed Revisions to Grazing Regulations for the Public Lands. Our

45-13 understanding is that BLM has finalized these revisions. If this is the case then there are some fundamental changes that will be made to the way BLM administers its grazing program. Many of the proposed changes give greater ownership and benefits to permittees grazing on federal lands, and change the time interval between when a resource problem is identified on an allotment and when livestock numbers are adjusted to address the problem. If BLM is actively implementing these policy changes there is a need to present that discussion in the description of both the management common to all alternatives and the Preferred Alternative. Also, there may also be a need to revise livestock grazing discussions in all appropriate sections of the Eagle Lake BLM RMP/EIS to account for these changes in grazing policy.

Page 2-55, Section 2.8.10 Preferred Alternative

We note under the Preferred Alternative that 987,779 acres of the Eagle Lake BLM Field Office land base would be available for livestock grazing. This means that about 97

45-14 percent of the Eagle Lake Field Office land base would be available for grazing and that only about 3 percent of this land base would be closed to this type of use. We do recognize that livestock grazing is a historic and legal use of public lands. However, we are concerned that allowing most of the Eagle Lake land base to be open to livestock grazing is not consistent with many of the goals and objectives for fish and wildlife

resources under the Preferred Alternative as stated in the Draft RMP/EIS. We do not support this level of grazing utilization on the Eagle Lake Field Office land base and ask that BLM seriously reconsider this approach.

45-14 We request that some additional acres on the Eagle Lake Field Office land base be closed to livestock grazing, so that the needs of grazing permittes are better balanced with the need to conserve biological resources. Allowing 97 percent of the Eagle Lake BLM land base to be open to grazing could have numerous negative consequences to biological resources including federally listed species, federal candidate species, and sensitive species. In terms of areas to focus on in reducing BLM lands open to livestock grazing we recommend the following : 1) areas that provide habitat for federally listed species, proposed species, and candidate species; 2) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 3) riparian and wetland habitat in general; 4) all BLM lands managed by Eagle Lake that provide RO habitat for sage grouse within the Buffalo-Skedaddle sage-grouse PMU (RO habitat as defined in the March, 2006 Conservation Strategy for Sage-Grouse and Sagebrush Ecosystems within the Buffalo-Skedaddle Population Management Unit); 5) key deer fawning habitat and priority deer winter habitat; 6) pronghorn fawning habitat and priority pronghorn winter habitat: and 7) areas that provide habitat for any BLM Special Status Species that could be impacted by livestock grazing. We further suggest that BLM consider reducing grazing pressure on all Eagle Lake lands within the Buffalo-Skedaddle sage-grouse PMU that provide R1or R2 habitat (as defined in the March, 2006 Conservation Strategy for Sage-Grouse and Sagebrush Ecosystems within the Buffalo-Skedaddle Population Management Unit).

**2.16 Travel Management**

Page 2-123, Section 2.16.11 Preferred Alternative

45-15 We are encouraged that under Preferred Alternative in the Draft RMP/EIS that only a very small portion of the Eagle Lake Field Office land base would be categorized as "open" to cross-country off-highway vehicle use, that about 760,837 acres of the land base would have Off Highway Vehicle (OHV) use limited to existing roads and trails, and that about 261,511 acres would be closed to off-highway vehicle use. This means vehicles would be limited to existing roads and trails on about 72 percent of the land base and OHV would not be allowed on about 24 percent of the land base. This proposed change in management direction is a considerable improvement over the current situation as described by the No Action Alternative. However, we still have some concerns about the 72 percent of the land base where vehicle traffic would be allowed on existing roads and trails as described by the Preferred Alternative. Our concerns relate to BLM's limited budget to monitor and provide law enforcement patrols over this large of an area. What we expect is that many OHV's will continue to travel cross-country in violation of the BLM policy. In light of this we recommend BLM consider closing some additional portions of the Eagle Lake land base to OHV travel. We suggest that the following areas should receive additional consideration for OHV closures: 1) areas that provide habitat for federally listed species, proposed species , and candidate species; 2) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 3) areas within 2 miles of

45-15 sage-grouse leks in the Buffalo-Skedaddle PMU; 4) key deer fawning habitat and priority deer winter habitat; and 5) pronghorn fawning habitat and priority pronghorn winter habitat. This list is not intended to be all inclusive but rather provided as an indication of the types of concerns we have with regard to OHV use.

**2.19 Riparian-Wetland Associations**

Pages 2-153 and 2-156

45-16 We note that Tables 2.19-2 and 2.19-6 are identical yet on page 2-155 the RMP/EIS (Preferred Alternative) indicates that BLM would focus its efforts on management changes for those sites now functioning at risk with a static trend and those now functioning at risk with an upward trend. Also BLM projects improvement in conditions for lands in these two condition classes based on management actions. Are the values in Tables 2,19-2 and 2.19-6 really supposed to be the same? If so how can BLM state that the Preferred Alternative will improve existing riparian and wetland conditions when the Tables of projected riparian and wetland condition classes are identical between the No Action and Preferred Alternative?

45-17 As a general observation on this section, there does not appear to be an assessment of the environmental consequences of the alternatives on riparian-wetland associations in Chapter 4. Yet there are projected effects of the alternatives on riparian-wetland associations included in Chapter 2 that would probably fit better in an environmental consequences discussion in Chapter 4.

**2.25 Wildlife and Fisheries**

Page 2-189, Section 2.25.1 Legislative, Regulatory, and Policy Direction

45-18 On page 2-189 under "the following are other pertinent documents" what MOU is the fourth bulleted item in the list referring to? Is this the MOU for interagency programmatic consultation? We recommend that the text be revised here to clarify what MOU this refers to.

45-19 Also on page 2-189 we suggest BLM consider adding the following conservation plans to the list :

-North American Waterfowl Management Plan
-United States Shorebird Conservation Plan
-North American Waterbird Conservation Plan
-Partners in Flight North American Landbird Conservation Plan
-Intermountain West Regional Shorebird Plan Version 1.0
-Intermountain West Waterbird Conservation Plan
-Coordinated Implementation Plan for Bird Conservation in Nevada by the Nevada Steering Committee of the Intermountain West Joint Venture
-Nevada Partners In Flight Bird Conservation Plan (1999)

45-20 Regarding the reference to the Nevada Bat Conservation Plan 2002. This Plan was recently finalized and a revised 2006 version is now complete. This version is available on the Nevada Natural Heritage Program webpage. The 2006 version of the Nevada Bat

45-20 Conservation Plan is the version that should be cited on page 2-189 and it is the version that should be cited in Chapter 3 where the RMP/EIS provides discussions for individual bat species.

45-21 Finally rather than having one generic bullet on page 2-189 that refers to "local, state, and national guidelines for managing sage-grouse and their habitat" we recommend that these plans be listed individually by name. This would be useful to those not familiar with sage-grouse.

Page 2-190, Section 2.3 Objectives

45-22 Carson Wandering Skipper- In the paragraph on page 2-190 for this species the Draft RMP/EIS indicates that the "Eagle Lake Field Office area contains about 3500 acres of potential Carson wandering skipper habitat." However in Chapter 3, on page 3-156, (second paragraph under the Carson Wandering Skipper header) the Draft RMP indicates that "approximately 35,000 acres of potential habitat are being inventoried." Is the text of the RMP/EIS correct as written in each section or were these values supposed to be the same? If not which number is correct 3500 or 35,000? Please check and revise the text accordingly.

45-23 Also on page 2-190, the Draft RMP/EIS indicates that "no known populations of the species occur on BLM lands." Did BLM survey all the potential BLM habitat acres for the species and not locate any populations, or are no populations known because surveys have not been performed on BLM managed lands? Either way the text of the Draft RMP/EIS should indicate the basis for this statement.

Page 2-190, Lahontan Cutthroat Trout

45-24 The third sentence under the LCT header on this page references a possible project between the owner of Smoke Creek Ranch and the U.S. Fish and Wildlife Service. Since the owner has sold their water rights and the project is not viable the reference to it in the text of the Draft RMP/EIS can be eliminated.

Page 2-197, 5.3 Objectives

45-25 Pygmy rabbit habitat needs are not necessarily the same as those for sage-grouse and hence management for the two species is not likely to be the same in many cases. For example, burning to restore sagebrush steppe mosaic conditions for sage-grouse can be detrimental to pygmy rabbit. The Draft RMP/EIS should recognize this and sufficient flexibility should be build into the RMP/EIS to allow for different management needs for the pygmy rabbit. We suggest that the RMP/EIS text in this section may need some revisions here to incorporate these concerns.

45-26 With regard to burrowing owl (Page 2-197) we understand why this species is included under Goal 4 given the type of habitat it uses in the Eagle Lake Field Office area. However, it is not a sagebrush-obligate species and this distinction should be made somewhere in the text of the Draft RMP/EIS. Burrowing owls require open areas with mammal burrow systems (U.S. Fish and Wildlife Service Bio. Tech Report BTP-R6001-

45-26 2003; published in 2003) and the fact that they use areas of sagebrush should not be interpreted as meaning that they are sagebrush obligates.

Page 2-236, Alternatives Summary Table

45-27 We have a question concerning the Wildlife and Fisheries Management Actions part of this Table in the Draft RMP/EIS for the action item "promote watchable wildlife opportunities and develop interpretive guides/programs." Under the Preferred Alternative column in the Table for this action item the word "No" appears. Should this be "Yes" instead? Our understanding is that at both a national level, and a local field office level, BLM is promoting watchable wildlife opportunities and doing at least some wildlife interpretive work. We suggest that promoting watchable wildlife opportunities is one of the best ways to foster appreciation and support for public lands and associated wildlife. If BLM does intend to promote watchable wildlife under the Preferred Alternative, we suggest a change to what is presently in this Table.

**Chapter 3, Affected Environment**

Page 3-127, 3.16.6 Special Status Plants

45-28 Is the Webbers ivesia known to occur on lands administered by the Eagle Lake BLM Field Office? If so, we suggest a short paragraph be inserted in the text in this section under a "Webber's ivesia" header (since this is a federal candidate species). We suggest this paragraph include a statement verifying that the species occurs on Eagle Lake BLM administered lands, what surveys, if any, have been done for the species, and any information about distribution and abundance on Field Office lands.

Page 3-128, First two sentences at top of page

45-29 The first two sentences at the top of page 3-128 regarding special status plant species that are known to occur in the field office action area appear to conflict in meaning. We suggest BLM review these two sentences and clarify the intended meaning.

Page 3-160, Greater Sage-Grouse

45-30 In the third paragraph under this header the text references the finding that the species does not warrant listing. The Federal Register Notice announcing the U.S. Fish and Wildlife Service finding of not warranted was actually published Jan. 12, 2005. Also, the text references development of the conservation strategy for the Buffalo-Skedaddle PMU. This was completed in March 2006 so the text should be corrected to reflect this.

Page 3-161, California Spotted Owl

45-31 In the first paragraph the text should be updated to reflect U.S. Fish and Wildlife Service findings for this species. We did publish a 90-day finding which indicated that listing may be warranted. However, on May 24, 2006, we published a 12-month finding (this built upon and was a follow-up to our positive 90-day finding) that determined that listing was not warranted. Hence the text should be updated for this species to reflect this latest information.

Pages 3-162 and 3-163, various bat species descriptions

45-32 For several of the bat species descriptions reference is made to the Nevada Bat Working Group 2004. The Nevada Bat Conservation Plan was recently finalized and released to the public as a revised plan in 2006. This is the latest version of the Plan and the one that should be cited in these bat species descriptions.

Pages 3-163 and 3-164, Pygmy Rabbit

45-33 We suggest several edits to this section on pygmy rabbit. First the genus for this species is *Brachylagus* not Sylvilagus so this change should be made in the first sentence on

45-34 page 3-163. Next, we suggest you insert the following sentence immediately after the first sentence under this header, " On May 20, 2005 the U.S. Fish and Wildlife Service published a non-substantial 90-day finding in the Federal Register which means the petitioners did not provide substantial information to demonstrate that listing the species was appropriate at this time." Also, at the top of page 3-164 in the second paragraph, we

45-35 have some clarification questions. Was the study referenced in the first sentence conducted only on Eagle Lake Field Office lands or a broader area encompassing BLM lands managed by several BLM Field Offices? In the second sentence of the second

45-36 paragraph is the intended meaning that pygmy rabbits are "currently rare or extirpated in the region" or currently rare or extirpated within the Eagle Lake Field Office area?

Page 3-166, 3.20.8 Native Wildlife and Special Habitats

45-37 There are many other species of wildlife which this section of Chapter 3 does not provide any discussion. These species fit under this header as they don't go with the other categories of wildlife and fish discussed in Chapter 3. We suggest BLM consider including additional text to cover these species. To reduce volume and make this more manageable species could be grouped into categories like waterfowl, songbirds, small mammals, reptiles, amphibians, etc.

**Section 4.0, Environmental Consequences**

Pages 4-317-4-352, Potential Effects on Wildlife and Fisheries

45-38 The effects of implementing the proposed RMP/EIS that are presented in this section are very general. There is little data presented anywhere in the RMP/EIS to support many of the conclusions reached by BLM even when the conclusions seem reasonable. BLM should consider acquiring additional supporting documentation and incorporating it into the RMP/EIS. We are not suggesting that BLM spend time and resources collecting any new information on wildlife and fish populations. There is other existing information on wildlife and fish species present in the Eagle Lake Field Office administrative boundaries that could be acquired and used to predict outcomes of implementing the RMP/EIS. This would include information from the Nevada Department of Wildlife, California Department of Fish and Game, Nevada Natural Heritage Program, the Great Basin Bird Observatory's Nevada Bird Count Program and Nevada Breeding Bird Atlas, the U.S. Geological Survey- Biological Resource Discipline Breeding Bird Survey website, and potentially other sources such as the University of Nevada-Reno.

45-39 ↓ Another thing lacking in the effects portion of the RMP/EIS is predicted outcomes for species, species groups, or guilds. Nothing is presented to indicate if BLM thinks that

↑ implementing the Preferred Alternative, as presented in the Draft RMP/EIS, will cause wildlife and fish populations to increase, decrease, or stay the same over the lifespan of
45-39 the RMP/EIS. At a minimum, this should be done for each federally listed species and perhaps for all the BLM Special Status Species as these species are among the wildlife populations presently at the greatest risk. Another thing BLM should reconsider is the manner in which the RMP/EIS currently presents outcomes for all the various programs
45-40 such as livestock grazing, mining, transportation, etc. The way the text is currently organized, these expected outcomes for wildlife and fisheries are not presented distinctly by program area.

In addition the discussion of effects on wildlife and fisheries seems somewhat biased
45-41 towards positive effects that will result from activities such as restoration and vegetation management compared to the negative impacts to wildlife and fisheries that could result from grazing, oil and gas development, mining, and OHV use.

Regarding the cumulative effects portion of the environmental consequences section, the Draft RMP/EIS does not present a complete analysis for the worst case scenario for wildlife and fisheries populations given the Preferred Alternative and what it presently allows. What if some area, or several areas, of the Eagle Lake land base receive heavy
45-42 OHV use, maximum grazing pressure, a gold mine, a new utility corridor, oil and gas development, and new road construction all in the same approximate timeframe? What would the outcome of this be for wildlife and fish populations in this area, or areas? Alternatively, what would be best case scenario be for wildlife and fish populations with implementation of the Preferred Alternative? It is appropriate to include this as well in your analysis. At present the cumulative effects discussion in Chapter 4 for wildlife and fisheries is lacking in regard to a discussion of what the combined effects of all the possible actions BLM may undertake or authorize over the lifespan of the RMP would have on biological resources.

Finally, we have one other suggestion for BLM to consider with regard to the Draft RMP/EIS. We recommend that BLM develop and include an Appendix that summarizes by program (ie. livestock grazing, mining, fluid mineral development, transportation,
45-43 etc.) the best management practices or conservation measures BLM intends to apply to wildlife and fish species to minimize the effects of all the development actions that will be allowed under the Preferred Alternative. Summarizing this information in one place by program and species would better allow reviewers to understand how these actions can be implemented while at the same time minimizing the associated impacts of development.

**Appendix G**

<u>Pages A-73 to A-82, List of Species Known to Occur in the Eagle Lake Field Office Area</u>
45-44 Consider adding in a list of fish species known to occur in the Eagle Lake Field Office Area in this Appendix in addition to the wildlife species already covered.

45-45 On page A-82 for consistency sake we suggest that the word "pigmy" be replaced with "pygmy" as this is the way it was spelled elsewhere and is the common accepted spelling for this species.

Dan & Pat Wormington <airecrew@pcweb.net>
07/25/2006 09:41 AM
To
necarmp@ca.blm.gov
cc

bcc

Subject
BLM 2006 Eagle Lake Resource Management Plan Comments

Patricia Wormington
7370 County Road A23
Beckwourth, CA 96129
530-832-5235

Sierra Valley
July 25, 2006

Comments: 2006 BLM Resources Management Plan Eagle Lake Field Office

Dear Planning Coordinator;

My husband, Dan and I have been residents of Sierra Valley since 1984. The scenic vistas and openness as well as abundant wildlife drew us to settle here. Our property blends with the wild areas that surround us, providing browsing for deer, rodents for raptors, nesting for owls, and barn swallows, etc. Our parcel is surrounded by BLM land on two sides, by the largest BLM parcel on the West edge of Sierra Valley. The Sharkey Cemetery sits above us to the West.

46-1 I am dismayed to see BLM parcels on the mountainous edge of Sierra Valley, on the disposal list. These parcels provide important wildlife habitat and comprise our scenic vistas above the valley floor. I cannot imagine a Sierra Valley with mansions perched on our mountains. With the intense pressure by developers to parcel Sierra Valley, we need to protect not dispose of wild lands and wildlife habitat. I am afraid this is a giveaway to developers and timber interests.

WATER Sierra Valley is at the top of the watershed. There is not enough water to support unlimited growth. Sierra Valley is a closed aquifer. The mountainous rim serves as groundwater recharge areas that are very sensitive to disturbance. Water flowing through the wetlands in the center of SV must remain unpolluted. The many species of birds that live or stop over in the Sierra Valley wetlands are very sensitive to pollutants. The 7 year drought we had in the 1980's was a reality check. We cannot assume that the snow pack will accommodate our needs here and downstream, every year into the future.

AIR QUALITY If Sierra Valley BLM parcels are developed, air quality in Sierra Valley will be degraded. Air inversions in the wintertime trap wood smoke pollutants in Sierra Valley, negatively affecting air quality and visibility.

WILDLIFE HABITAT A resident deer herd lives on the West side of Sierra Valley, that does not migrate. The BLM and Forest Service lands contiguous to our property provide cover and protection from harsh freezing winds and winter storms. There is a well established deer trail on the ridge. The BLM land on the East side of Sierra Valley is important winter range for the Truckee, Tahoe Deer Herd. The BLM parcels on the North side of Sierra Valley comprise the deer migration route into Nevada. Many species of mammals, birds, amphibians, and native plants live on these BLM parcels.

CULTURAL RESOURCES Sierra Valley is an ancient lake with many archeological sites and Indian villages The BLM parcels listed for disposal in Sierra Valley comprise the prehistoric beach lines. The Black Oak Forests that were planted by the Maidu Indians are above the beach lines. Indian tribes spent their summers in Sierra Valley hunting and gathering food items.

RECREATION The Sharkey Cemetery and contiguous BLM parcel has a public access road and parking. This BLM parcel has become a regional park for local residents. There is a equestrian and walking trail at
46-1 the South end of the Sharkey Cemetery fence. The trail is a convenient place to exercise and enjoy wildflowers and the views of Sierra Valley. Many of our neighbors own horses and the BLM and Forest Service Land is their only alternative to 65 MPH County Road A23, which is not safe to ride or walk along.

AESTHETICS These parcels comprise the mountainous rim of Sierra Valley. These parcels make up our scenic vistas which can be seen from designated scenic highway 70. If these parcels were to be developed it would have a demonstrable negative aesthetic effect. On the BLM disposal list is Sugarloaf, a mountain on the North side of Sierra Valley that is a dominate physical feature of Sierra Valley.

ECONOMY Plumas and Sierra County's economies depend on tourism. Tourist come here to enjoy the scenic beauty and historic, laid back lifestyle. Selling off the rim of Sierra Valley will destroy the scenic quality of Sierra Valley, affecting the number of tourist that come here. Tourist come here to look at scenery not houses. Keep the houses in Reno and Truckee. Keep scenic quality in Sierra Valley.

If we don't value our natural environment today, future generations will see nothing but a spoiled natural landscape. Our Grandchildren deserve to see scenic vistas unspoiled by their predecessors. Greed cannot be the only deciding force in our society today. We must value habitat for species other than our own or this world is doomed. Good planning is the key, not leap frog development.

Thank You for letting me comment.

Patricia Wormington
Sierra Valley

"Scott Maas" <smaas@citlink.net>
07/27/2006 04:38 PM
To
<necarmp@ca.blm.gov>
cc
"Bill Dart" <BDart@ORBA.biz>, "Kieth Alosi" <alosiracing@GBIS.com>, "Matt Davis" <mdavis95687@yahoo.com>, <nickalosi@charter.net>, "Steve Pasero" <spasero@digitalpath.net>
bcc

Subject
Draft Resource Management Plan

Thank you for the opportunity for the Lassen Motorcycle Club to review the Draft Resource Management Plan. The Lassen MC has the following comments:

47-1
47-2
47-3
47-1 & 47-3

· The Dry Valley area has always been open for multiple-use recreation including motorcycle events, horse enduros and dog hunting events. Verbally, the Lassen MC was told by the Eagle Lake Field Office this area would stay as open under the RMP process and determined at a later date how best to manage. Now, designate roads and trails are being decided in the RMP without any input from the users. The RMP did not address the loss of recreational use in this area per the recommended limited use area designation. The Lassen MC requested a detailed map of Dry Valley and there are numerous existing trails, approximately 50%, that are not shown on the detailed map. The Lassen MC is recommending that the final determination of open trails and management of Dry Valley be decided in a separate forum - or at least the map of this area be made accurate!

47-4

· There are 1,325 acres of BLM owned land on the east side of the Sierra Army Depot (SIAD) demolition site which has been fenced by SIAD. The Eagle Lake Field Office does not want to acknowledge that this land use to be under their management as multiple-use recreation land. The land is still owned by BLM. The Lassen MC deserves to be mitigated for the loss of 10 miles of enduro trails. The Lassen MC has been told by the previous Field Manager that when land changes ownership to the Department of Defense then mitigation will be discussed at that time. 20 years later, both federal agencies have “swept this issue under the table.” Perhaps our local Congressman should become involved. The Lassen MC recommends this issue be addressed in the RMP.

47-1 & 47-3

· The Lassen MC does not support the proposed designated routes and trails without the required “collaborative” process. The RMP process is not a collaborative process particularly since the maps provided at the scoping meeting and in the document are too-poor-in-detail to tell which roads will be kept open and which will be closed. We cannot identify which 59 miles of roads are to be closed from the maps or description in the document. The Lassen MC is recommending that it be involved in the designation of which trails will be designated as open and which will be closed with adequate detail maps and field review.

47-5

· The Lassen MC supports full-hook ups at Fort Sage staging area. The RMP needs to address how this can be made possible because we feel this will never happen otherwise.

47-6 · During the Wilderness Study Area (WSA) process, 88% of the WSAs were recommended as not-suitable for wilderness designation. The RMP does not address this issue. The Lassen MC recommends this issue be addressed in the RMP.

47-1 & 47-3 In summary, the Lassen MC would like to be involved in reviewing detailed maps of which roads and trails will be designated open and which will be closed.

Thank you.

Scott Maas

Scott Maas
Legislative Officer
Lassen Motorcycle Club
10 Renae Drive
Susanville, CA 96130
530.257.2131

"lori collier"
<doublerc@frontiernet.net>
07/12/2006 12:50 PM

To <necarmp@ca.blm.gov>
cc
bcc
Subject Proposed Trails/land use plan

To whom it concerns,

48-1 As outdoor enthusiasts/equestrians we are please to be informed of your draft land use plan. We are greatly in favor of additional OHV trails and non-motorized trails. In addition, we would like BLM to
48-2 consider constructing or designating more spacious trail heads at these types of trails for overnight camping and equestrian trailer parking. We are members of a large equestrian organization here in Lassen County and have found it very difficult to find areas close to trail heads that can accommodate large rigs with trailers for group trail rides or camping. Therefore, in some case we have had to create our own parking and/or corral areas which is not favorable for either party. Please consider this recommended suggestion.
Thank you for the opportunity to help improve BLM lands.

Sincerely,
Russell & Lori Collier

Bureau of Land Management
United States of America

RECEIVED
JUL 27 2006
BLM Eagle Lake

July 26, 2006

George Cramer
Box 1
Wendel, CA 96136

To Whom It May Concern,

I am very concerned as to the management of our public lands. I am pleased that you have asked for the input of the public as to the management of our lands.

49-1 1. Grazing: From my experience land that is well grazed (brush lands, grass lands, etc.) will not burn. I have been told by the BLM that ninety percent of the public lands are grazed, however I can not see nine percent of the lands being grazed. The public lands don't green up any more until the grass grows higher than the dead grass. I can not see any point in letting this grass continue to grow and fall over year after year until the most terrible fires destroy everything in their path without much chance of putting them out. It is a big responsibility and should be taken seriously. I have been told that environmentalists don't want land grazed, but I say that it is the job of the BLM to manage the land in the best way possible. Mary Mendiboure's sheep permit near my ranch rents for $932 a year. I would pay $5,000 if I could use it to it's best benefit. I have made a great deal of money with my cattle grazing on the open range. During the winters, a few of my cows would trespass on the edge of Mary Mendiboure's range and my cows were accused of destroying public lands, which I would like to see evidence of. I was charged criminally for a year in prison and fines of $100,000. Because of the absurdity of this, the charges were dropped. However, harassment continues until I have sold most of my cows and a greater fire danger has begun. No good has come from my cows disappearing from the open range surrounding the BLM (private lands). Cattle grazing should be encouraged instead of discouraged for the benefit of our world. Keep America green. If you don't believe me, and still believe it better not to graze our lands, let's not mow our lawns from the White House lawn down to your own lawn and see what happens.

49-2 2. Cheat Grass: The number two enemy of public lands. The University of Nevada told me a scientific study was done concerning cheat grass. It was THOUGHT to have been imported from Russia in 1890 and spread over the West by 1920. And how could it have spread so quickly in times with such little transportation? Scientific studies are not done with thoughts. Cheat grass is a native grass, and a very good one. In my field across from my house I have cleared the brush, disked it, heavily grazed it, and it still comes back as cheat grass, which I am thankful for. I will spend the rest of my life trying to preserve cheat grass. The name I grew up knowing for it is bronco grass.

49-3 3. Juniper Trees: The number three enemy of public lands. Juniper trees are a wonderful tree for the desert and should be planted, if anything instead of destroyed. They have been burnt off and many times don't come back. Trees are always good for the environment. I cannot say enough as to this matter.

This letter will be sent to congressmen and senators as well as the Bureau of Land Management.

Hopefully for a change,

George Cramer

George Cramer

"TERRIE MEURER" <terbear1411@earthlink.net>
06/01/2006 05:29 PM
Please respond to
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necarmp@ca.blm.gov
cc

bcc

Subject
Land closures!!!

50-1

To whom it may concern: My name is Alan Meurer, as a tax payer and a concerned citizen, voter, I would like to know what gives people the right to close lands that are open to hunting as well as other recreational use? To me, why does anybody have the right to close lands that have been open for hundreds of years. As a concerned conservationist and hunter, It is my opinion that you close any lands to hunting of any kind, you have no way to manage any of the herds , herds over populate and they eat all vegetation and they start getting sick , the numbers start dwindling and pretty soon they will be on the endangered species list. How do I know this to be true? Teddy Roosevelt tried when he was president!! He shut down Kybab National Forest for 5 years and within 3 years the deer were getting sick, they were eating bark off the trees, getting diseased, so he opened Kybab back up so hunting could continue in Kybab to keep the herds of deer healthy for others to hunt.

Every time I hear that an anti is trying to shut down more hunting areas in California, it makes me very angry!!!
It is my right as an American citizen and tax payer, voter, to keep and bare arms and its also my right to hunt in ANY state in the union. I pay whatever fees are required to hunt in ANY state and I follow all the laws, so how can someone that doesn't hunt and who cares nothing about conservation for their own personal needs try to take my hunting rights away? What gives them the right to cram THEIR opinion down MY throat? What gives you the RIGHT to close down these areas because anti-hunters want them closed? Why? We have a Fish & Game that keeps the herds in check, knows how many animals can be harvested off each one of these areas to keep the Eco- system in balance.

A concerned hunter, tax payer, voter.
Sincerely, Alan L. Meurer
If you have any questions regarding my belief of hunting , I welcome any e-mails that you'd like to send: sandman1411@earthlink.net

TERRIE MEURER
terbear1411@earthlink.net
Why Wait? Move to EarthLink.

# California Regional Water Quality Control Board

**Lahontan Region**

**Dan Skopec**
*Acting Secretary*

**Arnold Schwarzenegger**
*Governor*

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
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http://www.waterboards.ca.gov/lahontan


Eagle Lake RMP Comments
Attention: Planning Coordinator
Bureau of Land Management
Eagle Lake Field Office
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necarmp@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.

51-1 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?

51-2 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.

51-3 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.

51-4 Appendix 2, A-25-37 The sentence with "National" Resource Conservation Service is incorrect (A-37). It should read Natural Resource Conservation Service.

51-5 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.

51-6 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.

51-7 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.

51-6 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,

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Environmental Scientist