

Letter N1

Dear Gene,

N1-1 [At a meeting of the Baker Area Citizens Advisory Board on Tuesday, November 22, a decision was made to request an additional 30-day extension of the scoping period for the Draft RMP/EIS.

We realize that this is asking a great deal. However, a community meeting in the Baker area was not held heretofore, and a sizeable group of Snake Valley residents expressed intense interest in our having time to consider the Draft RMP very carefully together.

We are remiss in having failed to register the deadline for our comments; I can only say that the SNWA pipeline EIS has taken precedence, and effectively blinded us to other concerns. We do recognize the tremendous amount of work that you and your staff have put into the Draft document, and we are determined to contribute in kind with comments about the long-range interests and concerns of the Baker area community.

Thanks for your kind consideration.

Jo Anne Garrett
Baker Area Citizens Advisory Board
775/ 234-7205

Responses to Letter N1

N1-1 The required comment period on a Draft RMP and EIS is 90 days. BLM elected to set a 120-day comment period for the Ely Draft RMP and EIS and did not formally extend this period. Although the BLM did not elect to extend the official comment period for this document, comments received after the end of the comment period were considered as late as practicable within the overall document revision and publication process. Comments that were received after the close of the comment period have been accepted and considered in the preparation of the Proposed RMP and Final EIS.

Letter N2

Gessnscott@aol.com

To whom it may concern:

My name is Scott Wilson, I am the Vice President of the Bushwhacker Motorcycle Club of MRAN. I believe that we need to have access to our public lands for racing and riding. The BLM needs to have let us use existing dirt roads, trails, washes and race course. Some land needs to be classified as open, it is unfair to OHV users to go from having 11.4 million acres designated as open to Zero. Our OHV use has provided valuable time with our family and close friends. We also provide valuable commerce to rural Nevada towns that we might not otherwise visit without our racing.

Sincerely,
Scott Wilson

N2-1

N2-2

Responses to Letter N2

N2-1 The Ely Field Office recognizes that off-highway vehicle use is an acceptable use of public land wherever it is compatible with resource management objectives. Areas are designated as "open" for cross country vehicle use where there are no compelling resource protection needs, user conflicts, or public safety issues. No areas managed by the Ely Field Office were determined to meet those criteria. The Ely Field Office is designating a majority of the planning area as "limited" in the Proposed RMP. The "limited" designation would still provide for off-highway vehicle opportunities, including potential new off-highway vehicle trails, while managing for public safety and resource protection needs. In response to this and similar comments, the text in Section 2.4.14.1 of the Proposed RMP and Final EIS has been revised to clarify criteria that may be used when designating routes in a project-specific transportation plan. Not all dry washes would be suitable for OHV use; however, some may be designated as trails when transportation plans are prepared for a watershed or group of watersheds. The public will be invited to participate in the transportation planning process.

N2-2 Comment noted.

Dia:

Letter N3

November 28, 2005

Gene Drais
RMP Project Manager
U.S. Department of the Interior
Bureau of Land Management
HC33 Box 33500
Ely, Nevada 89301

**Re: Draft Resource Management Plan/Environmental Impact Statement
for the Ely District**

Dear Mr. Drais,

Thank you for the opportunity to comment on the Department of the Interior's Draft Resource Management Plan and Environmental Impact Statement for the Ely District. Dia, a nationally-based non-for-profit art foundation, is the primary conduit for funding the construction of a significant sculpture in Garden Valley, Nevada, Michael Heizer's *City* project. Our primary interest is protecting this cultural resource, and our specific concerns regard the management of Visual Resources and Recreation.

I. 2.5.11 Visual Resources

City is intrinsically connected to the valley that surrounds it. The monumental artwork, acclaimed as one of the great masterpieces of our time even in its unfinished state, spans over a mile-and-a-half by 1000' feet, and its abstract-sculptural forms are made largely by materials found at the site. Garden Valley was chosen by the artist over 30 years ago for its remote location and natural beauty, and the scale, isolation, and emptiness offer a sense of timelessness that is essential to experiencing the artwork.

The sculpture is addressed in the BLM document on page 2.5-111, where it states:

Garden Valley is one of the few pristine, scenic valleys remaining in Nevada. It is surrounded by the Quinn Canyon, Grant, Worthington, and Golden Gate ranges and combined with those ranges, provides an excellent example of Nevada's Basin and Range ecological system. In addition, there is an internationally significant sculpture being completed within Garden Valley. The visual and sensory elements of the sculpture depend in large part on the pristine scenic quality of the land surrounding it. On completion, the sculpture is likely to attract many visitors annually to the area. The Visual Resources Management Class II for this special recreation

Dia Art Foundation

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Letter N3 Continued

management area would serve to preserve the existing character of the landscape.

N3-1 [We appreciate the BLM's recognition of the rare confluence of cultural and natural resources in Garden Valley, and highly support "Map 2.4-5/Visual Resource Management Classes Alternative B." If this area is designated, Dia will look forward to working together with the BLM to further protect the sculpture, and to maintain it for the future as a public resource.

N3-2 [We also support livestock grazing, and recommends the BLM reconsider its statement that such traditional land uses be prohibited (page 4.11-4), within a Class II designation.

II. 2.5.15 Recreation

N3-3 [Garden Valley is a delicate, high desert environment, and we support BLM's Map 2.4-33/Special Recreation Management Areas Alternatives B and E. In the proposed Garden Valley special recreation area, we look forward to working with the BLM to protect City, and to maintaining the surrounding pristine landscape from avoidable degradation. Further, we support Map 2.4-34/Off-highway Vehicle Use Emphasis Areas Alternative B and Map 2.4-37/Motorcycle Special Recreation Permit Areas Alternative B which provide motorcycle enthusiasts sufficient areas to ride.

N3-4 [However, we strongly object to Map 2.4-38/Motorcycle Special Recreation permit Areas Alternatives C and E (also associated with Map 2.4-33/Special Recreational Management Areas Alternatives B and E). The introduction of the Alamo Motorcycle Special Recreation permit within Coal Valley would be detrimental to the sculpture, the surrounding environment, and the local ranching industry.

N3-5 [It might be impossible to find in the entire United States such a union of majestic natural and manmade beauty as that represented by Garden Valley and the artwork within it, and its overall scenic qualities—combining desert, mountains, and cultural monuments—provide a rare cultural opportunity that should be protected. We support its inclusion, and that of Coal Valley, in a BLM Visual Resource Management class, and look forward to working together to maintain and preserve the existing character of this landscape for future generations.

Yours sincerely,



Michael Govan
President & Director

Responses to Letter N3

N3-1 Thank you for expressing your concerns. The Proposed RMP does not propose the Garden Valley special recreation management area for scenic qualities. However, the Garden Valley area continues to be identified for visual resource management Class II and Class III objectives. The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans are prepared or evaluated.

N3-2 Thank you for your comment. Visual Resource Management classes do not restrict livestock grazing.

N3-3 Please refer to Response to Comment N3-1.

N3-4 Thank you for expressing your concern. The special recreation permit area in the Coal Valley area is based on historic motorized event courses. The type of issues raised in your comment will be considered by the Ely Field Office when the project-specific plan is prepared.

N3-5 Please refer to Response to Comment N3-1.

Letter N4

Project Manager
U.S. Dept. of the Interior
Bureau of Land Management
Ely field Office
HC 33 Box 33500
Ely, NV 89301



September 28, 2005

RE: Ely Field Office RMP-EIS Comment Period

Dear Folks:

Thank you for the opportunity to provide comments on the Ely Field Office RMP. As you know, Friends of Nevada Wilderness has been around for 21 years working to protect our wild Nevada heritage. We have many members who live in or near lands managed by the Ely Field Office. Our members enjoy hiking, hunting, fishing, camping, wildlife watching, star gazing, photographing natural landscapes, painting, participating in special events, driving for pleasure and just plain exploring the wonderful backcountry of our public lands in eastern Nevada. Well managed public lands are important to our members for many, varied reasons. On behalf of our members, we welcome the chance to participate in these important planning decisions affecting our public lands.

Our comments will be addressed by topic with the bulk of the comments focused on Special Designations.

Wilderness Study Areas

The Ely Field Office has received copies both in hard copy and electronically of the wilderness proposals from the Nevada Wilderness Coalition during this comment period. I am incorporating them by reference into this document as well. Below is a summary of the proposals that involve BLM managed lands in White Pine County.

Nevada Wilderness Coalition

White Pine County Proposed Wilderness (Amended: October 21, 2005)

| | |
|--|--------------|
| Mount Grafton WSA (additions on the east) | 76,948 acres |
| South Egan Range WSA | 82,472 acres |
| Highland Ridge (FS/BLM) | 78,808 acres |
| Government Peak | 10,895 acres |
| Becky Peak | 23,533 acres |
| Goshute Canyon WSA (additions to north & west) | 55,846 acres |
| Blue Mass/Kern Mts.- | 31,336 acres |
| Baldy Peak/Antelope Range- | 33,147 acres |
| Bristlecone/Huesser Mt. | 14,468 acres |

Celebrating 20 years of protecting Nevada's wild lands — 2004 — Celebrating 40 years since passage of the Wilderness Act

Friends of Nevada Wilderness • P.O. Box 9754 • Reno, NV 89507 • phone 775 324-7667 • fax 775 324-2677
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Letter N4 Continued

N4-1 All lands identified by the Nevada Wilderness Coalition as having wilderness values should be managed with the following management prescriptions:

- ROS – Primitive category –to retain the previously identified wild character of the land.
- VRM-Class 1 - to retain the previously identified visual wild character of the land.
- Designated closed to off road vehicle use except for designated routes.
- Identified as closed to leasable mineral entry or closed after current leases have expired.
- Identified as closed for mineral entry for locatable minerals
- Identified as closed to saleable mineral entry.
- Should not be identified for land disposal– to be permanently retained in public ownership

N4-2 Alternative D under Wilderness Study Areas would be supported by Friends of Nevada Wilderness.

N4-3 In the Ely RMP/EIS on page 2.5-266, the document states that “The BLM would not designate new wilderness study areas through the land use planning process.” BLM in fact has been designating WSAs as part of planning efforts well outside of the original inventory directed by FLPMA. We argue that the Ely Field Office does have the legal authority to identify wilderness study areas under section 202 of FLPMA as part of this planning process.

N4-4 As you know, the original April 2003 settlement agreement (Utah Settlement) between Secretary Norton and the State of Utah, where BLM abdicated its authority to designate any additional WSAs and subsequently rescinded Handbook H-1630-1 has been vacated by Judge Benson on September 9, 2005 and no longer has the force of a court consent decree.

Friends of Nevada Wilderness continues to be a part of the on-going litigation and we would be remiss to our members who use public lands managed by the Ely Field Office if we did not bring this to your attention again, during this comment period.

Other Special Designations

N4-5 We support converting some of the older special designated areas to ACECs but are concerned with what seems to be diminished protection for some of these areas. Specifically we would like to see:

- The Blue Mass Scenic area converted to an ACEC that encompasses the area that the Nevada Wilderness Coalition identified as having wilderness values including but not limited to its highly scenic and important archeological resources.
- We are very supportive of the ACEC for the North Creek/Mt. Grafton area
- A much expanded ACEC for the Huesser Mountain/Bristlecone Pine area
- We support the creation of an ACEC for the Shooting Gallery

Responses to Letter N4

N4-1 The lands referenced in this comment have been addressed in the Lincoln County Conservation, Recreation, and Development Act of 2004 and the White Pine County Conservation, Recreation, and Development Act of 2006. The only remaining wilderness study areas managed by the Ely Field Office are found in eastern Nye County. Until Congress makes a determination on designation or release, these wilderness study areas will be managed by the Ely Field Office under the Bureau’s Interim Management Policy for Lands Under Wilderness Review (BLM Handbook, H-8550-1) to preserve their wilderness characteristics.

N4-2 Comment noted.

N4-3 Please refer to Section 1.6.2.1 in the Proposed RMP and Final EIS for a discussion of the designation of wilderness.

N4-4 Comment noted.

N4-5 In response to your comment, the Ely Field Office considered the size of the Blue Mass Scenic Area ACEC but did not change the area proposed for designation. Please refer to Section 2.4.22.1 of the Proposed RMP and Final EIS for a description of the Blue Mass Scenic Area ACEC. As part of the ACEC regulations, the Ely Field Office may not use an ACEC designation as a substitute for wilderness suitability recommendation. As part of the White Pine County Conservation, Recreation, and Development Act of 2006, the Heusser Bristlecone Research Natural Area has been included in designated wilderness.

N4-6 The Shooting Gallery proposed ACEC are being carried forward in the Ely Proposed RMP. As part of the White Pine County Conservation, Recreation, and Development Act of 2006, the Mount Grafton proposed ACEC has been included in designated wilderness.

N4-7 Please refer to Response to Comment N4-5.

N4-8 Please refer to Response to Comment N4-6.

Letter N4 Continued

- N4-9 [• The cave resources in the Ely District are very special and need to have maximum resource protection. We believe they should all be protected as ACECs unless they are located within designated wilderness. We support their segregation from disposal and the general mining laws but these areas need to be withdrawn from all the mineral leasing and material sale laws. It is critical to protect these fragile underground resources and not let them be damaged by extractive activities.
- N4-10 [• The antiquities and archaeological sites should be withdrawn from mineral as leasing and remain segregated from disposal under the public land laws. These sites should receive maximum protection in the RMP management actions.
- N4-11 [Generally, we support Alternative B and the management actions outlined under this alternative for ACECs.
- Transportation Plan**
- N4-12 [Overall, we support Alternative B for solving the many and varied travel management issues facing the Ely Field Office. This will be a big step forward to helping to reduce the creation of more roads and the further fragmentation of important wildlife habitat.
- N4-13 [The recreation resource on our Nevada public lands is becoming increasing valuable: more people including our members want to recreate on a finite amount of public land. Many recreationists desire solitude, clean air, clean water, vast undeveloped landscapes, and a place to witness healthy natural systems thriving with native plants and wildlife
- Special Recreation Management Areas**
- N4-14 [We are very supportive of the creation of several of the Special Recreation Management Areas in Alternative B, especially those focusing on scenic, non-motorized recreation and hunting opportunities.
- Special Recreation Permits**
- N4-15 [We support the issuance of outfitter and guide permits for hunting and other special uses. We have concerns with the issuance of permits for truck events however. These can be extremely damaging to the resource. We would prefer that motorized events were limited to motorcycles.
- Land Tenure**
- N4-16 [While we strongly support privatizing lands adjacent to communities for needed community services and development, we are opposed to lands leaving public ownership for non-public reasons. We support lands being made available to the counties for parks or open spaces.

Responses to Letter N4

- N4-9 Cave resources in the Ely RMP decision area are protected through a variety of means including the Ely Cave Management Plan, ACEC designation, wilderness and wilderness study area designation, Best Management Practices, and permit terms and conditions.
- N4-10 Cultural resources in the Ely RMP decision area are afforded protection under a number of existing regulations, which the Ely Field Office must implement. In addition to the existing regulations, several ACECs are proposed to provide special management attention to protect cultural resources. The management prescriptions for these ACECs will protect them from mineral development and land disposals. Please refer to Section 2.4.22.1 in the Proposed RMP and Final EIS for management prescriptions by ACEC.
- N4-11 Comment noted.
- N4-12 Comment noted.
- N4-13 Comment noted. Outdoor recreation is an important consideration for the management of public lands by the Ely Field Office.
- N4-14 Comment noted. The management direction in Alternative B has been incorporated into the Proposed RMP presented in this document.
- N4-15 In response to this and similar comments, the management action in Section 2.4.15.2 of the Proposed RMP and Final EIS regarding outfitter and guide permits has been revised. Special Recreation Permits for off-highway vehicle events are issued following site-specific environmental analysis and may contain special stipulations, such as a requirement to notify other permittees or a requirement to rehabilitate damaged roads in a timely manner.
- N4-16 Comment noted.

Letter N4 Continued

In summary, we look forward to continuing to work with the Ely Field Office as this planning and implementation process goes forward. Please contact us if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Shaaron Netherton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Shaaron Netherton
Executive Director
Friends of Nevada Wilderness

Letter N5



Nevada Archaeological Association



P.O. Box 73145

Las Vegas, NV 89170-3145

November 23, 2005

Gene Drais, Project Manager
U. S. Department of the Interior
Bureau of Land Management
Ely Field Office
HC 33 Box 33500
Ely, NV 89301



Dear Mr. Drais,

Enclosed please find comments concerning the Draft Resource Management Plan/Environmental Impact Statement for the Ely Field Office, Bureau of Land Management, from the Nevada Archaeological Association. We appreciate the opportunity to provide input for the management of cultural resources on public lands in Nevada. I have also submitted a copy of these comments as an attachment in an email to you as the web site listed for comments is not available at this time.

We offer our thanks for your efforts, and the efforts of your entire team, to design a meaningful and complete document to improve the conditions and ensure a healthy future for our public lands.

Sincerely,

Eva A. Jepsen
Treasurer
Nevada Archaeological Association
P.O. Box 73145
Las Vegas, NV 89170-3145

Letter N5 Continued

Responses to Letter N5



Comments on the Ely District RMP Draft Plan

The Nevada Archaeological Association is concerned with the conditions and actions affecting archaeological sites and cultural resources on public as well as private lands. Our comments are directed toward the Cultural Resource sections of the Draft RMP.

Overall Impressions

N5-1 [For a reputed public document, this is not very user friendly. For instance, there are numerous references to use categories used for cultural resource management, but these categories are not defined in the document. For parties outside the Federal Government the language is confusing and terms are not well defined. Perhaps an appendix with definitions of the categories and other cultural resource management terms, such as "level 1 documentation," should be added to the document. Including Information Memos NV-2004-004 and NV-2004-006 in this appendix would also be useful.

N5-2 [The document also gives the impression that cultural resources are only managed through two national laws, the National Historic Preservation Act (NHPA) and the Archaeological Resources Protection Act (ARPA). The Native American Graves and Repatriation Act, the American Indian Religious Freedom Act, National Environmental Policy Act, regulations pertaining to the theft or destruction of government property, Bureau of Land Management policies, or the Nevada BLM/Nevada State Historic Preservation Office (SHPO) Protocol also have direct implications for management of Cultural Resources? Other state or local laws and regulations may also be applicable, such as state laws protecting graves? It may also be useful in discussion of NHPA, to consider information about the differences between Sec 106 and Sec. 110?

N5-3 [From examination of the document, it appears as though there are four use categories for the Cultural Resource sections: Scientific Use, Public Use, Conservation, and Discharged from Management. These categories seem to be linked to National Register of Historic Places (NRHP) eligibility. It would be advisable to address the designation of sites that do not reach a national level of significance, but might be important as a State Register eligible property or a resource important to the local population. Those should also be considered in a management plan. Other questions that could be clarified are: If a site is placed into Public Use, but is being vandalized, does it need to be transferred to the Scientific Use category to mitigate impacts? How difficult is it to move a site from one use category to another?

N5-5 [The plan does not seem to be very flexible. Often, entire site types, or very high percentages of a site type, are going to be placed into a specific use category. This does

- N5-1 Please refer to the Cultural section of the Glossary in the Draft RMP and EIS and Proposed RMP and Final EIS for definition of the cultural resource use categories mentioned in the text. The text in the Glossary has been expanded to include definitions of cultural resource inventory levels and HABS/HAER Level I documentation. In addition, in response to your comment, the text in Section 2.5.9 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of Cultural Resource Use Categories. As a standard practice, the BLM has chosen not to append the numerous IMs and similar documents referenced in the text, except in limited situations where they are critical to key management issues or would likely be of concern to a broad segment of the affected public.
- N5-2 Please refer to Sections 1.8 (Relationships that are Key to the Ely RMP), 2.5.9 (Cultural Resources), and 3.9.3 (Cultural Management) in the Proposed RMP and Final EIS for a discussion of laws directing Federal cultural resource management.
- N5-3 The Ely Field Office and Nevada SHPO have been coordinating with each other throughout the Ely RMP process, with the SHPO participating as a formal Cooperating Agency. This coordination will continue in the event a cultural site that does not reach a national level of significance, but may be important as a State-registered eligible site or resource important to the local population, is identified as a result of Ely Field Office land management activities.
- N5-4 Please refer to Section 2.4.9 in the Proposed RMP and Final EIS for a discussion of moving a site from one use category to another use category.
- N5-5 Please refer to Section 2.4.9 (management action CR-2) in the Proposed RMP and Final EIS for a discussion of cultural resource use allocation. The BLM Land Use Planning Handbook requires allocation of all cultural sites to a primary, but not exclusive, use category. It also recognizes that these are not exclusive use categories for any given site or type of site. In response to your comment, the text in Sections 2.4.9.9, 2.4.9.10, 2.7.9.7, 2.7.9.8, 2.7.9.9, 2.7.9.10, 2.8.9.8, 2.8.9.9, and 2.8.9.11 (management actions) has been revised to clarify the discussion of assigning cultural resources to use categories. There is no conflict between cultural resource use allocations and National Register status. Use allocations need to minimize conflict with National Register status. These conflicts will be addressed in the watershed management plan or site-specific activity plan where conflicts occur.

Letter N5 Continued

Responses to Letter N5

- N5-5 not appear to be good management. Sites are potentially eligible under one or more of four criteria, which may or may not be an appropriate fit to the aforementioned use categories. Perhaps the alternatives should emphasize one management category over another, but not talk about absolute percentages when assigning the categories. The approach of assigning entire site types to a single category is not even consistent within the document. For example, in Chapter 4 there is a statement about placing sites in a category that fits the “specific uses according to their nature and relative preservation values.”
- N5-6 There is some discussion of “encouraging” site stewardship within the Ely Field Office area (EFO). With the recent appropriations for the hiring of a Site Stewardship Coordinator by the SHPO and progress by the Nevada Archaeological Association towards making site stewardship a state-wide program, there is hope that site stewardship is here to stay in Nevada. The new RMP is an excellent opportunity to use site stewardship for an adaptive management approach. Categories assigned to sites can easily be moved from one category to another based on site condition and use determined from monitoring data provided by site stewards. This is more flexible than the one use category fits all approach used in most of the alternatives.
- Chapter 2
- N5-7 Throughout the section, under the heading “Threats:”, additional potential threats that are not considered are: Incidental damage from hunting/trapping activities, competing management activities: ie: cattle grazing, wild horse management activities, watershed development etc., fire suppression and fuels reduction projects.
- N5-8 What is the definition (or definitions) of “inventoried” under this section? Throughout the section under the heading “Priorities for Inventory.” the statement “Potential threats identified in Cultural Resource Project Plans” does not make sense. ‘Sites or areas endangered by potential threats’ can be inventoried but, can “potential threats” be inventoried?
- N5-9 If sites have been determined eligible for the NRHP, some sort of inventory or documentation has already been done? The NRHP eligibility determination process usually follows an inventory, rather than the other way around. Clarifying the term “inventory” or rewording the priorities would be helpful.
- N5-10 2.5.9.1: Hill Beachy is the man’s name, so it shouldn’t be referred to as the Hill-Beachy mail line.
- N5-11 Alt. B: What does “National historic trails would be allocated to Public Use and should have Cultural Resource Project Plans prepared to better balance Public, Scientific, and Conservation Use” mean? If the trails are allocated to just Public Use, why are they still being managed under scientific and conservation uses?

- N5-6 Please refer to Sections 2.4.9.1 through 2.4.9.13 in the Proposed RMP and Final EIS for a discussion of the use of site stewards at cultural sites. Site stewards will assist in monitoring the condition of sites as specified in the management action section for each site type. Please refer to Section 2.4.9 (management action CR-2) for a discussion of the flexibility of cultural resource use allocation categories.
- N5-7 In response to your comment, the text in Section 2.4.9 of the Proposed RMP and Final EIS has been revised to clarify the discussion of threats to cultural resources. Identification of specific threats has been removed; however, threats and risks will still be used to prioritize actions as stated in Section 2.4.9.
- N5-8 In response to your comment, the text in Sections 2.4.9.1 through 2.4.9.13 of the Proposed RMP and Final EIS has been revised to clarify the discussion of priorities for inventory for National Register eligible sites.
- N5-9 In response to your comment, the text in the cultural resources portion of the Glossary of the Proposed RMP and Final EIS has been expanded to clarify the discussion of the term inventory.
- N5-10 In response to your comment, the text in Section 2.4.9 of the Proposed RMP and Final EIS has been revised and the name Hill Beachey removed.
- N5-11 Please refer to Response to Comment N5-1.

Letter N5 Continued

- N5-12 [2.5.9.2: Management common to all cultural resource use allocations states that, “Any rock art site with evidence of public use would be allocated to Public Use.” What if the public use is vandalism or looting? What if the evidence is a single set of footprints from a passing hunter? It would be appear the statement under Scientific Use on page 2.5-87 should be moved to Management common to all use allocations, since the surface collection is presented as mitigation for impacts.
- N5-13 [Public Use: Many rock art sites are eligible under criterion C, and some are also eligible under criterion A. As such, impacts to their setting need to be taken into account. How will all of the proposed signs, kiosks, footpaths, etc., etc. impact the setting, and how will that be mitigated?
- N5-14 [Alternative D is already presented in Management Common to all alternatives.
- N5-15 [2.5.9.4
How do state laws pertaining to the protection of graves fit into your proposed management? It is the NAAs understanding that the BLM is not really in the business of managing graveyards. How does BLM policy fit into your proposed management? The NRHP only allows for the listing of cemeteries under special circumstances. If sites that are only eligible to the NRHP can be placed into use categories, how does that fit into your proposed management alternatives? This is one of the few sections where Discharged from Management is mentioned as an alternative, but the circumstances of this use allocation are not clearly defined.
- N5-16 [2.5.9.5
What is an “ethnic arboreal narrative and graphic”? Please define.
- N5-17 [How can the sites be in the Scientific Use category when you’re promoting public access? Wouldn’t that be the Public Use category?
- N5-18 [2.5.9.6
This is the best defined cultural resource category. Why aren’t the other resources given this level of definition?
- N5-19 [The statement “Due to sensitivity, no sites would be allocated to public use, unless there is a better option to conserve the site” makes no sense. Perhaps it is missing a word or two.
- N5-20 [2.5.9.8
Why a Class II inventory and not a Class III?

Responses to Letter N5

- N5-12 Please refer to the cultural resources portion of the Glossary in the Draft RMP and EIS and Proposed RMP and Final EIS for the definition of Public Use at rock art sites.
- N5-13 The subject of this comment will be addressed on a site-specific basis according the Nevada BLM/SHPO Protocol.
- N5-14 In response to your comment, the text in Section 2.5.9.2 of the Proposed RMP and Final EIS has been revised to clarify the discussion of Alternative D (rock art sites).
- N5-15 In response to your comment, the text in Section 2.4.9.5 of the Proposed RMP and Final EIS has been expanded to clarify the National Register eligibility of historic cemeteries. The text in Section 2.4.9 of the Proposed RMP and Final EIS has been expanded to clarify sites Discharged from Management use.
- N5-16 In response to your comment, the text in Section 2.4.9.6 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of Ethnic Arboreal Narratives & Graphics and Bow Stave Trees.
- N5-17 Please refer to Response to Comment N5-1.
- N5-18 Effort was put into defining the site type in Section 2.4.9.7 of the proposed RMP and Final EIS, as this site type is not well understood by the public. While professionals understand the term “Paleoindian”, the definition is used for clarification purposes. Examples were provided in the Draft RMP and EIS to help clarify what sites would be managed under each site type. With the exception of the “Paleoindian” and the “Other” site types, all other site types are self defining.
- N5-19 In response to your comment, the text in Section 2.5.9.7 (Paleoindian Sites: Management Actions) of the Proposed RMP and Final EIS has been revised to clarify the discussion of Paleoindian sites and Public Use allocations.
- N5-20 In response to your comment, the text in the cultural portion of the Glossary of the Proposed RMP and Final EIS has been expanded to clarify the discussion of Class II and Class III cultural inventories.

Letter N5 Continued

- N5-21 [Under Scientific Use, why is estimating cost of restoration and repair only encouraged? Why is a partnership for this needed? Shouldn't this be done as part of an ARPA investigation? Paleo-environmental information recoverable from caves and shelters is important, but what about the archaeological record?
- N5-22 [Under Conservation, the cost of restoration and repair would be evaluated as soon as vandalism is detected. What about actually implementing restoration and repair?
- N5-23 [2.5.9.12
This states that no sites of these types have been identified in the EFO, but the Snake Creek Indian Burial Cave is discussed under Alt. A, Chapter 3 discusses these types of sites in various geographic locations in the EFO, and access to these types of sites is an issue identified in Chapter 4. Why the inconsistency? If these types of sites have not been identified, what are the steps that Ely is taking to identify them?
- N5-24 [Why does it appear that are these sites the only ones that will be verified with GPS?
- N5-25 [Alt. A discusses protection for the Snake Creek Indian Burial Cave under the Fire Management Action Modification Plan. What other steps are being taken to protect this site? What about state laws pertaining to burials?
- N5-26 [2.5.9.13
Intaglios and geoglyphs are often considered to be rock art, and have many of the rock art management issues. Why are they in this section, and not with rock art?
- N5-27 [2.5.10, Paleontology
Why is only trilobite management discussed in any depth? Chapter 3 discusses numerous paleontological resources beyond trilobites.
- N5-28 [Chapter 4
Page 4.9-2—How does geology threaten archaeology the same way as mineral extraction?
- N5-29 [Alt. B. This states that sites “already recorded or projected to occur” will be placed into one of three cultural use categories. What about sites not projected to occur or identified through additional inventory? There is some discussion of additional protection of sites that are placed in ACECs. Why is and the ACEC section the only place this is discussed? This should also be included in the appropriated discussion areas in Chapter 2.
- N5-30 [As it currently stands, it appears as though Alt. B is the best for cultural resource management.

Responses to Letter N5

- N5-21 In response to your comment, the text in Section 2.4.9.9 of the Proposed RMP and Final EIS has been revised to clarify the discussion of restoration and repair of vandalized cave and rockshelter sites.
- N5-22 Please refer to Response to Comment N5-21 for a discussion of restoration and repair of vandalized cave and rockshelter sites. Implementing restoration and repair of vandalized cultural sites is beyond the scope of the Proposed RMP. Implementation of restoration and repair of vandalized sites would be handled under an ARPA case. BLM is required to do restoration under ARPA. Implementation of restoration and repair is part of BLM's annual targets for which the BLM receives funding and for which results are audited.
- N5-23 In response to your comment, the text in Section 2.4.9.13 of the Proposed RMP and Final EIS has been revised to clarify the discussion of Ethnohistoric Sites, Sacred Sites, Traditional Use Areas, and Traditional Cultural Properties. Also, please refer to Section 3.9.3 (Traditional Cultural Properties) for a discussion of steps the Ely Field Office has taken to identify Traditional Cultural Properties.
- N5-24 In response to your comment, the text in Section 2.4.9.13 (Management Actions) of the Proposed RMP and Final EIS has been revised to clarify the discussion of GPS use on ethnohistoric sites, sacred sites, traditional use areas, and traditional cultural properties.
- N5-25 Please refer to Sections 2.4.22, 2.5.9.12 and 2.5.22.5 in the Proposed RMP and Final EIS for a discussion of steps proposed to protect the Snake Creek Indian Burial Cave.
- N5-26 In response to your comment, the text in Section 2.5.9.14 of the Proposed RMP and Final EIS has been revised to clarify the definition of “Other” and the reference to intaglios or geoglyphs has been removed
- N5-27 In response to your comment, the text in Section 2.4.10 (Paleontological Resources) of the Proposed RMP and Final EIS has been expanded to clarify the discussion of trilobite management (Section 2.4.10.1). Please refer to Section 1.6.1 (Issues Addressed) in the Proposed RMP and Final FEIS for a discussion of why only trilobite management is covered in Chapter 2.
- N5-28 In response to your comment, the text in Section 4.9 (Interactions with Other Programs) of the Proposed RMP and Final EIS has been revised to clarify the discussion of cultural resource management interactions with other programs. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- N5-29 Please refer to Section 2.4.22 in the Proposed RMP and Final EIS for a discussion of proposed ACECs for the protection of cultural resources.
- N5-30 Comment noted.

Letter N6

Responses to Letter N6

CONVERSATION RECORD

Time 2:00 pm Date 8/10/2005

Comment [COMMENT]: WHEN YOU START TO FILL IN THIS DOCUMENT YOU MUST BE IN THE TYPEOVER MODE. THE BOTTOM LEFT OF YOUR SCREEN SHOULD READ "MERGING * TYPEOVER".

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| TYPE | | ROUTING | |
| <input type="checkbox"/> VISIT | <input type="checkbox"/> CONFERENCE | <input checked="" type="checkbox"/> TELEPHONE | |
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| | | <input checked="" type="checkbox"/> OUTGOING | |
| NAME OF PERSON(S) CONTACTED | ORGANIZATION | TELEPHONE NO | |
| Charles Watson | NORA | 775-883-1169 | |

SUBJECT/FILE DESIGNATION
Golden Gate Range ACEC nomination as RMP public comment.

SUMMARY

On July 22, 2005 Mr. Watson submitted field report on the Golden Gate Range in Lincoln and Nye counties suggesting they be designated as Wilderness, National Conservation Area or as an Area of Critical Environmental Concern. I called Mr. Watson to explain that the BLM could not designate either Wilderness or NCA's, and that the Ely Field Office had just released a draft Land Use Plan that was in the public comment period. Mr. Watson requested that his field report be considered a public comment on the plan recommending the area as an ACEC. I told Mr. Watson I would submit the report to the project manager for the Land Use Plan.

ACTION REQUIRED

Submit Mr. Watson's Field Report to Gene Drais to be entered as a public comment to the draft land use plan.

SIGNATURE *Stan Lee* DATE 8/10/2005

OPTIONAL FORM 275 (12-79)
DEPARTMENT OF ENERGY

N6-1

N6-1

The Ely Field Office has reviewed the field report that you submitted as part of your comment (not published here but available for review in the Ely Field Office) and added the Golden Gate Range as an ACEC nomination. The ACEC review process determined that while the Golden Gate Range area met relevance, it did not meet importance. The archaeological, geological, and scenic resources found in the Golden Gate Range were not considered to be more than locally significant when compared with other similar resources found in Eastern Nevada. The Proposed RMP and Final EIS contains management actions, and references the Ely Cave Management Plan, BLM policy, and law, which would allow protective actions to occur for the archaeological and geological resources should the need arise, without highlighting these locations to the public. In addition, no threats were identified that would require additional site-specific special management to protect those resources found in the proposal area.

Letter N6 Continued

A note from
Charles S Watson

Mr. Gene Kolkman July 22, '05
Field Manager
BLM, HC 33 Box 33501
702 N. Industrial Way
Ely, NV 89301-9408

Dear Gene:

I'm a geologist and enclosed
looks like no mining prospect
I've ever seen. It's man-made
alright; but, definitely something
archeological and "paleohuman".
I trust you + your staff agree(?)

Many thanks,

Charlie Watson
Charlie Watson, Jr.

NORA
P.O. Box 1245
Garson City, NV 89702
watson@nora.org



see enclosed slides!

Letter N7

Hi Gene,

I am sorry I didn't finish this letter BEFORE Thanksgiving! I hope I am squeaking in under the deadline. I apologize for this being late. I am attaching the letter on PIC letterhead and I am copying the text of the letter below, in case your software doesn't accept our letterhead in Lotus/Word Pro. Thanks so much for the copies of everything—I did get info out to people in our area and I will do the same for the Final RMP/EIS and for anything else you send. Thanks so much, Elise

November 28, 2005

RE: DRAFT ELY DISTRICT RMP/EIS
ATTN: GENE DRAIS, RMP PROJECT MANAGER

Dear Gene,

Thank you for the opportunity to comment on the Ely District Draft RMP/EIS and for the workshop you and your staff scheduled in the Virgin Valley/Moapa Valley area. Partners In Conservation would like to submit a few comments regarding the Preferred Alternative and we would like to request that we be included in future mailing lists (or continue to be left on the mailing lists we are already on) and to request that we receive a copy of the Final RMP/EIS.

N7-1

Partners In Conservation focuses our attention and our comments today on maintaining traditional access for multiple users and on working cooperatively to encourage responsible OHV use and responsible use of our public lands in general. Many of the rural residents in northeastern Clark County have long-standing ties to Lincoln County and the Ely District. Many residents have close relatives or friends living in the Ely District, many rural residents hunt, fish, camp, ride ATVs or otherwise enjoy your beautiful public lands. Residents in Moapa Valley and Virgin Valley in particular enjoy the public lands in the southern part of your district—namely the Mormon Mountains, Clover Mountains, the Tule Desert region, Meadow Valley Wash area, the Delmars, etc. With the recent wilderness designations, we feel strongly that many areas have been preserved and that remaining areas need to be available for responsible use. We understand and support your new programmatic approach to manage public lands on a watershed basis. We however, have heard disconcerting rumors about the watersheds on Clover Mountain; these rumors seem to indicate some support for closing vast numbers of roads and severely restricting access to much of Clover Mountain, especially the northern part. We have heard rumors that some of Clover Mountain (OUTSIDE of the already designated wilderness areas) would be designated for non-motorized use and that some of Clover Mountain would be set aside for dirt bike racing only. We are opposed to any designations that do not allow

N7-2

N7-3

Responses to Letter N7

N7-1 The Ely Field Office appreciates your comment.

N7-2 Comment noted.

N7-3 The only areas of the Clover Mountains that will be closed to motorized access are the areas designated as wilderness in 2004. For additional information, please refer to Section 2.4.14.1 of the Proposed RMP and Final EIS for clarification of how comprehensive travel management planning will occur in the Ely RMP planning area.

Letter N7 Continued

N7-3 multiple use and access and we strongly urge you to continue the management policies that currently exist regarding roads; the ones that are open to motorized use now, continue to be open for motorized use. We support road management policies that provide for continued use on existing roads and favor a restrictive approach regarding open use as much of the public land has adequate roads and access already and traveling across the land is not necessary and is destructive if it happens on a large scale and continuous fashion. urge you to manage the watersheds of Clover Mountain, and indeed all areas, without restricting access to existing, current roads. In regards to restoration activities after the recent fires, we again urge you to keep existing, current roads open. There are numerous incidences where roads have stopped fires and closing any roads, even for a short time, not only restricts the public's right to use and enjoy the public lands, but could also add to the spreading of fires. Vegetation can quickly grow in roads that are closed and this regrowth eliminates the fire break that open roads provide. Partners In Conservation can provide pictures of many areas showing fire on one side of the road and the other side, unburned. Please carefully consider our comments in this area.

N7-4

N7-5

N7-6

N7-7

N7-8

In closing, Partners In Conservation respectfully asks you to consider our comments on the areas in the southern part of the Ely District; in particular we ask you to leave existing, current roads open to multiple use. We request being on any mailing list regarding any issue affecting the southern part of the Ely District, especially road management and travel management plans. We request being kept informed on any and all issues regarding Clover Mountain. In return, Partners In Conservation promises to work with the BLM Ely District cooperatively on any issue; we commit to providing information to the citizens of northeastern Clark County, and we look forward to positively assisting the BLM Ely District in many areas where we can be effective, i.e., education, getting information to residents, providing volunteers to assist with projects, promoting responsible use, etc. Thank you for the opportunity to comment.

Sincerely,

Elise McAllister

Administrator

Elise McAllister
Administrator
Partners In Conservation
PO Box 298
Moapa, NV 89025
702-864-2464 (voice mail)
702-864-2579 (home)
702-219-2033 (cell)
702-864-2253 (fax)
picorg@mvdsl.com

(See attached file: letter, draft RMP for Ely District.lwp)

Responses to Letter N7

N7-4 Please refer to Response to Comment N7-3 for a discussion of OHV management in the Clover Mountain area.

N7-5 The Ely Field Office will continue to conduct watershed analyses on the 61 watersheds in the Ely RMP decision area over the next several years. During these analyses, a careful evaluation of the role fire plays in a particular watershed will be made. Although roads can play a positive role during the suppression of a wildland fire, they may also contribute to greater problems in a watershed, such as erosion, than fire would. There are times when fires are beneficial to a watershed, and a road in that instance may stop a fire that is having a beneficial effect to the overall health of the watershed.

N7-6 Please refer to Response to Comment N7-5.

N7-7 Comment noted. Road designation is a process that will occur with public input subsequent to the approval of the RMP.

N7-8 The Ely Field Office appreciates your comments and will maintain you on the mailing list.

Letter N8

November 22, 2005

Bruce Flynn, Project Manager
U.S. Dept. of the Interior
Bureau of Land Management
Ely field Office
HC 33 Box 33500
Ely, NV 89301



RE: Ely District RMP-EIS Draft

Dear Sirs:

N8-1 Thank you for the opportunity to comment on the Draft RMP/EIS for the Ely District. I strongly support the basic theme of the plan, namely ecosystem health. The success or failure of the plan, however, will rest on the detailed plans and actions set in motion by this programmatic document. A document of this magnitude must necessarily be written in parts by a team of people and then assembled into a final plan.

N8-2 Unfortunately many of the sections don't track their predecessor section. I suggest that it is absolutely critical that a professional document editor be hired to reconcile the inconsistencies and produce a final coherent plan.

N8-3 Although the focus is on ecosystem health, other aspects of public land usage need detailed consideration in order to successfully implement the primary objective. Off highway vehicle (OHV) use is growing rapidly and will be a major obstacle to achieving ecosystem health if not dealt with effectively. Limiting the entire District to designated roads and trails is an excellent move. However, no details as to how or when this will be accomplished are offered. The plan creates OHV emphasis areas and motorcycle race areas but offers no details of how these areas will be managed to avoid conflicts and further the goal of ecosystem health.

N8-4 Grazing is a very important aspect of management for ecosystem health. The plan states that the goal is to meet standards and guidelines for rangeland health but no information is offered as to how much of District meets the standards at present and how much of it doesn't. What will be the consequences of meeting the standards as far as ranchers are concerned?

The following detailed comments are offered:

N8-5 • Table 2.4-1, p 2.4-7 Alt. E, Wildlife Water Developments: The proposal to install wildlife water developments because the public would like to have more animals sounds suspiciously like game farming. Wildlife is a key component of a healthy ecosystem and artificial water developments need to be based upon the carrying capacity of the land based upon pre-settlement water availability. Replacement of natural waters which have been lost is one thing, creating water sources just to increase the number of animals is suspect.

N8-6 • Table 2.4-1, p 2.4-9 Alt. E Great Basin Big Game Habitat: Habitat should be managed for healthy animal populations, not just to provide more animals for hunting. Hunting is a benefit of healthy game populations not the purpose for same.

N8-7 • Table 2.4-1, p 2.4-10 Alt. A and E. Rocky Mountain Bighorn Sheep. The document says that Rocky Mtn. Bighorns would be maintained only on Mts.

Responses to Letter N8

N8-1 Comment noted.

N8-2 The format for the Draft RMP and EIS was developed to meet CEQ requirements for EISs, BLM Land Use Planning Handbook guidelines for RMPs, and the Ely Field Office's need to have the RMP organized by resource program. Consistency concerns were raised by a number of commenters. Chapters 2 and 4 in the Proposed RMP and Final EIS, in particular, have been revised to correct inconsistencies among resource programs.

N8-3 Please refer to Section 2.4.14.1 of the Proposed RMP and Final EIS for clarification of how comprehensive travel management planning will occur in the Ely RMP planning area. Travel plans for the entire planning area are expected to be completed about 10 years after the RMP is approved. In addition, no off-highway vehicle emphasis areas would be designated by the Proposed RMP, and no special recreation management areas emphasizing off-highway vehicle use have been identified in the Proposed RMP. Management of motorcycle event areas will be considered by the Ely Field Office when plans for specific events are submitted and evaluated.

N8-4 Please refer to Section 3.16 in the Draft RMP and EIS and Proposed RMP and Final EIS for discussion the number of grazing allotments in various condition categories, which is the best current summary of where standards are being met. Allotment evaluations have been completed on 102 allotments since 1990. Grazing management practices or levels of grazing use were changed if needed to achieve allotment objectives or progress toward achievement of the standards. It can be reasonably expected that livestock grazing on the 102 allotments administered by the Ely Field Office is progressing toward or meeting the standards for rangeland health. The most relevant question is not what the consequences are to ranchers for meeting the standards, but rather what the consequences are for not meeting the standards, since that is the situation in which additional grazing restrictions may be necessary.

N8-5 Although the BLM may install artificial wildlife water developments to "Meet the public demands for increased recreational opportunities ..." as stated in Section 2.4.6.7 of the Proposed RMP and Final EIS, that decision must still meet the goal of wildlife habitat management, which is listed at the beginning of Section 2.4.6.

N8-6 In response to your comment, the text in Section 2.4.6.4 of the Proposed RMP and Final EIS has been revised to clarify the discussion of big game habitat management for increased game species distribution and densities.

N8-7 In response to your comment, the text in Table 2.9-1 and in Section 2.4.6.2 of the Proposed RMP and Final EIS has been revised to include the entire Snake Range.

Letter N8 Continued

- N8-7 Grafton and Moriah. The population in the Snake Range (Great Basin NP) also needs to be considered in relation to domestic sheep grazing. Just because the Bighorns aren't on BLM land doesn't mean that they should be ignored.
- N8-8
- Section 2.5.5.1, Pinyon-Juniper woodlands: Canopy cover is not the only measure of system health. Stem density and tree age are also important. There is no real discussion of mosaic patterns found under natural fire regimes where some areas have no tree cover while others have high density. Simply reducing canopy cover by thinning, as suggested, would be ineffective as the remaining trees would soon expand to fill the available space. Also, the use of the term "old-growth" to describe high percent canopy cover rather than stand age will be confusing to the public.
 - Section 2.5.5.2, Aspen: Healthy aspen stands, especially young stands, often have a high percent canopy cover and a relatively sparse understory. Percent canopy cover is not the only measure of stand health. In Alt. B and E, p 2.5-19 paragraph 3, grazing management is suggested as a tool to control conifer encroachment. This is nonsense, grazers eat aspen, not conifers.
 - Section 2.5.5.3, High Elevation Conifers: I trust that this section will be thoroughly revised as per the errata sheet. However, Alt B still does not accurately portray how high-elevation conifer communities behave. The natural fire interval in the Great Basin is typically measured in centuries. Proposing to initiate a disturbance regime which would disturb half the total ecosystem in just the life of this plan doesn't make sense. Old growth conifers support a diverse grouping of birds and animals which would be heavily impacted by large scale cutting or burning. This section is badly in need of a re-write.
- N8-10
- N8-11
- Section 2.5.5.5 Sagebrush, Table 2.5-5, p 2.5-31 lists the number of acres of non-native seedings as 112,400 acres presently to be expanded to 168,600 under Alt. B and E. Does this mean that more acres will be seeded to non-natives or will seedings in other vegetation types be somehow converted to sagebrush? The number of acres in this table doesn't seem to agree with the figures in Table 2.5-8, p 2.5-48.
 - Section 2.5.5.7, Mojave Desert Vegetation: Alt A,E p2.5-43: The statement that resource uses (e.g., livestock grazing) would be managed to improve vegetation composition and protect critical desert tortoise habitat." is either a gross error or a cruel hoax. Livestock grazing has already been eliminated from the Desert Tortoise ACEC's to protect the tortoise and clearly more than a century of grazing has not improved the health of the Mojave Desert vegetation.
 - Section 2.5.5.9, Non-native Seedings, p 2.5-48 Alt B: The section talks about treating approximately 30% of the area and maintaining the other 70%. All vegetation regimes are dynamic and cannot easily be maintained without some sort of disturbance (treatment). This section needs to be expanded. According to table 2.5-8, 40,400 acres of seedings (15%) are in the tree state while 132,00 acres (49%) are in the shrub state. In my experience virtually none of the seedings have reverted to trees and the sagebrush coming into seedings is in a very healthy young state. The objective in terms of vegetative composition needs to be clearly stated. Also, the statement "Areas would be seeded with species resistant to grazing." needs to be explained. Resistant to grazing generally means unpalatable
- N8-12
- N8-13

Responses to Letter N8

- N8-8 The available data at this time is canopy cover. As further data collection continues, stem density and tree age can be collected. The desired range of conditions is the mosaic of a vegetative community. Desired future conditions will define the mosaic at the landscape scale. Refer to the revised text in the vegetation section and proposed monitoring plan in Section 2.4.23. The terms "overmature" and "old-growth" have been carefully defined and consistently used in the document in accordance with Natural Resource Conservation Service Ecological Site Descriptions and are not used interchangeably.
- N8-9 As indicated in Section 2.4.5.3, percent canopy cover is only one of several parameters that would be used in the assessment of health conditions within this vegetation type. Grazing management (including protection from) is one of the most logical tools for encouraging aspen regeneration. The text related to Alternatives B and C has been revised to clarify this approach.
- N8-10 In response to your comment and similar comments, the text in Section 2.4.5.4 has been revised in the Proposed RMP and Final EIS to clarify the proposed management of the high elevation conifer communities.
- N8-11 The text in this and other vegetation sections has been revised in the Proposed RMP and Final EIS to clarify that native and nonnative seed would be used as appropriate to the management objectives of various vegetation types and individual situations. Nonnative species in seedings will be decided on a case-by-case basis.
- N8-12 Although one may debate whether the objective is being achieved, the current management direction regarding vegetation management (including livestock grazing and other uses) in the Mojave Desert is as stated for Alternative A in the Draft RMP/Draft EIS (Section 2.5.5.7) and the Proposed RMP and Final EIS (Section 2.5.5.8). In response to this and other comments regarding vegetation management within the Mojave Desert the text in Section 2.4.5.8 in the Proposed RMP and Final EIS has been revised to provide additional clarification of the proposed management actions for these vegetation communities. In response to changes in vegetation condition that resulted from the South Desert Complex Fires of 2005, substantial additional areas of the Mojave have been temporarily closed to livestock grazing while vegetation communities recover.
- N8-13 The text for Section 2.4.5.10 has been revised in the Proposed RMP and Final EIS to clarify minor issues associated with the Draft RMP and EIS. The existing distribution of states shown in the Draft RMP and EIS is reasonably accurate and no changes have been made. Vegetation treatment methods and maintenance techniques will be selected on a case-by-case basis as the RMP is implemented.

Letter N8 Continued

- N8-13 | to grazing animals and this would seem to be inconsistent with the objective of non-native seedings.
- N8-14 | • Section 2.5.5.10, Monitoring of Vegetation, p2.5-49. This very important aspect of management gets short shrift. No detail is given as to how monitoring on the scale needed will be accomplished nor is there any mention of data archival, an area where the BLM has historically been very weak. The Bureau is very much in need of some new rapid assessment and monitoring techniques which can be done with the limited personnel available.
- N8-15 | • Table 2.5-11, p2.5-137, The map designations for the alternatives are reversed. Alt C should be map 2.4-31 and Alt B and E should be map 2.4-33.
- N8-16 | • Section 2.5.16.1, Lands Available for Livestock Grazing. p 2.5-142 Alt C and E. The Haypress allotment should be treated like any other allotment, even though it is managed for wild horses. To propose disposal of that allotment so that someone can graze wild horses on it would be a terrible precedent. By that logic all grazing allotments should be disposed of. I don't object to horses on that allotment but I strongly object to disposal.
- N8-17 | • Section 2.5.22.1 Areas of Critical Environmental Concern: There doesn't seem to be a consistent policy about what activities are permitted and which are not. For example fuelwood cutting is allowed in the Condor Canyon ACEC while prohibited in the Lower Meadow Valley Wash ACEC; both might benefit from removal of tamarisk but no other trees should be cut.
- N8-18 | • p 2.5-237, Heusser Bristlecone ACEC, Alt B and E are open for Saleable minerals. It doesn't make much sense that a high elevation Bristlecone ACEC would be open to gravel extraction.
- N8-19 | • p 2.4-259, Snake Creek Indian Burial Cave ACEC. Alt B and E. Plant materials may be collected by permit only yet it is open to fuelwood cutting. This doesn't make sense.
- N8-20 | • Section 2.5.22.4 Wilderness Study Areas, Alt. B and E: This section doesn't make sense. Wilderness Study Areas are to be managed so as to preserve Wilderness characteristics in a non-impaired state until Congress either designates or releases these areas. Emphasizing other multiple uses with restrictions doesn't fit with the goal of non-impairment. I strongly suggest a re-write of this section.
- N8-21 | • Table 4.1-1, p 4.1-23, Travel Management and OHV use, Alt E: The document states that "The designation of 734,000 acres emphasizing motorized recreation on designated roads and trails would help off-set the elimination of areas open to cross-country OHV use". This language suggests that there will be something different about designated roads and trails in the emphasis areas than in the rest of the District. What is it? OHV issues need to be dealt with in a very clear and unambiguous manner.
- N8-22 | • Table 4.4-1, p 4.1-24, Alt E: This section states: "while designating motorized trails could enhance recreation opportunities." What exactly does this mean? Enhanced compared to what?
- N8-23 | • Table 4.1-1, p4.1-27, Noxious and Invasive Weed Management, Alt E: It is not immediately clear how expanding the scale of vegetation treatments reduces the risk of establishment of noxious and invasive plants, especially if prescribed fire is a major treatment modality. This needs to be explained somewhere.

Responses to Letter N8

- N8-14 | The text of the Proposed RMP and Final EIS has been revised to address monitoring in more detail in Section 2.4.23. The content of this section, however, is not meant to substitute for the detailed monitoring plan that will be prepared following issuance of the Record of Decision.
- N8-15 | The comment is partially correct: Alternatives B and E are shown on Map 2.4-33; Alternative C is actually shown on Map 2.4-35. Maps have been renumbered in the Proposed RMP and Final EIS to reflect the chapter and section of their first appearance.
- N8-16 | Aliquot parts of the Haypress Allotment have been identified in the Proposed RMP for potential disposal but not specifically for a wild horse preserve. Any disposal would be in accordance with the Lincoln County Conservation, Recreation, and Development Act, would be a public process, and would be analyzed in accordance with the National Environmental Policy Act.
- N8-17 | Thank you for expressing your concerns. Special management actions are specific to each ACEC to protect the relevant and important values for that particular ACEC. With regard to tamarisk, it is not managed under Woodland and Other Plant Products (Section 2.4.17 of the Proposed RMP and Final EIS). Tamarisk is considered a noxious weed and will be managed as described in Section 2.4.21 of the Proposed RMP and Final EIS.
- N8-18 | As part of the White Pine County Conservation, Recreation, and Development Act of 2006, the Heusser Bristlecone Research Natural Area has been included in designated wilderness. Therefore, this area will be closed to saleable minerals.
- N8-19 | In response to your comment, the footnotes on Table 2.4-30 (Management Prescriptions for Proposed ACECs) in the Proposed RMP and Final EIS have been revised to clarify the discussion of collection of plant materials and fuelwood cutting in the Snake Creek Indian Burial Cave ACEC. Collection of plant materials and fuelwood cutting would be allowed in the ACEC, because these two activities would not impact the important values being protected by the special designation.
- N8-20 | In response to your comment, the text in Section 2.4.22.4 of the Proposed RMP and Final EIS has been revised to describe the interim management policy for Wilderness Study Areas, and the non-impairment criteria.
- N8-21 | In response to this and other comments, no special recreation management areas emphasizing off-highway vehicle use have been identified in the Proposed RMP.
- N8-22 | In response to your comment, the text in Section 4.15 of the Proposed RMP and Final EIS has been revised to clarify the discussion of recreation impacts. The basic impact conclusions presented in the Draft RMP and EIS have not changed.

Responses to Letter N8

N8-23 In response to your comment, the text in Section 4.21 of the Proposed RMP and Final EIS has been expanded to clarify that while treated areas are expected to increase the short-term vulnerability to weed establishment, this negative impact is more than offset by the long-term resistance of these areas to weed infestations following reestablishment of resilient perennial vegetation. The basic impact conclusions presented in the Draft RMP and EIS have not changed.

Letter N8 Continued

- N8-24 [• Section 4.3, Water Resources, p 4.3-6, Alt B and E Recreation: Document states: “Additional overland travel opportunities may affect runoff and water quality”. Restricting OHV use to designated roads and trails doesn’t seem like it should offer “greater overland travel opportunities”. Mistake?
- N8-25 [• Section 4.5, p 4.5-15 Alt B Management of Mojave Desert and Salt desert shrub vegetation. Non-native invasives are the single greatest threat to the vegetation of the Mojave but this subject is not addressed here. It should be.
- N8-26 [• Section 4.5, p 4.5-24, Alt E, Impacts From Other Programs, Line 6 states “Impacts from travel management and OHV usewould be similar to Alt C.” This would contradict section 2.5.14.2 Alt E which states that management of OHV use will be the same as Alt. B.
- N8-27 [• Section 4.7 Special Status Species, p4.7-9 Alt E, Travel Management and OHV use: This section states that vehicular traffic will be limited to designated roads and therefore there will be no impact to special status plants within OHV use emphasis areas. Limiting vehicles to designated roads in OHV use emphasis areas will be very difficult. The public will have a hard time understanding that in an OHV use area the restrictions are the same as everywhere else. Enforcement will be a management nightmare.
- N8-28 [• Section 4.7, p 4.7-10, Assumptions for Analysis, Line 1. The Muddy River is located in Clark County, outside the Ely District. See also p4.7-26.
- N8-29 [• Section 4.8 Wild Horses, p 4.8-14, Travel Management and OHV use. Line 4. States:” 4 of 6 areas still open of OHV use”. This is inconsistent with OHV policy as stated in Section 2.5.14.2 Alt E.
- N8-30 [• Section 4.10 Paleontology, p 4.10-1 Goal: States “...and promote public and scientific use of invertebrate and paleobotanical fossils”. Promoting the use means collecting, removing and eventually destroying the resource. There is no way to promote collection of a non-renewable resource without destroying that resource. This is not a good policy.
- N8-31 [• Section 4.10, p 4.10-3 Alt B Recreation. A no fee registration system is unlikely to prevent over collecting and destruction of the resource. Those people abusing the resource are unlikely to register.
- N8-32 [• Section 4.12 Lands and Realty, Alt E. p 4.12-7 Livestock Grazing. To identify the Haypress allotment for disposal sets a terrible precedent for disposing of public lands. I strongly object.
- N8-33 [• Section 4.14 Travel Management and OHV Use, Alt E. p 4.14-5. Why would effects associated with recreation and special designation management activities be similar to Alt C when the preferred Alternative for OHV use is Alt B as identified in Section 2.5.14.2, p 2.5-135?
- N8-34 [• Section 4.23 Economic Conditions, Table 4.23-1. The projected population growth for Lincoln and White Pine Counties fails to take into account any of the recent project approvals or trends. It is hopelessly out of date.
- N8-35 [• Table 4.28-1, p 4.28-7 Comins Lake expansion will increase water demand due to increased evaporation.
- N8-36 [• Section 4.28, p 4.28-16 first paragraph: states that: noxious and invasive weeds now infest approximately 168,000 acres of the Ely District and that cheatgrass and red brome are the primary problem. In fact, most of the Ely District is infested if cheatgrass and red brome are considered

Responses to Letter N8

- N8-24 In response to your comment, the text in Section 4.3 of the Proposed RMP and Final EIS has been revised to clarify the effects of off-highway vehicle travel on water resources. Per Sections 2.4.14 and 2.6.14, there would be restriction of areas open to off-highway vehicular travel under the Proposed RMP and Alternative B. In addition, no special recreation management areas emphasizing off-highway vehicle use have been identified in the Proposed RMP.
- N8-25 In response to your comment, the text in several paragraphs related to Noxious and Invasive Weed Management in Section 4.5 of the Proposed RMP and Final EIS has been expanded to clarify the threat of non-native species within the Mojave ecosystem. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- N8-26 In response to your comment, the text related to the Proposed RMP (Impacts from Other Programs) in Section 4.5 of the Proposed RMP and Final EIS has been revised. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- N8-27 Please note that there are no off-highway vehicle use emphasis areas presented in the Proposed RMP. In addition, no special recreation management areas emphasizing off-highway vehicle use have been identified in the Proposed RMP.
- N8-28 The Muddy River watershed extends into Lincoln County via the tributary Dead Man Wash.
- N8-29 In response to your comment, the text in appropriate paragraphs for the Proposed RMP and Alternative B and C in Section 4.8 of the Proposed RMP and Final EIS has been revised to clarify that the discussion relates to off-highway vehicle emphasis areas rather than to open areas. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- N8-30 Following BLM policy, vertebrate fossils such as dinosaurs, mammals, fishes, and reptiles, and uncommon invertebrate fossils may be collected only by trained researchers under BLM permit. Collected fossils remain the property of all Americans and are placed in museums or other public institutions after study. Common invertebrate fossils, such as plants, mollusks, and trilobites, may be collected for personal use in reasonable quantities, but may not be bartered or sold.
- N8-31 Registration will allow the Ely Field Office to enforce the BLM invertebrate collection policy (see Response to Comment N8-30). Anyone who is apprehended and has not registered, may be subject to penalties. This will give the Field Office a better ability to track use and reduce illegal commercial collection.
- N8-32 Please refer to Response to Comment N8-16 for a discussion of the Haypress Allotment.

Responses to Letter N8

- N8-33 In response to your comment, the text in Section 4.14 of the Proposed RMP and Final EIS has been revised to clarify the effects of recreation and special designations on travel management.
- N8-34 The population projections presented in Table 4.23-1 were prepared by the State of Nevada Demographer and generally reflect continuation of long-term demographic trends, absent any major new developments. Reference to those projections was appropriate given that insufficient information was available regarding the timing, level of development, likelihood, and other characteristics about other new projects to develop an independent set of long-term population projections. More current projections are now available, and Table 4.23-1 in the Proposed RMP and Final EIS has been modified. However, the new projections do not alter the fundamental conclusions associated with the RMP alternatives.
- N8-35 In response to your comment, the text in Table 4.28-1 of the Proposed RMP and Final EIS has been modified to address your comment. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- N8-36 The 168,000 acres of weed infestation are derived from annual noxious weed and invasive species inventories that are conducted in the Ely RMP decision area. The 168,000 acres are an approximation of the acreage where the understory is dominated by cheatgrass, red brome, or other Nevada noxious or invasive species.

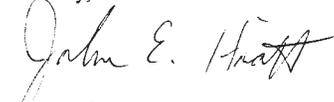
Letter N8 Continued

- N8-37
- Section 4.28, p.4.28-26 paragraph 4. This section states that pumping of up to 7,000 acre-ft/year of bedrock groundwater would be expected to have no impact on bedrock springs. I don't know of any factual basis for making that statement. The Tule Desert is very dry and withdrawal of 7,000 acre-ft/year for 50 years will almost certainly impact some existing spring discharge somewhere.
 - Section 4.28.15, p 4.28-54, Impacts of the proposed action (Alt E): this section states that 656,000 acres would be designated as four motorcycle recreation permit areas, yet earlier in the document Alt E lists 1.6 million acres dedicated to motorcycle permit areas. Which is it? I strongly advocate for the lower acreage amount.

N8-39

I think that there are hundreds more inconsistencies and inaccuracies in the RMP/EIS but those listed above certainly give a strong indication of the work that needs to be done. I have focused almost exclusively on the preferred alternative but the other alternatives also need to be written in a coherent and consistent manner to make this plan something that the Ely District can operate by for the next two decades.

Sincerely,



John E. Hiatt
Conservation Chair
Red Rock Audubon Society
8180 Placid Street
Las Vegas, NV 89123
702-361-1171

Responses to Letter N8

- N8-37
- The discussion of the Toquop Energy Project in Section 4.28.3 of the Proposed RMP and Final EIS has been revised to reflect the potential change from a gas-fired plant to a coal-fired plant. Water demand would be reduced from 7,000 acre-feet/year to 2,500 acre-feet/year. The conclusion on the impact of groundwater pumping on bedrock springs is based on the analysis conducted for the original Toquop Energy Project EIS (as cited in Section 4.28.3), using the 7,000 acre-feet/year pumping rate. The lower pumping rate would be expected to have a lesser impact on springs; however, this conclusion will be confirmed in the EIS being prepared for the modified project.
- N8-38
- In response to your comment, the text in Section 4.28.15 of the Proposed RMP and Final EIS has been revised to reflect the amount of 1.6 million acres dedicated to motorcycle permit areas. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- N8-39
- Please refer to Response to Comment N8-2 for a discussion of inconsistencies within the Draft RMP and EIS.

Letter N9



Rocky Mountain Elk Foundation

ELY, NEVADA CHAPTER P.O. Box 151682 Ely, Nevada 89315

November 23, 2005

Gene Drais, RMP Project Manager
Bureau of Land Management
Ely Field Office, HC 33
Box 33500
Ely, Nevada 89310



Re: Comments on BLM's Draft Resource Management Plan/Environmental Impact Statement for the Ely District

Dear Mr. Drais:

The Ely, Nevada Chapter of the Rocky Mountain Elk Foundation has reviewed the Draft RMP/EIS for the BLM's Ely District and provides the following comments:

General Comment

N9-1

The proposed management of elk addressed in the draft contains contradictions and inaccurate information. The draft addresses elk in several sections, some as a non-indigenous species, and some where elk are included as an indigenous species. However, in at least one section of the draft, elk would be granted the same status as other indigenous wildlife. The fact is that very little, or no, research was done to determine if elk were in fact an indigenous wildlife species in the area encompassed by the Ely District. Attached documentation in exhibit form provides evidence that elk are in fact indigenous to Nevada, as well as White Pine County; therefore making it necessary to include elk as an indigenous wildlife species consistently throughout the draft.

Specific Comment

N9-2

2.5.6.6 Parameter – Great Basin Big Game Habitat (Mule Deer, Pronghorn, and Elk): The information in paragraph four on Page 2.5.60 under Alternative A, contradicts the information in paragraph two on Page 2.5.61 under Alternative B and in paragraph five on page 2.5-62 under Alternative E. Should either Alternative A or Alternative E be adopted elk would not be granted status as indigenous wildlife; however, in Alternative B elk are more appropriately included as indigenous wildlife.

N9-3

Despite the contradiction we maintain that elk are very much indigenous wildlife by definition. There is supporting documentation that elk were very much a part of the native wildlife species in White Pine County. Written documentation (Exhibit 1) in 1859 by Captain J.H. Simpson, Engineer Department of the U. S. Army titled "Explorations" "Great Basin of the Territory of Utah". Captain J. H. Simpson wrote, "An elk was seen yesterday in Stevenson's Canon and one to-day in Red Canon". These sightings were on

Responses to Letter N9

N9-1

In response to your comment and similar comments, corrections have been made in the Proposed RMP and Final EIS to recognize elk as native species to the area throughout all alternatives.

N9-2

Please refer to Response to Comment N9-1.

N9-3

Please refer to Response to Comment N9-1.

Letter N9 Continued

N9-3 [the northern end of the Snake Range east of Ely. Despite the fact that Capt. Simpson was developing a direct wagon route from Camp Floyd to Genoa in the Carson Valley in 1859 his observation of elk in White Pine County is documented in the Snake Range. We submit that elk were present in other ranges of White Pine County as early as 1859, if not before. This documentation is proof that elk were indigenous species to White Pine County and therefore granted indigenous species status accordingly. Additional testimony (exhibit 2) continues to demonstrate that elk are indigenous to Nevada.

N9-4 [Statements made referring to the introduction of elk in White Pine County in 1932 are erroneous, when in fact it was a reintroduction of elk in an area in which elk where an indigenous species (native), as documented, almost a century earlier

N9-5 [*4.6.1 Aquatic Habitat and Fisheries*
The information contained in paragraph 6 on page 4.6-28 under Alternative E referring to the “reduction in population growth of elk on the District in the long-term” is not consistent with inclusion of elk as an indigenous species as it so deserves based upon above information and attached exhibits which document elk as indigenous wildlife in White Pine County.

Summary

N9-6 [We feel that the RMP/EIS should properly address elk as an indigenous (native) species for the purpose of future planning of habitat enhancement projects and just maintain a status equal to that of the mule deer, pronghorn, and big horn sheep. Documentation has been provided to demonstrate that elk were present in White Pine County over a century ago, and due to their reintroduction in 1932 continue to flourish through proper management. We agree that the elk numbers must be managed in relationship to available habitat through harvest, transplant, etc. We feel that of the alternatives provide in the draft the only one we could support is Alternative B.

N9-8 [Recreation which includes hunting and wildlife viewing contribute a sizable portion to the economy of White Pine County. Not including elk as an indigenous wildlife species and enhancing habitat to maintain or expand heard growth in order to provide recreational opportunities for present and future generations as a part of the BLM’s Mission.

N9-9 [The Rocky Mountain Elk Foundation (RMEF) through annual events like the annual Big Game Banquet held in Ely since 1987 has raised hundreds of thousands of dollars that are provided to federal, state and private organizations for the purpose of habitat conservation, enhancement and expansion. The BLM Ely District has been the benefactor of a sizable amount of funding from the RMEF for habitat projects. The projects funded by RMEF are beneficial to elk, other wildlife and their habitat. The funding provide by RMEF to cooperators such as the BLM in White Pine County through April of 2005 (exhibit 3) can best demonstrate the commitment of RMEF to wildlife habitat enhancement projects. Additionally, RMEF funds have been dedicated to several

Responses to Letter N9

N9-4 Please refer to Response to Comment N9-1.

N9-5 The current population growth rate of elk in the Ely RMP planning area will logically decrease over time as the population reaches the carrying capacity of available habitat. Text in Chapters 2 and 4 of the Proposed RMP and Final EIS has been revised to indicate that management of habitat for elk under the Proposed RMP and Alternatives B and C would conform to the county elk plans.

N9-6 Please refer to Response to Comment N9-1.

N9-7 Please refer to Response to Comment N9-1 regarding elk as a native species. Your comment regarding a preferred alternative is noted.

N9-8 Please see Responses to Comments N9-1 and N9-5.

N9-9 The BLM appreciates your comment.

N9-10 The BLM appreciates your comment.

Letter N9 Continued

N9-10 categories in Nevada (exhibit 4) through 2004 resulting in a total effort of \$11,758,204 in Nevada, with a substantial amount of funding being provided to cooperators in White Pine County. The recommended RMEF projects for 2005 (exhibit 5) dedicate and additional \$414,300 for wildlife habitat projects.

Should you have question, please feel free to contact me at (775) 289-2033 or at (775) 289-3519.

Sincerely,



Mike Simon, Chairman
Rocky Mountain Elk Foundation
Ely, Nevada Chapter

Letter N10



THE NATURE CONSERVANCY OF NEVADA
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November 28, 2005

Mr. Gene Kolkman
Bureau of Land Management
Ely Field Office
HC 33, Box 33500
Ely, Nevada 89301-9408



Dear Mr. Kolkman:

The Nevada Chapter of the Nature Conservancy appreciates the opportunity to review the draft Resource Management Plan (RMP)/Environmental Impact Statement (EIS) for the Ely District. The mission of The Nature Conservancy is to preserve the plants, animals and natural communities that represent the diversity of life on earth by protecting the lands and waters they need to survive. In Nevada, our vision is to ensure the long-term survival of all viable native species, natural communities, and ecological systems through the design and conservation of functional conservation areas.

In 2000-2001, we completed conservation assessments of the Great Basin and Mojave Desert, both among the most biologically diverse and imperiled ecoregions in the United States. Through this process, we identified areas in these ecoregions that fully represent the ecological systems, natural communities, and specific characteristics of this ecoregion. Not surprisingly, we found that Eastern Nevada, including the BLM's Ely District, is particularly rich in terms of biological diversity. Accordingly, we recognize that this RMP's focus and preferred alternative are key to the implementation of maintenance and restoration actions that will increase the viability and functionality of these resources.

In this letter, we provide both general and specific comments on the draft RMP. Our comments are focused on elements of the RMP that could potentially enhance the integrity of large and small ecological systems, provide the best science, and support the economy of working landscapes. First off, we are pleased to see that this version of the RMP is significantly improved from previous versions that we have had the opportunity to review through our participation in the Eastern Nevada Landscape Coalition Science Committee. However, we have concerns about several major continuing and new issues in the draft document. We summarize our general concerns below, and in addition, we provide specific comments in Enclosures B and C.

Areas of Critical Environmental Concern (ACECs)

We recommend reevaluating the decision not to further consider ACEC nominations that were rejected on the basis that an ACEC designation would not provide added management for sensitive species. ACEC designations for these areas would highlight to resource staff their importance in harboring one of a few occurrences in the world for rare species or ecological

N10-1

Responses to Letter N10

N10-1 Combined with Comment N10-3.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP
November 28, 2005

N10-1

communities. Without such designations, it is not clear how BLM will prioritize and focus limited staff and funding on protecting the unique resources that occur in these areas.

N10-2

The RMP is silent on whether or not special law enforcement, protection, or monitoring strategies would be implemented as a result of the RMP. Many, if not most, BLM staff are generally unaware of the presence and locations of the sensitive species on the district. ACEC designations would highlight to staff (as well as the public) the most important sensitive species areas, as well as the ecological communities in which those species reside. If the goal is to keep more species from being added to the endangered species list, this is an excellent step in achieving that goal proactively. Accordingly, we recommend that the following ACEC nominations be reconsidered: White Rock Ponderosa, Steptoe Valley Crescentspot, Turnley Spring, Schlessers Pincushion, Sunnyside, Baking Powder Flat, Flat Spring, and Highland Range. Enclosure A provides our original nominations of these areas. In addition, we recommend that Condor Canyon, an area proposed for designation as an ACEC, should be managed for its biological resources, as well as for the geological and cultural resources listed in Table 2.5-22. These areas contain populations of the following species that are listed under the Endangered Species Act, are designated as special status species by the BLM, or that otherwise meet the definition of sensitive based on global rarity rankings:

- White Rock Ponderosa: Scarlet buckwheat (*Eriogonum phoenicium*), BLM Special Status Species
- Steptoe Valley Crescentspot: Steptoe Valley crescentspot (*Phyciodes cocyta arenacolor*), BLM Special Status Species
- Turnley Spring: Bifid duct springsnail (*Pyrgulopsis peculiaris*), BLM Special Status Species
- Schlessers Pincushion: Schlessers pincushion (*Sclerocactus schlesseri*), BLM Special Status Species
- Sunnyside: Tiehm blazingstar (*Mentzelia tiehmii*), Parish phacelia (*Phacelia parishii*) Charleston grounddaisy (*Townsendia jonesii* var. *tumulosa*), Sunnyside green gentian (*Frasera gypsicola*), White River catseye (*Cryptantha welshii*); all BLM Special Status Species
- Baking Powder Flat: Baking Powder Flat blue (*Euphilotes bernardino minuta*), BLM Special Status Species
- Flat Spring: Transverse gland springsnail (*Pyrgulopsis cruciglans*), BLM Special Status Species
- Highland Range: Basin waxflower (*Jamesia tetrapetala*), BLM Special Status Species; intermediate Colorado hairstreak (*Hypaurotis crysalus intermedi*) and broadlined saepium hairstreak (*Satyrium saepium latilinea*), regarded as globally imperiled by Nevada Natural Heritage Program.
- Condor Canyon: Big Spring spinedace (*Lepidomeda mollispinis pratensis*), listed threatened; Meadow Valley Wash desert sucker, *Catostomus clarki* (ssp. unnamed), BLM

N10-3

Responses to Letter N10

N10-2

Combined with Comment N10-3

N10-3

In response to your comment, the Ely Field Office has completed an additional review of the eight ACEC nominations that you requested be reconsidered. The following four proposed ACECs with some boundary modifications have been included in the Proposed RMP: White River Valley, Schlessers Pincushion, Baking Powder Flat, and Highland Range. The Proposed RMP was found to contain sufficient management prescriptions for the remaining three nominations. The proposed Condor Canyon ACEC includes management prescriptions for protection of biological resources as well as cultural and scenic values.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP
November 28, 2005

- N10-3
- Special Status Species; Meadow Valley speckled dace, *Rhinichthys osculus* (ssp. unnamed), BLM Special Status Species
 - Spring Valley Swamp Cedar: Slender thelypody (*Thelypodium sagittatum* ssp. *ovalifolium*)
 - The Cedars: Dark sandhill skipper (*Polites sabuleti nigrescens*), regarded as globally imperiled by the Nevada Natural Heritage Program.
- N10-4
- Regarding the ACEC nominations mentioned above that are not being further considered by BLM, the rationale from Table 2.5-22 is "under all alternatives, the BLM is directed by bureau policy to prevent listing of sensitive plants. The plan includes numerous standard operating procedures identified in the appendices to protect special status species..." This rationale is curious in light of the many ACECs which are being proposed to protect cultural resources. BLM regulations exist to protect both cultural and biological resources, and it seems arbitrary to assume that those regulations are sufficient in the case of biological resources, but not in the case of cultural resources.
- N10-5
- In reviewing the public draft of the RMP, we had the opportunity to compare maps in the draft with maps of the sites we submitted as "biologically irreplaceable sites" for consideration as potential ACECs. We found that among TNC's ACEC nominations which were not forwarded by BLM; there are several conflicts with proposed projects that could damage the resources present in these biologically irreplaceable sites. For example, our "Highland Range" site overlaps with both the Pioche Special Recreation Permit area for motorized recreation, and a site designated for wind energy development. The Schlessler Pincushion site overlaps with the Chief Mountain OHV site, and has small overlap with disposal sites under Alternative B. The Spring Valley Swamp Cedars site has overlap with areas designated for wind energy development under Alternative E. The Turnley Spring site overlaps with a preferred area for equestrian and mountain bike recreation, and the White Rock Ponderosa site overlaps with the Mountain Grafton hunting zone. We feel that these conflicts highlight the need to designate areas as ACECs for biological reasons. Both our nominations and Nevada Natural Heritage Program data were available to the specialists who made these proposed designations, however, many biologically irreplaceable sites fell through the cracks in the planning process.
- N10-6
- One of the ACEC nominations proposed by The Nature Conservancy doesn't appear on either the proposed but rejected, or proposed and nominated lists: "White River Valley *Frasera gypsicola*". It is possible that this was thought to be the same area as "Sunnyside" however, this is not the case and the White River Valley *Frasera gypsicola* site is a separate area. We continue to recommend that this area be considered for ACEC status based on its irreplaceable biological resources. This correction has been suggested for previous versions of the RMP which we have reviewed, but no changes have been made. Please let us know if you need further information to confirm the relevance of this ACEC proposal.
- N10-7
- The Highland Range ACEC nomination was rejected on the grounds that evidence of the occurrence of the 2 rare butterflies at the site could not be found. However, the citation for those occurrences is: Nachlinger, J., K. Sochi, P. Comer, G. Kittel, and D. Dorfman. 2001. Great Basin: an ecoregion-based conservation blueprint. The Nature Conservancy, Reno, Nevada, USA. The original source for the information in this document is Dr. George Austin, formerly of the Nevada State Museum, and the foremost expert on Nevada butterflies. This correction has been suggested for previous versions of the RMP which we have reviewed, but no changes have been made.

Responses to Letter N10

N10-4 Please refer to Response to Comment N10-3.

N10-5 Please refer to Response to Comment N10-3.

N10-6 Please refer to Response to Comment N10-3.

N10-7 Please refer to Response to Comment N10-3.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP
November 28, 2005

N10-7 Please let us know if you need further information to confirm the relevance of this ACEC proposal.

Woodland and Conifer Sites

N10-8 The designation of some woodland and high elevation conifer sites as "overmature" is misleading and value-laden (Pages 2.4-2, 2.5-16, & 2.5-21). It is meant to describe vegetation classes that variably represent old-growth; dense tree stands on potential shrub sites, or simply late-development vegetation. While a statement attempting to clarify the relationship between old growth and overmature is included (2.5-10), the use of the term "overmature" will be a source of confusion to stakeholders concerned with PJ woodland management. Accordingly, we recommend that the term "over-mature" be eliminated from the document, and replaced with more standard terminology such as that used by LANDFIRE and others, in this case "late-development" "open" or "closed". In our specific comments in Enclosure C, we describe the case for each vegetation type where the term "overmature" is used; pinyon-juniper, mountain mahogany, and high-elevation conifers.

Monitoring

N10-9 Large-scale manipulations of the vegetation are called for, but the framework for using science in an adaptive management context to ensure that treatments are beneficial is not well described. In particular, the watershed monitoring discussion (section 1.7.4.2) is weak and its relationship to the monitoring section in Appendix C, which is stronger and contains more specifics, is unclear. We suggest including the information in Appendix C of the RMP to the body of the document. We recognize that the document is programmatic in nature, nonetheless, some specific information should be provided to highlight the science-based approach that the Ely District will adopt, for example:

- Identify indicators to give a concrete basis to what BLM means by restoring watershed health. For example, in Wyoming sagebrush, BLM could propose to monitor for changes in native perennial herbaceous cover.
- State standards, such as having statistically valid sampling designs every time a new treatment is applied or a treatment is applied in a new ecological site;
- State that follow-up monitoring on treatments will be done multiple times and up to 10 years following treatment to determine the long-term effects of treatments; and,
- Provide a framework for determining the level of monitoring a watershed or project should receive. Examples of this can be found in the publications:

Elzinga, C. L., D. W. Salzer, and J. W. Willoughby. 1998. *Measuring and monitoring plant populations*. Bureau of Land Management Technical Reference 1730-1.

Herrick, J. E., W. Van Zee, K. M. Havsted, and W. G. Whitford. 2002. *Monitoring manual for grassland, shrubland and savanna ecosystems* Draft. USDA-Agricultural Research Service-Jornada Experimental Range, Las Cruces, NM, and is enclosed with this letter. Such a framework would provide the basis for allowing different intensities of monitoring to be used depending on the goals of a given project.

Responses to Letter N10

N10-8 The term "overmature" used within the Draft RMP and EIS and Proposed RMP and Final EIS is defined in both the text and Glossary and is used in conformance with current NRCS Ecological Site Descriptions. As used in this document, the term is not synonymous with old-growth forest and a careful distinction is made between the terms throughout Section 2.5.5.

N10-9 In response to your comment, the text in Section 1.7.2 of the Proposed RMP and Final EIS has been expanded to clarify the monitoring program and its relationship to adaptive management.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP
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McKelvey, D. S. Powell, L. F. Ruggiero, M. K. Schwartz, B. Van Home, C. D. Vojta. 2005. *Strategies for monitoring terrestrial animals and habitats*. Gen. Tech. Rep. RMRS-GTR-161. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. 34 p.

Wilhere, G. F. 2002. *Adaptive management in habitat conservation plans*. Conservation Biology 16: 20-29.

N10-10 [Monitoring is the crucial step in adaptive management, and the discussions on monitoring are consistently weak throughout the document. It would be appropriate to carry the concept of monitoring from the adaptive management section throughout the document, and to discuss monitoring indicators and framework when discussing the goals for management direction.

N10-11 [Another area where monitoring, perhaps a simple inventory, is important, is in addressing the issue of off-highway vehicles acting as agents of weed dispersal (Page 2.5-135, Parameter-Off-highway Vehicles, Alternative E). Contaminated vehicles accessing roads/trails are among the most efficient vectors of dispersal for nonnative plant species. We recommend adding a statement to Alternative E about the implementation of special weed and noxious plant surveys along designated roads and trails.

Vegetation Types Emphasized for Treatment

N10-12 [Among vegetation types emphasized for treatment, mountain big sagebrush is not identified, although low-elevation sagebrush types are singled out (Table S-1, p. S-xv). Mountain big sagebrush is regarded as the most threatened of all sagebrush types because: 1) Pinyon and other conifers aggressively invaded high-elevation sagebrush types; the impact of this invasion is proportionally greater on mountains than lowlands because there is disproportionately less area of mountain big sagebrush with high integrity remaining as encroachment progresses uphill. 2) Livestock, wild horse, and big game find the best forage in high elevation range, therefore grazing is highly focused in these areas of high diversity (Dr. Robin Tauch, U.S. Forest Service, Rocky Mountain Research Station). We recommend that you highlight mountain big sagebrush as a high priority for treatment.

LANDFIRE Contributions to Desired Range of Future Conditions

N10-13 [We highly recommend that the Ely BLM consider incorporating the new LANDFIRE Biophysical Settings information (Enclosure D) to set the desired range of future conditions (Starting on page 2.5-10 and then repeated for all vegetation types). Unfortunately, this information, which can help the BLM to refine the desired future conditions goals set by the RMP, was not available until very recently. Recognizing that we are offering this information at the eleventh hour, we understand that it may be difficult for you to incorporate it readily into the final document. However, we believe that by doing so, you will greatly improve the information on desired future conditions. To assist you, we have calculated the proportions of vegetation under different states for each vegetation type, incorporating the new information from LANDFIRE. This information is provided in our specific comments in Enclosure C.

LANDFIRE Biophysical Settings were recently developed and reviewed by experts, and involved mostly agency experts, including BLM experts from the Nevada State Office and Ely Field Office. LANDFIRE Biophysical Settings represent different phases and, in some cases, different states within the pre-settlement condition. Uncharacteristic states that are only the result of post-settlement influences are not modeled, although experts briefly described them in the attached

Responses to Letter N10

N10-10 In response to your comment and similar comments, the discussion of adaptive management and monitoring has been revised and expanded in the Proposed RMP and Final EIS (see Section 1.5, Section 2.3.3, and Section 2.4.23).

N10-11 In response to your comment, the text of Section 2.4.23 Noxious and Invasive Weeds Management has been revised to emphasize proposed monitoring along roads and trails. The section referenced by the comment addresses monitoring of OHV usage, not related issues such as weed introduction and dispersal.

N10-12 Mountain big sagebrush is not mentioned as an emphasized type in Table S-1 primarily because it represents a small percentage of the acreage to be treated (approximately 8 percent of the overall sagebrush type). The comment is correct, however, in recognizing that the areas involving mountain big sagebrush will be among the most treatable areas.

N10-13 In response to this and related comments, the text and tables in Section 2.4.5 of the Proposed RMP and Final EIS have been revised to clarify the description of various states in several vegetation types and correlate them with LANDFIRE descriptions.

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The Nature Conservancy Comments on the Ely District RMP
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documents of Enclosure D. We are available to assist your specialists in incorporating the new LANDFIRE information into the final RMP document.

N10-14 The text describes (Page 3.5-12, 2nd paragraph. and page 4.1-10, State and Transition Models, Summary of Existing Information) that few state-and-transition models are currently available other than for black, Wyoming big sagebrush, mountain big sagebrush, winterfat, and shadscale. However, 31 Biophysical Settings descriptions and quantitative computer state-and-transition models for the whole Great Basin are currently available (Enclosure D) to guide management decisions and help calculate Fire Regime Condition Classes. Soon, final draft descriptions will be available for the Mojave Desert. Drafts are included in Enclosure D. While it may not be appropriate to incorporate the draft information into the RMP, the BLM should consider using it in combination with NRCS ecological site descriptions to incorporate state and transition models into the decision making process.

Wildlife/Species of Special Concern Related Issues

N10-15 Under Alternative E, the document states that "No existing water development would be removed." (Page 2.4-7, Table 2.4-1, Terrestrial Wildlife, Parameter Wildlife Habitat Management, Alternative E, last sentence). To ensure that BLM's management under this alternative addresses sensitive aquatic species, we recommend that this statement be modified as follows: "No existing water development would be removed, unless it is shown to decrease the Proper Functioning Condition (or some other expression) or viability of native springsnails and fisheries."

N10-16 In the preferred alternative, the 9-mile rule of separation between domestic sheep and goats, and bighorn sheep is proposed to prevent disease transmission (Pages 2.4-13, 2.4-29, 2.4-30, Table 2.4-1, Special Status Species, Parameter Mojave Desert and Desert Scrub Habitats, and Livestock Grazing, Parameters Lands Available for Livestock Grazing and Livestock Management in Bighorn Sheep Habitat Alternative E). We would recommend one important exception: Tightly herded domestic goats under constant supervision can be used to control non-native and noxious plant species within or in proximity (<9 miles) of current bighorn sheep habitat. Often, domestic goats are the only cost effective way to control non-native species and increasing the success of native seedlings when goats are bedded on freshly dispersed native seed.

N10-17 Rights-of-way associated with corridors and energy development often includes utility towers/poles and power lines (Pages 2.4-24&25, Table 2.4-1, Lands and Realty and Renewable Energy, Parameters Corridor Designations & Wind and Solar Energy, Alternative E). These structures serve as perches for predators of Greater Sage-grouse and desert tortoise, while the rights-of-way corridors operate as vectors for weeds. Therefore, Alternative B (and thus E) should include for both Parameters a statement such as "Rights-of-Way, utility poles, and power lines would not be placed in proximity to known Greater Sage-grouse brooding habitat and leks or in desert tortoise critical habitat." This language should be incorporated elsewhere in the document, as appropriate (e.g., page 2.5-130 under Alternative E).

Document Inconsistencies

N10-18 We are generally concerned that there are many cases where the document is inconsistent from one section to the next. Some of these inconsistencies have been addressed since the last revision (for example, references to grazing in the Mojave Desert) but many remain – too many for us to catch or document here (a few that we noted in particular are included in Enclosures B and C).

Responses to Letter N10

N10-14 In response to this and related comments, the text and tables in Section 2.4.5 of the Proposed RMP and Final EIS have been revised to clarify the description of various states in several vegetation types and correlate them with LANDFIRE descriptions. Also, the text in Section 4.1.4.3 of the Proposed RMP and Final EIS has been revised to indicate the ongoing development of additional models.

N10-15 The parameter-Wildlife Water Developments in Section 2.4.6.7 refers to Artificial Water Developments (i.e., wildlife guzzlers), not the development of natural springs or waters for livestock or other purposes. The text in Section 2.4.6.7, and 2.4.6 has been changed to address your comment regarding spring developments.

N10-16 Sections 2.4.6.3 and 2.4.16 of the Proposed RMP and Final EIS have been revised to clarify that when changes are being considered to BLM grazing permits within occupied desert bighorn or Rocky Mountain bighorn habitat, domestic sheep and goats would be managed in accordance with current BLM guidelines at that time. The existing guidelines do not allow grazing by domestic goats for the reason you suggested.

N10-17 Thank you for expressing your concerns about the management direction presented in the Draft RMP and EIS. Standard Operating Procedure SS4 in Appendix J addresses the issue of predator perches (e.g., powerline structures) relative to greater sage grouse leks and is common to all alternatives. It has been retained with minor revision in the Proposed RMP and Final EIS in Appendix F, Section 1, as best management practice #1.7.1. In addition, text in Section 2.4.7 and Section 2.4.12 addresses this topic.

N10-18 The contents of Enclosures B and C have been addressed as sets of individual comments and are identified under their respective individual comment numbers. The text of the Proposed RMP and Final EIS has been subjected to additional editing to eliminate any additional inconsistencies noted in the text.

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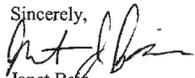
The Nature Conservancy Comments on the Ely District RMP
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N10-18 |

There is a need for an independent review of the document by a writer/editor focused on finding inconsistencies, before the document is finalized.

In essence, the document has improved with each subsequent version, but several areas of concern persist from one version to the next. We hope these comments are helpful to you and your team. Please don't hesitate to contact me, Tara Forbis, or Louis Provencher if we can be of further assistance.

Sincerely,



Janet Barr

Director of Conservation Programs

Enclosures A, B, C, & D

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
November 28, 2005

Enclosure A
Ely District BLM
Area of Critical Environmental Concern Nomination
by The Nature Conservancy of Nevada

Potential ACEC Name
Condor Canyon

GIS Polygon Number and GIS Acreage
#60 and 1,387 acres

Relevance
Fish and wildlife resource/Habitat for endangered, sensitive or threatened species/
Habitat essential for maintaining species diversity:

Condor Canyon, in Meadow Valley Wash, is critical habitat for the Big Spring spinedace, *Lepidomeda mollispinis pratensis*, a federally listed threatened fish narrowly endemic to a five mile stretch of Meadow Valley Wash in the Tonopah section of the Great Basin ecoregion. It is a BLM special status species. Condor Canyon harbors two additional rare fishes, the Meadow Valley Wash desert sucker, *Catostomus clarki* (ssp. unnamed) and the Meadow Valley speckled dace, *Rhinichthys osculus* (ssp. unnamed). These two fishes have global distributions restricted to Meadow Valley Wash. The desert sucker is a proposed BLM special status species while the speckled dace is a BLM sensitive status species.

Importance
The Big Spring spinedace is globally rare and ranked T1G1 by NatureServe and Nevada Natural Heritage Program indicating that it is critically imperiled because of extreme rarity, imminent threats, and/or biological factors. Condor Canyon provides the only known occurrence of the Big Spring spinedace on Ely District public land. It also occurs on adjacent private land owned by The Nature Conservancy. Condor Canyon provides exemplary aquatic habitat for the three rare fishes.

Special Management Attention
The BLM developed a Condor Canyon Habitat Management Plan in 1990 which is designed to maintain or improve habitat for the Big Spring spinedace. Thus, the area receives special management attention. The ACEC designation complements this special management and would offer further assurance of protecting aquatic habitat on public land for all three rare fishes.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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Ely District BLM
Area of Critical Environmental Concern Nomination
by The Nature Conservancy of Nevada

Potential ACEC Name
Flat Spring

GIS Polygon Number and GIS Acreage
#120 and 42 acres

Relevance
Fish and wildlife resource/Habitat for endangered, sensitive or threatened species/
Habitat essential for maintaining species diversity:

Flat Spring, in Steptoe Valley, is one of four known locations for the transverse gland springsnail, *Pyrgulopsis cruciglans*, a rare aquatic mollusk endemic to the Great Basin ecoregion and eastern Nevada. This spring is the type locality for the mollusk.

Importance
The Great Basin and Mojave Desert ecoregions recently have been identified for exceptionally rich diversity of hydrobiids, a large group of aquatic mollusks. There are at least 25 very rare (G1) species in the genus *Pyrgulopsis* that inhabit isolated spring systems in the Ely District. However, the majority of their occurrences are on private lands and there are only a few on public lands that provide opportunities for special management to insure their survival. Flat Spring is one place where Ely BLM can contribute to their conservation management.

The transverse gland springsnail is globally rare and ranked G1 by NatureServe and Nevada Natural Heritage Program indicating that it is critically imperiled because of extreme rarity, imminent threats, and/or biological factors. It is currently known from four locations, and Flat Spring is the only one on public land and the only one in the Ely District. The other three locations are in adjacent Elko County on private lands. Spring habitats are sensitive because of their aquatic nature and they are vulnerable to disturbance.

Special Management Attention
A functioning spring system with intact hydrology and adjacent terrestrial (riparian/wetland) vegetation is necessary to maintain this aquatic species. Management should maintain groundwater connectivity to spring source, provide for outflow of springbrook, and maintain vegetation surrounding the spring source and brook. Uses that compromise a functioning spring system should be carefully considered.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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**Ely District BLM
Area of Critical Environmental Concern Nomination
by The Nature Conservancy of Nevada**

Potential ACEC Name
Turnley Spring

GIS Polygon Number and GIS Acreage
#130 and 41 acres

Relevance
Fish and wildlife resource/Habitat for endangered, sensitive or threatened species/
Habitat essential for maintaining species diversity:

Turnley Spring, in Spring Valley, is one of seven known locations for the bifid duct springsnail, *Pyrgulopsis peculiaris*, a rare aquatic mollusk endemic to the eastern half of the Great Basin ecoregion.

Importance

Turnley Spring is another location where Ely BLM can contribute to conservation management of the rich diversity of hydrobiids. The bifid duct springsnail is globally rare and ranked G2 by NatureServe, and Nevada and Utah Natural Heritage Programs indicating that it is imperiled because of rarity and/or other factors. It is currently known from seven locations, two in Nevada and five in Millard County, Utah. This is the only Nevada occurrence on Ely District public lands. Montane spring habitats are sensitive because of their aquatic nature and they are vulnerable to disturbance.

Special Management Attention

A functioning spring system with intact hydrology and adjacent terrestrial (riparian/wetland) vegetation is necessary to maintain this aquatic species. Management should maintain groundwater connectivity to spring source, provide for outflow of springbrook, and maintain vegetation surrounding the spring source and brook. Uses that compromise a functioning spring system should be carefully considered.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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**Ely District BLM
Area of Critical Environmental Concern Nomination
by The Nature Conservancy of Nevada**

Potential ACEC Name
Steptoe Valley Crescentspot

GIS Polygon Numbers and GIS Acreage
#70 and 121 acres, and #80 and 1,816 acres for a total 1,937 acres

Relevance
Fish and wildlife resource/Habitat for endangered, sensitive or threatened species/Habitat essential for maintaining species diversity/Rare, endemic, or relic plants or plant communities:

Steptoe Valley is best known in the biological community as remarkable for its aquatic habitats and a diverse suite of aquatic animals that are narrowly restricted to its spring systems. But, Steptoe Valley also is the only currently known location for the rare butterfly Steptoe Valley crescentspot, *Phyciodes cocyta arenacolor*. Steptoe Valley crescentspot is a BLM sensitive status species. Its host plant, western aster, *Aster adscendens*, is a common western plant of moist to dry soils within a variety of habitats. It is unclear why the Steptoe Valley Crescentspot is so narrowly distributed. [*Phyciodes* taxonomy is in a state of flux so this taxon also has been referred to as *Phyciodes batesii arenacolor* and *Phyciodes pascoensis arenacolor*.]

Importance

The Steptoe Valley crescentspot is globally rare and ranked T1G5 by NatureServe and Nevada Natural Heritage Program indicating that it is critically imperiled because of extreme rarity, imminent threats, and/or biological factors. It is currently known from three separate occurrences, but only this one is on public lands. The other two occurrences on private lands are located about 14 miles south near Bassett Lake. The habitat at this site along Duck Creek and at the Warm Springs causeway is exemplary habitat for this extremely rare and vulnerable butterfly.

Special Management Attention

The Steptoe Valley Crescentspot is dependent on viable populations of its host plant, the western aster. Protective management of its limited known habitat (polygon #70) is required to ensure survival of the endemic crescentspot. Because the public land parcel of known habitat is very small and immediately surrounded by private land, protective value of the specially designated area would be greatly enhanced by adding a nearly adjacent larger public land area of potential habitat (polygon #80; personal communication George Austin, Nevada State Museum, 2003).

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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**Ely District BLM
Area of Critical Environmental Concern Nomination
by The Nature Conservancy of Nevada**

Potential ACEC Name
Baking Powder Flat

GIS Polygon Number and GIS Acreage
#10 and 4,584 acres

Relevance
Fish and wildlife resource/Habitat for endangered, sensitive or threatened species/
Habitat essential for maintaining species diversity/Rare, endemic, or relic plants or plant
communities:

Baking Powder Flat, in Spring Valley, is one of four currently known locations for the Baking Powder Flat blue, *Euphilotes bernardino minuta*, a rare butterfly endemic to the Central Mountains section of the Great Basin ecoregion. The Baking Powder Flat blue is a BLM sensitive status species. It's host plant, Shockley buckwheat, *Eriogonum shockleyi* var. *shockleyi*, is a common mound-forming plant often found on fine-textured substrates, but it reaches exceptional diameters at this location and is the predominant plant in the valley bottomland.

Importance
The Baking Powder Flat blue is globally rare and ranked T1G3G4 by NatureServe and Nevada Natural Heritage Program indicating that it is critically imperiled because of extreme rarity, imminent threats, and/or biological factors. It is currently known from seven separate occurrences, all on public lands within the Ely District and all but one located in Spring Valley. Baking Powder Flat harbors four occurrences and is the largest contiguous habitat for the blue. The valley bottom at this site is exemplary habitat for the rare and vulnerable butterfly. To the north about 10 miles near Doyles Well and to the south about 16 air miles in south Spring Valley are two additional occurrences. The seventh occurrence lies about 20 air miles northeast in Snake Valley west of Garrison, Utah.

Special Management Attention
The Baking Powder Flat blue is dependent on viable populations of its host plant Shockley buckwheat. The buckwheat is subject to trampling (sometimes heavy trampling) from ungulates in Spring Valley. It is unclear whether trampling is from permitted cattle or wild horses, but management of ungulates is required to protect the endemic blue's habitat.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
November 28, 2005

**Ely District BLM
Area of Critical Environmental Concern Nomination
by The Nature Conservancy of Nevada**

Potential ACEC Name
Spring Valley Swamp Cedars

GIS Polygon Number and GIS Acreage
#90 and 3,335 acres

Relevance
Habitat for endangered, sensitive or threatened species/Habitat essential for maintaining
species diversity/Rare, endemic, or relic plants or plant communities:

Spring Valley Swamp Cedars, in central Spring Valley, is the largest of three known occurrences of a valley bottom ecotype of Rocky Mountain juniper woodlands. Although they are locally called swamp cedars, they are described by the national vegetation classification system as Rocky Mountain juniper (*Juniperus scopulorum*) temporarily flooded woodland. In addition to the rare plant community, the Spring Valley Swamp Cedars site provides habitat for slender thelypody, *Thelypodium sagittatum* ssp. *ovalifolium*, a rare plant endemic to the Great Basin ecoregion.

Importance
The Rocky Mountain juniper temporarily flooded woodland is endemic to the Central Mountains section of the Great Basin ecoregion. This plant association is ranked G1 by NatureServe indicating that it is critically imperiled because of extreme rarity, imminent threats, and/or biological factors. All three known locations occur on Ely District public lands (with some private lands included). As the largest stand, Spring Valley Swamp Cedars is an exemplary occurrence of this rare plant community. The slender thelypody is ranked T2G4 indicating that it is imperiled because of rarity and/or other factors. It is known from about seven valleys in eastern Nevada and four valleys in adjacent Utah, thus, restricted to the eastern Great Basin.

Special Management Attention
The juniper woodlands are dependent on temporarily flooded hydrologic regimes that rely on recharge from local runoff and soil features that create a perched water table. Otherwise, the junipers would not be able to survive the desert environment of the valley floor. Management that maintains a functioning hydrologic regime is required, therefore, uses that compromise basin hydrology should be carefully considered.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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**Ely District BLM
Area of Critical Environmental Concern Nomination
by The Nature Conservancy of Nevada**

Potential ACEC Name
The Cedars

GIS Polygon Number and GIS Acreage
#20 and 808 acres

Relevance

Fish and wildlife resource/Habitat for endangered, sensitive or threatened species/
Habitat essential for maintaining species diversity/Rare, endemic, or relic plants or plant communities:

The Cedars, in Spring Valley, is one of three known occurrences of a valley bottom ecotype of Rocky Mountain juniper woodlands, locally called swamp cedars, but more technically referred to as Rocky Mountain juniper (*Juniperus scopulorum*) temporarily flooded woodland. The Cedars provides habitat for the dark sandhill skipper, *Polites sabuleti nigrescens*, a rare butterfly endemic to the Central Mountains section of the Great Basin ecoregion. Within the proposed ACEC is Shoshone Ponds, specially designated by BLM for endangered species with a protected withdrawal. Shoshone Ponds has been a refugium for five rare fishes, three of which are federally listed as endangered, while another is federally threatened. They are all listed under Nevada state law and four are BLM special status species while the fifth is proposed for that status. However, only two fishes survive in the pools today (personal communication Amy LaVoie, USFWS, 2003).

Importance

The Rocky Mountain juniper temporarily flooded woodland is endemic to the Central Mountains section of the Great Basin ecoregion. This plant association is ranked G1 by NatureServe indicating that it is critically imperiled because of extreme rarity, imminent threats, and/or biological factors. All three known locations occur on Ely District public lands (with some private lands included). The Cedars is an exemplary occurrence although not the largest stand.

The fishes harbored at Shoshone Ponds include Pahrump poolfish, bonytail chub, Moapa dace, Big Spring spinedace, and relict dace (*Empetrichthys latos latos*, *Gila elegans*, *Moapa coriacea*, *Lepidomeda mollispinis pratensis*, and *Relictus solitarius*). The first three are listed endangered with natural distributions in the Mojave Desert (the Pahrump poolfish is extirpated at its only known natural occurrence). They are ranked T1G1, G1, and G1, respectively, by NatureServe and Nevada Natural Heritage Program. The Big Spring spinedace is federally threatened and ranked T1G1. The relict dace is globally rare and ranked G2G3 indicating that it is rare and local throughout its range. It is endemic to eastern Nevada and the Great Basin ecoregion. Shoshone Ponds currently harbors populations of the Pahrump poolfish and relict dace. The dark sandhill skipper is ranked T3G5 indicating that it is rare and local throughout its range.

Special Management Attention

The juniper woodlands are dependent on temporarily flooded hydrologic regimes that rely on recharge from local runoff and soil features that create a perched water table. Otherwise, the junipers would not be able to survive the desert environment of the valley floor. Management

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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that maintains this hydrologic situation is needed and uses that compromise it should be carefully considered.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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Ely District BLM Area of Critical Environmental Concern Nomination by The Nature Conservancy of Nevada

Potential ACEC Name
Sunnyside

GIS Polygon Number and GIS Acreage
#30 and 4,213 acres

Relevance

Habitat for endangered, sensitive or threatened species/Habitat essential for maintaining species diversity/Endangered, sensitive or threatened plant species/ Rare, endemic, or relic plants or plant communities:

Sunnyside harbors several globally rare plant species that are restricted to eastern Nevada and endemic to the Great Basin ecoregion. The Sunnyside green gentian, White River catseye, southwestern peppergrass, Tiehm blazingstar, Parish phacelia, and Charleston grounddaisy (*Frasera gypsicola*, *Cryptantha welshii*, *Lepidium nanum*, *Mentzelia tiehmii*, *Phacelia parishii*, and *Townsendia jonesii* var. *tumulosa*, respectively) have viable occurrences here. The Sunnyside green gentian is a BLM special status species, while White River catseye, Parish phacelia, and Charleston grounddaisy are BLM sensitive status species.

The predominant plant community in which most of these plant populations occur, is itself unusual—pygmy sagebrush (*Artemisia pygmaea*) dwarf shrublands are restricted to the Great Basin and adjacent ecoregions.

Importance

The plant of greatest interest at Sunnyside is the Sunnyside green gentian because of its rarity. It is locally endemic to eastern Nevada and adjacent Utah, and is ranked G1 by NatureServe and Nevada Natural Heritage Program indicating that it is critically imperiled because of extreme rarity, imminent threats, and/or biological factors. It is currently known from nine occurrences on public and private lands within the Ely District, and with one additional location in adjacent Millard County, Utah. Sunnyside is an exemplary location for probably the largest known metapopulation of the Sunnyside green gentian. Tara Forbis, ecologist with The Nature Conservancy, has mapped seven local populations on white soils separated by matrix vegetation at this site.

Secondarily, Tiehm blazingstar is important here because of its rarity. It was only recently discovered (it was described in 2002). It is ranked G1G2 by Nevada Natural Heritage Program indicating that it is imperiled because of rarity and/or other factors. It is globally restricted to the White River Valley and is currently known from seven occurrences within a 10-mile radius.

Parish phacelia is ranked G2G3 indicating that it is imperiled because of rarity and/or other factors. It is currently known from the Great Basin and Mojave Desert ecoregions, White River catseye and southwestern peppergrass are both ranked G3 indicating that they are rare and local throughout their ranges, which are restricted to the central Great Basin ecoregion. Charleston grounddaisy is ranked T3G4 also indicating that it is rare and local throughout its range. It is known primarily from the Spring Mountains and Sheep Range of the Mojave Desert ecoregion. Its occurrence at Sunnyside is regarded as a disjunct population and the only one known in the Great Basin ecoregion.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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Pygmy sagebrush dwarf shrublands are rare plant communities ranked G3 by NatureServe indicating that it is rare and local throughout its range, which is centered around the Great Basin. The plant community often occurs in peculiar edaphic situations on soils forming badlands with sparse vegetation and supporting a variety of rare plant species. The pygmy sagebrush dwarf shrublands at Sunnyside are exemplary of eastern Nevada occurrences.

Special Management Attention

The pygmy sagebrush dwarf shrublands and associated rare plant species at Sunnyside are dependent on the whitish valley bottom soils characteristic of the White River Valley. Management is required to protect and maintain the soils that harbor the suite of rare plants. Groundwater likely plays a role in maintenance of these unusual soils. Part of the proposed polygon already receives special management under BLM and Nevada State management (Kirch Wildlife Management Area).

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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Ely District BLM Area of Critical Environmental Concern Nomination by The Nature Conservancy of Nevada

Potential ACEC Name

White River Valley *Frasera gypsicola*

GIS Polygon Number and GIS Acreage

#40 and 3,947 acres

Relevance

Habitat for endangered, sensitive or threatened species/Habitat essential for maintaining species diversity/Endangered, sensitive or threatened plant species/ Rare, endemic, or relic plants or plant communities:

The White River Valley *Frasera gypsicola* site harbors a metapopulation of the globally rare Sunnyside green gentian, which is a BLM special status species.

Importance

The Sunnyside green gentian is locally endemic to eastern Nevada and immediately adjacent Utah. It is ranked G1 by NatureServe and Nevada Natural Heritage Program indicating that it is critically imperiled because of extreme rarity, imminent threats, and/or biological factors. It is currently known from nine occurrences on public and private lands within the Ely District, and with one additional location in adjacent Millard County, Utah. The White River Valley *Frasera gypsicola* site is an exemplary location for a large metapopulation of the gentian along the White River. As at Sunnyside, Tara Forbis has mapped another seven local populations on white soils separated by matrix vegetation (greasewood, sagebrush, and meadows) at this site.

Special Management Attention

Special management is required to protect and maintain the barren white soils that harbor the Sunnyside green gentian. Groundwater likely plays a role in maintenance of the unusual soils.

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The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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Ely District BLM Area of Critical Environmental Concern Nomination by The Nature Conservancy of Nevada

Potential ACEC Name

Highland Range

GIS Polygon Number and GIS Acreage

#100 and 10,626 acres

Relevance

Fish and wildlife resource/Habitat for endangered, sensitive or threatened species/Habitat essential for maintaining species diversity/Endangered, sensitive or threatened plant species/Rare, endemic, or relic plants or plant communities:

The Highland Range harbors one of few populations of two globally rare butterflies, the intermediate Colorado hairstreak, *Hypaurotis crysalus intermedia*, and broadlined saepium hairstreak, *Satyrrium saepium latilinea*. Both hairstreaks are globally restricted to the Great Basin ecoregion. Their respective host plants are Gambel oak, *Quercus gambelii*, and mountain-lilac, *Ceanothus martinii*, both common plants of montane systems.

The Highland Range also is habitat for basin waxflower, *Jamesia tetrapetala*, a local endemic of the Central Mountains section of the Great Basin ecoregion. Basin waxflower is a BLM sensitive status species. It occurs among intermountain bristlecone pines, and this is one of few places on BLM where the Ely District can contribute to conservation management of this representative long lived tree.

Importance

Both the intermediate Colorado hairstreak and broadlined saepium hairstreak are globally rare butterflies ranked TIG5 by NatureServe and Nevada Natural Heritage Program indicating that they are critically imperiled because of extreme rarity, imminent threats, and/or biological factors. Intermediate Colorado hairstreak is currently known from this one occurrence in Nevada and several occurrences in western UT. Broadlined saepium hairstreak is currently known from three separate occurrences in the Highland Range, Wilson Creek Range, and Pine Valley Mountains. The Highland Range is important for maintaining butterfly species diversity because it is both the northern extent for a number of butterflies as well as the southern extent for a number of other butterflies (personal communication George Austin, Nevada State Museum, 2003).

Basin waxflower is ranked G2 indicating that it is imperiled because of rarity and/or other factors. The montane shrubland and subalpine woodland habitats in this range is exemplary for these rare and vulnerable butterflies and plant.

Special Management Attention

The intermediate Colorado hairstreak and broadlined saepium hairstreak are dependent on viable populations of their host plants, Gambel oak and mountain-lilac. Within the proposed polygon are private land mineral claims. The public land should be considered for a mineral withdrawal to protect habitat.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
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**Ely District BLM
Area of Critical Environmental Concern Nomination
by The Nature Conservancy of Nevada**

Potential ACEC Name
White Rock Ponderosa

GIS Polygon Number and GIS Acreage
#110 and 345 acres

Relevance
Habitat for endangered, sensitive or threatened species/Habitat essential for maintaining species diversity/Endangered, sensitive or threatened plant species/Rare, endemic, or relic plants or plant communities:

The White Rock Ponderosa area between Camp Valley and the White Rock Mountains harbors an unusual stand of ponderosa pine and an exemplary population of the globally rare scarlet buckwheat, *Eriogonum phoenicium*. Scarlet buckwheat is a narrowly distributed edaphic endemic restricted to the eastern Great Basin ecoregion. It is a proposed BLM special status species.

Importance
Scarlet buckwheat is a globally rare plant ranked G1 by NatureServe and Nevada Natural Heritage Program indicating that it is critically imperiled because of extreme rarity, imminent threats, and/or biological factors. It is currently known from three occurrences and two of these are on Ely District public lands. The other occurrence in the Ely District is at Deer Lodge in the Mahogany Mountains on tuffaceous bluffs. The third known occurrence is in adjacent Utah in the Wah Wah Mountains. The open ponderosa pine woodland occurring on rocky flats at this nominated site is exemplary habitat for this extremely rare and vulnerable plant.

Special Management Attention
Special management is to protect and maintain the unusual soils that harbor the scarlet buckwheat. The ponderosa pine stand may occur in a fire-safe habitat since there is essentially no understory to carry fire across the rocky flats. However, the ponderosas are surrounded by pinyon- juniper woodlands that require fuels management or a more frequent fire regime to reduce tree density.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure A
November 28, 2005

**Ely District BLM
Area of Critical Environmental Concern Nomination
by The Nature Conservancy of Nevada**

Potential ACEC Name
Schlesser Pincushion

GIS Polygon Number and GIS Acreage
#50 and 5,207 acres

Relevance
Habitat for endangered, sensitive or threatened species/Habitat essential for maintaining species diversity/Endangered, sensitive or threatened plant species/Rare, endemic, or relic plants or plant communities:

The Bennett Springs Wash area west of Cathedral Gorge State Park harbors a suite of exemplary populations of the globally rare Schlesser pincushion, *Sclerocactus schlesseri*. The cactus is a local endemic restricted to the Central Mountains section of the Great Basin ecoregion and it is a BLM sensitive status species.

Importance
Schlesser pincushion is a globally rare cactus and ranked G1Q by NatureServe and Nevada Natural Heritage Program indicating that it is critically imperiled because of extreme rarity, imminent threats, and/or biological factors (with taxonomic question). It is currently known from thirteen occurrences and the Bennett Springs Wash area harbors ten of them on Ely District public lands. The other three separate occurrences are about three miles east on BLM, State Park, and private land in Panaca. The salt desert shrubland habitat at this site is exemplary as the largest known location for this extremely rare and vulnerable cactus.

Special Management Attention
Stable land surfaces with intact soil crusts and other features, such as north and east facing slopes, that conserve soil moisture in the salt desert shrublands are important for maintenance of Schlesser pincushion.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure B
November 28, 2005

Enclosure B
Ely District BLM
Specific Comments on the Ely BLM RMP
by The Nature Conservancy of Nevada

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|--------|---|--|
| N10-19 | [| 1. In Table S-1, under Vegetation Types Emphasized for Treatment: Pinyon-juniper is identified. Are these PJ stands that invaded sagebrush types or true woodlands? It is somewhat counter-intuitive that true PJ stands on unproductive soils should be emphasized for treatment (long fire return intervals), while mountain big sagebrush is not emphasized but is treatable using prescribed and wildland fire, the most cost-effective tools available. |
| N10-20 | [| 2. Table S-2, p. S-xix, Aquatic Species, Alternative E: Springsnails, which are aquatic invertebrate species, are not likely to receive special protection under Alternative E because water diversions and access to springs by livestock and wild horses will be no different than under Alternative A. Nevada, and especially eastern Nevada, is a center of rare springsnail biodiversity, thus, the Ely BLM has a special responsibility for managing these unique biota. We recommend that the document incorporate measures from the spring and springsnail management plan written for the BLM by Dr. Don Sada: Sada, D. W., J. E. Williams, J. C. Silvey, A. Halford, J. Ramakka, P. Summers, and L. Lewis. 2001. Riparian area management: A guide to managing, restoring, and conserving springs in the Western United States. Technical Reference 1737-17, Bureau of Land Management, Denver, Colorado. BLM/ST/ST-01/001+1737. 70 pp. |
| N10-21 | [| 3. Page 1.3-4, 1.3-8, and throughout the manuscript: The document refers to both Greater Sage-grouse and occasionally, sage grouse. We suggest that the document be consistent in its usage. The generally accepted common name of the species is Greater Sage-grouse. |
| N10-22 | [| 4. Page 2.4-3, Table 2.4-1, Vegetation, Parameter Aspen, Alternative B: Instead of "Proactive management of aspen communities would cause them to remain in or move toward resilient phases that would be resistant to disturbance.", consider a more practical description, for example, "Proactive management of aspen communities to improve resiliency by increasing regeneration and diversifying the age and structure of vegetation classes." |
| N10-23 | [| 5. Page 2.4-4, Table 2.4-1, Vegetation, Parameter Salt Desert Scrub, Alternatives A and others: The text says "Actively treat 219,800 acres (18%) of the salt desert scrub and maintain 1,001,200 acres (82%) that are in desired states." The 18% seems awfully small compared to what is infested with halogeton and cheatgrass. Antelope, Spring, and North Spring Valleys alone appear to have more degraded salt desert scrub than 219,800 acres. |
| N10-24 | [| 6. Page 2.4-5, Table 2.4-1, Vegetation, Parameter Non-Native Seedings, Alternative B: The text says "Manage nonnative seedings to achieve the desired range of conditions." If the intended meaning here is replacing nonnative with native species, the document could be more explicit, for example, "Manage nonnative seedings to replace them with native species and achieve the desired range of conditions." or "Manage nonnative seedings to achieve the desired range of native conditions." |
| N10-25 | [| 7. Page 2.4-6, Table 2.4-1, Fish and Wildlife, Parameter Aquatic Habitat and Fisheries, Alternatives A vs. B and others: The concept of achieving Proper Functioning Condition is described in Alternative B, but not for the other alternatives. This appears to be a consistency issue. |

Responses to Letter N10

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| N10-19 | Please refer to Response to Comment N10-12. |
| N10-20 | Please refer to Section 2.4.7.1 for management actions associated with springsnails. |
| N10-21 | In response to your comment, the wording has been revised from "sage grouse" to "greater sage grouse" throughout the Proposed RMP and Final EIS. |
| N10-22 | Although the organization of Chapter 2 has been revised to focus on management actions, rather than supporting material, the revised text in Section 2.4.5.3 of the Proposed RMP and Final EIS (for the Proposed RMP and by extension to Alternative B) addresses the key points raised in your comment of emphasizing regeneration and diversifying the age structure of stands. |
| N10-23 | The estimated 18 percent of the salt desert shrub type proposed for active treatment is that area actually dominated by cheatgrass and halogeton, not the entire area infested by these species. |
| N10-24 | Please refer to the Desired Future Condition for non-native seedings in Section 2.4.5.10 of the Proposed RMP and Final EIS, which states that most seedings would be managed for the cyclical return of sagebrush. |
| N10-25 | In response to your comment, the text in Section 2.4.5.9, Riparian/Wetlands, of the Proposed RMP and Final EIS has been expanded to clarify the discussion of proper functioning conditions. |

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure B
November 28, 2005

- N10-26 [8. Page 2.5-6, last sentence: Define states and phases immediately before or after the sentence "Transitions to undesired states and phases would be avoided if possible." Otherwise, this section provides a good discussion.
- N10-27 [9. Page 2.5-18, bullet #1 for aspen: "Tree canopy cover exceeds 45% causing desirable understory species to decrease beyond a threshold (recoverable) level." This statement is incorrect according to LANDFIRE experts who indicated that the aspen is usually at >40% (up to 100%) cover in the pre-settlement reference condition, but that it's only when conifers, not aspen, exceed 45% that the stand becomes "uncharacteristic" (point #2). Historically, Native American burning kept conifers out of seral aspen and promoted suckering and high canopy cover. Also, mid-development aspen at canopy cover <40% is considered the result of uncharacteristic grazing by livestock or elk, or diseases, a concept completely opposite to the one described in the RMP.
- N10-28 [10. Page 2.5-23, 2nd paragraph, 1st sentence: Many statements about maximum canopy cover for high elevation conifers (<40%) and ponderosa pine (<30%) are incorrect. Please consult the table in Enclosure C for the range of pre-settlement canopy cover specified by LANDFIRE experts.
- N10-29 [11. Page 2.5-25, Parameter High-elevation conifers, Alternative E: same as Alternative C -- All the corrections made above should be considered for Alternative E.
- N10-30 [12. Page 2.5-30, 2nd paragraph: Comment: It is stated that 51% of low elevation sagebrush is Wyoming big sagebrush. This percentage is somewhat surprising to us because previous discussions during ENLC meetings indicated >80% for black sagebrush. Where does this value come from and it is trustworthy? Gap and ReGap data layers are notorious for underestimating black sagebrush and labeling it as Wyoming big sagebrush.
- N10-31 [13. Page 2.5-57, Parameter Wildlife Water Development: How will threats to springsnails be mitigated, or even monitored during water developments? Please address explicitly the issue of springsnail management given their endemism and rarity in eastern Nevada.
- N10-32 [14. Page 2.5-192, Monitoring of Noxious and Invasive Weeds: Several sections on monitoring are presented before this page; however, this is the first time that the Pellant et al. (2000) citation on Indicators of Rangeland Health is presented. This reference should have been cited before in other monitoring sections as it is not only about weeds.
- N10-33 [15. Page 3.5-7, 3.5-8, Shrub Lands: The reference Perryman et al. (2003) is offered to describe the expansion of pinyon and juniper due to fire exclusion. The expansion of pinyon-juniper due to fire exclusion is a concept with important implications to land management in Eastern Nevada. However, this is a controversial concept, therefore, the BLM may want to consider further strengthening and supporting this discussion with additional references to the following citations:
- Anderson, J. E., and R. S. Inouye. 2001. Landscape-scale changes in plant species abundance and biodiversity of a sagebrush steppe over 45 years. *Ecological Monographs* 71:531-556.
- Baker, W. L., and D. J. Shinneman. 2004. Fire and restoration of piñon-juniper woodlands in the western United States. *A review. Forest Ecology and Management* 189:1-21.

Responses to Letter N10

- N10-26 In response to your comment the text in Section 2.4.5 of the Proposed RMP and Final EIS has been expanded to provide an introduction to the State-and-Transition Model approach and the associated terminology.
- N10-27 In response to this and related comments, the text and table in Section 2.4.5.3 of the Proposed RMP and Final EIS have been revised to clarify the description of states in the aspen vegetation type and correlate them with LANDFIRE descriptions.
- N10-28 In response to this and related comments, the text and tables in Section 2.4.5.4 of the Proposed RMP and Final EIS have been revised to clarify the description of states in the high elevation conifer vegetation type and correlate them with LANDFIRE descriptions.
- N10-29 As indicated in the errata sheet accompanying the Draft RMP and EIS, Alternative E for this parameter has already been designated the same as Alternative B rather than Alternative C. This correction has been carried forward in the Proposed RMP and Final EIS.
- N10-30 Black sagebrush is present at both low and high elevations. When considering the amount of black sagebrush in total, the amount is much higher than 50 percent. When considering it as a component of low elevation sagebrush, it is about 50 percent.
- N10-31 Please refer to Response to Comment N10-15 for a discussion of water developments.
- N10-32 Please refer to Appendix A of the Proposed RMP and Final EIS for a revised discussion of Watershed Analysis and Section 2.4.23 for Monitoring.
- N10-33 In response to your comment, the text in this portion of Section 3.5.2 has been revised to incorporate some of the additional references you suggested in relation to expansion of pinyon and juniper due to fire exclusion.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure B
November 28, 2005

Blackburn, W. H., and P. T. Tueller. 1970. Pinyon and juniper invasion in black sagebrush communities in east central Nevada. *Ecology* 51:841-848.

Miller, R. F., and R. J. Tausch. 2001. The role of fire in juniper and pinyon woodlands: a descriptive analysis. Proceedings: The First National Congress on Fire, Ecology, Prevention, and Management; Nov. 27- Dec. 1, 2000; San Diego, CA. Tallahassee, FL: Tall Timbers Research Station, Miscellaneous Publication 11. p. 15-30.

Miller, R. F., and J. A. Rose. 1999. Fire history and western juniper encroachment in sagebrush steppe. *Journal of Range Management*. 52:550-559

Tausch, R. J. 1999. Transitions and thresholds: influences and implications for management in pinyon and juniper woodlands. *In* Monsen, S. B. and R. Stevens (ED). Proceedings: ecology and management of pinyon-juniper communities within the Interior West; 1997 September 15-18; Provo, UT. Proc. RMRS-P-9. Ogden, UT: U. S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. Pgs. 361-365.

Tausch, R. J., P. E. Wigand, and J. W. Burkhardt. 1993. Viewpoint: Plant community thresholds, multiple steady states, and multiple successional pathways: legacy of the Quaternary? *Journal of Range Management* 46:439-447.

Tausch, R. J. and P. T. Tueller. 1995. Relationships among plant species composition and mule deer winter range use on eastern Nevada piñon-juniper chainings. General Technical Report RM-258. Fort Collins, CO: U. S. Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station.

Tausch, R. J. and R. S. Nowak. 1999. Fifty years of ecotone change between shrub and tree dominance in the Jack Springs Pinyon Research Natural Area. USDA, Forest Service Proceedings RMRS-P-00.

N10-34

16. Page 3.5-9, Forests and Woodlands: Two important observations are made here, but underlying mechanisms are not described. The first one is "Along with expansion of pinyon and juniper into shrublands, Vernon et al. (2002) also documented the trend of increasing numbers of young trees and increasing tree density in the pinyon-juniper woodlands." This phenomenon is also called "stand densification" and its cause is apparently not the lack of fire, which is infrequent in pinyon-juniper woodlands, but decreased herbaceous plant competition towards tree and shrub seedling establishment after grass was removed by historic livestock (cattle and sheep) and wild horse grazing. The second important statement is about the lack of aspen regeneration and the importance of herbivory in reducing aspen regeneration based on Charles Kay's (2001) research. Equally important is Kay's result showing that the fire regime of aspen in the western U.S. was highly dependent of Native American burning, i.e., aspen is fire-proof during the growing season, but historical records show frequent burning outside of the lightning season (fall and spring) when leaf and woody litter is cured. The following citations are appropriate for this discussion:

Responses to Letter N10

- N10-34 In response to your comment, the text in this portion of Section 3.5.2 has been expanded and additional references cited to better address the points made in your comment.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure B
November 28, 2005

- Bartos, D. L. 2001. Landscape Dynamics of Aspen and Conifer Forests. Pages 5-14 in: Shepperd, W. D.; Binkley, D.; Bartos, D. L.; Stohlgren, T. J.; and Eskew, L. G., compilers. 2001. Sustaining aspen in western landscapes: symposium proceedings; 13-15 June 2000; Grand Junction, CO. Proceedings RMRS-P-18. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. 460 p.
- Bartos, D. L. and R. B. Campbell, Jr. 1998. Decline of Quaking Aspen in the Interior West – Examples from Utah. *Rangelands*, 20(1):17-24.
- Bradley, A. E., Noste, N. V., and W. C. Fischer. 1992. Fire Ecology of Forests and Woodlands in Utah. GTR-INT-287. Ogden, UT. U.S. Department of Agriculture, Forest Service, Intermountain Research Station. 128 p.
- Bradley, Anne E., W. C. Fischer, and N. V. Noste. 1992. Fire Ecology of the Forest Habitat Types of Eastern Idaho and Western Wyoming. GTR- INT-290. Ogden, UT. U.S. Department of Agriculture, Forest Service, Intermountain Research Station. 92.
- Brown, J.K. and D.G. Simmerman. 1986. Appraisal of fuels and flammability in western aspen: a prescribed fire guide. General technical report INT-205. Ogden, UT: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station.
- Brown, J. K., K. Smith, J. Kapler, eds. 2000. Wildland fire in ecosystems: effects of fire on flora. Gen. Tech. Rep. RMRS-GTR-42-vol. 2. Ogden, UT: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. 257 p.
- Campbell, R. B. and , D. L. Bartos. 2001. Objectives for Sustaining Biodiversity. In: Shepperd, W. D.; Binkley, D.; Bartos, D. L.; Stohlgren, T. J.; and Eskew, L. G., compilers. 2001. Sustaining aspen in western landscapes: symposium proceedings; 13-15 June 2000; Grand Junction, CO. Proceedings RMRS-P-18. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. 460 p.
- Debyle, N.V., C.D. Bevins, and W.C. Fisher. 1987. Wildfire occurrence in aspen in the interior western United States. *Western Journal of Applied Forestry*. 2:73-76.
- Kay, C. E. 1997. Is aspen doomed? *Journal of Forestry* 95: 4-11.
- Kay, C. E. 2001a. Evaluation of burned aspen communities in Jackson Hole, Wyoming. Proceedings RMRS-P-18. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. 8 p.
- Kay, C.E. 2001b. Long-term aspen exclosures in the Yellowstone ecosystem. Proceedings RMRS-P-18.. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. 15 p.
- Kay, C.E. 2001c. Native burning in western North America: Implications for hardwood forest management. General Technical Report NE-274. U.S. Department of Agriculture, Forest Service, Northeast Research Station. 8 p.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure B
November 28, 2005

Mueggler, W. F. 1988. Aspen Community Types of the Intermountain Region. USDA Forest Service, General Technical Report INT-250. 135 p.

Mueggler, W. F. 1989. Age Distribution and Reproduction of Intermountain Aspen Stands. *Western Journal of Applied Forestry*, 4(2):41-45.

Romme, W.H., Floyd, M.L, Hanna, D. and Barlett, E.J. 1999. Chapter 5: Aspen Forests in Landscape Condition Analysis for the South Central Highlands Section, Southwestern Colorado and Northwestern New Mexico.

Shepperd, W. D. 1990. A classification of quacking aspen in the central Rocky Mountains based on growth and stand characteristics. *Western Journal of Applied Forestry* 5:69-75.

Shepperd, W.D. and E.W. Smith. 1993. The role of near-surface lateral roots in the life cycle of aspen in the central Rocky Mountains. *Forest Ecology and Management* 61: 157-160.

Shepperd, W. D. 2001. Manipulations to Regenerate Aspen Ecosystems. Pages 355-365 in: Shepperd, Wayne D.; Binkley, Dan; Bartos, Dale L.; Stohlgren, Thomas J.; and Eskew, Lane G., compilers. 2001. Sustaining aspen in western landscapes: symposium proceedings; 13-15 June 2000; Grand Junction, CO. Proceedings RMRS-P-18. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. 460 p.

Shepperd, W. D., D. L. Bartos, and A. M. Stepen. 2001. Above- and below-ground effects of aspen clonal regeneration and succession to conifers. *Canadian Journal of Forest Resources*; 31: 739-745.

N10-35 [17. Page 3.6-7, Rocky Mountain Elk: Typo -- "white fir" rather than "white-fir" (unlike Douglas-fir).

N10-36 [18. Page 3.6-10, Trends, 1st paragraph: The citation by Fleischer (1994) is perhaps not the best one as it omitted a lot of relevant literature. Jones (2000) is perhaps a better review and shows neutral to detrimental effects of grazing on arid Intermountain ranges. The following references could be consulted and cited for this discussion:

Jones, A. 2000. Effects of cattle grazing on North American arid ecosystems: a quantitative review. *Western North American Naturalist* 60: 155-164.

Belsky, A.J., A. Matzke, and S. Uselman. 1999. Survey of livestock influences on stream and riparian ecosystems in the western United States. *Journal of Soil and Water Conservation* 54:419-431.

National Research Council. 1994. Rangeland Health. New Methods to classify, Inventory, and monitor rangelands. National Academy Press, Washington, D.C.

N10-37 [19. Page 3.7-5, 2nd paragraph: Typo -- correct "840 to 970 degrees Fahrenheit."

N10-38 [20. Page 3.7-6 and 3.7-7, White River Springfish: The BLM portion of Ash Springs has experienced considerably increased use for swimming and bathing in recent years. It is not

Responses to Letter N10

N10-35 In response to your comment, the spelling of "white fir" has been corrected in Section 3.6.2 and at other locations of the Proposed RMP and Final EIS.

N10-36 In response to your comment, additional reference citations (Jones 2000 and National Research Council 1994) have been added to Section 3.6.2.

N10-37 The typographical error has been corrected.

N10-38 Please refer to Section 4.7 (Alternative A - Impacts from Other Programs - Recreation impacts), in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of the effects of increased swimming and recreational use in Ash Springs.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure B
November 28, 2005

- N10-38 [uncommon to find >20 people using the pools during the late afternoon, weekend, and holidays. This threat to the White River Springfish habitat should be described in this section and all others where it applies.
- N10-39 [21. Page 4.1-12, Historic Fire return Intervals-Riparian, bullet #2: It is true that riparian systems do not naturally carry fire; however, fire importation from adjacent terrestrial systems was likely important and determined the FRI of riparian systems in addition to frequent, small-scale historic Native American burning in both the Great Basin and, especially in the Mojave Desert. The following ethno-biological references may help:
- Fowler, C. S, P. Esteves, G. Goad, B. Helmer, and K. Watterson. 2003. Caring for the Trees: Restoring Timbisha Shoshone Land Management Practices in Death Valley National Park. Ecological Restoration 21: 302-306.
- Rea, A. M. 1983. Once a river; Bird life and habitat changes on the middle Gila. University of Arizona Press.
- N10-40 [22. Page 4.1-18, Table 4.1-1, Special Status Species, Alternative E: We believe that the following statement does not reflect the real level of protection afforded to rare plants: "Therefore, the implementation of Alternative E would result in additional protection for special status species." With the exception of designating an ACEC for the Swamp Cedars, no special law enforcement, special land designation, or protection is offered in the document for sensitive plant species. Alternative E as written does not appear to offer much additional protection to special status species.
- N10-41 [23. Page 4.1-23, Table 4.1-1, Renewable Energy, Alternative E: We suggest a discussion in this section about the extent to which renewable energy development will increase the distance of power lines and number of utility towers, and therefore increase the chance of predation on Greater Sage-grouse and desert tortoise juveniles and eggs by perching predators.
- N10-42 [24. Page 4.1-23, Table 4.1-1, Travel Management and Off-highway Vehicle Use, Alternative E: We suggest discussing here the extent to which the proposed reduction of OHV use in some areas and better management of roads and trails will decrease the probability of non-native plant species introductions.
- N10-43 [25. Page 4.7-1, 3rd paragraph: The appropriate citation is "Provencher et al. 2003", not "Provencher 2003."
- N10-44 [26. Page 4.7-19, Alternative B, Vegetation, Recreation: Under recreation, the impact of heavy use of Ash Spring for bathing should be discussed. The pools are often filled at capacity with people during evenings, holidays, and weekends.
- N10-45 [27. Page 4.13-1-4, Renewable Energy, all Alternatives, Fish and Wildlife: The effects of Greater Sage-grouse and desert tortoise management on renewable energy development needs to be addressed give the power lines and utility towers associated with these projects. Will the presence of high quality habitat for these species prevent or impede the implementation of renewable energy projects?
- N10-46 [28. Page 4.28-61, Watershed Management, Impacts of the Interrelated Projects, 2nd paragraph: Typo, "To a lessor degree.." should be "To a lesser degree..."

Responses to Letter N10

- N10-39 In response to your comment, the text in Section 4.1.4.7 of the Proposed RMP and Final EIS has been revised to address the fact that most fires in riparian areas probably originated in the surrounding upland areas. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- N10-40 In response to this and related comments, the text in Section 2.4.22 of the Proposed RMP and Final EIS has been revised to incorporate four additional proposed Areas of Critical Environmental Concern in the Proposed RMP and Alternative B related to special status species.
- N10-41 In response to your comment, the text in Section 4.7 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of the effects of renewable energy development on special status species. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- N10-42 In response to your comment, the text of the conclusion statement in Section 4.21 (Proposed RMP and Alternative B) of the Proposed RMP and Final EIS has been expanded to address reduced weed dispersal associated with additional constraints on OHV use. This text revision is in the Noxious and Invasive Weed Management section, not the Travel Management and Off-highway Vehicle Use section. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- N10-43 In response to your comment, the citation of Provencher et al. 2003 has been corrected in Section 4.7 of the Proposed RMP and Final EIS.
- N10-44 In response to your comment, Section 4.15 (Proposed RMP) of the Proposed RMP and Final EIS has been revised to clarify the discussion of impacts of recreational use at Ash Springs.
- N10-45 In response to your comment, the text in Section 4.7 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of the effects and potential mitigation measures that would reduced impacts on special status species. The basic impact conclusions presented in the Draft RMP and EIS have not changed. Please also refer to Appendix B in the Proposed RMP and Final EIS for the BLM Wind Energy Development Program Policies and Best Management Practices published in conjunction with the Record of Decision for BLM's Final Wind Energy Development Programmatic EIS.
- N10-46 The typographical error has been corrected.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure C
November 28, 2005

Enclosure C
Ely District BLM
LANDFIRE-related Comments on the Ely BLM RMP
by The Nature Conservancy of Nevada

LANDFIRE is a five-year, multi-partner wildland fire, ecosystem, and wildland fuel mapping project. This project will generate consistent, comprehensive maps and data describing vegetation, fire, and fuel characteristics across the United States. These maps are produced at scales fine enough to assist in prioritizing and planning specific hazardous fuel reduction and ecosystem restoration projects. The consistent and comprehensive nature of LANDFIRE methods ensures that data will be nationally relevant, while the 30-meter grid resolution assures that data can be locally applicable. LANDFIRE meets agency, partner, and stakeholder needs for data to support landscape fire management planning, prioritization of fuel treatments, collaboration, community and firefighter protection, and effective resource allocation.

This enclosure contains cross-walk results between the RMP's desired range of future conditions and the LANDFIRE Biophysical Settings results for the Historical Range of Variability and Fire return Intervals recently developed by experts for the Great Basin Region, and more specifically for Mapping Zones 17-Eastern Great Basin (similar to 12- Western Great Basin), and 13-Mojave Desert. Mapping Zone 13 is in review, thus results are not final, but are considered high-quality products for the systems discussed.

- 1) Page 2.5-10, Table 2.5-1 (and figure). There several problems here:
 - a) Typos; all mathematical symbols such as < and > are over-written by letters. This problem occurs in all tables, not just this one.
 - b) Eliminate here and elsewhere the expression "over-mature" and use "late-development closed" to describe the Tree State (Overmature Woodland Phase).
 - c) We assume that the percentages of vegetation classes for Alternatives B and E represent the desired range of future conditions, perhaps based on NRCS values. It is not clear where the percentages came from, but LANDFIRE proposed a pre-settlement Historic Range of Variability (HRV; similar to desired range of future conditions) for Pinyon-Juniper Woodlands (attached as PDF; 710190 Great Basin Pinion-Juniper Woodland), which cross-walks in the following way to proposed RMP groups: 10% (of the landscape) for the Herbaceous State (classes A + B of LANDFIRE), 20% for Herbaceous State-Immature Woodland State (class C of LANDFIRE), and 70% for the Tree State-Mature Woodlands (classes D + E; which range from 5-50% cover). As can be observed, there are large departures between the RMP and LANDFIRE estimates for the Herbaceous State-Immature Woodland State and the Tree State-Mature Woodlands, and the latter class includes tree cover that is too low (pinyon-juniper woodlands on unproductive, but more mesic sites can reach 40+% cover). The Tree State-Overmature Woodland Phase would be considered uncharacteristic in LANDFIRE terminology.
- 2) Page 2.5-16, Table 2.5-2:
 - a) Typos; all mathematical symbols such as < and > are over-written by letters.
 - b) Eliminate the expression "over-mature" and perhaps use "senescent", "depleted", or "late-development" either as "closed" or "open".
 - c) Two types of aspen are equally present in the Ely District; stable aspen that is not invaded by conifers and seral aspen that will be naturally invaded by conifers to some extent, and more so with fire exclusion. The desired range of future conditions from LANDFIRE vary between them (see attached PDF; 1710110 Rocky Mountain Aspen Forest and Woodland; 1710610 Inter-Mountain Basins Aspen-Mixed Conifer Forest and Woodland)

N10-47

N10-48

N10-49

N10-50

Responses to Letter N10

- N10-47 The term "over-mature" used within the Draft RMP and EIS and Proposed RMP and Final EIS is defined in both the text and Glossary and is used in conformance with current NRCS Ecological Site Descriptions. As used in this document, the term is not synonymous with old-growth forest and a careful distinction is made between the terms throughout Section 2.4.5.
- N10-48 The desired range of conditions was derived from specific pinyon/juniper NRCS ecological site guides. LANDFIRE biophysical models were compared and referenced to the Draft RMP and EIS desired range of conditions. See revised text in Section 2.4.5.2 of the Proposed RMP and Final EIS for vegetation and desired range of conditions concerning the pinyon/juniper vegetative community.
- N10-49 Please refer to Response to Comment N10-47.
- N10-50 Please refer to Response to Comment N10-27.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure C
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N10-50 and do not match the values in Table 2.5-2. Moreover, the range of canopy cover in the Table is substantially smaller than that proposed by LANDFIRE experts. Because the Historic Range of Variability from both LANDFIRE Biophysical settings is so different from the desired range of condition and canopy, the cross-walk is difficult. The LANDFIRE percentages for stable aspen would be 14% (of the landscape) for the Herbaceous State (classes A of LANDFIRE; 0-100% canopy cover), 40% for Herbaceous State-Immature Woodland State (class B of LANDFIRE with 40-100% canopy cover), 45% for the Tree State-Mature Woodlands (classes C; 40-100% cover), and 1% Tree State-Mature Woodlands (class D; 0-40% canopy cover). The LANDFIRE percentages for seral aspen would be 14% (of the landscape) for the Herbaceous State (classes A of LANDFIRE; 0-100% canopy cover), 40% for Herbaceous State-Immature Woodland State (class B of LANDFIRE with 40-100% canopy cover), 35% for the Tree State-Mature Woodlands (classes C; 40-100% cover), 10% Tree State-Mature Woodlands (class D; 0-40% conifer canopy cover), and 1% Tree State-Mature Woodlands (class E; 40-80% conifer canopy cover).

3) Page 2.5-21, Table 2.5-3 (and figure):

- N10-51 a) Typos; all mathematical symbols such as < and > are over-written by letters.
- N10-51 b) Eliminate the expression "over-mature" and perhaps use "uncharacteristic" or "fire-excluded". The term "over-mature" is applied to a state described as an overstocked stand resulting from long-term fire-exclusion; however, dense stands occurred in 30% and 10%, respectively, of the pre-settlement landscape for mid-development and late-development vegetation classes LANDFIRE Biophysical Setting 1710520 Rocky Mountain Mesic Montane Mixed Conifer Forest and Woodlands.
- N10-52 c) Under current condition, does the 32,000 acres of overmature phase include aspen stands currently invaded by white fir and other conifers? If so, then the acreage of aspen invaded by conifers should be accounted for under the seral aspen vegetation and be considered largely uncharacteristic.
- N10-53 d) This group of high-elevation conifers, unfortunately, includes fire-frequent (e.g., Rocky Mountain Dry-Mesic Montane Mixed Conifer Forest and Southern Rocky Mountain Ponderosa Pine Woodland) and fire-infrequent species (e.g., Rocky Mountain Mesic Montane Mixed Conifer Forest and Woodlands & Inter-Mountain Basins Subalpine Limber-Bristlecone Pine Woodland). The values presented in Table 2.5-3 should be revised completely. The following table is a crosswalk between RMP numbers and LANDFIRE percentages and canopy cover values:

| State or phase | Herbaceous state: early development | Herbaceous state: mid-development or immature tree | Tree State: late development or mature tree | Tree State: uncharacteristic or overmature |
|---|-------------------------------------|--|---|--|
| Rocky Mountain Mesic Montane Mixed Conifer Forest and Woodlands (white fir dominant, limber pine) | 10% landscape @ 0-35% canopy cover | 30% of landscape @ 35-100% canopy cover; 30% of landscape @ 0-35% canopy cover; TOTAL 60% of landscape @ 0-100% canopy cover | 10% of landscape @ 35-100% canopy cover; 20% of landscape @ 0-35% canopy cover; TOTAL 30% @ 0-100% canopy cover | More than 10% of landscape with >100% canopy cover |

Responses to Letter N10

N10-51 Please refer to Response to Comment N10-47.

N10-52 Please refer to Response to Comment N10-27.

N10-53 Please refer to Response to Comment N10-28.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure C
November 28, 2005

| | | | | |
|--|---------------------------------------|---|--|---|
| Inter-Mountain Basins Subalpine Limber-Bristlecone Pine Woodland | 20% of landscape @ 0-20% canopy cover | 20% of landscape @ 20-40% canopy cover | 60% of landscape @ 20-40% canopy cover | Any percentage with more than 40% canopy cover or >60% of landscape with 20-40% canopy cover |
| Rocky Mountain Dry-Mesic Montane Mixed Conifer Forest (Douglas-fir, limber pine, and ponderosa pine) | 20% landscape @ 0-15% canopy cover | 5% of landscape @ 35-100% canopy cover; 10% of landscape @ 0-35% canopy cover; TOTAL; 40% of landscape | 5% of landscape @ 35-100% canopy cover; 60% of landscape @ 0-35% canopy cover; TOTAL; 65% of landscape | More than 5% of landscape with >100% canopy cover or more than 65% of landscape with any canopy cover |
| Southern Rocky Mountain Ponderosa Pine Woodland | 10% landscape @ 30-60% canopy cover | 9% of landscape @ 35-60% canopy cover; 20% of landscape @ 15-35% canopy cover; TOTAL 29% of landscape @ 0-100% canopy cover | 1% of landscape @ 35-60% canopy cover; 60% of landscape @ 0-35% canopy cover; TOTAL of 61% of landscape @ 0-60% canopy cover | More than 1% of landscape with >60% canopy cover or more than 61% of landscape with any canopy cover |

N10-54

4) Page 2.5-26, Table 2.5-4 (and figure): Minor differences were found between RMP and LANDFIRE estimates with greater percentages of shrub state from LANDFIRE. The following table is a crosswalk between RMP numbers and LANDFIRE percentages and canopy cover values for salt desert scrub:

| State or phase | Herbaceous state: early development | Shrub state |
|--|-------------------------------------|---|
| Inter-Mountain Basins Mixed Salt Desert Scrub (shadscale-budsage dominant) | 5% landscape @ 0-5% canopy cover | 50% of landscape @ 5-20% canopy cover of shadscale phase; 45% of landscape @ 5-20% canopy cover of budsage phase; TOTAL 95% of landscape @ 5-20% canopy cover |
| Inter-Mountain | 5% of | 95% of |

Responses to Letter N10

N10-54

In response to this and related comments, the text and table in Section 2.4.5.5 of the Proposed RMP and Final EIS have been revised to clarify the description of states in the salt desert shrub vegetation type and correlate them with LANDFIRE descriptions.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure C
November 28, 2005

| | | |
|------------------------|--------------------------------|---------------------------------|
| Basins Greasewood Flat | landscape @ 5-15% canopy cover | landscape @ 15-25% canopy cover |
|------------------------|--------------------------------|---------------------------------|

N10-55 It should also be noted that the Shrub State used in Table 2.5-4 represents a desirable state in salt desert scrub from the perspective of the RMP and LANDFIRE. However, Shrub State describes an undesirable state for sagebrush, which makes for a confusing terminology because phases and states are interchanged.

N10-56 5) Page 2.5-31, Table 2.5-5 (and figure): This group of sagebrush types, unfortunately, includes different sagebrush communities and LANDFIRE Biophysical Settings. The table below is a crosswalk between RMP numbers and LANDFIRE percentages and canopy cover values; however, it is important to note that the Tree State was a very minor component in the pre-settlement landscape according to LANDFIRE experts and that the Total Herbaceous State in Table 2.5-5 is just too broad and represents a very diverse group of phases each with different management methods associated with them. An obvious observation is that the RMP allows for far more Shrub State representation in the landscape than the LANDFIRE Historic Range of Variability. The values below could be added to Table 2.5-6, where percentages per seral stages are not stated.

| State or phase | Total herbaceous state: all phases of LANDFIRE | Total shrub state | Total tree state: late development | Tree State: uncharacteristic or depleted |
|---|--|--------------------------------|---|--|
| Inter-Mountain Basins Big Sagebrush Shrubland (i.e., Wyoming and basin big sagebrush) | 15% landscape @ 0-10% shrub cover; 50% landscape @ 11-25% shrub cover; 25% landscape @ 25-35% shrub cover; & 5% landscape @ 0-15% immature tree cover; TOTAL 95% of landscape @ 0-35% canopy cover | 0% - no equivalent in LANDFIRE | <5% of landscape @ 15-90% tree canopy cover | More than 5% of landscape with >100% canopy cover |
| Great Basin Xeric Mixed Sagebrush Shrubland (i.e., black and low sagebrush) | 15% landscape @ 0-5% shrub cover; 60% landscape @ 6-25% shrub cover; & 15% | 0% - no equivalent in LANDFIRE | <10% of landscape @ 6-40% tree canopy cover | More than 10% of landscape with 6-40% tree canopy cover or >0% with tree canopy cover >40. |

Responses to Letter N10

N10-55 Vegetation states in the state-and-transition model concept (e.g., herbaceous, shrub, tree states) have neutral connotations regarding value or desirability. They simply represent discrete assemblages of species and conditions within the possible array of such units on a given site. The desirability of individual states is largely a function of management objectives for the site, which differ from one alternative to another within this document.

N10-56 In response to this and related comments, the text and table in Section 2.4.5.6 of the Proposed RMP and Final EIS have been revised to clarify the description of states in the sagebrush vegetation type and correlate them with LANDFIRE descriptions.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure C
November 28, 2005

| | | | | |
|---|---|--------------------------------|---|--|
| | landscape @ 0-5% immature tree cover (rest shrub and herbaceous); TOTAL 90% of landscape @ 0-25% canopy cover | | | |
| Inter-Mountain Basins Montane Sagebrush Steppe (i.e., mountain big sagebrush/bitterbrush with a minor component of low sagebrush) | 20% landscape @ 0-5% shrub cover; 50% landscape @ 6-25% shrub cover; 15% landscape @ 25-45% shrub cover; & 10% landscape @ 10-25% immature tree cover; TOTAL of 95% of landscape @ 0-45% canopy cover | 0% - no equivalent in LANDFIRE | <5% of landscape @ 26-80% tree canopy cover | More than 5% of landscape with 26-80% canopy cover or >0% with >80% canopy cover |

6) Page 2.5-38, Table 2.5-7 (and figure):

- a) Typos; all mathematical symbols such as < and > are over-written by letters.
- b) In the Table, there seems to be a contradictory term; the Shrub/Tree-like State (No Understory Phase) apparently represents the savanna sites (see RMP table footnote), which by definition should have herbaceous and shrub understories. In the LANDFIRE description for mountain mahogany, late-development tree-like stands exist in two forms: open (savanna), due to past fire activity, and closed (not savanna, but dense tickets). All closed structures have very little understory, but this is expected for a fraction of the landscape in pre-settlement condition.
- c) The RMP distribution of phases and states is very different from that described by LANDFIRE and canopy cover values do not match. We recommend that BLM adopt the LANDFIRE version.
- d) The values presented in Table 2.5-3 should be revised completely. The following table is a crosswalk between RMP numbers and LANDFIRE percentages and canopy cover values:

| State or phase | Herbaceous state: early development | Herbaceous state: mid-development | Shrub state: mid-development closed or shrub/herbaceous phase; | Shrub-tree-like state: late-development (= old growth) |
|----------------|-------------------------------------|-----------------------------------|--|--|
| | | | | |

N10-57

N10-58

N10-59

Responses to Letter N10

N10-57 In response to this and related comments, the text and table in Section 2.4.5.7 of the Proposed RMP and Final EIS have been revised to clarify the description of states in the mountain mahogany vegetation type and correlate them with LANDFIRE descriptions.

N10-58 Please refer to Response to Comment N10-57.

N10-59 Please refer to Response to Comment N10-57.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure C
November 28, 2005

| | | | | |
|--|--|---|--|---|
| | | herbaceous dominant with shrubs reestablishing) | | |
| Inter-Mountain Basins Mountain Mahogany Woodland and Shrubland | 10% of landscape 0-55% canopy cover of shrub saplings ¹ | 15% of landscape 10-30% shrub canopy cover | 10% of landscape 30-45% shrub canopy cover | 20% of landscape 0-20% tree-like canopy cover; 45% of landscape 30-55% tree-like canopy cover; TOTAL of 65% of landscape @ 0-55% canopy cover |

¹ Because curlleaf mountain mahogany seedlings have no tolerance for competition and require mineral soil on usually unproductive sites for successful establishment, the herbaceous state does not really occur under pre-settlement conditions. This phase is typically dominated by shrubs with a small amount of herbaceous cover.

7) Page 3.20-2, Table 3.20-2: The historic fire return intervals cited in this table are sometimes widely incorrect. The total fire return intervals obtained from LANDFIRE Biophysical Settings computer simulations are:

| Vegetation Community | Historic Total Fire Return Interval ¹ (years) |
|-----------------------------|--|
| Wyoming big sagebrush | 115 |
| basin big sagebrush | 49 |
| mountain big sagebrush | 49 |
| black sagebrush | 84 |
| salt desert scrub | 2,000 |
| pinyon-juniper woodland | 166 |
| mountain mahogany | 69 |
| mixed conifer-upper montane | Subalpine 143; dry montane 10; mesic montane 33 |
| riparian | Variable but 175 for montane riparian |
| aspen | Stable 31; seral 29 |

¹ The total fire return interval is the inverse of the sum of the probability per year for replacement, mixed severity, and surface fires. The total does not necessarily reflect the dominant effect one type of fire may have. For example, Wyoming big sagebrush has a shorter FRI for replacement fire than black sagebrush, but the effect of mixed severity fire in black sagebrush obscures this important fact.

N10-60

Responses to Letter N10

N10-60 In response to this and related comments, the fire return intervals in Table 3.20-2 of the Proposed RMP and Final EIS have been revised to correlate them with values derived from LANDFIRE simulations.

Letter N10 Continued

The Nature Conservancy Comments on the Ely District RMP -- Enclosure D
November 28, 2005

Enclosure D
Ely District BLM
LANDFIRE Biophysical Settings Descriptions
for the Great Basin and Mojave Desert Regions

This enclosure (see attached PDF) contains LANDFIRE Biophysical Settings descriptions recently developed by experts for the Great Basin Region, and more specifically for Mapping Zones 17-Eastern Great Basin (similar to 12- Western Great Basin), and 13-Mojave Desert. We list separately the descriptions for Mapping Zones 17 (identical to 12) and 13. Mapping Zone 17 and 12 are fully reviewed and are considered final drafts. Mapping Zone 13 is in review, thus descriptions are not final, but are considered high-quality products for the systems presented. We only present the subset of descriptions from Mapping Zone 13 that are relevant to the Ely BLM. All Biophysical Settings from Mapping Zone 17 (Great Basin) start with the code "17" and is followed by the system's code. For example, Great Basin Pinyon-Juniper Woodland is "1710190", where "1019" represents the ecological system and "0" indicate a final draft. Similarly, the system is coded "131019" for the Mojave Desert.

Letter N11



The Toiyabe Chapter of the Sierra Club

Nevada and Eastern California
PO Box 8096, Reno, NV 89507

One Earth,
One Chance.

November 11, 2005

NOV 2005

Gene Draiss, Project Manager
BLM/Ely Field Office
HC 33 Box 33500
Ely, NV 89301

Dear Manager Draiss,

On behalf of the Toiyabe Chapter of the Sierra Club and its 6,000+ members in Nevada and the eastern Sierra, I am submitting comments on the draft Ely Resource Management Plan/Environmental Impact Statement.

- N11-1 [In general, the Sierra Club supports Alternative B, which focuses on restoration of public lands which are not in healthy conditions while maintaining lands which are in functioning condition and a more ecological approach to public land and resource management. However, the dEIS fails to provide any scientific support for its assumptions that Great Basin vegetation occurred historically in mosaics, especially pinyon-juniper woodlands. The analysis ignores longer-term causes of vegetation distribution, including climate changes and global warming.
- N11-2 [
- N11-3 [Other deficiencies in the document include a project-oriented band aid approach, largely cutting down, burning, or otherwise destroying pinyon-juniper woodlands which are encroaching on brush communities, rather than addressing the proximate causes of vegetation distribution, largely unwise livestock grazing practices. And livestock grazing should be considered a restoration tool, not just a commodity use in this document.
- N11-4 [Nor are dire predictions of catastrophic fires in PJ communities substantiated, but decades of no fires or minimal fires on these wooded public lands are ignored.
- N11-5 [Unfortunately, the dRMP and EIS reflect a lack of basic understanding of how to professionally manage pinyon-juniper woodlands for all of its values of wildlife habitat, water infiltration, pinenut production, recreation, and scenic beauty. An overall assessment of PJ woodland condition and a long-term holistic management plan should be developed prior to patchy treatment projects in the RMP/EIS. Otherwise, we are doomed to ineffective, yet expensive and trendy projects similar to historic BLM reliance on PJ chaining or crested wheat-grass seedings both of which were considered the salvation of Great Basin rangelands in their times.
- N11-6 [We are also concerned about the poor impact analysis in the document of increased noxious weed invasion facilitated and accelerated by the restoration treatments which disturb the ground providing excellent habitat for pioneering weeds. There are too many acres targeted for ground-disturbing projects and too little planning to control and manage the resulting noxious weed invasions.
- N11-7 [The two proposed motorcycle special events areas do not belong in this alternative and should not be designated by the BLM because of the environmental damages caused by this type of use. Nor does the emphasis on increasing wildlife guzzlers to compensate for the loss of water and wildlife habitat to other public land uses. Instead, the RMP should include an emphasis on improving wildlife habitat and especially water sources for wildlife because of the threats of massive groundwater pumping proposals in the RMP area.
- N11-8 [We strongly oppose expanding woodcutting to high-elevation conifer trees, especially bristlecone pines. We believe this tree is a Nevada state conservation species. Nor should cutting be allowed of limber pine, Engelmann spruce, or other high elevation conifer species. Since the BLM appears fixated on eliminating pinyon-juniper on our public lands, targeting woodcutting to these species would appear to be a more logical direction.

Thank you for considering our comments.

Sincerely,

Rose Strickland, Chair
Public Lands Committee

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RANGE OF LIGHT GROUP
PO Box 1973
Mammoth Lakes, CA 93546

SOUTHERN NEVADA GROUP
PO Box 19777
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Responses to Letter N11

N11-1 Comment noted.

N11-2 Historic (pre-settlement) vegetation patterns tend to correlate closely with soil and landscape characteristics, which are best described as occurring in mosaic patterns (e.g., Map 3.1-1 in the Proposed RMP and Final EIS). According to a number of the foremost authorities in Great Basin ecology, pre-settlement pinyon and juniper woodlands existed primarily on rocky ridges and other areas relatively protected from fire, while sagebrush communities typically occupied the deeper, well-drained steppe soils. Since the late 1800s, the pinyon-juniper woodlands have expanded dramatically. Long-term climatic changes are recognized in the text as contributing to these vegetation changes and trends. However, for most plant communities, the long-term climatic changes are considered by most ecologists to be of lesser influence than human activities during the past 150 years.

N11-3 Expansion of pinyon-juniper communities is related to a variety of factors with changes in fire regime being one of the foremost. The historic changes in fire regime, in turn, have resulted from a combination of factors including such things as fire suppression, livestock grazing, and vegetation management practices. The variety of factors affecting pinyon-juniper expansion are considered in the Ely Field Office's proposed management of these areas during and following watershed analysis, but a detailed analysis of such factors is outside the scope of the Proposed RMP and Final EIS. The Ely Field Office's proposed treatment of sagebrush sites where pinyon-juniper is increasing in dominance is but one of numerous rehabilitation treatments proposed in the Ely RMP decision area.

N11-4 Sparse pinyon-juniper stands with limited understory are relatively resistant to fire disturbance. However, as the stand density increases to nearly closed canopy conditions, these woodlands become much more susceptible to intense, stand-replacing crown fires.

N11-5 The Ely Field Office disagrees that the Draft RMP and EIS and Proposed RMP and Final EIS lack understanding of woodland management. Please refer to Section 1.5.1 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of planning criteria, specifically general criterion #18 regarding the use of NRCS ecological site descriptions for all vegetation communities. The management prescriptions for pinyon and/or juniper reflect the necessary actions to maintain or restore healthy functioning woodlands that will provide wildlife habitat, increase water infiltration in watersheds, and provide recreation and scenic beauty by preventing catastrophic fire. Pine nut production per tree is directly related to climatic conditions. Having healthy woodlands would improve soil / water relationships, and these have a positive effect on pine nut production.

Responses to Letter N11

- N11-6 The Proposed RMP and Final EIS provides adequate analysis of the relationship between vegetation treatment and the invasion of weeds. The potential for increased noxious weed invasion during restoration projects will be considered by the Ely Field Office on a site-specific basis when project-specific plans are prepared. These issues will be addressed in the individual watershed analysis and restoration plans.
- N11-7 Motorcycle race events are a legitimate multiple use of the Ely RMP decision area. Alternative D would not permit such events. The improvement of wildlife habitat is a primary objective of the Proposed RMP. The development of wildlife water sources would be considered on a project-specific basis. The development of groundwater resources in the Ely RMP planning area would be the subject of NEPA analysis unique to those proposals.
- N11-8 Please refer to Section 2.4.17 of the Proposed RMP and Final EIS for a discussion of the tree species proposed for harvest. Under Management Common to All Alternatives, it is stated that "bristlecone pine, limber pine, and swamp cedar would not be harvested for any vegetation product."

Letter N12

To: Bureau of Land Management/Ely Office

From: Vegas Valley 4 Wheelers

Subject: Ely RMP/EIS

Date: November 25, 2005

Comments in reference to RMP Ely District (#1610 NV-910) regarding BLM land use.

Section 2.5.14.1 Parameter-Transportation Plan

Alternative B:

N12-1 [Why close roads still open and appropriate to use. Let the Federal Government first make a decision then based on this information make a in White Pine County.

N12-2 [Further on in the second paragraph under Alt B "Greater Emphasis on ecological system restoration would be placed on road and trail designations." leaves out responsible recreation. We think that a more reasonable wording should read "Equal emphasis on ecological system restoration and responsible recreation would be placed on road and trail designations."

Alternative E:

N12-3 [Last sentence third paragraph Please remove the phrase "All Wilderness Study Areas would be closed to motorized travel." Again we state that the Federal Government Congress has not yet ruled on this area. Including this statement is pre-mature. A more reasonable use for all can be determined after Congress has ruled.

Section 2.5.14.2 parameter-Off-highway Vehicles

Alternative B:

N12-4 [After the first sentence there are three areas used to describe how OHV vehicles would be managed.

First point "Open to cross country off-highway vehicle use: 0 acres" Please change this to include Dry lakebeds and dry washes should remain open as a minimum standard.

N12-5 [The second point Off-highway vehicle use limited to designated roads and trails: 10,338,000 acres. Should also be changed to read "Off-highway vehicle use limited to existing roads and trails: 10,338,000 acres.

Responses to Letter N12

N12-1 The Ely Field Office is required to establish a process for completing a defined travel management network. Please refer to Section 2.4.14.1 of the Proposed RMP and Final EIS for clarification of how comprehensive travel management planning will occur in the Ely RMP planning area.

N12-2 A range of alternatives was presented and analyzed in the Draft RMP and EIS and Proposed RMP and Final EIS. Each alternative had a different management emphasis, based on comments received during scoping and the needs/desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes.

N12-3 Wilderness study areas are managed by the Ely Field Office so as not to impair the suitability of such areas for preservation as wilderness until Congress has determined otherwise. If these wilderness study areas are released from wilderness consideration, new travel management designations may be made.

N12-4 The designation of dry lake beds as open was considered in the Draft RMP and EIS and Proposed RMP and Final EIS as part of Alternative C. However, it was not incorporated into the Proposed RMP. Not all dry washes would be suitable for OHV use; however, some may be designated as trails when transportation plans are prepared for a watershed or group of watersheds. The public will be invited to participate in the transportation planning process.

N12-5 The Ely Field Office recognizes the massive undertaking necessary to designate routes in such a large planning area. Please refer to Section 2.4.14.1 in the Proposed RMP and Final EIS for clarification of comprehensive travel management planning.

Letter N12 Continued

- N12-6 Third point "Closed to off-highway vehicle 1,062,000 acres. This acreage reflects designated wilderness and Wilderness Study Areas, congress has not yet ruled on Wilderness Study Areas in White Pine County once again it would not be appropriate to pre-maturely close access to roads that are still open and appropriate to use. We ask that you please change this statement to reflect our comments!
- N12-7 Alternative C:
Also has three points on which management would be done
First point "Open to cross country off-highway vehicle use :32,000 acres in dry lake bed areas" Please change this to include All Dry lakebeds and dry washes should remain open as a minimum standard.
- N12-8 The second point: Off-highway vehicle use limited to designated roads and trails: 10,608,000 acres. Should also be changed to read "Off-highway vehicle use limited to existing roads and trails: 10,608,000 acres. Third point "Closed to off-highway vehicle 760,000 acres. This acreage reflects designated wilderness Areas. Congress has not yet ruled on Wilderness Areas in White Pine County once again it would not be appropriate to pre-maturely close access to roads that are still open and appropriate to use. We ask that you please change these statements to reflect our comments!
- N12-9 Alternative E:
"Reads same as B " We would like our comments on Alternative E, also to reflect our same comments we made in Alternative B: After the first sentence there are three areas used to describe how OHV vehicles would be managed.
- N12-10 First point "Open to cross country off-highway vehicle use :0 acres" Please change this to include: Dry lakebeds and dry washes should remain open as a minimum standard.
- N12-11 Second point: Off-highway vehicle use limited to designated roads and trails: 10,338,000 acres. Should also be changed to read "Off-highway vehicle use limited to existing roads and trails: 10,338,000 acres.
- N12-12 Third point "Closed to off-highway vehicle 1,062,000 acres. This acreage reflects designated wilderness and Wilderness Study Areas, congress has not yet ruled on Wilderness Study Areas in White Pine County once again it would not be appropriate to pre-maturely close access to roads that are still open and appropriate to use. We ask that you please change these statements to reflect our comments!
- N12-13 Section 2.5.15.1 Parameter-Special Recreation Management Areas

Responses to Letter N12

- N12-6 Please refer to Response to Comment N12-3.
- N12-7 Please refer to Response to Comment N12-4.
- N12-8 Please refer to Responses to Comments N12-5 and N12-3.
- N12-9 Comment noted.
- N12-10 Please refer to Response to Comment N12-4.
- N12-11 Please refer to Response to Comment N12-5.
- N12-12 Please refer to Response to Comment N12-3.
- N12-13 No special recreation management areas emphasizing off-highway vehicle use have been identified in the Proposed RMP. Designated roads and trails for motorized travel may be identified in the Pahranaagat special recreation management area as part of the travel planning process discussed in Section 2.4.14.1 of the Proposed RMP and Final EIS.

Letter N12 Continued

N12-13 Table 2.5-11: page 2.5-137: We would like to comment on the omission of motorized recreation under the Primary Values column. Please for the Pahranaagat area change the primary value to include "Heritage tourism and motorized recreation" in the Pahranaagat portion of the "Primary Values" column.

N12-14 Alternative E:
In this paragraph you list nine new special recreation management areas totaling 2,680,000 acres, five of which are areas to be included in special recreation management areas, that would emphasize motorized recreation (off-highway vehicle emphasis areas) Please include our comment to include the Pahranaagat Area as one of these areas for motorized recreation (off-highway vehicle emphasis areas). The Pahranaagat area is one that we are currently working in partnership with the Ely BLM to promote and enhance responsible OHV recreational opportunities to develop the proposed action please include our comment to reflect the Pahranaagat area and increase the total to six. We can not express how important that partnerships with appropriate entities and the B.L.M. to promote and enhance recreation opportunities in the planning areas is, including our comments will allow our partnership to continue and flourish.

N12-15 Section 2.5.15.2 Parameter-Special Recreation Permits
Alternative B:
Please clarify "A maximum of two truck events would be permitted each year on race routs subject to NEPA analysis." We would like to know if these are competitive or non-competitive events!

N12-16 Alternative E:
Our events which are group events are very slow speed and not competitive as we do not fit this category we ask not to be included with the Truck Race Events section of this paragraph and ask that we be listed separately in Alternative E , please include our comment in Alternative E.

Sincerely,

Benjamin P. Affleck: Secretary
Dave Philblad: Treasurer
Rick Meece: President
Darryl Wade: Trail Boss

Vegas Valley 4 Wheelers
P.O. Box 95884
Las Vegas NV 89193-5884

Responses to Letter N12

N12-14 Please refer to Response to Comment N12-13.

N12-15 In response to your comment, the text in Section 2.4.15.2 of the Proposed RMP and Final EIS has been revised to clarify the discussion of competitive vs. non-competitive events.

N12-16 Please refer to Response to Comment N12-15.

Letter N13

Responses to Letter N13



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Working to protect and restore Western Watersheds

Western Watersheds Project

November 11, 2005

Ely RMP Project Manager
702 n. Industrial Way
HC33 Box 33500
Ely, NV 89301-9408

Dear RMP Project Manager,

Here are some general comments of Western Watersheds Project on the BLM's Ely RMP. We will also be submitting additional, more specific comments, and relevant literature citations as separate documents.

BLM'S DUTY UNDER FLPMA.

BLM is required under FLPMA to consider present and potential uses of the public lands, and the scarcity of values involved. TNC developed a Portfolio of many of the ecologically important sites in the Great Basin (Nachlinger et al. 2001), explains the great importance of many of these lands to long-term conservation of Great Basin biota and ecosystems. See Nachlinger et al. 2001, "Great Basin: An Ecoregion-based Conservation Blueprint". Many of these important lands are managed by the Ely Field office. Many of these sites are of national significance, and deserve protection as large ACECs. Sadly, the RMP casts aside millions of acres of lands worthy of ACEC protection for their outstanding, yet highly vulnerable, natural values.

Recent scientific assessments stress the importance of remaining still largely intact native plant communities for the long-term persistence of sagebrush biota. These studies also emphasize the grave threats posed by exploding exotic species invasions that could ultimately doom these Ely landscapes and wildlife of great value to the American people. See Wisdom 2000, Connelly et al. 2004, Dobkin and Sauder 2004.

TNC's work is now buttressed by a number of comprehensive new analyses (Connelly et al. 2004, Dobkin and Sauder 2004, others) that show the importance of blocks of relatively intact arid plant community habitats. Plus, this area contains splendid ancient pinyon-juniper forests of international significance, as well as lower elevation salt desert shrub communities critical to species ranging from loggerhead shrike to the small mammal prey of numerous raptor species. These lands provide unique and outstanding conservation and outstanding recreation opportunities, and offer great opportunities for BLM to actually fulfill its duties under FLPMA. These include: acting to stop further ecological harm from occurring to relatively intact landscapes; undertaking meaningful conservation actions to enhance and restore damaged or



N13-1

N13-1 Please refer to Response to Comment N13-4.

Letter N13 Continued

degraded sites (i. e. restore de-watered springs; control and obliterate unneeded roading that has grown up without authorization as livestock projects or other activities have occurred, such as in association with pipelines, fences, water hauling, salting sites, mining exploration, seismic Oil and Gas testing, etc.); remove harmful livestock projects that may be fragmenting sage grouse or other habitats and may be serving as epicenters of weed invasion; and to restore composition, structure and function of salt desert shrub, sagebrush, pinyon-juniper and higher elevation forested communities.

There is scientific alarm at the imperilment the sagebrush-steppe ecosystem, (Billings 1994, Ricketts et al.1998, Wisdom et al. 2000, Wisdom et al 2003. Knick et al. 2004, Dobkin and Sauder 2004 and many others) elevates protection of remaining intact habitats and restoration of fragmented habitats.

The Great Basin and other lands of the Ely RMP area contain scarce desert springs that are essential oases for a native animal species. Ely-managed lands lie south of the unique geographic configuration of the Goshute Mountains, that results in suitable migration conditions for a stream of raptors in the fall. The importance of Ely lands for migrating birds has been largely unexamined. It is critical to understand migration patterns, as well as areas of nesting concentration of raptors and other species, so that this Plan can avoid/prohibit the siting of new bird-killing and habitat fragmenting facilities such as wind or communication towers in migration paths.

N13-2

The many north-south ranges, and their flanks and broad valleys provide critical food for refueling migrant birds. Plus, the beautiful and wild landscape provides outstanding recreational opportunities, with large tracts of WSAs and other significant blocks of little-roaded lands. Ranges, cloaked in forested dark green, rise above the sagebrush and salt desert shrub lands below.

Given the acknowledged national significance of the lands in ecosystems that span the states of Nevada and reach into Utah, and relatively intact salt desert, pinyon juniper and montane island communities, the RMP can not undertake the typical BLM livestock-centered planning process, as you regrettably, have done in the Draft RMP. Accommodating public lands grazing, and killing woody vegetation while allowing grazing damage to continue, without addressing causal factors of ecological problems, can not be the primary force in this effort.

N13-3

Protective management actions must be developed under all alternatives, and ACECs designated to protect intact landscapes of sagebrush, salt desert shrub, sweeping basins and forested ranges, and to provide unfragmented core habitat for sage grouse, raptors sagebrush-obligate migratory birds, pygmy rabbit, and other sagebrush obligates such as pronghorn antelope must be undertaken. BLM must also protect rare and endemic plant and animal communities, cultural sites, and other sites.

N13-4

BLM must recognize the current and potential value of portions of these lands as reference sites in scientific research, and as minimally fragmented ecosystems for species restoration and long-

N13-5

Responses to Letter N13

N13-2 The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for wind energy or communication towers are prepared and evaluated.

N13-3 The Proposed RMP and Final EIS have not taken a livestock-centered approach to planning. Please refer to Appendix A in the Proposed RMP and Final EIS for a discussion of the process found in BLM Handbook H-4180-1 Rangeland Health Standards. This process is used to determine if watersheds are meeting land health standards (rangeland health standards). Part of this process identifies causal factors when standards are not being met.

N13-4 Thank you for your comment. Protection of all of the resources you mention is a consideration throughout the alternatives for the Ely RMP. This protection occurs through existing BLM regulations and policies and will be considered during subsequent project-level NEPA and planning. ACECs were thoroughly considered based on nominations. The Ely Field Office received 128 nominations for ACECs, which were combined into 100 nominated areas, of which, 77 met the criteria as a potential ACEC. Based on management considerations, 3 existing and 17 new ACECs are proposed for designation through the Proposed RMP. In addition, the three Desert Tortoise ACECs will be retained.

N13-5 Comment noted.

Letter N13 Continued

N13-5 term population viability. In the increasingly developed US, the value of Ely RMP lands as an enclave of solitude and open space is great.

N13-6 While recognizing, protecting, and enhancing special status species habitats and other important values, BLM must also grapple with ongoing livestock grazing degradation of riparian areas and uplands, particularly the spread of invasive species (primarily caused or extended by livestock disturbance, livestock facilities, roading, mining or Oil and Gas exploration and agency vegetation manipulation or alteration); fragmentation caused by grazing installations/livestock facilities, fire and other factors; and OHV use exacerbated by livestock facility-associated roading.

The diminishment, degradation and often disappearance of springs and other surface waters in Nevada is a serious and expanding threat to the persistence of native biota. Ely lands are under even greater assault due to recent legislation allowing aquifer de-watering and pipeline corridors for water export to Las Vegas. Many springs have been developed, thus killing or much-reducing surface flows. The threat of water export and ground water depletion affecting regional aquifers is looming over much of eastern Nevada due to plans to construct pipelines and export water to Las Vegas or other areas, water demands for potential coal-fired powerplants and other developments. Plus, with land disposal under the recent legislation, increased local demand for water on private lands will also occur.

IMPORTANCE OF COLLECTING FOR DEVELOPING ALTERNATIVES AND ANALYZING OUTCOMES

N13-7 We are very disappointed that BLM has failed to collect adequate baseline biological data on wildlife habitats and populations and native vegetation communities, and other ecological conditions in the EIS lands. This requires a minimum of two years of intensive effort, and must include new on-the-ground inventories for special status species and analysis of habitat conditions for these species. This information must be thoroughly and systematically collected, as it is essential for both developing and analyzing alternatives impacts. BLM must also work with agencies in Utah to better understand the shared resources of the lands and habitats by wildlife populations, including special status species.

GOOD MAPS

Maps are not only important in the EIS, but for users of the document in future years to understand management constraints - or goals - on specific land areas when agency projects are proposed, and when new threats arise. Maps need to be detailed, and provide ready geographic frames of reference so that a reader can more easily orient themselves on landmarks such as drainages, and understand locations.

N13-8 Unfortunately, the format of the RMP maps provided does not do that. WWP requested better maps to aid understanding of agency plans across this vast landscape, and was told that none were available. We do not believe that BLM can assess impacts of the RMP alternatives, or expect the public to adequately comment, without much more detailed maps.

Responses to Letter N13

N13-6 Watershed analysis considers the uses mentioned in your comment. Assessment data is evaluated to determine where land health standards are or are not being met. Riparian areas and uplands have associated standards and guidelines by which the data can be evaluated.

N13-7 NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions and make a reasoned choice among alternatives. Where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The baseline data for wildlife habitats and native vegetation communities is adequate to prepare an RMP/EIS for the Ely planning area.

N13-8 The scale (size), background, and shading on the maps were selected to show the information being presented as clearly as possible. Maps have been revised where possible in the Proposed RMP and Final EIS to enhance legibility and user friendliness. Due to the size of the Ely RMP planning area, it is not appropriate to have all maps formatted the same. An appropriate level of detail was selected for each map to display the resource being discussed, e.g. broad coverage for wildlife ranges and finer detail for lands available for disposal. Additional information has been provided in tables and text to supplement the maps.

Letter N13 Continued

Responses to Letter N13

N13-9

With the GIS capabilities available today, BLM can overlay values or threats such as cheatgrass domination of understories, old seedings, understories lacking forbs, areas that have undergone or are threatened by wind or water-caused erosion, relatively intact communities, etc. and produce maps that clearly show important lands, threats, etc. Then, the next step in adding habitat information necessary to understand special status species occurrence, habitats and needs is to gather, assess, map and analyze information from systematic on-the-ground surveys. We request that a supplemental volume, with maps showing all of the above features, be made available to the public.

LIVESTOCK GRAZING SUITABILITY, CAPABILITY, PRODUCTION ANALYSIS AND OTHER STUDIES

BLM is required under the Taylor Grazing Act to set forth its criteria and assessments for grazing suitability determinations. The TGA was passed to “stop injury to the public lands by preventing overgrazing and soil deterioration”, and to determine that land is “chiefly valuable” for grazing. FLPMA requires that BLM undertake an exhaustive and continuous inventory of the public lands and use this inventory to develop land use plans. NEPA requires that an agency provide a “full and fair discussion” of significant environmental impacts, take a “hard look” at the environment and impacts of various alternatives, and that statements shall be supported by evidence that the agency has made the necessary environmental analyses. NEPA also requires the use of sound science.

BLM must provide a grazing suitability and capability analysis that:

- 1) Catalogues and describes lands unsuitable for grazing due to lack of herbaceous vegetation “production”; distance from natural water sources; slope, rockiness (much of these allotments); existing environmental damage (downcut gullies, wet meadows with shrinking wetted areas due to livestock damage, lands “at risk” to weed invasion); lands so seriously depleted that they are no longer able to support livestock grazing on a sustainable basis; and lands that are “at risk” of crossing thresholds (due to livestock degradation) from which recovery to native vegetation communities will not be possible due to dominance of exotic species.
- 2) Catalogues and describes lands unsuitable for grazing based on their important values to rare and declining species, recreational uses, cultural sites, aesthetic value, and other legitimate uses and values of public lands that are harmed or degraded by the chronic effects of livestock grazing.

N13-10

We are unaware of any such past analyses that have been conducted in Ely lands. If they exist, please provide them for public review as part of this process, and use best available science, and collect on-the-ground information necessary to up-date them. Old adjudication claims can in no way be considered “current”, nor can they reflect current scientific knowledge of suitability of many of these lands for livestock grazing in the face of dire threats posed by weed invasions and habitat loss.

N13-9

Please refer to Response to Comment N13-7 for a discussion of data collection.

N13-10

Please refer to Response to Comment N13-7 for a discussion of data collection.

Letter N13 Continued

In reality, the old “adjudication” process grossly over-estimated the suitability, capability and production of the affected lands. Gross exaggerations in lands made in adjudication processes were largely carried forward in the outdated land use plans. Given the ongoing depletion (as shown by BLM’s own limited monitoring data such as Key Areas with 10% or less larger sized native bunchgrasses, and only scant *Poa* or Squirreltail, cheatgrass or other invasive species dominance as primary “forage”, loss of large-sized native bunchgrasses, etc.), and weed invasions resulting in wildly fluctuating and unreliable annual forage production, and other factors, current District-wide surveys are urgently needed.

N13-11 [BLM must abandon the mindset that endless forage exists to support the inflated permitted AUMs, and stop carving up the landscape with new livestock projects or willy-nilly water hauling that will harm refugia of better condition habitats for native species, as is being done in an attempt to support unsustainable numbers of cattle and sheep. A key part of this is determining lands where grazing, or high stocking is inappropriate, and cutting AUMs accordingly.

N13-12 [The new assessment/inventory of acres of lands suitable and unsuitable for livestock grazing, and capable and not capable, must be based on scientifically accurate criteria, be comprehensive, and include collection of on-the-ground data on condition and health of soils, microbiotic crusts, native vegetation (quality, quantity, production), habitat values and quality, and effects of depletion or fragmentation on special status species, the relative scarcity of values, etc.

Examples:

- Across many valley areas, greatly depleted Wyoming big sagebrush and salt desert shrub communities require > 20 acres to support a single AUM. Plus, these lands are increasingly being invaded by halogeton and other weeds as livestock further deplete and trample vegetation and soils. Yet grazing that one AUM across dozens of acres differentially impacts the remnant highly palatable native grasses (*Oryzopsis*, *Stipa*, *Agropyron*), weakens or kills winterfat and other shrubs, tramples soils creating ideal conditions for weed establishment, removes plant materials necessary for food and cover for special status species and other important components of the food chain— such as raptor species small bird, mammal and lizard prey. This results in further depletion of remaining native vegetation communities and tramples and destroys remnant microbiotic crusts (especially since that one AUM has to roam over large areas to find enough to eat. In these lower elevation lands under current management and the absence of any clear

N13-13 [direction in the DRMP, BLM may merely end up managing FOR cheatgrass and halogeton, and fostering continued harm. In this EIS effort, BLM must admit that portions of these lands (some with stocking rates of 20 or more acres per AUM) are NOT suitable for grazing, remove livestock and reduce permitted AUMs/AUM allocations. Once productivity drops below a certain level, lands should not be available for grazing use.

N13-14 [- Less fragmented and relatively intact lands in the Ely District that are essential for maintenance and recovery of sage grouse, raptor prey, migratory bird, pygmy rabbit, pinyon jay, juniper titmouse, and other important or special status species populations, and where these

Responses to Letter N13

N13-11 The Ely Field Office does not have the mindset that endless forage exists. The Proposed RMP specifies management policies and actions and provides programmatic and implementable direction for management of the public lands. Evaluation of livestock grazing use relative to achievement of the standards for rangeland health is a continual and on-going process. Grazing use will be evaluated during the term permit renewal process, during watershed analysis, and during grazing use monitoring, all of which will occur during plan implementation.

N13-12 Please refer to Response to Comment N13-7 for a discussion of data collection.

N13-13 Please refer to Response to Comment N13-11. Virtually all lands within the Ely RMP decision area are suitable for grazing.

N13-14 Please refer to Response to Comment N13-13.

Letter N13 Continued

N13-14 species populations or habitats are being harmed by the grazing of large numbers of AUMs and/or threatened by new livestock facilities or vegetation treatments ---- should be found unsuitable for grazing. These competing values hold increasing importance. The solution is not to juggle seasons of use and build more harmful facilities, but to determine, when weighing relative values, if livestock grazing, or at high current stocking rates, is appropriate.

N13-15 Tables and charts of information on grazing allotments should be presented in the EIS. Actual use/real stocking rates, summaries of monitoring information such as upland utilization, browse use, and use on all riparian areas figures over the past two decades should be presented to the public in the EIS, to see how these may deviate from permitted levels, and so that BLM can conduct necessary analyses of forage and land allocations in the District.

N13-16 If BLM fails to do this, and fails to allocate resources appropriately and based on most current science, and failing to adjust stocking rates to reflect the suitability, capability and productivity of lands for livestock use, BLM is artificially inflating and propping up the sale values of public land grazing permits, plus keeping the door open for the livestock industry to exert political pressure to graze livestock far in excess of sustainable levels. This casts aside or harms other important values of public lands.

N13-17 Lands in the RMP area must also be assessed for suitability in comparison with/weighting against their other uses by society (rare species habitats, scientific reference area value, recreational uses, etc.).

N13-18 Depleted seedings that have lost productivity should be identified for restoration to native vegetation, and removed from the "forage" base. If ranchers did not take care of seedings, the public deserves to have the lands restored and taken out of the forage base. Their depletion shows the unsustainability of grazing livestock on them.

PROTECTION OF NATIVE VEGETATION

N13-19 First and foremost, BLM must use current ecological science to develop a range of alternatives that act to protect remaining native vegetation communities from activities that result in disturbance that could lead to weed invasion/proliferation of exotic species that threaten sagebrush salt desert shrub, pinyon-juniper and other vulnerable vegetation communities, and their ultimate further fragmentation. Protection of these communities is the first step to ensuring that their ultimate restoration may be possible. BLM must conduct a current inventory of native plant community condition and restoration needs.

DESCRIPTION OF SPECIAL STATUS SPECIES, LANDSCAPES/ECOSYSTEM VALUES, WATERSHEDS AND AQUIFERS AS A BASIS FOR ENVIRONMENTAL ANALYSIS

N13-20 BLM must include a description and analysis of all the significant sagebrush, pinyon-juniper, forest, playa, spring, linked aquifer, watershed, and special status species habitat values of the RMP area and surrounding lands. This includes a discussion of the regional and national significance of less-fragmented sagebrush landscapes, wild raptor habitats, etc. sage grouse

Responses to Letter N13

N13-15 Please refer to Sections 2.4.16 and 3.16 in the Proposed RMP and Final EIS for grazing allotment information that is appropriate for the level of analysis in a land use plan. The data that is requested in this comment, while potentially of interest, is more detailed than that required to prepare an RMP for the Ely decision area.

N13-16 Comment noted. Management of grazing at sustainable levels within a multiple use context is a consideration of the Proposed RMP and Final EIS.

N13-17 Please refer to Response to Comment N13-13.

N13-18 Seedings within the Ely RMP decision area are slowly reverting to native species. Proper management has maintained their suitability for grazing and their retention in the forage base. Virtually all lands within the Ely RMP decision area are suitable for grazing.

N13-19 A range of alternatives was presented and analyzed in the Draft and Proposed RMP and Final EIS. Each alternative had a different management emphasis, based on comments received during scoping and the needs/ desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes. Please refer to Response to Comment N13-7 for a discussion of data collection.

N13-20 Please refer to Response to Comment N13-7 for a discussion of data collection.

Letter N13 Continued

N13-20 habitats, etc. For example, BLM should describe the setting, and discuss in detail the unique and significant biological features of the lands, as its first and foremost consideration. The RMP is an opportunity to evaluate the ecological and conservation significance of these lands from the standpoint of special status species and scarce desert waters. BLM must consider livestock grazing as one of many uses of these public lands, and analyze it accordingly. This analysis must encompass native vegetation, soils, microbiotic crusts, native wildlife species occurrence and habitats, special status species occurrence and habitats, roadless lands, livestock facilities, fragmentation, weeds, desertification, etc. Sdaly, this has not occurred.

N13-21 We believe it is necessary for BLM to establish large ACECs to protect the significant special status species, conservation, watershed and wild land values. BLM should designate RNAs, embedded within a larger matrix of an ACEC of sufficient size to protect important ecological values.

N13-22 Large ACECs and avoidance criteria for conflicting land uses across all BLM lands under the RMP should be part of the EIS process - for example, all identified sage grouse habitat should be withdrawn from ALL new development of livestock water, due to the extensive habitat fragmentation that could occur if new pipelines are built, and subsequent increased chronic depletion were to occur.

N13-23 Seasonal avoidance of activities such as exploration or livestock grazing should occur during periods when sage grouse and migratory birds are nesting, when pygmy rabbit young are in shallow natal burrows, etc.

N13-24 ALL WSAs, significant unroaded lands suitable for wilderness, all ACECs, etc. should be protected from new or increased livestock intrusion in all parts.

ROADLESS WILD LANDS/WILDERNESS

N13-25 BLM must use this planning process to expand its understanding of unroaded lands beyond that of the out-dated, deeply flawed and politically biased wilderness inventory process of over 20 years ago. The importance of large parcels of interconnected unroaded wild lands in these allotments becomes greater with each passing day – as more information about roads causing disturbance to species during sensitive times of the year, roads serving as conduits for weed invasion (Gelbard and Belnap 2003), with weeds then being spread into wild lands by livestock, and road impacts to watersheds, is gathered.

FLPMA requires BLM to undertake a continuing inventory of the public lands and to use this inventory to develop land or resource management plans. Current ecological science demonstrates the many values of unroaded lands to watersheds, wildlife, and to public.

Review of BLM's own records on the 1979-1980's wilderness inventory process show that BLM engaged in flawed, biased and irrational analysis. It focused primarily on canyons or very rugged mountainous terrain, and rejected plateau, basin and alluvial fan lands where the livestock industry hoped to increase livestock use through construction of new livestock installations or

Responses to Letter N13

N13-21 The Nevada BLM designates ACECs to highlight areas where special management attention is needed to protect and prevent irreparable damage to: important historic, cultural, and scenic values; fish or wildlife resources; or other natural systems or processes; or to protect human life and safety from natural hazards. The Proposed RMP proposes the designation of 17 new and 3 existing ACECs for a variety of resources. The boundaries of all ACECs proposed in the Proposed RMP were closely reviewed and adjusted to ensure sufficient special management requirements can be met for the relevant and important resources of those areas. Research Natural Area is not a designation that is allowed under the new BLM Land Use Planning Handbook.

N13-22 The Ely Field Office determined that an ACEC was not necessary for management of sage-grouse habitat and leks. Sage-grouse habitat and leks could be effectively managed through land use plan decisions including leasing stipulations and permit terms and conditions. Please refer to Section 2.4.7.7 of the Proposed RMP and Final EIS for sage-grouse management actions.

N13-23 Please refer to Section 2.4.7.7 and the best management practices in Appendix F, Section 1 of the Proposed RMP and Final EIS for seasonal restrictions of activities that are designed to protect a variety of species of wildlife.

N13-24 Increases in livestock grazing and facilities in existing wilderness study areas may only occur if they can be shown to not impair the areas' suitability as wilderness. Areas with wilderness value outside of current wilderness study areas have been reviewed and designated through the Lincoln County, Conservation, Recreation, and Development Act of 2004 and the White Pine County Conservation, Recreation, and Development Act of 2006. Livestock grazing in new proposed ACECs would be managed through terms and conditions set during the ACEC management planning process.

N13-25 Areas with wilderness values outside of existing wilderness study areas have been reviewed and wilderness has been designated through the Lincoln County Conservation, Recreation, and Development Act, and the White Pine County Conservation, Recreation, and Development Act. Please refer to Section 2.4.14.1 of the Proposed RMP and Final EIS for clarification of how comprehensive travel management planning will occur in the Ely RMP planning area.

Letter N13 Continued

Responses to Letter N13

“treatments”. Besides being fraught with political bias, the lens through which BLM evaluated roadless values in those bygone days is outdated, and unsupported by current scientific knowledge of the accelerating fragmentation of sagebrush habitats, and the sensitivity of sage grouse and many other species to disturbance or habitat degradation resulting from roading, the need for large intact landscapes to protect native species and biodiversity, and the growing public appreciation of wide open spaces. BLM’s old inventory often rejected sagebrush and salt desert shrub lands because “a visitor could only find a sense of monotony” in the early 1980s. Yet now, BLM is singing the praises of the expansive vistas and feeling of wild untrammelled spaces of the bits of plateau country included in the canyon-focused WSAs.

N13-26 [BLM must conduct an inventory of all roading, and evaluate its impacts in fragmenting habitats for special status species, and all threats posed to these species habitats (weed spread – especially when coupled with the added impacts of livestock crisscrossing road conduits and spreading weeds into adjacent wild lands, catalytic converter fires from recreational use on such roads, etc.). On BLM lands, roads are often the result of livestock facility construction or maintenance.

N13-27 [In addition, BLM can use this EIS effort to newly evaluate and add to an understanding of: Naturalness, solitude, primitive and unconfined recreation, special feature. Plus, BLM must update the “Special features” that in 2004 certainly includes presence of sage grouse or pygmy rabbit habitat, presence of native vegetation communities with minimal exotic species infestation, importance of large unfragmented “sagebrush sea” expanses, etc. Impacts of livestock grazing on WSAs or other Roadless land values must be thoroughly evaluated under all alternatives. We understand that a White Pine Wilderness Bill may in progress, but we do not believe that either the Lincoln County Bill or the one in the works will have sufficiently addressed Wilderness issues.

THE SAGEBRUSH SEA

Sagebrush plant communities Westwide are besieged by an array of threats. These threats include exotic species, altered fire cycles, continued disdain in the eyes of the livestock industry, continued destruction by livestock grazing: livestock alteration of the native herbaceous understory with resultant cheatgrass invasion; livestock breaking or consuming sagebrush or other shrubs and destroying the physical structure with resultant destruction of the necessary shrub structure for nests of species such as loggerhead shrikes or overhead protection for the pygmy rabbit; plans to hack, beat, thrash, burn and otherwise remove sagebrush to conduct “seedings” or to thin or remove sagebrush in sites susceptible to cheatgrass or weed invasion, especially under harmful grazing practices (stocking levels, levels of use, no real rest) under the Decisions. Note: Many past BLM seedings, green strips, and sagebrush thinning projects have been ecological disasters – leading to loss of topsoil, cheatgrass and other weed invasion, and loss of habitat for native species.

N13-28 [Public appreciation of sagebrush country values and the beauty of wide open space and Basin and Range landscapes is growing. Sagebrush dependent wildlife species are known to be rapidly declining or jeopardized (Dobkin and Sauder 2004). The protection, enhancement and restoration of native sagebrush plant communities including: Wyoming big sagebrush, Basin big sagebrush,

N13-26 Please refer to Response to Comment N13-7 for a discussion of data collection.

N13-27 Thank you for your comment. The subject of this comment is beyond the scope of the Ely RMP. The Proposed RMP and Final EIS does not recommend new wilderness study areas, and the designation of wilderness is the responsibility of Congress.

N13-28 The restoration of sagebrush communities is a key element of the vegetation treatment proposed in the Draft RMP and EIS and Proposed RMP and Final EIS. Please refer to Section 2.4.5.5 (Salt Desert Shrub) and Section 2.4.5.6 (Sagebrush) in the Proposed RMP and Final EIS for discussions of the proposed management actions for these vegetation communities.

Letter N13 Continued

N13-28 mountain big sagebrush, big sagebrush-bitterbrush, big sagebrush islands/inclusions in black or low sage brush - should be the basis driving management decisions in this EIS effort. In addition, the lower elevation salt desert shrub communities interfacing with sagebrush and found in the valleys, provide essential habitat for many special status species or their prey, and must also be considered a high priority. Livestock are causing weed invasion, and shifts in shrub species and loss of shrub structure through consumption and physical damage.

SAGE GROUSE

N13-29 Recent sage grouse research has revealed that vast acreages (across hundreds of square miles) may be used by sage grouse in the course of a year. BLM must fully consider the vast acreages needed by sage grouse for leks, nesting, brood rearing, and winter habitats. ACECs of sufficient size to include all the lands required by populations must be designated accordingly.

RESTORATION

N13-30 BLM must identify lands in the allotments to be restored to native vegetation. These include: exotic seedings, annual exotic communities, livestock-damaged native communities, areas highly impacted by livestock facilities or management activities.

N13-31 "Restoration" means returning native vegetation to a site, with ecosystem processes in a natural condition - as near to "pristine" as possible. It does mean achieving some artificially constructed "Desired Future Condition".

N13-32 Specific areas to be restored to native vegetation composition and structure: Crested wheatgrass seedings, halogeton-infested salt desert shrub communities, cheatgrass communities. In addition: the degraded lower elevation salt desert shrub/Wyoming big sagebrush communities with cheatgrass understories, wet meadow complexes and springs and seeps throughout the RMP area, Utah juniper or pinyon-juniper communities with livestock-degraded understories or where BLM has converted forests to crested weed grass seedings, and some have now become primarily invasive species infested areas, such as halogeton or white top/hoary cress.

N13-33 The first step in restoration throughout many areas of these lands is reduction or removal of livestock grazing for sufficient periods to enable establishment of fragile native species and/or recovery of native understories. Only native plants should be used in all restoration, and in all post-wildfire seeding. Passive restoration techniques, such as reduced livestock grazing or road closure should be

N13-34 Fire, at present, is not an appropriate restoration technique in many areas due to the risk associated with the threat of exotic species invasion following fire disturbance. The looming threat of exotic species invasions following site disturbance such as fire on livestock-degraded lands makes playing with prescribed fire a dangerous undertaking that may have irreversible consequences. Fire is simply an additional (and often drastic) site disturbance on top of the ongoing chronic disturbance of livestock grazing that has altered species composition, function and structure on these lands (Fleischner 1994). Until BLM sufficiently controls livestock

Responses to Letter N13

N13-29 Please refer to Response to Comment N13-22.

N13-30 Please refer to Response to Comment N13-18.

N13-31 Please refer to Section 1.5.1 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of planning criteria, specifically general criterion #18 regarding the use of NRCS ecological site descriptions for all vegetation communities. The management prescriptions for all vegetation communities reflect the necessary actions to maintain or restore these systems to achieve desired future conditions. These desired future conditions reflect managing vegetation systems in the context of multiple uses and are not "artificially constructed".

N13-32 Please see Response to Comment N13-31. Seedings do not meet ecological site descriptions, but the Ely Field Office is managing for the return of native species into these seedings. Actions are designed to manage for multiple use and sustained yield, thus all available tools will be used to contain or reduce invasive species and noxious weeds.

N13-33 An implementation strategy will be developed as part of watershed analysis for one or more watersheds, as the site-specific situation may require. Site-specific management actions could include reduction or exclusion of livestock grazing in areas prior to treatment. If seeding is necessary, again site-specific analysis would determine appropriate seed mixture, and this could include native species. Road closure through transportation planning could also be recommended through the watershed analysis process.

N13-34 An implementation strategy would be developed as part of the watershed analysis. Site-specific analysis would consider the use of all tools and techniques, singly or in combinations, to achieve land health standards. Fire may be an appropriate tool for restoration given site-specific conditions.

Letter N13 Continued

N13-34 grazing, and sites recover and heal, use of fire further jeopardizes many native plant communities. Plus, many BLM “prescribed burns” have gone awry in the past. Careful and selective cutting of trees is the best strategy to reduce “encroaching” trees. However, this should only be done after surveys that determine that any trees are actually encroaching and livestock grazing has been sufficiently controlled. Leaving trees and branches on-site maximizes watershed values, provides safe-sites for germination of native grasses and forbs, and shades the ground surface and traps snow, thus enhancing site moisture.

N13-35 Protection of old growth and mature trees should be a primary focus of all efforts.

LIVESTOCK GRAZING AND ALTERNATIVES DEVELOPMENT

There is now an overwhelming scientific understanding of the harms to arid western lands caused by domestic livestock grazing. We refer BLM to Professor Debra Donahue’s excellent recent book *The Western Range Revisited*. This book describes and catalogues the loss of biodiversity, exotic species, soil erosion, water pollution, and ask that you incorporate it as part of our comments. Note that during her professional career, Professor Donahue spent time in sagebrush habitats working for BLM on its livestock-degraded lands in Idaho and Nevada.

N13-36 BLM must prepare the EIS based on this now-overwhelming and irrefutable body of scientific knowledge about the harms caused by livestock grazing to native species and their habitats. First and foremost, BLM must honestly assess harms being caused by livestock grazing, the importance of this land for other uses, and carefully and honestly evaluate whether continued grazing on damaged lands is in the public interest.

N13-37 If BLM, using current science and following detailed inventory and assessment finds it may be suitable for livestock as a use of public lands to continue in any areas, the EIS must establish specific measurable standards of livestock grazing use as Terms and Conditions of grazing permits. A 6" stubble height must be the trigger to move livestock from springs, seeps and riparian areas. A trampling standard of 5% or less of accessible bank area with livestock trampling is another trigger/threshold that must be instituted. When the 5% trigger/threshold is crossed, livestock should be removed from the area. Riparian browse use should be 15% or less on new growth.

N13-38 Upland utilization standards must be 25% or less of native species, or levels sufficient to allow a minimum seven inch **residual** herbaceous stubble height, with no grazing allowed during critical growing periods or sensitive periods for native species. 10% or less browse and breakage use by livestock should be the maximum allowed on **all** shrubs, both upland and riparian species. Winter grazing desiccates native grasses, strips them of standing material necessary to protect sensitive crowns from winter freezing, eliminates food and cover for native wildlife, and typically occurs during periods when some growth actually is occurring on native plants, and needs to be very carefully controlled and/or eliminated. Microbiotic crust damage from livestock trampling occurs at all times of years - in summer when crusts are powdery dry, and in winter when moist soil conditions results in deep cow hoofprints in soft soil conditions during thaws.

Responses to Letter N13

N13-35 In accordance with the Healthy Forest Restoration Act, the Ely Field Office has made protection of old growth a priority. Please refer to Section 2.4.5 for old growth characteristics for pinyon-juniper, aspen, and high elevation conifers.

N13-36 The Federal Land Policy and Management Act stipulates that the BLM manage public lands for multiple uses and sustained yield. Watershed analyses are being used to determine if land health standards are being met and what the casual factors are if standards are not being met. If livestock grazing is found to be contributing to not meeting standards, appropriate adjustments in livestock management would be made.

N13-37 The RMP specifies management policies and actions and provides programmatic and implementable direction for management of the public lands. Specific measurable standards and objectives are used during rangeland monitoring. Evaluation of livestock grazing use relative to achievement of the standards for rangeland health is a continual and on-going process. Grazing use on these areas will be evaluated during the term permit renewal process, during watershed analysis, and during grazing use monitoring.

N13-38 Please refer to Response to Comment N13-37.

Letter N13 Continued

N13-39 BLM must develop a range of alternatives that rely on the implementation of measurable standards of use, coupled with significant reductions in stocking rates and active herding management by permittees, to protect lands from livestock damage. It must not backslide into the construction of even more livestock facilities, or convoluted grazing schemes when the fundamental problem is over-stocking and over-use, and the grazing of lands that under any grazing scheme will be damaged.

Relevant scientific references detailing the ecological harms caused by livestock grazing also include include: Fleischner 1994, Belsky 1996, Belsky et al. 1999, Belsky and Gelbard 2000.

ALTERNATIVES ARE FLAWED AND MUST BE REVISED

N13-40 BLM must develop a range of suitable and clear alternatives that protect special status species, watersheds and ecosystems. Unfortunately, the Draft RMP alternatives do not present an adequate range, and within alternatives, "poison pills", have been inserted, which contain something blatantly unacceptable to various factions of public lands users who might otherwise support that alternative.

N13-41 Given the outstanding values and significance, and vulnerability to weed invasion and ecosystemic change of many of these lands, BLM must develop several alternatives that focus on ecological protection. All alternatives must have clear, measurable standards of use and objectives for livestock grazing.

WATER QUALITY AND QUANTITY

N13-42 Livestock grazing is the primary (and often the only) cause of water quality degradation in the EIS area. Livestock grazing causes watershed destruction ranging from desiccation of headwater springs and seeps to downcutting and gullying of streams resulting in rapid runoff and limited water storage.

We have collected water quality samples on springs, seeps and headwater streams on BLM lands in Idaho, with similar conditions to those we have observed on Ely lands. Coliform and fecal coliform bacteria levels of hundreds of thousands are common. Sadly, it is precisely these areas that are critical to declining species such as sage grouse, and to pronghorn antelope who are forced to drink what is essentially a brine of liquid livestock feces, urine and mud.

N13-43 BLM must collect baseline water quality data on springs, seeps, streams and other riparian areas during periods of the year when livestock are present, and/or runoff is occurring, as part of this process. This is necessary to allow up-to-date and informed decisionmaking on compliance with state water quality standards and the CWA, and much-needed additions to the 303d list. It includes bacterial, temperature, sediment and other data. BLM cannot merely rely on state lists - since in many cases, state agencies regulating water quality have old, or out-dated information that includes only a very limited number of sites.

Responses to Letter N13

N13-39 Please refer to Response to Comment N13-37. A range of alternatives was presented and analyzed in the Draft RMP and EIS and Proposed RMP and Final EIS. Each alternative had a different management emphasis, based on comments received during scoping and the needs/desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes.

N13-40 A reasonable range of alternatives was presented and analyzed in the Draft and Proposed RMP and Final EIS. Each alternative had a different management emphasis, based on comments received during scoping and the needs/desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes. The management actions that are presented in the Proposed RMP were developed through consideration of the planning criteria presented in Section 1.5 of the Draft RMP and EIS and Proposed RMP and Final EIS, public scoping comments presented in Section 1.6, BLM policy especially as presented in the Land Use Planning Handbook, and the professional judgment of the staff in the Ely Field Office. The Proposed RMP incorporates comments from a wide array of users of the Ely RMP planning area.

N13-41 The alternatives analyzed represent a complete range of reasonable alternatives for analysis in the Ely RMP, including considerations of ecological protection. All alternatives share the same goal for management of livestock grazing, as presented in Table 2.9-1.

N13-42 Livestock grazing may be one factor among many for not meeting water quality standards in a specific area. The BLM is required to maintain water quality where it presently meets approved state water quality requirements, guidelines, and objectives, and to improve water quality on public lands where it does not meet those requirements, guidelines, and objectives. A priority for the Ely Field Office management is protection of riparian systems and healthy functioning watersheds.

N13-43 Please refer to Response to Comment N13-7 for a discussion of data collection.

Letter N13 Continued

N13-44 [BLM must assess the effects of livestock-caused pollution of springs, seeps and all surface waters on recreational uses, and on aesthetics.

N13-45 [BLM must provide for compliance with water quality standards with definite triggers and responses to water quality problems that are clearly spelled out in the EIS. Application of specific yearly water quality monitoring procedures must be made a term and condition of livestock grazing permits in the EIS area. BLM must analyze watershed-scale impacts of livestock grazing. This has not been presented in the DRMP.

LARGE LIVESTOCK-FREE REFERENCE SITES AND WATERSHEDS

N13-46 [BLM must designate large (greater than 10,000 acres) sites, and entire watersheds, over several representative portions of the EIS area to act as scientific reference sites to provide refugia for native species whose habitats have been degraded by livestock grazing practices and livestock facilities, and to allow evaluation of livestock grazing impacts to these wild lands.

LIVESTOCK RANGE INSTALLATIONS AND VEGETATION TREATMENTS

N13-47 [BLM must inventory and identify all livestock facilities, range projects and zones of heavy livestock concentration such as salting or water haul sites, and present this information to the public in the EIS - wells, pipelines, troughs, spring projects, fences, cattleguards, corrals, etc. The location, operating condition and state of repair of all installations (including presence of operative wildlife escape ladders) must be revealed to the public, as well as their cost at time of construction, and maintenance responsibility. Junk and debris associated with facilities must also be examined (nearly every Nevada BLM allotment we visit is littered with debris associated with dilapidated range facilities, large junked water tanks, old pipes strewn about, etc.). For example, if there is a rusted out cow trough sitting surrounded by a pool of mud that resulted from a spring development, the public needs to know this. How many spring-projects have resulted in drying of the spring water source? How much water is removed from the spring, and how much remains, for all spring projects? Likewise, vegetation treatments must be detailed. How many seedings exist on these lands, and what is their current condition and productivity (compared to what the productivity was planned to be)? How are these projects or facilities fragmenting habitats? All direct, indirect and cumulative impacts must be identified.

N13-48 [How are these installations or treatments impacting soils, vegetation, cultural sites, habitats, etc. on adjacent lands? How are they impacting the broader landscape? BLM must provide an analysis of range installations that may be degrading important wild land sites. For example, if a cow trough is leading to increased disturbance of soils in a WSA or a cultural site or sage grouse nesting habitat, then that cow trough should be removed, and lands rehabilitated. What threats does each of these facilities pose to special status species or their habitats? BLM must examine such impacts across land ownership lines.

Livestock permittees routinely clamor for more projects, and BLM - in an attempt to avoid reductions in livestock numbers necessary to protect public lands values - obliges. Past fencing and development sprees have resulted in the many ill-designed and poorly maintained de-

Responses to Letter N13

N13-44 Livestock grazing is one of the multiple uses that occur on BLM-administered lands. Wherever water sources are provided for livestock, they will congregate. Some public land users may view the evidence of livestock use around water sources negatively, but such site-specific effects are inherent in multiple use and would be managed as necessary under the existing grazing regulations.

N13-45 The Ely Field Office is required to maintain water quality where it presently meets approved state water quality requirements, guidelines, and objectives, and to improve water quality on public lands where it does not meet those requirements, guidelines, and objectives. Water quality indicators are outlined in Resource Advisory Council Standards and would be evaluated as part of the watershed analysis process.

N13-46 There are no laws, regulations, or policies that require the Ely Field Office to designate "scientific reference sites". The Federal Land Policy and Management Act stipulates that the BLM manage public lands for multiple uses and sustained yield. Watershed analyses are being used to determine if land health standards are being met and what the casual factors are if standards are not being met. Native species habitats are evaluated against a habitat standard as part of watershed analysis, and casual factors for not meeting the habitat standard are also determined.

N13-47 Please refer to Response to Comment N13-7 for a discussion of data collection.

N13-48 Individual range installations or treatments are beyond the scope of the Ely RMP. The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for range facilities are prepared and evaluated through follow-up monitoring.

Letter N13 Continued

watering spring projects, shifted livestock use that caused new weed problems as zones of intense livestock concentration are invaded by weeds.

N13-49 After compiling a comprehensive inventory and analysis of range installations, BLM must identify those which are no longer working/in repair, and also those which are causing harm to special status species, raptor prey, springs, watershed, or other important public lands values, and act to remove them. It does not matter if these facilities were built pre-FLPMA or not. BLM must review all project information in its files, and thoroughly examine the facility network on-the-ground, visit all installations, collect complete and systematic information on their impacts on soils, microbiotic crusts, native vegetation, watersheds, wildlife, and cultural sites, and determine whether it is in the public interest to remove them and restore damaged lands.

We are tired of visiting BLM wild lands and encountering seas of livestock feces, bare dirt or weeds surrounding cattle tanks, and on closer examination seeing extensive areas of lithic scatter being newly exposed by erosion from livestock concentration, or expanses of halogeton or white top spreading outward from them. In addition, even modest maintenance and protective measures for native wildlife are often lacking. Floats to promote water flow conservation are lacking, there are no wildlife escape ladders so troughs are deathtraps for migratory birds, etc.

N13-50 BLM must also evaluate the impacts of fences and fence posts on special status species and their habitats. For example, if a fence is located in important sage grouse nesting habitat and it is providing perches for sage grouse nest predators such as ravens, the fence should be removed. See Connelly et al. 2004 for a discussion of harmful impacts of fences. Plus, fences are a significant source of mortality to grouse that fly into them. Fences in important sage grouse use areas should be slated for removal.

N13-51 In the past, the construction of these facilities has been the justification for continued excessive stocking rates. A key part of BLM's analysis must be the suitability/capability studies, and reduction in livestock numbers and changes in livestock management practices that includes facility removal and subsequent site restoration.

REMOVAL OF LIVESTOCK WELLS AND PIPELINES

N13-52 In particular, BLM must assess the impacts of all wells, pipelines, water haul sites, stock ponds and other artificial upland water sources on special status species, watersheds, and native vegetation, and analyze the removal of harmful artificial livestock water sources in the EIS alternatives. These artificial water sources are resulting in serious damage to surrounding lands due to concentrated and/or increased livestock use. These facilities and the excessive livestock use associated with them is a serious threat to special status species. It greatly increases site vulnerability to exotic species invasion, creates habitat and behavioral conflicts with wildlife, degrades recreational experiences, etc. These artificial water sources are impediments/little compatible with achieving enhancement or restoration of damaged special status species and sagebrush sea habitats.

Responses to Letter N13

N13-49 Please refer to Response to Comment N13-48 for a discussion of range installations.

N13-50 Individual fences are beyond the scope of the Ely RMP. The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for the installation or removal of fences are prepared and evaluated.

N13-51 Please refer to Response to Comment N13-37.

N13-52 Individual livestock water developments are beyond the scope of the Ely RMP. The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for water developments are prepared and evaluated.

Letter N13 Continued

WATER HAULING

N13-53 Water hauling is associated with a great risk of weed infestation and spread (regular vehicle trips through weed-infested roads and roadsides, and then deposition of weed seeds in areas of livestock disturbance and ready dispersal. BLM should not continue allowing water hauling. Lands that are too arid to provide surface water to livestock should not be grazed. Water hauling leads to road damage and disturbance of wildlife, as well as ranchers clamoring for road improvement, which may lead to increased human use and disturbance of wildlife. Any sites where water is hauled - even for one grazing season - will suffer permanent harm from trampling - soil compaction, loss of microbiotic crusts, and grazing -weakening or loss of native grasses, structural damage to shrubs, depletion of desirable plants. Plus, water sources for hauling may be on weed-infested private lands (such as white top/hoary-cress infested lands), and water hauling may rapidly spread weeds into wild lands through seeds on vehicle tires, weed infestation and then subsequent cross-country spread by livestock.

NO TNR

N13-54 BLM should not allow Temporary Non-Renewable Use (TNR) on these lands through this RMP. TNR use is not compatible with restoration of damaged plant communities, protection of special status species habitats, or maintenance of wildlife populations. TNR has typically occurred in the winter - when there are significant conflicts between wintering wildlife and human intrusion on special status species, raptor, big game and other winter habitats.

VALUE OF JUNIPERS AND PINYON JUNIPER AND DENSE SAGEBRUSH

N13-55 BLM must recognize values of juniper and pinyon-juniper as native tree species. In areas where junipers may be thought to be increasing, BLM must collect site-specific data to verify this information. BLM must determine first - does an "invasion" really exist? There are many scientific articles on the promiscuous burning by sheepherders and livestock in post-settlement times. In addition, there was widespread deforestation across Nevada associated with mines.

N13-56 If BLM an "invasion" actually is occurring, what is the cause? Have soil erosion, and the loss of native understory vegetation due to livestock grazing, actually resulted in site conditions more suitable to juniper? If so, what actions will BLM take to heal these damaged sites before undertaking any vegetation alteration?

N13-57 Any treatment should be selective hand-cutting of trees with the entire felled tree left in place. This method is selective, leaves all nutrients on site, and the structure of the felled tree helps to trap moisture on site, and provides suitable micro-habitats for native species establishment.

N13-58 Due to the impacts to understories, soils, microbiotic crusts, etc. from 140 years of livestock grazing, and the looming threat of exotic species invasion in post-burn environments, burning is simply too risky. Plus, burns may extend intense use by cattle or wild horses into previously less used areas.

Responses to Letter N13

N13-53 Grazing use and water hauling will be evaluated during the term permit renewal process, during watershed analysis, and during grazing use monitoring. Water hauling is an activity allowed by regulation and therefore will not be analyzed as a management action in the Proposed RMP. The Proposed RMP specifies management policies and actions and provides programmatic and implementable direction for management of the public lands.

N13-54 Temporary Non-Renewable Use (TNR) is a grazing activity that will occur during implementation of the plan. Grazing use and TNR will be evaluated during the term permit renewal process, during watershed analysis, and during grazing use monitoring. TNR is an activity allowed by regulation and therefore will not be analyzed as a management action in the Proposed RMP. The Proposed RMP specifies management policies and actions and provides programmatic and implementable direction for management of the public lands.

N13-55 The Ely Field Office recognizes the value of pinyon/juniper woodlands to watershed functions and wildlife habitat. Please refer to Section 1.5.1 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of planning criteria, specifically general criterion #18 regarding the use of NRCS ecological site descriptions for all vegetation communities. Soil maps describe and illustrate the extent and distribution of ecological sites on a landscape basis. Site-specific data will be collected prior to applying any management prescriptions for ecological sites in the Ely RMP decision area. The Proposed RMP and Final EIS does not characterize the expansion of pinyon and junipers onto range sites as an "invasion". Please refer to Section 3.5 for a discussion of vegetation trends within the Ely RMP planning area.

N13-56 Please refer to Response to Comment N13-55 for a discussion of pinyon/juniper "invasion". Also see Appendix A in the Proposed RMP and Final EIS for a discussion of the process found in BLM Handbook H-4180-1 Rangeland Health Standards. This process is used to determine if watersheds are meeting land health standards (rangeland health standards). This process will be applied to identify causal factors for not meeting land health standards. An implementation strategy will be developed as part of watershed analysis for one or more watersheds, as the site-specific situation may require. Site-specific data collection will also occur to accommodate adaptive management concepts.

N13-57 Please refer to Appendix H in the Proposed RMP and Final EIS for a listing of mechanical treatments for vegetation.

N13-58 The Federal Land Policy and Management Act stipulates that the BLM manage public lands for multiple uses and sustained yield. Burning is only one of many tools available as a treatment, alone or in combination with others tools, that the Ely Field Office may use to achieve land health standards. Which tools are appropriate at any one site will be decided after watershed analysis and site-specific data assessment and monitoring have occurred.

Letter N13 Continued

Please review Joy Belsky's articles on western juniper (Belsky 1997), and livestock as a causal agent of "doghair thickets" of trees in arid forests due to the stripping/destruction of understory vegetation by livestock (Belsky and Blumenthal 1997), available on-line at www.onda.org.

- N13-59 [We are extremely concerned that BLM in Nevada is relying on SCS/NRCS soil surveys as the basis for claims that sites are not forested sites. These inventories overlooked the recent (post-settlement) history of the site, and the degree of deforestation that has occurred in the past 150 years. Thus, they can not be used as the basis for claims that sites that were not occupied by pinyon or juniper at the time of settlement were not pinyon or juniper sites.

DIE-OFF AND DROUGHT MUST BE ASSESSED

- N13-60 [Recent die-off of sagebrush, pinyon pine and juniper has occurred on many areas of public lands. BLM must inventory and assess areas of plant die-off across these allotments and surrounding lands. How will any die-off affect habitats? What actions can be taken to minimize impacts to native wildlife? Impacts of recent on plant vigor and species composition must be assessed.

- N13-61 [What are the likely impacts of global warming on forested and other habitats managed by ELY BLM?

All of these issues are not addressed in the DRMP.

POST-BURN/TREATMENT REST FROM LIVESTOCK USE/POST BURN FENCING/TRESPASS

- N13-62 [A minimum period of five years rest from livestock grazing following any wild fire or BLM vegetation treatment/manipulation must be standard operating procedure on EIS lands. This is necessary to allow recovery and establishment of native species. Grazing should then be allowed only if specific measurable criteria for establishment of native vegetation and microbiotic crusts have been met.

- N13-63 [Only native species should be used in any post-fire seeding effort, or in any seeding effort (such as road rights-of-way, areas where cow troughs are removed, etc) in EIS lands.

- N13-64 [BLM should not construct new or temporary fences in burned lands. The already existing pasture fences should be used to control livestock. Electric fences very often fail, and burn trespass occurs.

- N13-65 [Any livestock trespass of burns or areas being rested from grazing must result in permit action against the responsible permittee. The public's investment in fire rehab is often tens of thousands of dollars, and it can be destroyed through trespass.

ROAD MAINTENANCE

Responses to Letter N13

- N13-59 The SCS/NRCS soils survey data are based primarily on soil characteristics rather than simply being a depiction of existing vegetation communities. Thus, they present the best available indication of potential vegetation communities on a given site in a manner that is relatively independent of post-settlement history of the site.

- N13-60 Please refer to Response to Comment N13-7 for a discussion of data collection. Monitoring of vegetation die-off is ongoing and such changes in vegetation communities will be considered in individual watershed analyses.

- N13-61 The effects of global warming on the Ely RMP planning area are unknown. Thus, to formulate management actions based on potential climate changes would be speculative.

- N13-62 There are no laws, regulations, or policies that require the Ely Field Office to implement 5 years of rest from grazing following a fire or vegetation treatment. Since recovery varies by site and climatic conditions, the policy of BLM is to rest a burned or treated area at least two years, or until site objectives for vegetation are met, as determined through pretreatment assessment and monitoring.

- N13-63 If seeding is necessary, site-specific analysis would determine the appropriate seed mixture, and this could include native species.

- N13-64 The need for construction of fences associated with burned lands is evaluated on a case-by-case basis and is addressed in Emergency Stabilization Plans. Grazing use associated with burn areas is addressed on a case-by-case basis. Management actions can range from full or partial closure to a change in grazing use in which existing pasture fences could be used to control livestock

- N13-65 Livestock grazing closures are issued when immediate protection due to fire is required. Closure of burn areas or allotments and actions associated with unauthorized use are regulatory actions that are addressed on an annual basis. Refer to the best management practices (Appendix F, Section 1) in the Proposed RMP and Final EIS under watershed management for reference to closure of livestock grazing in burned areas.

Letter N13 Continued

N13-66 Road maintenance must be kept under controls. BLM lands in the West are increasingly characterized by examples of overkill in maintenance that results in blading willows, blading huge bare swaths (as weed corridors) on the roadsides, and unnecessary drainage furrows hundreds of feet long in relatively flat terrain. BLM must try to maintain and promote native vegetation on roadsides and keep them from becoming weed corridors (see Gelbard and Belnap 2003).

PREDATOR KILLING

N13-67 BLM must assess the impacts of predator control actions across these lands on special status animal species and native plant communities. BLM must prohibit aerial gunning of coyotes - which causes intrusive disturbance in wild land areas and may disturb sensitive wildlife species during critical periods of the year. Activities of Wildlife Services can damage public lands. For example, WS may harm public lands and values by: driving roads when muddy, disturbing wildlife during sensitive times of year; cross-country travel by OHVs spreading weed seeds, crushing vegetation or harming soils; trapping in sensitive species habitats or near popular recreation areas or important wildlife habitats; altering population structure of native predators; removing badgers that are important in providing burrows for burrowing owls; reducing predator kills and thus reducing carrion for bald eagles and some other raptors; accidental mortality of golden eagles or other raptors in traps, etc.

N13-68 BLM must propose alternatives that constrain or remove WS activities from sensitive species habitats on Ely District lands. Removal of native predators only results in increased predation problems, and upsets the stable social structure of coyotes or other native predators. If a rancher claims a predation problem, then that rancher should be responsible for protecting livestock by increased herding and vigilance. If the rancher is unwilling to do that, the livestock should be removed from the public lands.

N13-69 BLM must present accurate and detailed information on the areas where predator control activities currently occur, and the amount and timing of such activities.

WEEDS/EXOTIC SPECIES

N13-70 BLM must fully recognize the fact that domestic livestock are the primary cause of weed infestation across the EIS area lands. Livestock: travel cross-country transporting weed seeds in mud on hooves, fur and feces; create zones of intensive disturbance that are ideal sites for infestation by weeds, harm and weaken native vegetation giving aggressive exotic species an advantage.

N13-71 BLM must identify lands that are currently "at risk" for weed invasion, and identify specific preventative measures that will be taken to prevent their spread. BLM has shrugged aside the role of livestock in weed infestation, and thus has been largely ineffective in weed control. BLM continues to graze sites of known weed infestation, thus ensuring that infestations spread - as livestock are tremendous vectors of weed seed spread and create disturbance where weeds thrive. BLM's approach is obviously not working.

Responses to Letter N13

N13-66 In response to your comment, best management practice #1.18.2 for road maintenance has been added to Appendix F, Section 1 of the Proposed RMP and Final EIS.

N13-67 Predator control is not conducted by BLM. Thus, the topic of this comment is beyond the scope to the Ely RMP.

N13-68 Please refer to Response to Comment N13-67.

N13-69 Please refer to Response to Comment N13-67.

N13-70 The Ely Field Office does not agree that domestic livestock grazing is the "primary cause of weed infestation" across the Ely RMP planning area. The Federal Land Policy and Management Act stipulates that the BLM manage public lands for multiple uses and sustained yield. The Ely Field Office is concerned about the potential for increased noxious weed invasions and will use allowable management techniques in treating them.

N13-71 The Ely Field Office is currently inventorying and treating for noxious weeds and will use this data as part of the watershed analysis process. As part of watershed analysis, implementation strategies will be developed to deal with weeds and vectors of weed infestation. One of the objectives of the Proposed RMP is to improve the control of weeds across the decision area.

Letter N13 Continued

N13-72 [BLM must take all possible measures to prevent the spread of weeds into the fairly intact native vegetation communities in the RMP area, including quarantining cattle or sheep before turnout on public lands for sufficient periods for weed seeds to pass through their systems, and prohibiting trailing or movement from a weed-infested pasture/area into one without weeds.

N13-73 [Rapidly expanding threats in the RMP lands includes white top and knapweed/, which have the potential to become established in disturbed sites - such as livestock-trampled wet meadow and spring margins. These species then move out into surrounding native vegetation. BLM's past failure to act to control livestock grazing practices and reduce stocking rates has resulted in the rapid spread of ineradicable exotic species.

N13-74 [BLM must specify actions that will be taken to prevent infestation - such as closing pastures or allotments to all grazing until weed infestations are under control.

N13-75 [Vehicles are also a source of weed transport, so banning cross-country travel by ORVs and closing jeep trails or minor roads in lands "at risk" for weed infestation are logical ways to limit vehicle transport of exotic species seeds. This must include ranchers, too!

SOILS/MICROBIOTIC CRUSTS/DESERTIFICATION

N13-76 [Livestock grazing during all periods of the year damage soils and microbiotic crusts, and increase soil vulnerability to wind and water erosion. Trampling damage to soils effects everything from burrows of native animals, to larvae of native pollinators to roots and mycorrhizae of native tree shrubs and trees. Since harms to soils are hard to quantify and monitor from year-to-year, it is essential that BLM establish upland standards of use that provide maximum protection for soils.

N13-77 [In addition, BLM must conduct annual use pattern mapping to identify zones of intense livestock use. Use in no areas of a pasture/allotment should be allowed to exceed upland standards. This means there should be no sacrifice zones to livestock - such as areas close to water sources. If standards of use - upland or riparian - are exceeded anywhere in the pasture/allotment, this should be the trigger to remove livestock.

VISUAL RESOURCE MANAGEMENT

N13-78 [BLM must designate manage large areas of roadless lands greater than 5000 acres in size, and all portions of ACECS as VRM I. This is fully compatible with special status species habitat management - for example, VRM I or 2 classification would result in removal or no new construction of elevated sage grouse predator-perches in wide-open sagebrush landscapes.

CULTURAL VALUES

Important cultural sites are often located in association with rare springs, plateau rimrocks, canyons, or pinyon pine nut harvest or associated camp sites. Threats to these sites include

Responses to Letter N13

N13-72 Weed risk assessments are conducted associated with activities such as grazing term permit renewals and range project development. Weed Risk Assessments assess the likelihood of noxious weed species spreading and the consequences of noxious weeds establishment, both associated with grazing activities. Preventative management measures for noxious weeds are then developed to reduce the risk of introduction or spread of noxious weeds. Refer to the best management practices (Appendix F, Section 1) in the Proposed RMP and Final EIS under noxious and invasive weed management for reference to actions and activities to eliminate and control the introduction and spread of noxious weeds.

N13-73 The contention that the Ely Field Office has failed to act to control livestock grazing is unsubstantiated. Please refer to Response to Comment N13-72.

N13-74 Please refer to Response to Comment N13-72.

N13-75 In response to this and similar comments, the text in Section 2.4.14.1 of the Proposed RMP and Final EIS has been revised to clarify how comprehensive travel management planning would occur in the Ely RMP planning area. Please refer to Section 2.4.21 for a discussion of expected reduction in risk of weed spread associated with the limitations on off-highway vehicle use.

N13-76 Please refer to Section 1.3.3.5 and Appendix B in the Proposed RMP and Final EIS for discussions of Resource Advisory Council standards and guidelines that apply to livestock grazing and effects on soils.

N13-77 Specific measurable standards and objectives are used during rangeland monitoring. Evaluation of livestock grazing use relative to achievement of the standards for rangeland health is a continual and on-going process. Grazing use will be evaluated during the term permit renewal process, during watershed analysis, and during grazing use monitoring.

N13-78 Areas with wilderness value outside of current wilderness study areas have been reviewed and designated through the Lincoln County Conservation, Recreation, and Development Act of 2004 and the White Pine County Conservation, Recreation, and Development Act of 2006. Areas designated as Wilderness would be VRM Class I. ACECs in the Proposed RMP were assigned visual resource management classes to manage for specific threats facing the resource for which the ACEC is being proposed. Where scenic values were not identified as a resource, visual resource management classes were not adjusted from the baseline inventory. Please refer to Section 2.4.22 of the Proposed RMP and Final EIS for clarification of management prescriptions for each ACEC. VRM Class II designation would not necessarily eliminate the construction of facilities that could serve as elevated perches.

Letter N13 Continued

Responses to Letter N13

increasingly easy road access due roads resulting from livestock facilities and management purposes. Increased or more improved roading leads to vandalism or disturbance of cultural sites.

Livestock cause erosion and damage or loss to artifacts and sites - particularly in the vicinity of springs, seeps and other riparian areas. Livestock facility construction causes shifts in livestock use that may lead to new or extended damage to sites – spanning the range from disturbance of rimrock stone blinds, to trampling and breakage of artifacts. Invariably, BLM’s cultural specialists are forced to allow range developments to proceed, despite shifted use to new areas that may also have cultural importance.

N13-79 [Comprehensive cultural surveys must be conducted in the vicinity of all springs and seeps, and all livestock facilities, and the impacts of current livestock grazing on sites must be studied as part of this process.

N13-80 [The best way to protect cultural sites from looting is to limit roading and motorized access to sensitive areas. BLM must analyze significant road closures of salt site roads, or other facility roads (require routine maintenance or salt placement by horseback, limit new livestock developments - that inevitably lead to increased roading), and take other measures to limit ease of access that might damage these sites.

N13-81 [Livestock harm and/or destroy cultural sites in many ways, including: trampling and soil compaction breaking artifacts and destroying site stratigraphy; erosion revealing artifacts to surface collection and livestock trampling damage; erosion destroying site stratigraphy; defiling sites with large amounts of feces and urine. BLM must act to stop this damage under all alternatives of the RMP, and this has not been done.

PALEONTOLOGICAL VALUES

N13-82 [The impacts of livestock grazing and facilities under all alternatives on paleontological values of these lands must be thoroughly assessed. Paleontological values are threatened by haphazard collection (exacerbated by networks of livestock facility roads) and livestock grazing and trampling that results in site erosion, exposure of fossils or strata and other impacts. BLM must inventory and assess paleontological sites, evaluate impacts of grazing activities and facilities on these sites, and identify measures to be taken to protect them from damage or loss.

WILD HORSES

N13-83 [While we are not wild horse advocates, and understand the ecological harms that wild horses cause to native vegetation communities, we have repeatedly witnessed Nevada BLM cutting horse numbers while at the same time keeping livestock numbers the same – or even allowing increases. BLM must carefully differentiate between the impacts of livestock and horse use across the RMP area, and it has never collected necessary monitoring data (utilization that truly differentiates between horse and cattle/sheep use) to do so. Instead, the agency sacrifices horses to meet the demands of the livestock industry for maximizing livestock numbers. We are

N13-79 Please refer to Response to Comment N13-7 for a discussion of data collection. Also, refer to Section 4.9 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of the effects of grazing on cultural sites

N13-80 The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for transportation, including road closures, are prepared and evaluated.

N13-81 Please refer to Section 4.9 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of livestock impacts to cultural resources. The Ely Field Office is aware of these impacts and will address them when and where necessary on a case-by-case basis.

N13-82 Please refer to Response to Comment N13-7 for a discussion of data collection. As reflected in Section 4.10 of the Draft RMP and EIS and Proposed RMP and Final EIS, livestock grazing would have minimal interactions with paleontological resources. Also, refer to Appendix F, Section 1 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of best management practices for paleontological resources.

N13-83 Please refer to Response to Comment N13-7 for a discussion of data collection. The Ely Field Office does not sacrifice wild horses for livestock grazing; both are valid multiple uses of public lands. The Ely Field Office disagrees that a small number of wild horses are being provided for in the Proposed RMP. The plan identifies 1,695 wild horses that initially are to be managed within the Ely RMP planning area. This will still make Ely Field Office the third largest wild horse manager within the Federal Government.

Letter N13 Continued

N13-83 [appalled at how much the RMP proposes to cut horse herd areas, while keeping cow use areas largely the same.

PERMIT BUYOUT/PERMIT RETIREMENT

N13-84 [Federal legislation implementing a buyout of grazing permits and the permanent removal of livestock grazing from the affected lands is a very reasonably foreseeable development in public lands management in the EIS area within the next few years. BLM must recognize this in its EIS process, and identify allotments the high priority for permanent protection of many of these lands – such as the better condition sagebrush communities - from livestock grazing impacts, and the value of permit buyout for restoration purposes, to protect critical habitats, to protect cultural sites, to reduce conflicts with wildlife and recreation uses, etc.

N13-85 [Such clear identification of lands in the RMP will also streamline any permanent allotment closures that may go through a LUP Amendment process. BLM must take all measures necessary in to make allotment closures as easy as possible.

N13-86 [BLM must provide clear facts and figures on who actually grazes these lands - including pastures within allotments, the number of AUMs each permittee has within each pasture, associated base properties, the various AUM categories, etc. to streamline understanding of lands at stake in the future buyout processes.

LAND ACTIONS

N13-87 [BLM should pursue acquisition of additional lands located in key habitat areas, acquisition of private inholdings through purchase with Land and Water Conservation funds or other conservation funding. There should be no net loss of public land.

ROAD REHAB/RESTORATION

A large number of the roads in the wild lands of these allotments were pioneered or constructed only because they allowed ranchers to drive salt to the top of hills, or because they access cattle installations, or have just spring up on the path of a pipeline due to construction and subsequent maintenance.

N13-88 [Incursions on unroaded lands are routine – such as those undertaken by livestock permittees to develop or maintain water sources, place livestock installations, place salt licks, etc. As part of its analysis, BLM must examine roading in the context of livestock activities. Roads and jeep trails whose primary purpose is placing salt or checking on a water trough should be closed and restored/obliterated. Livestock permittees own horses, and can and should use them in pursuing public lands livestock grazing.

N13-89 [BLM must identify methods of road closure and restoration, and roads to be closed. This has not been done in the RMP.

Responses to Letter N13

N13-84 Combined with N13-85.

N13-85 Buyouts of grazing permits have been completed in desert tortoise habitat. The Ely Field Office disagrees that it is reasonable that buyouts would continue to happen on a broader scale outside of desert tortoise habitat. Therefore, buyouts of grazing permits have not been included in the cumulative impact analysis in the Draft RMP and EIS and Proposed RMP and Final EIS.

N13-86 Please refer to Response to Comment N13-7 for a discussion of data collection.

N13-87 Please refer to Management Common to All Alternatives in Section 2.4.12.3 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of land acquisition.

N13-88 Please refer to Response to Comment N13-80.

N13-89 The type of issues raised in your comment will be considered by the Ely Field Office when transportation plans are developed through coordination with local agencies, residents, and interest groups. Please refer to Section 2.4.14.1 in the Proposed RMP and Final EIS for a discussion of transportation plans.

Letter N13 Continued

Responses to Letter N13

UTILITY CORRIDORS/RIGHTS-OF-WAY/SITING

N13-90 [BLM must strengthen environmental protection for all rights-of-way on RMP lands. Protections include: Limiting use during sensitive nesting, fawning, wintering or other periods of use for all native wildlife, assessing impacts of rights-of-ways on spreading exotic species onto surrounding lands and revocation of rights-of-way when weed infestation or wildlife disturbance results. BLM's planning process must not authorize new utility corridors, and must re-examine the suitability of existing corridors. All direct, indirect and cumulative impacts of mining, wind, geothermal, and other energy development on populations of special status species or aquifers across the EIS region must be considered.

N13-91 [The maps in the RMP depict an alarming number of utility corridors, and we do not believe many of these are needed.

ECONOMIC ANALYSES

Ranches are increasingly being bought by hobby ranchers, speculators, or large or corporate interests.

N13-92 [The quite minor economic importance of public lands ranching in must also be studied here, as well as the huge number and type of subsidies that surround it.

N13-93 [BLM must detail its annual cost of administration of livestock grazing on affected lands under the current and alternative systems. BLM must provide the percentage of these administrative costs that are covered by BLM's income from the small grazing fee, and present this to the public in its economic analysis. Please also review the recent GAO report (GAO 2005) on ranching costs to the public.

N13-94 [BLM must detail its other costs in administration of these lands (recreational opportunities lost, weeds invading and treatments, increased fire suppression costs with livestock-caused weeds like cheatgrass) and present this to the public in its economic analysis. This is necessary to understand the administration of livestock grazing. Of particular concern is the lesser funding traditionally spent on wild lands restoration, habitat enhancement, and collection of essential baseline biological data.

We look forward to working with you in moving forward with actions to protect and enhance these nationally significant public lands. Please contact us if you need clarification or additional information on any of the above comments.

Sincerely,


Katie Fite
Biodiversity Director
Western Watersheds Project
PO Box 2863

N13-90 The topic of your comment will be considered by the Ely Field Office when project-specific plans are submitted by private and public entities seeking rights-of-way. The status of current rights-of-way will be assessed in the individual watershed analyses, and the need for actions on existing rights-of-way and stipulations for future rights-of-way will be determined. Please refer to Appendix F, Section 1, for best management practices that apply to rights-of-way.

N13-91 Comment noted. Major utility corridors are designated in the Proposed RMP in response to demonstrated need.

N13-92 Thank you for expressing your concerns. The administrative parameters associated with grazing on public lands, including grazing fees, do not fall within the purview of the local field office.

N13-93 Thank you for your comment. The subject of this comment is beyond the scope of the Ely RMP and does not require further agency response.

N13-94 Landscape restoration is an overarching theme of the Proposed RMP. Livestock grazing is administered under existing laws, regulations, and policies. Please refer to Section 4.23 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of the economic effects associated with the proposed management actions. Administrative costs of the Ely Field Office are beyond the scope of the Ely RMP.

Letter N13 Continued

Boise, ID 83701
208-429-1679

Letter N14

November 18, 2005

Gene Kolkman
District Manager
Ely District BLM
702 N. Industrial Way
HC33 Box 33500

RE: Lands of Blue Mass Scenic Area and other parts of the Tippet allotment

Dear Manager Kolkman,

First, I want to thank your staff for promptly responding to my phone call yesterday concerning grazing impacts to the Blue Mass Scenic Area and other portions of the Tippet allotment.

WWP is very disappointed at the condition of lands located within and surrounding the Blue Mass Scenic Area observed during a visit earlier this week. We followed BLM signs to the Blue Mass area, and drove along the access road to the watershed divide. Extremely heavy current year's use by livestock was visible throughout the watershed, and continued to the ridge top on the watershed divide. We walked in several portions of the upper watershed, including areas distant from the stream. T12S R69E sec 31, T 12S R 68E sec 36, T13S R 68E sec 1.

N14-1

The damage being done to this very beautiful upland area, the scarce desert stream, spring and meadow waters, and the degradation and desertification at the watershed level is appalling. BLM has a unique area under its management, and grazing is destroying the watershed.

Domestic cattle are a very major cause of the site conditions. Very abundant cattle waste of all ages is found everywhere, including under mahoganies, pinyon and juniper in all areas accessible to cattle. Anticipating BLM claiming that damage here was due to horses, I looked closely at cattle sign. The current year's extreme grazing, browse and trampling use to uplands and riparian areas can not be blamed on wild horses. Plus, old, weathered cattle waste from previous years is ubiquitous and far exceeds that of horses.

WWP is also concerned about what we are seeing across Ely lands in the aftermath of fire – both wild and prescribed. There are serious impacts to soils, vegetation watersheds, and wildlife habitats from fire disturbance, and pre- and post-fire grazing disturbance such as in the Blue Mass watershed greatly magnifies those impacts. Upper portions of the watershed have burned in the past decade or so. Extensive areas now include a significant component of cheatgrass. In many patches of burned mahogany, there has been little to no regeneration. The mahogany plants that have managed to seed in among the

Responses to Letter N14

N14-1

Please refer to Section 2.4.22.1 in the Proposed RMP and Final EIS for a discussion of the Blue Mass Scenic Area, which is being proposed as an ACEC in the Proposed RMP. Specific management needs for the area will be developed as part of the ACEC management plan.

Letter N14 Continued

cheatgrass and cattle trampling are severely browsed. Thus, pockets of mahogany consumed by fire, and with seedlings now hammered by livestock, are in danger of being extirpated.

N14-2 [Your staff informed me that there had been two fires, and both were wildfires. In what years did they occur? How much cheatgrass was present pre-burn, and where was it present? How have you tracked cheatgrass presence and abundance post-burn? What was the condition of the vegetation communities pre-burn? What is the condition post-burn? How have you tracked conditions of the vegetation post-burn?

N14-3 [What criteria were required to be met (mahogany regeneration and height, recovery of native grasses, recovery of riparian vegetation, bank stability, etc.) post-burn? How long was the area rested following fire? Were soil and vegetation recovery criteria, if any were applied, met before grazing resumed? What levels of use does current monitoring of woody browse show here?

N14-4 [There appears to be very little mountain big sagebrush regeneration following the burn – perhaps the cheatgrass, is serving to limit regeneration, or perhaps the cattle are eating the sagebrush ??? We have observed extensive cattle use of young sagebrush on overstocked Jarbidge Idaho BLM lands, so this is possibly occurring here. Was sagebrush seeded following the fires?

N14-5 [In livestock-accessible unburned stands, and pockets of mahogonies amidst the burn, nearly every younger age class mahogany is heavily to severely browsed. What browse use levels have you monitored in the unburned areas here over the past decade? What are the standards of use that are to be met? What does your current year's monitoring show? If you haven't yet monitored this or other livestock use here, please do so, and let us know what is found.

Few larger-sized native bunchgrasses remain, and the forage present in the smaller-sized "increaser" native grasses is minimal. Non-palatable and poisonous forbs comprise much of the native forb component. Soils are extensively trampled by cattle hoofprints, with much damage to microbiotic crusts.

The Blue Mass watershed illustrates the failure of agencies in trying to apply structural fixes to deep-seated grazing problems of overstocking and failure to require standards of upland and riparian use as triggers for livestock removal. We observed three small exclosures near the road that were constructed in a failed attempt to stave off large-scale erosional problems and severe head-cutting.

The uppermost exclosure has been extensively trespassed by cattle this year. This exclosure is clearly visible from the access road, and if the permittee had checked on cattle, this would have been quite visible. However, such attention is not likely to have occurred, as the bottom wires on this exclosure at the downstream crossing appear to have been purposefully bent up to provide cattle access. Thus, it seems exclosure trespass may have been a purposeful action.

Responses to Letter N14

N14-2 This comment is specific to the field trip conducted by the commenter and not the Draft RMP and EIS. No response is necessary in the Proposed RMP and Final EIS.

N14-3 Please see Response to Comment N14-2.

N14-4 Please see Response to Comment N14-2.

N14-5 Please see Response to Comment N14-2.

Letter N14 Continued

Some older current year's cattle waste was also present in the middle enclosure. This area appears to have also included a tiny smaller older enclosure that had not been kept up over the years.

Construction of these enclosures did nothing to address the serious grazing problems throughout the watershed. It merely served to shift and intensify cattle use outside the enclosures, and accelerate large-scale soil erosion processes there. New gouged out eroding trails are found in the streambanks by the enclosure fences.

The third, and lower, enclosure illustrates the severity of the watershed-level degradation and erosion processes. Large-scale soil erosion **this year** has left the downstream fence on the lower enclosure dangling in the air, as a 5-6 foot or greater headcut proceeded upstream, intruding on the band-aid enclosure. I will be sending you photos illustrating conditions in a separate e-mail.

N14-6 [Additionally, why was a large junked tank, rusty pipe, and other debris from previous failed livestock projects left, littering public lands amidst the band-aid enclosures --- if BLM crews were out on this area constructing enclosure fences? Although this is a minor concern, it illustrates the attitude towards livestock grazing and livestock facilities – a past facility failed, just build more facilities and ignore the failure of the past facility, and leave the old facility junk out there, littering public lands.

Someone appears to have tied white flagging to the enclosure fences to make them more visible to birds or horses to see, but the flagging has quickly weathered off – with only the tied area remaining, so it is no longer serving to alert wildlife such as sage grouse to the wire hazards and collision mortality danger of the barbed wire fence.

Another concern, though minor in scale compared to the cattle damage, is the use of ugly metal pipe as fence corner posts. Why are these being used, especially here? And lastly, stays that were too short were used on the upper enclosure, so in many places the bottom wire has pulled loose of the stay, or the stay was never even twisted into the bottom wire in the first place. We stress that this is NOT why cattle gained access – the downstream fence crossing of the upper enclosure has purposefully bent up wires and stays that show what occurred. We will be sending you a photo of this, too.

N14-7 [These enclosures illustrate the folly (and waste of taxpayer dollars) in construction of small band-aid enclosures when cattle or sheep grazing is having large-scale watershed-level impacts. Large-scale erosion processes continue, and are likely intensified and accelerated by concentration of grazing impacts from facility construction. One large deficiency in the RMP is its failure to catalogue facilities, and assess impacts, and develop a range of alternative actions that focus on habitat and watershed improvement without livestock facility construction, and that remove facilities having harmful impacts.

N14-8 [We ask that the ineffective and ugly Blue Mass enclosures be removed. We also ask that grazing be terminated on BLM lands in the watershed. If you are unwilling to do this, the

Responses to Letter N14

N14-6 Please see Response to Comment N14-2.

N14-7 A range of alternatives was presented and analyzed in the Draft RMP and EIS and Proposed RMP and Final EIS. Each alternative had a different management emphasis, based on comments received during scoping and the needs/desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes. Alternative D includes the elimination of livestock grazing on public lands in the Ely RMP planning area. The analysis of individual range installations or treatments is beyond the scope of the Ely RMP.

N14-8 Please see Response to Comment N14-1.

Letter N14 Continued

N14-8 watershed must be rested until streambanks are stabilized, and headcuts begin to heal. At a minimum, this area needs 10 years of rest to jump start recovery. If you are unwilling to do that, and plan to let grazing damage continue, please apply measurable standards of livestock grazing, browsing and trampling use that serve as triggers for removal of livestock from the area.

The impacts of grazing to uplands and riparian areas (including intermittent or ephemeral areas) extend far up and downstream from the area with the exclosures. Plus, the fence separating the downstream private land from BLM is not functioning and looks like it has been abandoned, so it appears that grazing the BLM allotment lands is causing damage to the essentially intermingled (due to lack fence maintenance) private lands, too.

Some cattle were still quite visibly present and very hard to miss encountering – we observed 2 very visible black bulls repeatedly, standing by the road, several animals on a steep sidehill near the road up to the watershed divide, and 2 other black cows in the mahoganies. It's hard to believe that the permittee has misplaced the bulls and other cattle. I understand the allowed use period has ended. Isn't this trespass?

N14-9 We also observed LIMITED sign of sage grouse use – including a single dropping on a ridge, and 3 droppings by a degraded and dying wet meadow in the upper portion of the watershed. What is the status of the sage grouse population in this area? Are these lands critical brood rearing habitats, nesting habitats, or other important habitats? Why is there so little sign of sage grouse use here – is it perhaps due to the extensive degradation of riparian and mesic areas, and fire-caused loss of sagebrush in upper portions of the watershed? This area appears to be at the periphery of a large expanse of non-suitable habitat, so it is quite important that it be protected and actions taken to enhance grouse habitats.

N14-10 WWP recommends the Blue Mass Scenic area, including its entire watershed and neighboring portions of the Kern Mountains, be designated a large ACEC under the Ely RMP. This is necessary to apply integrated and decisive management to control ongoing grazing damage, and to restore the fire and livestock-damaged lands. The lands shown in the Draft RMP map as an ACEC here are far too small. It is impossible to tell just what the lands are, as the DRMP maps are very poor and unreadable at the scale provided. The DRMP chart page 2.5 – 217 shows only 900 and some acres being included in an ACEC. The DRMP also - outrageously - shows status quo grazing practices continuing. If protected from abusive grazing, the riparian areas could provide important nesting migratory and other birds, as well as refueling areas for migrants. BLM should identify the downstream lands for acquisition, and pursue acquisition of the downstream private lands with Clark County funds, and manage the area for watershed recovery.

N14-11 In the Antelope Range, we observed 6-7 cattle congregated in the small wetted area in Tunnel Canyon near the "pictograph" symbol on BLM's land status map. The area is already heavily used by livestock. What are the levels of allowable use of riparian vegetation by cattle here? What have you measured? Are cattle currently allowed to be

Responses to Letter N14

N14-9 Please see Response to Comment N14-2.

N14-10 In response to this and similar comments, the Ely Field Office considered the size of the Blue Mass Scenic Area ACEC but did not change the area proposed for designation. Please refer to Section 2.4.22.1 of the Proposed RMP and Final EIS for a description of the Blue Mass Scenic Area ACEC. The Nevada BLM designates ACECs to highlight areas where special management attention is needed to protect and prevent irreparable damage to: important historic, cultural, and scenic values; fish or wildlife resources; or other natural systems or processes; or to protect human life and safety from natural hazards. The Proposed RMP proposes the designation of 17 new and 3 existing ACECs for a variety of resources. The boundaries of all ACECs proposed in the Proposed RMP were closely reviewed and adjusted to ensure sufficient special management requirements can be met for the relevant and important resources of those areas.

N14-11 Please refer to Response to Comment N14-2.

Letter N14 Continued

N14-11 | grazing in this area? If so, how long will this use continue? What use has been measured in this riparian area in years past?

N14-12 | Other concerns with conditions observed in the allotment include extensive cheatgrass and halogeton invasion of salt desert shrub and Wyoming big sagebrush habitats in many areas of the Antelope Valley. Loss of winterfat and its replacement with large expanses of halogeton are of great concern. This, and many other examples of the depletion of forage-producing plants and significant problems in the allotment stemming from abusive livestock grazing and overstocking, demonstrate the need for large-scale cuts in livestock numbers in the allotment. These problems include invasive species proliferation and dominance over large areas of public lands – including cheatgrass, halogeton, now purple mustard, and other weeds. Plus, the prevalence of cheatgrass and other weeds following fire, lack of regeneration of native vegetation like sagebrush following fire, and other problems are not addressed adequately in any alternatives in the DRMP.

N14-13 | Please also include this letter as part of WWP's comments on the Ely DRMP. It illustrates at the site-specific level some of the very significant and near-ubiquitous problems associated with livestock grazing, fire, invasive species, loss of riparian areas, loss and degradation of wildlife habitats, soil erosion, and other serious problems affecting public lands across the Ely District. These are not sufficiently addressed in alternative actions in the DRMP.

Sincerely,

Katie Fite
Biodiversity Director
Western Watersheds Project
PO Box 2863
Boise, ID 83701

Responses to Letter N14

N14-12 A watershed analysis has been completed for the North Antelope watershed in which the Antelope Valley lies, and it has addressed standards. Part of the watershed analysis process is to develop an implementation strategy for identification of management actions to meet standards. The watershed analysis addresses all the grazing allotments in the watershed; however, the Proposed RMP does not address the management of individual grazing allotments.

N14-13 Thank you for your comment. The Proposed RMP and Final EIS addresses livestock grazing, fire management, invasive species management, loss of riparian areas, loss and degradation of wildlife habitats, and soil erosion at the land use planning level. The resolution of site-specific problems will be addressed in the individual watershed analyses and restoration plans. The type of issues raised in your comment will be considered by the Ely Field Office during implementation when project-specific plans for livestock grazing, vegetation treatment, weed control, and other management actions that could affect related resources such as soils, riparian vegetation, and wildlife are prepared and evaluated.

Letter N15

November 24, 2005

Gene Kolkman
BLM District Manager
Ely Field Office
HC 33 Box 33500
Ely, NV 89301

Dear Mr. Kolkman,

I recently drove from McGill to cherry Creek on the west side of the Steptoe Valley. This trip visit resulted in several concerns related to land management and vegetation manipulation or conditions in this area.

N15-1 West of McGill. There is a burn in the North Egan Range west of McGill. This burn has been invaded by dense growths of cheatgrass. When did the burn occur? What was period of rest from livestock grazing that was applied? What was the understory condition of these lands pre-burn? What actions have you taken to recover native vegetation on the site post-burn? Was this a wild or prescribed fire? What recovery criteria were established? Were they met?

N15-2 We observed extensive understory depletion and invasion by cheatgrass in this area. Halos of cheatgrass are present surrounding pinyon or juniper in many areas, also. The presence of even some cheatgrass in understories will mean that cheatgrass will increase dramatically following fire, including prescribed fire. How have you measured cheatgrass composition and risk in the burns that have occurred, or may still be planned?

N15-3 We observed extensive areas where sagebrush and/or sagebrush interfacing with pinyon-juniper had been removed and crested wheatgrass planted. Even these seedings of the aggressive soil-depleting alien grass are in varying stages of depletion. In some areas, the only trace of old cwg plantings is plants protected by sagebrush. We sincerely hope that you plan to manage these old, dying seedings for native plant increase, and NOT act to remove or thin sagebrush that has managed to move back into these extremely livestock-depleted lands.

N15-4 We observed extensive current year's livestock grazing and trampling impacts to winterfat and sagebrush communities. 11S 0680189, UTM 4381493. There is a utilization cage here. What were the results of the current year's monitoring? What levels of livestock grazing use (utilization, trampling, browse) are allowed? There is extensive trampling damage to soils. How have you measured this? Who is the permittee, and what is the allotment, season of use, and stocking rate? What is being done to address halogeton and other weed invasion of salt desert shrub communities?

Responses to Letter N15

N15-1 This comment is specific to the field trip conducted by the commenter and not the Draft RMP and EIS. No response is necessary in the Proposed RMP and Final EIS.

N15-2 A watershed analysis assesses current cheat grass composition in the dominant ecological sites and evaluates the data to determine if standards for rangeland health are being met. If they are not being met, the causal factors are determined and recommendations are made to meet the standards or make progress towards meeting the standards. Part of the watershed analysis process is to develop an implementation strategy for identification of management actions to meet the standards. The potential for cheatgrass expansion will be a consideration by the Ely Field Office when project-specific plans are prepared. Pre- and post-monitoring of all burns includes the consideration of cheatgrass composition and risk of spread.

N15-3 Crested wheatgrass seedings do not meet ecological site descriptions, but the Ely Field Office is managing for the return of native species into these seedings. Seedings are considered altered states within state and transition models. Mid-scale analyses of watersheds will address all vegetation communities within watershed boundaries. Past seeding projects in the major ecological sites of the watershed will be considered, along with factors such as current livestock management.

N15-4 Please refer to Response to Comment N15-1.

Letter N15 Continued

N15-5 [I also observed many bands of newly burned areas that extended far uphill. These burns are non-discriminate, and appear to have burned old growth and mature pinyon, juniper and other trees. Are there any bristlecone pines at higher elevations in this range? If so where? How were they protected?

N15-6 [New burn just south of Cherry Creek. I observed an extensive new burn area south of Cherry Creek. There was very little "mosaic" pattern to the burn, and the burn appeared to have been much hotter and more intensive than that described by agencies in their claims for prescribed burns. We understand this was a prescribed fire? Why did it burn so intensively? We understand BLM lost control of a prescribed burn on the other side of the mountain range, that the fire blew back east up and over the range and then burned north to the edge of another prescribed fire area. Why is BLM burning large areas with extensive cheatgrass already present in understories? In addition, removing and clearing woody vegetation here will result in a large-scale increase in OHV activity. There is significant fire risk associated with expanded OHV use in cheatgrass-infested areas. How much did this cost taxpayers to date? What additional costs will result? How will you control cheatgrass?

N15-7 [What age class, and what species of trees were present in all areas burned – both the mosaic and the huge block. What was the current production of pine nuts from all areas that were burned?

N15-8 [We observed dangerous old open mine shafts, and it is clear that mining deforestation likely occurred across this landscape, and extensive areas of pinyon and juniper were removed. This is precisely the type of information that needs to be depicted in greatly expanded vegetation mapping in the RMP effort.

N15-9 [Sagebrush mowing at Cherry Creek. I observed a large block of newly mowed sagebrush with fresh drill rows evident at Cherry creek. What is the reason for mowing such a large area? What species of special status wildlife inhabited these lands, and what was their ecological condition, pre-mowing? What seed did you drill in here? What will be the period of rest from livestock grazing, and what recovery criteria will be applied before grazing is allowed to resume?? Are you mowing such large areas, and then seeding, to maintain stocking rates on depleted lands? How much did this cost?

N15-10 [Old burn on slopes above Cherry Creek. Was this a wild or prescribed fire? There appears to be a severe cheatgrass problem. What are you doing to address this? How many acres of existing burns or treatments in the Ely District have 10 percent or greater cheatgrass occurrence in the understory?

N15-11 [Please apply this letter to WWP's comments on the DRMP – we are very concerned about the lack of success in restoring cheatgrass-infested lands – yet BLM's preferred alternative would inflict large-scale disturbance that will result in extensive cheatgrass invasion and spread. Why make more of a mess when you can't fix the messes that already exist?

Sincerely,



Responses to Letter N15

N15-5 Please refer to Response to Comment N15-1.

N15-6 Please refer to Response to Comment N15-1.

N15-7 Please refer to Response to Comment N15-1.

N15-8 While it is acknowledged that pinyon and juniper trees were utilized during the historic mining period (approximately 100 years ago), the precise locations where trees were cut is not known and can not be mapped in detail. Further, this information would not be used in determining the types of vegetation treatment that would be appropriate in specific locations within watersheds across the Ely RMP decision area.

N15-9 Please refer to Response to Comment N15-1.

N15-10 Please refer to Response to Comment N15-1.

N15-11 The Federal Land Policy and Management Act stipulates that the BLM manage public lands for multiple uses and sustained yield. The Ely Field Office does not agree that vegetation treatment will result in "extensive cheatgrass invasion". The potential for the spread of weeds will be one of the factors considered in developing site-specific restoration plans. The Ely Field Office is concerned about the potential for increased noxious weed invasions and will use allowable management techniques in treating them.

Letter N16

November 25, 2005

Gene Drais
U.S. Dept of Interior
Ely Field Office
HC33 Box 33500
Ely, NV 89301

Dear Ely BLM,

N16-1 [Here are additional comments by Western Watersheds Project on the deeply flawed Ely RMP effort. It is necessary for you to prepare Supplemental EIS to correct deficiencies noted in these and our preceding comments.

N16-2 [We are quite concerned that the dramatic reduction in wild horse/burro herd areas and wild horses proposed in the RMP (reduce herd management areas by 1.76 million acres) would sacrifice wild horses to make way for continued high and abusive levels of cattle and sheep grazing on public lands. We do not believe that Ely BLM has ever conducted sufficient monitoring to allow it to separate impacts and uses by horses and cattle, or to determine the resources available to horses (particularly in areas that are to be eliminated as herd or use areas) – or the ecological impacts of livestock vs. horses. If the lands are so poor in quality, inhospitable or other wise unsuitable for horses, why, then, are they not unsuitable for domestic cattle and sheep? If one use is abolished, why is not the other being done away with, also?

N16-2 [What percent of the land area and population of wild horses does this land area represent (1.76 million acres)? Is this linked to loss of horses on other lands, too? In addition, why have you not considered an action alternative that eliminates livestock grazing across 1.76 million acres of lands where impacts are severe, where lands are fragile, where communities of plants are jeopardized, or why not eliminate it across the same lands where horses will be eliminated? Wildlife would certainly benefit from this, and such benefits to wildlife are extolled by you in the DRMP at 4.6.20.

N16-3 [BLM has failed to provide both regional, area and site-specific data that separates horse and livestock use, especially that examines the often separate geographic areas grazed by horses and domestic livestock. Cattle graze flatter terrain, while horses roam over much hillier and more rugged topography- and are actually far more suited to grazing in many of the areas than are cattle or sheep. Additionally, horses travel very long distances from water – in contrast to domestic livestock. Please analyze a full range of alternatives in a supplemental DEIS that compare and contrast the use, suitability and allocation of these lands to horses vs. cattle/sheep. You will need to conduct detailed analysis on current ecological condition, vegetation production, carrying capacity, sustainability of native vegetation, and suitability for wild horses, cattle and sheep – something you have not

Responses to Letter N16

N16-1 As required by Council on Environmental Quality Regulations [40 CFR 1503.4(a)], the Ely Field Office has responded to comments on the Draft RMP/EIS by modifying alternatives; supplementing, improving, and modifying impact analyses; and making factual corrections and updates. These responses are contained in the Proposed RMP and Final EIS. Thus, a Supplemental Draft RMP/EIS is not required. Further, please refer to Comment Letter F3 where the U.S. Environmental Protection Agency gives the Preferred Alternative (the Proposed RMP) their highest rating of "Lack of Objections".

N16-2 The long term maintenance of wild horses as described in the Draft RMP and EIS and Proposed RMP and Final EIS utilizes BLM Policy and Guidance for Land Use Planning in determining the feasibility for long-term management of wild horses on public Lands. Table 3.8-2 in the Draft RMP and EIS and Proposed RMP and Final EIS identifies the suitability for management of wild horses in each existing Herd Area/Herd Management Area within the Ely RMP decision area. The plan identifies an appropriate management level of 1,695 wild horses within the Ely RMP decision area on over 3.6 million acres. This will still make the Ely Field Office the third largest wild horse manager within the Federal Government. The Proposed RMP identifies retaining over 80% of all wild horses and lands in current Herd Management Area status. Only areas that are persistently lacking suitable habitat with historical starvation, dehydration, and suffering of wild horses is being identified for non-designation.

N16-3 Please refer to Section 3.8.1 through 3.8.3 in the Proposed RMP and Final EIS for a discussion of specific ecological impacts, behavior, and herbivory that is germane to differentiating wild horses from livestock and wildlife. Also, please refer to Response to Comment N16-6 for a discussion of data collection. The Ely Field Office disagrees that wild horses are not being provided for in the Proposed RMP. Wild horses are in fact being considered comparably with other resource values (CFR 4700.0-6). Only areas that are persistently lacking suitable habitat with historical starvation, dehydration, and suffering of wild horses is being identified for non-designation.

Letter N16 Continued

- N16-3 done, and base allocations on that information. Far more members of the public value wild horses than value domestic cattle and sheep. Yet, you are proposing to eliminate wild horses from vast land areas, while at the same continuing to graze damaging levels of cattle and sheep almost everywhere across the District.
- N16-4 You have failed to provide information on water sources, and the use by livestock, horses/burros and wildlife of water sources, across these allotments. You have also failed to provide information on the impacts of human development on these water sources. Information that clearly separates horse and cattle use and impacts to soils, waters, native vegetation, cultural sites, recreational uses, special status species habitats, MIS species habitats, etc. is lacking.
- N16-5 To better understand the impacts of livestock on ALL allotments, as well as to understand impacts of horses/burros vs. domestic livestock on those lands where they currently graze in common, you must provide livestock utilization (upland and riparian areas), browse (upland and riparian areas), trampling (upland and riparian areas), and actual use for the past 20 years.
- N16-6 How many Key Areas are there? Where are they located? What is the ecological condition of all vegetation communities across all allotments on these lands? What are current ecological conditions at all Key Areas? What is the current production (of native vegetation, of increaser vs. decreaser species, etc.) at all Key Areas? How does this compare to the site potential? Which key areas exhibit the most livestock, horse or wildlife use? How was use separated between types of animals? How regularly has compliance monitoring been conducted – for trespass, numbers of livestock, etc.? How often have you counted cattle and sheep, and in what allotments?
- N16-7 You have failed to provide information on all range facilities and water haul sites across the allotments. Where are they located? What are the water sources for all livestock water facilities? To what aquifer are they tied? How have facilities or other projects or other uses of these lands affected aquifers? What are the impacts of all facilities to important values of the public lands? How long has each facility been in place? What is its maintenance history and repair? Have facilities resulted in new or extended roading? How do facilities affect roading or extend OHV use? Which roads that sprung up as a result of facility construction can be closed, to help reduce negative impacts to soils, vegetation, watersheds, and wildlife?
- N16-8 What information does all use pattern mapping show? When and where has it been conducted? How did it separate horse/burro, cattle/sheep, and wildlife use?
- N16-9 What is the current livestock permitted use in all pastures of all allotments? How does this compare to the domestic livestock use in all pastures of all allotments? How many suspended AUMs per allotment? What has been the level and history of any TNR use here? In which areas has TNR occurred? What have been the impacts of TNR use? What special status species habitats, T&E species, special land areas, etc. have been impacted by TNR use across the District?

Responses to Letter N16

- N16-4 Identification of specific water sources and range improvements will be considered by the Ely Field Office when specific plans for livestock projects are prepared. During the planning process, the Ely Field Office identified where to manage wild horses and an overall view of how to manage wild horses on the public lands. The management of wild horses is limited to Herd Areas identified after the Wild and Free Roaming Horse and Burro Act (PL-195) was passed in 1971. From these Herd Areas, designation of Herd Management Areas (HMA) occurs, which identifies areas that are suitable for the long-term maintenance of wild horses. Within these HMAs, wild horses are free to roam as one multiple-use of many under a specified appropriate management level, so as not to exceed the capacity of the rangeland to support a thriving natural ecological balance. Please refer to Response to Comment N16-3 for a discussion of resource use by wild horses and livestock. The Proposed RMP and Final EIS has addressed the impacts that would occur from the planning level wild horse management actions.
- N16-5 Actual use stocking levels for livestock and appropriate management levels for wild horses are included and evaluated in the allotment evaluation process, including the term permit renewal process and watershed analysis. Monitoring information is also evaluated which includes utilization. These calculations are included in the Desired Stocking Level formula. The number of years used in the calculation varies depending upon circumstances and availability of data.
- N16-6 NEPA regulations direct federal agencies during their preparation of an EIS to reduce the “accumulation of extraneous background data” [40 CFR 1500.2(b)]. Thus, the BLM is not required to collect all potentially useful data before proceeding with the preparation of an EIS. However, where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The data that is requested in this comment is more detailed than that required to prepare an RMP/EIS for the Ely planning area.
- N16-7 Please refer to Response to Comment N16-6 for a discussion of data collection.
- N16-8 Please refer to Response to Comment N16-6 for a discussion of data collection.
- N16-9 Please refer to Response to Comment N16-6 for a discussion of data collection.

Letter N16 Continued

Responses to Letter N16

- Information compiled by Dr John Carter (contact info: utah@westernwatersheds.org) of Logan Utah shows that average weights of slaughter cattle have increased to 1251 pounds in 2004. For the period 1938-1940, the average turnoff weight of mature cows (when the left the range) was 959 pounds. In the 1930s a cow-calf pair was 1340 pounds. With breeding, supplements and hormones, weights have increased over time. For example, Anderson et al 2000 calculated a 35% increase in dressed weights per animal between 1975 and 1995. This all translates into INCREASED forage demands, and greater impacts to soils and vegetation by modern-day cows grazed under the guise of the old AUM allocation on public lands. These old allocations are no longer valid. This RMP must provide data on cattle and sheep grazed on BLM lands that allow a current inventory and understanding of the AUM demands being placed on these lands, and the sustainability of soils, vegetation, waters, watersheds under these demands. Many public lands livestock are implanted with hormones, receive mineral supplements, and have been bred to be even bigger and more lumbering than their predecessors. Plus, it is our observations that they are increasingly inefficient processors of forage, as diarrhea-like waste often soils them. It is also important to understand the pollution of surface waters by concentrated use or increased levels of livestock waste, including possible hormones and breakdown products that may affect aquatic and terrestrial biota exposed to them.
- N16-10 [How many allotments are grazed by cow-calf pairs, and what is the weight of the calves grazed on public lands? What is the turn-off weight of cows?
- N16-11 [You have not provided current information on rangeland health assessments, a summary of findings from those that have been completed, a tally of how many have been completed. As Ely has been delaying current assessment of livestock impacts, you must collect essential baseline information on ecological conditions as part of this RMP process. There is no other way to evaluate the impacts of various alternatives and take the necessary "hard look" required by NEPA. You must examine the role of livestock and/or wild horses in affecting soils (wind and water erosion, stability, condition of microbiotic crusts, compaction, etc.) vegetation (native, weed invasion and spread, ecological condition, structural attributes, etc.) important wildlife, special status species, or T&E species habitats.
- N16-12 [It is especially important that you provide evidence of very regular compliance monitoring to accompany any utilization or other data and analysis that you may provide. This is necessary because we routinely observe trespass cattle in wild horse herd areas on Nevada BLM lands, yet BLM has attributed the use during this period to HORSES – and not the cattle that were responsible.
- N16-13 [How might any vegetation treatments – especially the massive pinyon-juniper removal proposed under the Preferred Alternative extend the land areas grazed by cattle or sheep? What impact might this have on wild horses/burros? How might this extend human disturbance and harassment, and roading or OHV use? How do lands where veg. treatments are likely to occur correspond to horse herd or use areas? What is the current road density per mile across all watersheds of the District?
- N16-14 [

- N16-10 Please refer to Response to Comment N16-6 for a discussion of data collection.
- N16-11 As stated in Section 3.16.1 of the Proposed RMP and Final EIS, livestock (sheep and/or cattle) grazing is currently actively administered on 240 allotments within the planning area. Of these, 234 allotments are administered by the Ely Field Office and Calliente Field Station. The subject of cattle weight is beyond the scope of the Ely RMP.
- N16-12 Please refer to Response to Comment N16-6 for a discussion of data collection.
- N16-13 Regular compliance checks are an important activity related to livestock grazing. Compliance checks occur on a regular basis. If livestock grazing is not in compliance with the terms and conditions of the term permit or annual grazing authorization, appropriate action is taken. Priorities are set annually and are based on the term permit renewal schedule and permittee performance.
- N16-14 The Ely Field Office is assessing and evaluating vegetation condition through watershed analyses to determine if rangeland health standards are being achieved. Resultant implementation strategies and site-specific management actions will consider the current uses in the watershed that will help achieve land health standards. Subsequent constraints pertaining to multiple uses will be determined during the planning process for successful implementation. The Ely Field Office is not proposing "massive pinyon-juniper removal". The impact issues raised in your comment will be considered by the Ely Field Office when site-specific restoration plans are prepared and analyzed in appropriate NEPA documents.

Letter N16 Continued

- N16-15 [How have you determined livestock trailing impacts, and their effects to soils and vegetation --- by livestock, as well as horses. What segments of which specific riparian areas are impacted by horses vs. cattle? How does this compare to the entire length or wetted area of the riparian or mesic site?
- N16-16 [For all data and information provided, please also present the authorized period of livestock use compared to the time when data was collected. In each year and/or monitoring period, what was utilization or other measurable data collected prior to livestock turnout in the pasture or use area?
- N16-17 [Please provide actual use for the past 20 years in all allotments, and within pastures of each allotment, if available. How is this related to climatic factors?
- N16-18 [The DRMP is devoid of information on the current degree of livestock impacts to naturalness, solitude, primitive recreational opportunities and special or important natural features or communities in ACECs, WSAs, Wilderness Areas or other special use areas.
- N16-19 [What monitoring of livestock or horse impacts has been conducted specifically in WSAs, wilderness areas, ACECs, Recreation, and other special use areas?
- N16-20 [How do current or proposed utilization or other measurable standards or use levels applied/to be applied on Ely BLM lands mesh with scientific information on levels that maintain a thriving ecological balance? What are the standards in each pasture in each allotment? Does the livestock utilization level that you apply affect the number of horses that can be free roaming and the number that can be grazed to maintain a thriving ecological balance?
- N16-21 [When were the livestock AUMs in all allotments adjudicated? Was later allocation done? When? What was done to verify the validity of stocking rates? Were all adjudicated AUMs ever used? Were AUMs cut? Were allotments changed from sheep to cattle? If so, what AUM reductions occurred? Was this paper cut or a cut in numbers actually grazed on these lands?
- N16-22 [Under all alternatives, to maintain the necessary “thriving ecological balance”, you must address domestic livestock in tandem with horses/burros, and reduce livestock parallel to reductions in horses. Are you currently reducing authorized livestock grazing levels on these allotments in tandem with reducing horse numbers?
- N16-23 [What changes need to be made in cattle or sheep management to maintain a thriving or natural ecological balance, prevent the range from deterioration, and maintain multiple use relationships?
- N16-24 [How has grazing use been shifted or altered over the years through the development of range projects?

Responses to Letter N16

- N16-15 Please refer to Response to Comment N16-6 for a discussion of data collection.
- N16-16 Please refer to Response to Comment N16-6 for a discussion of data collection.
- N16-17 Please refer to Response to Comment N16-6 for a discussion of data collection.
- N16-18 Please refer to Response to Comment N16-6 for a discussion of data collection.
- N16-19 Please refer to Response to Comment N16-6 for a discussion of data collection.
- N16-20 Utilization levels are established based on BLM manual direction and scientific information. Utilization levels consider criteria to include: season of grazing, timing of grazing, current habitat ecological condition, and other resources such as wild horse herd management areas, special status species, and wildlife. In addition to meeting plant health requirements, utilization levels are also one of the indicators assessed to determine achievement of the upland sites standard as related to ground cover and litter. Utilization levels, including the actual levels resulting from grazing use and the utilization objective levels set by the Ely Field Office, are reviewed and included in a desired stocking level formula when setting appropriate management levels and reviewing stocking levels for livestock. The purpose of setting appropriate management levels (AMLs) and stocking levels in this manner is to achieve and maintain a thriving ecological balance for wild horse herds.
- N16-21 The history of adjudication of livestock in the planning area is beyond the scope of the Ely RMP. Livestock stocking rates are determined through the allotment evaluation process and will be conducted as outlined in the Proposed RMP and Final EIS.
- N16-22 Livestock grazing levels were considered when establishing the appropriate management levels (AMLs) for wild horses during the allotment evaluation process. Where AML has not been established, this is still one of the criteria that would be considered along with water and available herd management area size. AML has been set for the herd management areas within the Ely RMP decision area.
- N16-23 Livestock grazing use relative to achievement of the standards for rangeland health is a continual and on-going process. Changes to grazing use are evaluated during the term permit renewal process, during watershed analysis, and during annual grazing authorization.
- N16-24 The impacts or benefits of the development of range projects varies and is different by allotment. Projects have resulted in improved distribution of livestock due to water development and fencing. Developments such as water improvements sometimes results in concentrated and heavy use around and near the water source. Effects of range projects on grazing use are evaluated during the term permit renewal process, during watershed analysis, and during grazing use monitoring and changes are made as appropriate.

Letter N16 Continued

N16-25 [How was livestock use changed during or in the aftermath of drought here? What effects did drought have on native vegetation? Please provide site-specific data and analysis that shows effects of drought in horse, livestock and wildlife use areas, and the location of the studies.

N16-26 [What information does wildlife monitoring show concerning overlapping use by species such as elk or mule deer with cows, sheep, horses/burros??? How have wild horse use and population levels, livestock use and stocking levels, vegetative condition and production, been assessed across all allotments involved?

N16-27 [We are very concerned that you have not collected necessary data to assess the current suitability, carrying capacity and productivity of the lands in these allotments, as well as ignored the effects of desertification processes and watershed-level degradation by livestock.

BLM Uses Flawed Models and Analyses of Vegetation Communities and Composition

N16-28 [BLM uses flawed models and analyses based on soil survey data as its the basis for its large-scale disturbance treatment under its flawed alternatives, and the falsely named “restoration”. Instead of “restoration, many of the actions proposed - especially their scale – are more aptly likely to result in permanent loss and long-term destruction of older or mature communities.
BLM ignores historic data on widespread deforestation associated with mining in the 1800s and early 1900s across Nevada.

N16-29 [BLM must:

Present detailed analysis of historic data. Please provide maps that show: all historic mining areas, estimates of the amount of wood needed for processing ores, estimates of the lands area deforested by mining. See Dr. Ronald Lanner’s book, *The Pinyon Pine*, describing how wood was so scarce that stumps were dug up. Please provide acreage estimates for lands across the Ely FO and neighboring areas. Provide a review and assessment of the amount of burning by shepherders and settlers and others that occurred following settlement.

N16-30 [Provide information on the amount of soil erosion that has occurred on all lands. How much top[soil has been lost, and where has this occurred? This is critical to understanding “potential” vegetation, outcomes of treatments, and irreversible changes that may have occurred to soils or the vegetation communities that they can support since European settlement.

N16-31 [Provide a study of desertification processes across the District. See Sheridan CEQ 1981. The more arid the lands, the more desertified they have become, the less resilient the lands are following disturbance, and the less likely

Responses to Letter N16

N16-25 Please refer to Response to Comment N16-6 for a discussion of data collection.

N16-26 Please refer to Response to Comment N16-6 for a discussion of data collection.

N16-27 Please refer to Response to Comment N16-6 for a discussion of data collection.

N16-28 The proposed management actions are designed to restore vegetation communities to healthy ecological conditions as defined under the RMP planning criteria and the applicable Resource Advisory Council standards. As indicated in the Proposed RMP, watershed analyses will be followed by development of site-specific treatment plans to address the management needs of individual watersheds. Monitoring of treatment results and adjustments, if necessary, in subsequent treatment approaches will help ensure successful implementation.

While it is acknowledged that pinyon and juniper trees were utilized during the historic mining period (approximately 100 years ago), the precise locations where trees were cut is not known and cannot be mapped in detail. Further, this information would not be used in determining the types of vegetation treatment that would be appropriate in specific locations within watersheds across the Ely RMP decision area.

N16-29 Please refer to Response to Comment N16-6 for a discussion of data collection.

N16-30 Please refer to Response to Comment N16-6 for a discussion of data collection.

N16-31 Please refer to Response to Comment N16-6 for a discussion of data collection.

Letter N16 Continued

- N16-32 [Until you do this, you can not determine what is or is not a naturally functioning ecosystem, what is “healthy”, and particularly, what - exactly – restoration is, and the potential of sites to be rehabbed or restored. Also, you can not determine what is a natural “mosaic”, or how healthy mosaics really are, until you understand this.
- N16-33 [This is also necessary to understand the impacts and naturalness of any degree of “acceleration” in comparison and contrasting of any alternatives. This is also necessary to develop a science-based reasonable range of alternatives.
- N16-34 [It is necessary to understand thresholds, what thresholds exactly may be crossed and what vegetative community or ecological process is or is not more or less desirable on any site.
- N16-35 [“Assumptions for Analysis” RMP at 4.1.6 are flawed, or just plain wrong. BLM assumes that the “successful application of treatments developed for a specific watershed would, at a minimum, result in maintenance of the desired vegetation species in approximately the desired proportions ...”. BLM has not conducted a science – based assessment of ecological risks and/or irreversible impacts of disturbance/treatments that it proposes to impose across 12 million acres. These risks and irreversible impacts include: accelerated soil erosion and loss, invasive species infestation and/or proliferation; loss of habitat and populations of wildlife – this risk is particularly acute for species dependent on old growth or mature vegetation communities targeted for massive alteration by BLM under the preferred and other alternatives.
- N16-36 [4.1.7. It is hard to understand just where analysis of impacts of Lincoln County Land Act will occur. Will all impacts – even land disposal, or aquifer depletion – occur in a separate EIS process? The ecological impacts and changes in the aftermath of this Act must be considered in the RMP effort, as aquifer depletion, habitat fragmentation for important and special status species, increased human intrusions including noise, stench, and weeds spread by motorized use, etc. will all ensue on BLM lands. The indirect and cumulative impacts of development – ranging from water depletion to large housing developments and infrastructure from communication towers to powerlines to expanded roads and habitat intrusions in currently little-populated areas –will be immense in this arid wide open landscape.
- N16-37 [4.1-8 admits that “existing vegetation composition and resiliency” in Great Basin and Mojave systems is incomplete. BLM MUST develop much more complete information as part of this process, as it plans to radically alter and disturb these native vegetation communities (where rehab and restoration are highly uncertain and little understood, and where Ely BLM has demonstrated few if any successes to date) - through profligate and highly invasive “treatments”. BLM, apparently, claims no data is available to understand restoration of pinyon juniper, and little for sagebrush communities. The risk is great that BLM will destroy magnificent public wild lands, important special status species habitats, desertify watersheds, and deforest and convert to invasive species/weeds economically important forested lands, converting them to weedlands devoid of most native wildlife species. BLM must make sure this information is available before

Responses to Letter N16

- N16-32 Please refer to Section 1.5.1 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of planning criteria, specifically general criterion #18 regarding the use of NRCS ecological site descriptions for all vegetation communities. The management prescriptions for all vegetation communities reflect the necessary actions to maintain or restore these systems to achieve desired future conditions. These desired future conditions reflect managing vegetation systems for healthy functioning ecosystems in the context of multiple uses.
- N16-33 The meaning of the phrase "degree of acceleration" in the comment is unclear. An adequate range of alternatives was presented and analyzed in the Draft RMP and EIS and Proposed RMP and Final EIS. Each alternative had a different management emphasis, based on comments received during scoping and the needs/desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes. The management actions that are presented in the Proposed RMP were developed through consideration of the planning criteria presented in Section 1.5 of the Draft RMP and EIS and Proposed RMP and Final EIS, public scoping comments presented in Section 1.6, BLM policy especially as presented in the Land Use Planning Handbook, and the professional judgment of the staff in the Ely Field Office. The Proposed RMP incorporates comments from a wide array of users of the Ely RMP planning area.
- N16-34 Please refer to Appendix C in the Proposed RMP and Final EIS for a discussion of State and Transition Models. Thresholds identified for the various communities are discussed in Section 2.5 of the Draft RMP and EIS and Proposed RMP and Final EIS.
- N16-35 Based on historic revegetation and treatment success observations and current state of the revegetation / reclamation / rehabilitation science, the assumptions identified are reasonable. The inherent risks associated with any proposed treatment are identified and discussed in the Draft RMP and EIS and Proposed RMP and Final EIS. Also, please refer to Section 4.1.4.1 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of incomplete or unavailable information regarding vegetation treatment and watershed management.
- N16-36 The impacts from actions identified under the Lincoln County Land Act and the Lincoln County Conservation, Recreation, and Development Act will be analyzed as needed in appropriate NEPA documents when specific projects are proposed. These land acts are included in the analysis of cumulative impacts in Section 4.28 of the Draft RMP and EIS and Proposed RMP and Final EIS.

Letter N16 Continued

Responses to Letter N16

N16-37 [undertaking radical alteration of the landscape, as is proposed under the preferred and other alternatives. This tremendous uncertainty, along with the lack of systematically collected current baseline and inventory data that shows the current ecological conditions across the landscape, necessitates preparation of a Supplemental EIS, with a new range of much more cautious alternatives.

BLM claims that this information is unavailable, and that BLM doesn't have to develop it as part of this process in order to understand baseline conditions or the impacts of the radical deforestation and other treatments it proposes, because the cost would be exorbitant.

N16-38 [BLM fails to provide an honest and accurate assessment of the cost of all "treatment" actions envisioned under each current alternative. WWP estimates the cost (planning to completion – and without even taking into account any monitoring or extensive and doomed-to-fail weed removal efforts) is likely very conservatively \$40 per acre. If BLM would treat 2.5 million acres, then the public will spend \$100,000,000 dollars on BLM's aggressive "treatments". This would amount to a further vast subsidy to livestock interests, and small handful of local interests. We very much doubt, in the days of runaway budget deficits resulting from aggression by the U. S. in foreign lands, that this funding will be available.

N16-39 [The cost may be far greater, as BLM proposed to treat approx. 50 square miles of pinyon-juniper under the guise of Urban Interface protection, in which the Eastern Nevada Landscape Coalition was deeply involved and supporting. BLM budgeting predicted costs of 10 to 12 million dollars over several years to achieve this.

N16-40 [Understanding the scale of such costs to taxpayers, and the way BLM in the past grossly inflated projects and the need for projects (following WWP litigation, a Settlement agreement was reached and the project area was scaled back to approx. 13% of the original area proposed, based on the opinion of national-level fire experts), is essential to understand how overblown BLM's estimates of treatment needs are, and in order to address the feasibility or likelihood of proposed actions occurring.

N16-41 [WWP incorporates by reference WWP, CHD and ALA comments on, and appeal and litigation-related documents for the Ely-Mount Wilson Urban Interface projects, and also asks that issues raised in this process be fully addressed in a Supplemental EIS.

N16-42 [BLM has failed to present any information or data on the "cost" in nutrients lost in smoke-volatilization or wind or water erosion, potential biomass export of nutrients from wild ecosystems, costs to address weeds invading disturbed lands over the long-term, etc. of all the treatments it proposes.

N16-43 [BLM must prepare a supplemental EIS that lays out all the ECONOMIC and ECOLOGICAL COSTS of the massive treatments proposed under the preferred and other alternatives.

N16-37 NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions and make a reasoned choice among alternatives. Where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The data that is requested in this comment, while potentially of interest, is more detailed than that required to prepare an RMP/EIS for the Ely planning area. It is important to keep in mind that vegetation treatment across the Ely RMP decision area would take many years to complete. Through the adaptive management process, successes and failures in treatment and landscape restoration would be incorporated into each successive watershed analysis and management plan. The Ely Field Office shares the same concerns regarding restoration success as expressed in this comment; however, it is not necessary to issue a Supplemental Draft RMP and EIS.

N16-38 The cost of vegetation treatment would be dependent on the tools and techniques selected. Since this would not occur until individual watershed restoration plans are prepared, overall costs can not be estimated.

N16-39 Comment noted.

N16-40 Comment noted.

N16-41 Council on Environmental Quality (CEQ) regulations at 40 CFR 1503.3(a) state that comments on an environmental impact statement or on a proposed action shall be as specific as possible and may address either the adequacy of the statement or the merits of the alternatives or both. The comments referenced are specific to an appeal and litigation from 2002 concerning an implementation decision under the Schell Management Framework Plan and are not specific to the current statement or proposed action. Therefore, they do not require further agency response.

N16-42 In response to your comment, the text in Section 4.21 of the Proposed RMP and Final EIS has been expanded to include general comparisons of weed control costs among alternatives over the short and long term. It is already recognized throughout the text that various management practices have the potential to contribute to differing degrees of resource consumption, erosion and soil loss, and opportunity costs. However, assessment of "cost" in terms of potential nutrients lost through prescribed fires, biomass consumption, and erosion is beyond the scope of the Ely RMP.

N16-43 Please refer to Response to Comment N16-1 for a discussion of the need for a Supplemental Draft RMP and EIS.

Letter N16 Continued

N16-44 WWP's recent field visits to Ely lands (see WWP letters of November 2005 re: Blue Mass and McGill to Cherry Creek) show that Ely BLM cannot even take cares of the existing ecological problems, and ecological catastrophes such as massive head-cutting or weed invasions resulting from mis-management across the District lands. See letter re: Blue Mass and Tippett, letter re: McGill to Cherry Creek, -grazing, sterile and depleted seedings, and burn treatments gone awry. Since Ely BLM has shown no ability to restore lands currently infested with cheatgrass, or ability to control "prescribed fire", it is outrageous and reckless to propose massive new disturbances across the landscape. The observations documented in our letters can be applied to watersheds across the Ely District.

N16-45 DRMP at 4.1.9 states that vegetation and watershed information is incomplete, and that "some vegetation conditions in the Great Basin are deteriorating (including reduction of species diversity, loss of perennial understory grass and forb species, increase in abundance of invasive annual species, and/or increased density of wood[y] species". These are all EXTREMELY serious conditions, and will all result in a much greater likelihood of negative outcomes for the massive disturbance/treatments proposed by BLM across the district.

N16-46 BLM's biased analysis perspective can be turned on its head. For example, BLM claims that pinyon-juniper expansion removes understory shrubs. Yet, BLM has not collected necessary information to understand which areas pinyon-juniper are expanding in, and which areas of pinyon-juniper are just recovering from past deforestation (mining or settlement-related or BLM's own past livestock forage increase projects/manipulations) in. What is "expansion", and what is "recovery" of either the natural vegetation community or the primary community that degraded sites where large amounts of soil have been lost now can support? Nor is BLM attempting to understand how site potential may have changed with massive erosion and desertification, or how climatic factors and climate change may be affecting the health and persistence, and resilience of vegetation communities to disturbance across the District and surrounding lands.

N16-47 The information presented by BLM on Vegetation Condition and Trends in Sections 3.5 and 3.19 and Table 2.14.1 is flawed and incomplete, as BLM has not collected information necessary to catalogue vegetation communities, their current expansion or contraction, and their current condition and ecological health.

N16-48 BLM bases much of its analysis on flawed and biased assumptions of the livestock industry and "range" advocates.

N16-49 The "State and Transition" models that BLM hides behind to justify large-scale alteration contain inadequate information on the role of livestock of livestock grazing and trampling and other human disturbance in degrading communities to the point they are in danger of being pushed over "thresholds", and the extreme difficulty of even general rehab. in the face of continued grazing pressures in arid lands. Evidence is clear – you build a new livestock pipeline and extend and shift concentrated livestock grazing and trampling use into little-grazed arid sagebrush or salt desert shrub uplands, invasive species will

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N16-44 Comment noted. Land restoration will be conducted as determined appropriate through the watershed analysis process. Prescribes fires are carefully planned and managed with the intention of keeping them under control.

N16-45 Comment noted. Vegetation treatments will be planned and conducted to produce the desired results, not "negative outcomes". Treatments will be conducted in varying watersheds across the Ely RMP decision area over several decades and thus should not be construed as "massive disturbance".

N16-46 The Ely Field Office considers pinyon-juniper communities existing on "woodland" type soils to be actual pinyon-juniper woodlands (with or without sagebrush understory vegetation), while pinyon-juniper communities occurring on "sagebrush" type soils are most commonly the result of pinyon and/or juniper establishment and spread in traditional sagebrush areas. The primary data involved in this assessment are soil survey data and direct observation of pinyon-juniper distribution.

N16-47 Vegetation data was extrapolated from ecological status inventory and cover data that are available for three watersheds in the Great Basin and from SW REGAP vegetation data in the Mojave Desert, all within the Ely RMP planning area. No substantiation is provided for this data being flawed. NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions and make a reasoned choice among alternatives. Where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The data that is requested in this comment, while potentially of interest, is more detailed than that required to prepare an RMP/EIS for the Ely planning area.

N16-48 Comment noted. Your allegation is unsubstantiated.

N16-49 The management actions that are presented in the Proposed RMP do not "hide behind" modeling results. A state and transition model is used to describe vegetation dynamics and management interactions associated with each ecological site. A state and transition model provides a method to organize and communicate complex information about vegetation response to disturbances (e.g., fire, lack of fire, drought, unusually wet periods, insects, and disease) and management. Management as used here includes current livestock grazing, which will be a consideration in all watershed analyses.

Letter N16 Continued

- N16-50 [increase –irreversibly – and depletion of native vegetation will increase over time. BLM must recognize the role of livestock facilities, continued high and excessive stocking rates, and other management failures of its own making on public lands, and pushing lands over “thresholds”. Particularly, BLM must study the impacts of past fire (wild and prescribed) past seedings and removal of woody vegetation, and other “treatments” in pushing communities over thresholds from which recovery is difficult, if not impossible. Please start with an examination of the cheatgrass invasion of prescribed and wild fires. The extensive cheatgrass invasion in areas ranging from McGill to Cherry creek to the Blue Mass following prescribed or wild fires demonstrates. BLM’s RMP maps that purport to show areas with cheatgrass invasion risk are far too limited – and much more acreage across the district is at great risk of cheatgrass invasion or increase under the manipulation and grazing of the preferred and other alternatives.
- N16-51 [Plus, nowhere in this entire RMP is a reader ever provided with accurate readable maps showing lands on which crested wheatgrass has been purposefully seeded in past BLM projects (thus pushing plant, soils and animal communities across thresholds from which recovery may be impossible – BLM has not demonstrated that it can even successfully restore these messes of its own past manipulation making. Nor are there maps of current cheatgrass dominance of understory, percent cheatgrass present, etc. Cheatgrass mapping has been done in Nevada! What does current data show? How does drought affect cheatgrass? How has prolonged drought affected Ely lands? What areas have suffered shrub die-off (sagebrush, shadscale, etc), or tree die-off (spruce, pinyon, juniper, etc.). Please provide maps and a current inventory.
- N16-53 [Before it undertakes large-scale new manipulation BLM must inventory and assess acreage, condition, and impacts of existing plant communities, and the condition of past projects, and provide data and analysis on the native vegetation communities that were destroyed or altered (pinyon-juniper, sagebrush, salt desert shrub) in these manipulations/planting. Many of these exotic or highly altered communities resulted from mis-management or purposeful seedings post-fire, too. Data on crested wheatgrass, forage kochia or other exotic seedings planted post-fire, and not specifically as livestock forage must also be provided. Data on condition and effectiveness of seedings planted as livestock forage must be assessed. This has never been done by Ely BLM, and must be provided in a Supplemental EIS
- N16-54 [There is no current inventory of fire or treatment-altered communities across the district. A Supplemental EIS must be prepared to provide this data and analysis. This information must reside in BLM files. Many of the areas where BLM’s maps depict pinyon-juniper “invading” are instead areas where trees have been chained, sprayed, burned or otherwise killed, thinned or removed in order to plant crested wheatgrass and/or to increase livestock forage.
- N16-55 [Thus, because BLM does not provide a current inventory of many important elements and conditions across the District, it is impossible for it to undertake necessary analysis to develop a range of reasonable alternatives, or to assess impacts of the narrow and flawed existing alternatives direct, indirect and cumulative impacts. At great risk under the

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- N16-50 Watershed analyses consider the role of livestock use in relationship to conformance with Resource Advisory Council standards and guidelines. Current livestock management includes current or future facilities to manage for desired range of vegetation conditions in the watershed. This desired range of conditions is founded in state and transitional pathways. Cheatgrass invasion has been identified as an altered state that needs to be reduced or eliminated. The role of cheatgrass in the reburn cycle is recognized.
- N16-51 In response to this and similar comments, the Map 3.5-6 in the Proposed RMP and Final EIS has been updated to display the most up-to-date information in relation to the risk for cheatgrass invasion.
- N16-52 Please refer to Response to Comment N16-6 for a discussion of data collection and Response to Comment N16-51 for a discussion of cheatgrass mapping. Mapping of crested wheatgrass is not necessary to support the management actions or impact analysis presented in the Proposed RMP and Final EIS. Seedings do not meet ecological site descriptions, but the Ely Field Office is managing for the return of native species into these seedings. Seedings as well as cheatgrass dominated communities are considered altered states within state and transition models. Mid-scale analyses of watersheds will address all vegetation communities within watershed boundaries. Past seeding projects and cheatgrass composition in the major ecological sites of the watershed will be considered, along with factors such as current livestock management. Watershed analysis has and will continue to consider climate as part of the evaluation process.
- N16-53 Please refer to Response to Comment N16-37.
- N16-54 Please refer to Response to Comment N16-37.
- N16-55 NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions and make a reasoned choice among alternatives. The data that is requested in this comment, while potentially of interest, is more detailed than that required to prepare an RMP for the Ely planning area. Adequate information was available to develop a reasonable range of alternatives and analyze the impacts of those alternatives. Special status species and other sensitive resources will be protected by BLM policy, the management actions presented for the Proposed RMP in Chapter 2, and the best management practices in Appendix F of the Proposed RMP and Final EIS.

Letter N16 Continued

N16-55 Proposed Action are special status and T&E species habitats and populations, and many other and important values of the public lands. In this context, the No Action alternative is by far the best, and has much less risk attached to it than any of the Action alternatives.

N16-56 BLM has assured us that an alternative based on conservation principles provided by WWP and CHD would be considered. This has not been done. BLM's alternatives appear to purposefully contain ANTI-conservation measures, or "poison pills", embedded in them. Alternative B does not reflect many of the issues raised by us. For example, BLM claims horses would essentially run amok under Alt. B., yet WWP's Scoping comments were aimed at balancing livestock and horse use in appropriate areas to prevent damage to the public lands, not run amok horses.

N16-57 BLM's alternatives analysis also fails to clearly differentiate between the PASSIVE RESTORATION that was the basis of our scoping comments and alternatives suggestion and invasive aggressive restoration techniques. Very disturbingly, nowhere are measurable standards of livestock use, which are critical to prevent annual and chronic depletion of resources, included in the Alternatives analysis. Specific conservative measurable criteria of livestock use must be the basis for understanding stocking rates, resource allocations (including those for livestock and horses), regulation of livestock impacts post-fire or other treatments – and thus predicting outcomes of treatments, etc.

N16-58 Nowhere are acreages to undergo each specific type of "treatment" provided. This is necessary to understand the degree of disturbance? Will biomass nutrient export occur, and where? Will fire be used, and where?

N16-59 BLM's RMP discussion of contaminated sites omits mention of petroleum or other spills or contamination in association with wells or other livestock facilities, or pesticides used in association with sheep or cattle on public lands. In addition, BLM omits discussion of possible interactions between pesticides (such as those used by APHIS) and herbicides used on public lands, and contaminants. BLM does not provide information on how much herbicide and contaminants might increase under the preferred or other alternatives. BLM does not catalogue the full array and acreage of insect spraying or herbiciding that currently occurs, and provide maps where this activity occurs, on the district lands. BLM fails to discuss the role of poor or disturbed land condition in fostering outbreaks of insect pests. This must be understood, as use of pesticides not only represents human health concerns, but also kills insects essential for sage grouse chick and migratory bird survival.

N16-60 BLM's massive deforestation and disturbance/treatment must be assessed in the light of the extensive additional fragmentation of habitats and communities that will occur across the district as current planned and proposed actions are carried out. These actions range from aquifer depletion and thus loss of surface waters and lack surface water needed by many special status species, migratory birds, important wildlife such as pronghorn antelope, mule deer and elk, etc. to ongoing and exploding Oil and Gas and mining exploration and development, powerline corridors and infrastructure linked to renewable

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N16-56 The majority of WWP and CHD scoping comments were incorporated into Alternative D. However, the comments were limited and did not result in a complete alternative. Therefore, other management actions were added in keeping with the intent of the proposed Alternative D to make it comparable to the other alternatives. There was no attempt to add "poison pills" to any of the alternatives. Several alternatives (including Alternative B) attempted to balance the use of public lands by livestock, wild horses, and wildlife, with the emphasis varying among alternatives. Alternative D would have the least active management of wild horses.

N16-57 Again, WWP's scoping comments were incorporated into Alternative D (see Response to Comment N16-56). The subject of this comment is beyond the scope of the Ely RMP. The Ely RMP does not address grazing allotment adjudication or livestock stocking rates.

N16-58 Please refer to Section 3.5 in the Proposed RMP and Final EIS for a discussion of the acreage to be treated in each vegetation type. The type of treatments or tools to be used will be determined by the Ely Field Office when project-specific plans for vegetation treatment and watershed restoration are prepared and evaluated in the appropriate NEPA documents.

N16-59 Please refer to Response to Comment N16-6 for a discussion of data collection.

N16-60 Please refer to Section 4.28 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of cumulative impacts.

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- N16-60 | or coal energy, etc, resulting in extensive new weed spread, predator travel corridors and the like.
- N16-61 | Ely's "RMP Management Focus" flaws are discussed throughout this comment letter. We are particularly concerned about your reliance on "adaptive management".
- N16-62 | Sharp Constraints and Clear Methodology Must be Placed on "Adaptive Management". We are alarmed at the repeated references to "adaptive management" in the DEIS (example, page 4.1.8). A specific set of management actions and goals must be established, with specific steps to be taken to meet these and specific triggered changes to be implemented in place in a specific time frame if these are not met. This must be laid out in detail. Open-ended "adaptive management" provides no certainty in public lands management, and leaves the door open to spur-of-the-moment decisions that may result in irreversible ecological harms. Resorting to "adaptive management" is now in vogue as a way for agencies to avoid full public involvement, public disclosure, and public participation in new or expanded environmental analyses. It leads to cronyism, and even corruption, with deals made with the livestock industry. The risk is particularly great here, as BLM proposes massive disturbance "treatments", and where permittees may be the financial beneficiaries of such "treatments", as they kill woody vegetation and may increase (temporarily, or in the form of weeds) livestock forage, plus BLM may cut deals with permittees to undertake projects. Thus, it is imperative that adaptive management NOT allow for closed-door deal-making between the livestock industry and the BLM.
- N16-63 | "Adaptive management" is particularly risky as BLM admits it does not have a current inventory of many of the important ecological factors necessary to understand current ecosystems and their health, and the location and condition of public resources across the District. Under such circumstances, an array of alternatives based on precautionary and conservative management, with clearly structured management actions, must be applied. Otherwise, long-term harmful irreversible changes will occur to soils, waters, watersheds, special status and important species habitats and populations, recreational opportunities, etc.
- N16-64 | BLM must to establish specific actions to be taken, in a targeted and systematic manner, if use standards are not met, or if new or unforeseen circumstances arise. These should include specific reductions in season of use, reductions in livestock numbers, rest from grazing, or other specific actions must be taken as specific remedial steps if measurable standards of use are not met.
- N16-65 | You can not rely on loose "adaptive management" where specific Actions are NOT triggered.
- N16-66 | Unfortunately, with statements about the need, essentially, for lax management, it appears that the BLM's aim with this RMP is to allow loose and unaccountable grazing by permittees, the energy industry, or exploitive or self-serving local interests. This will place the public lands, waters, wildlife and other resources of the Ely District in much jeopardy. It will also hide and conceal agency actions from the public, and circumvent public

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- N16-61 | Thank you for expressing your concerns. Please note that the discussion of adaptive management in Section 1.7.1 and monitoring in Section 2.4.23 of the Proposed RMP and Final EIS has been updated.
- N16-62 | Adaptive management would not focus solely on livestock grazing and is not intended to benefit the livestock industry. Adaptive management is an approach to allow the Ely Field Office to achieve desired conditions for as many resources as possible. When required by regulations, additional NEPA analysis including public input and review would be conducted before modified management actions are implemented. Please note that the discussion of adaptive management in Section 1.7.1 and monitoring in Section 2.4.23 of the Proposed RMP and Final EIS has been updated.
- N16-63 | The Ely Field Office will continue to work with the Eastern Nevada Landscape Coalition and The Nature Conservancy to ensure that the most up to date science is brought into the adaptive management process for the Ely RMP decision area. When there is a consensus that not enough information is available to proceed with a management action, that action would be placed on hold until the Field Manager deems it appropriate to proceed. Please note that the discussion of adaptive management in Section 1.7.1 and monitoring in Section 2.4.23 of the Proposed RMP and Final EIS has been updated.
- N16-64 | Evaluation of livestock grazing use relative to achievement of the standards for rangeland health is a continual and on-going process. Grazing use will be evaluated during the term permit renewal process, during watershed analysis, and during grazing use monitoring.
- N16-65 | Comment noted. Adaptive management, and monitoring to provide the necessary feedback, have been clarified in the Proposed RMP and Final EIS (see Section 1.7 and Section 2.4.23).
- N16-66 | Adaptive management is a concept that is being incorporated into the Ely RMP and currently is not employed in other existing land use plans. Please refer to the revised text for adaptive management in Section 1.7.1 and the monitoring guidelines in Section 2.4.23 of the Proposed RMP and Final EIS.

Letter N16 Continued

- N16-66 involvement. Please provide concrete examples of where effective adaptive management has been undertaken. Please provide detailed case examples, and science-based studies conducted by ecological scientists without ties to the livestock industry or federal agencies that support these claims. As part of all alternatives, BLM must include the public, through NEPA actions, in the all steps of any “adaptive management” process.
- N16-67 Under NO circumstances should the BLM be allowed to conduct Decisionmaking, on grazing, the dominant and most significant resource degrading, desertifying and destructive land use occurring across the District, behind closed doors, or in dealings solely with livestock permittees. Under NO circumstances should BLM be allowed to conduct decisionmaking on vegetation treatments behind closed door or without full and open public involvement at the level of, minimally, an EA circulated for public comment. In many instances, preparation of an EIS will be necessary, as the current DRMP is largely devoid of current and accurate information necessary to understand the current situation, ecological conditions, or the outcomes of “treatments”. This must be specified in a greatly expanded framework for any adaptive management to be applied, in a SEIS.
- N16-68 You have not specified particular steps and triggers under AM. EACH step in any AM process to be applied to any management action type must occur in full and open view of the public, and have specifically defined, measurable, quantifiable and specifically triggered actions developed as part of the Plan amendment. For example, if a stubble height/utilization standard on a spring or stream is not met, the specific action to be triggered would be that the agency will cut livestock numbers by 20%, and continue cutting until herd size becomes able to be managed by permittee and standards are met for 3 consecutive years.
- N16-69 Critical steps in AM, include: Proper Problem Definition and Situation Assessment, Identify Key Uncertainties, Management Experience. These must be included, and the many uncertainties with each analyzed in a Supplemental EIS. Given the constant shifting of agency personnel in the BLM, management experience is often lacking, plus the EIS admits great gaps in knowledge. We thus have little faith that appropriate management oversight and experience will be applied to an AM process.
- N16-70 You must conduct a risk assessment of each specific triggered step in any AM system that you develop. Please present Tables of “Vulnerability” of Resources to Adverse Change in relation to any action that may occur. This is necessary to gauge the irreversible impacts to soils, waters, watersheds, native biota populations and habitats, cultural sites, recreational and other uses of the public lands.
- N16-71 A formal structure must be established for monitoring using measurable criteria, and it must include during-grazing/treatment/whatever management action AM is applied to, annual, and periodic monitoring regimes. Then, with whatever results monitoring shows, specific actions must be set in motion.
- N16-72 Any unanticipated or unforeseen uncertainties (through monitoring) must trigger public notification and either kick into play a specific set of actions, or new NEPA at least at the level of an EA with full public input must occur.

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- N16-67 The subjects of this comment (grazing decisions and vegetation treatment decisions) are beyond the scope of the Ely RMP. These issues will be addressed in the individual watershed analyses and restoration plans. NEPA review in the form of EAs or EISs as appropriate would be undertaken for all watershed restoration plans, which could include changes in grazing practices. Such review will not take place “behind closed doors”. Current conditions with respect to grazing and vegetation are described in Sections 3.16 and 3.5, respectively, in the Draft RMP and EIS and Proposed RMP and Final EIS. It is not necessary to issue a Supplemental Draft RMP and EIS.
- N16-68 In response to your comment and similar comments, the discussion of adaptive management and monitoring has been revised and expanded in the Proposed RMP and Final EIS (see Section 1.7.1 and Section 2.4.23). Also refer to the Watershed Analysis section in Appendix A referring to implementation strategy.
- N16-69 Please note that the discussion of adaptive management in Section 1.7.1 and monitoring in Section 2.4.23 of the Proposed RMP and Final EIS has been updated. The Ely Field Office will comply with BLM and Department of the Interior policy on adaptive management. The necessary steps in any adaptive management situation will be considered by the Ely Field Office when project-specific plans utilizing the adaptive management process are prepared. It is necessary to issue a Supplemental Draft RMP and EIS as required in the CEQ Regulations [40 CFR 1502.9(c)].
- N16-70 Please refer to Section 1.7 in the Proposed RMP and Final EIS for a discussion of how adaptive management would operate. As proposed, the adaptive management process would not include a risk assessment component.
- N16-71 Please refer to Response to Comment N16-68.
- N16-72 Please refer to Response to Comment N16-68.

Letter N16 Continued

- N16-73 [If sufficient funds are not provided for every specifically scheduled monitoring point (necessary for feedback into the AM model), then a very conservative “Default” system must be put in place – designed to minimize livestock use, treatments, or disturbance. This is necessary to safeguard the very important public resources for loss or degradation.
- N16-74 [Plus, if significant new actions occur (mining-related exploration or development, Oil and Gas, new weed invasions, aquifer drawdown, etc.), an extra-cautionary level of management should be specifically triggered, and put in place.
- N16-75 [BLM can no longer view each activity that it may authorize on public lands as separate. Often, and current science increasingly shows, they are linked. For example, invasive species thrive and gain footholds in areas of disturbed soils. A County road-blading spree –or just blading extra-wide berms through existing weed patch – or mining exploration disturbance - or herding cows and sheep from weed-infested private lands onto BLM lands - can spread weed seed sources into new areas. Then, cattle or sheep grazing or trailing use on top of grazing spreads weeds irreversibly into the hinterlands.
- N16-76 [The AM process must first and foremost be based on current ecological science. Without firm moorings in science, and specific triggering of specific actions as a result of feedback, political bias will pervade land management decisions. In the rural West, that will mean the livestock industry will exert political power to cut, stall, delay or dilute necessary protective changes for public lands.
- N16-77 [The AM system should be set up to maximize insulation from political tampering. Otherwise, policy turbulence will dominate, and the land, resources, and the public will suffer.
- N16-78 [Full openness of decisionmaking processes to the public and shining the full light of day on all aspects of livestock management is key. Allowing full public awareness, input and review of all management steps (including the currently closed-door meetings on AOPs or permittee protests of administrative actions should be part of any AM system.
- N16-79 [Otherwise, public lands and resources will be subject to significant adverse effects, political cronyism, and are very likely to show no improvement and will deteriorate. The consequences of deteriorating resources may be large-scale soil erosion and loss – with fragile arid land soils never (at least for several millennia) being able to be recovered. Even worse, populations of important and rare wildlife such as loggerhead shrike, pinyon jay, or ygmy rabbit may disappear from habitats, or lands become overrun with uncontrollable invasive weedy species. All results of during-grazing season, annual, and other periodic monitoring must be presented in detail to the public, and posted on the Internet. Any deviation from specifically triggered steps laid out in AM scheme must be fully revealed, and subsequent actions subject to NEPA, with full public comment, and conducted at the level of at least an EA, with an EIS often being required.
- N16-80 [Without explicit, timely, and constantly funded monitoring over the lifetime of the plan, necessary feedback to enable any accountable or credible adaptive monitoring will be

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- N16-73 Please refer to Section 1.7.1 in the Proposed RMP and Final EIS for a discussion of how adaptive management would operate. Section 2.4.23 discusses how monitoring would be conducted. The lack of monitoring data would be a consideration in the decision to implement any specific management action. Again, adaptive management does not focus solely on livestock grazing.
- N16-74 Comment noted.
- N16-75 Thank you for expressing your concerns. In the Proposed RMP, BLM has moved away from managing separate activities by developing a holistic approach to managing resources and restoring landscapes. In addition, interrelated projects and cumulative impacts are considered in Section 4.28 of the Draft RMP and EIS and Proposed RMP and Final EIS and will be considered in subsequent EAs and EISs for the implementation of management actions in the plan.
- N16-76 Adaptive management would be based on the latest ecological science and field data collected within the Ely RMP decision area as they are developed over the life of the plan.
- N16-77 Comment noted.
- N16-78 Public involvement in range management decisions is how BLM does business, and the Ely Field Office will continue to implement current BLM policy.
- N16-79 Please refer to Section 1.7.1 in the Proposed RMP and Final EIS for a discussion of how adaptive management would operate. As proposed, the adaptive management process would not include specifically triggered steps or changes in management actions. Management actions would be implemented in conformance with the plan. When required by regulations, additional NEPA analysis including public input and review would be conducted before modified management actions are implemented.
- N16-80 Please refer to Response to Comment N16-73 for a discussion of the relationship of monitoring to adaptive management. The adaptive management process will be an effective component of the management actions contained in the Proposed RMP.

Letter N16 Continued

N16-80 impossible. This, since BLM is chronically underfunded, and the US government is currently facing large-scale cutbacks in funding, and will face such well into the future as trillions of dollars of debt have been amassed in the past five years, there is little hope that your 'adaptive' plans will be able to work effectively.

N16-81 AM should NOT include open-ended changes in livestock use such as timing, salt, and especially CHANGING TRIGGERS. This is necessary to protect watersheds, native biota, cultural sites, recreational values, roadless areas (please provide maps overlaying all roadless lands with grazing allotments and grazing-related roading), special status and T&E species, and other important values of the public lands.

N16-82 Again, ANY change should be based on science, and part of a specifically triggered science-based action/step.

N16-83 We are very concerned that BLM's whole manipulation and management scheme assessed under the alternatives of the EIS is "extrapolated" from three watersheds and GAP analysis. GAP analysis is known to have serious flaws and deficiencies, inadequately portray invasive species presence and other disturbance factors, inaccurately and insufficiently portray condition of understory grasses and forbs, provide no information on structural integrity of shrubs, etc. It also does not contain information age class, health, or other important information that would enable BLM and the public to understand the current "mosaic" and interspersions of vegetation communities, their structure and values to wildlife, rare or declining species, forest products values or production, live vs. dead shrubs or trees, etc. It also does not differentiate complexly interspersed plant occurrences.

N16-84 For example, in large areas of the Antelope Valley in the Tippet allotment, halogeton, cheatgrass and other weeds have largely replaced the salt desert shrub communities. Yet nowhere in the EIS is information or inventory presented that enables the public to understand this current condition, or how extensive it is across the Field Office. Nowhere in the DEIS is there an inventory of the existing livestock facilities and their condition/repair (including water haul and salt/mineral sites) across the District, or an assessment in the depletion of vegetation, soils, microbiotic crusts, habitats, etc.

N16-85 This type of information is essential to understand any "sustainability" of forage production, to understand the strong need to protect still-less weedy communities, to understand and prioritize "treatments" and the type and acreage of vegetation communities that need "treatment", to analyze relevance and importance values of ACECs and the acreage necessary to include in ACECs. It is necessary to develop a range of suitable management alternatives under NEPA, the Taylor Grazing Act, PRIA and FLPMA that protect the many important values of the public lands from unnecessary and undue degradation. The RMP is supposed to provide a current inventory of the public lands, Regrettably, the DRMP is woefully lacking in current information necessary to understand what vegetation communities and wildlife habitats and desertification processes, etc. actually exist across the Ely District.

Responses to Letter N16

N16-81 Adaptive management does not focus solely on livestock grazing. Maps relevant to the management actions contained in the Proposed RMP, as well as the alternatives analyzed, are contained in the Proposed RMP and Final EIS. These maps are adequate to illustrate the management actions that are being proposed and facilitate the analysis of impacts from these management actions.

N16-82 Comment noted.

N16-83 Please see Response to Comment N16-47 for a discussion of vegetation data. The data used for extrapolation purposes is for impact analyses at a level that addresses the entire Ely RMP planning area. The use of GAP Analysis for the purpose of regional analysis is appropriate. It is not encumbered by these "serious flaws and deficiencies" for use at this scale. Analyses of vegetation data has and will continue at the mid-scale level (watersheds), where the types of metrics mentioned in this comment would be more applicable.

N16-84 Please refer to Response to Comment N16-6 for a discussion of data collection.

N16-85 Please refer to Response to Comment N16-6 for a discussion of data collection.

Letter N16 Continued

N16-86 [This EIS minimizes understanding of current degradation, desertification and ecological impacts of livestock grazing.

N16-87 [BLM fails to provide data on grazing during critical or other sensitive growing periods, and time periods for recovery of native grasses, forbs and shrubs if grazing at particular levels occur.

N16-88 [It is impossible to understand why BLM is not providing clear and measurable science-based management goals, objectives and requirements for livestock grazing utilization, browse, trampling and other uses. A large body of current science demonstrates the need for conservative standards of use (see various Holechek articles and texts, Anderson 1991). It also demonstrates the extremely long period that arid vegetation needs to recover from uses (Anderson 1991, Anderson and Inouye 1981, Anderson and Inouye 2001). A broad range of alternatives based on measurable standards of livestock use must be developed in a SEIS. This is necessary to understand the appropriate allocations and management actions for livestock, horses, wildlife, to understand the likelihood of success, or risk associated with treatments and manipulations, OG and mining, and other energy development post disturbance recovery of veg, soils, wildlife, etc..

N16-89 [Increased cattle weight has not been taken into account in analysis or allocation of AUMs in the District. Cattle grazing on public lands now weigh much more than the BLM's definition of an AUM. This results in levels of grazing and trampling damage to resources that has never been allocated or assessed under any management document. Please provide information on livestock weights, age and type of livestock, size of calves, etc. grazed on these lands. This is necessary to understand the "sustainable" nature of forage, trampling impacts to microbiotic crusts, removal and loss of biomass from public lands in the export of cattle or sheep flesh, etc. Please also provide information on the amount/quantity of water removed from natural water sources on public lands to supply water to domestic livestock, and how this removal affects watersheds, stream or spring flows, leads to new zones of livestock concentration, etc.

N16-90 [Please provide a listing of all diversion and/or ditches or other rights-of-way that cross Ely lands. Please also provide analysis of the impacts of diversions or other rights-of-way.

N16-91 [AT THE SAME TIME, BLM plans no significant removal of livestock from any area of the Ely District. The risk of weed invasion, continued depletion of native vegetation and harmful alteration of ecosystem processes and watershed-level desertification is greatly increased with continued livestock grazing, on which the already BLM LOSES money each year.

N16-92 [There is no inventory presented of roadless lands. BLM should provide maps and assessment of all roadless tracts of lands of greater than 1000 acres, 2500 acres, and 5000 acres in size and provided a new and updated wilderness suitability inventory. Please be sure to consider BLM roadless lands in the context of adjacent roadless National Forest, Wildlife Refuge, military, or other lands. BLM should provide maps showing road

Responses to Letter N16

N16-86 Please refer to Chapter 3 - Affected Environment and Chapter 4 - Environmental Consequences in the Draft RMP and EIS and Proposed RMP and Final EIS for discussions of current conditions and anticipated impacts associated with livestock grazing.

N16-87 Please refer to Response to Comment N16-6 for a discussion of data collection.

N16-88 Goals, objectives, and requirements for livestock grazing utilization, browse, trampling, and other uses are all considerations evaluated for achievement of the standards for rangeland health. These are all valid considerations that will be addressed and evaluated using measurable standards during the term permit renewal process, during watershed analysis, and during grazing use monitoring. The Ely RMP does not address allotment-specific changes in grazing management. A range of alternatives was presented and analyzed in the Draft RMP and EIS and Proposed RMP and Final EIS. Each alternative had a different management emphasis, based on comments received during scoping and the needs/desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes. It is not necessary to issue a Supplemental Draft RMP and EIS.

N16-89 Please refer to Response to Comment N16-6 for a discussion of data collection.

N16-90 Please refer to Response to Comment N16-6 for a discussion of data collection.

N16-91 Comment noted. Adjustments to livestock grazing are made when livestock are found to be a contributing factor to non-attainment of standards for rangeland health. The BLM makes grazing management decisions according to existing policy, and the Ely Field Office will continue to implement current BLM policy.

N16-92 An inventory of roadless areas is not germane to the Ely RMP. The type of issues raised in your comment will be considered by the Ely Field Office when project-specific transportation plans, including road inventories, are prepared and evaluated. The Ely RMP does not recommend new wilderness study areas or designate wilderness, which is the responsibility of Congress. It is not necessary to issue a Supplemental Draft RMP and EIS.

Letter N16 Continued

- N16-92 densities per square mile across the district, as this is necessary to understand watershed integrity, and overlapping impacts of grazing and roading disturbance. This is necessary to provide. Again, it must be presented in a supplemental EIS. This is also necessary to understand the importance of designation of greatly expanded ACECs, which likewise must be considered in a SEIS.
- N16-93 Table 4.1-1 “Comparison of Impacts” cannot provide valid comparisons without important information current vegetation conditions, soil loss, extent of past BLM seedings or manipulations, etc. This Table is rife with unsubstantiated conclusions. For example, at 4.1.15, BLM claims that under Alt. B, C, D water resources would improve because watershed analysis and restoration would occur. BLM NEVER assesses the impacts of its disturbance/manipulation proposals on sedimentation, erosion, the impacts of continuing livestock stocking at near-status quo levels on algal and coliform pollution of water, etc. thus, there is no valid way to claim improvement. Likewise, it cannot compare the any declines or changes in groundwater recharge or seasonal surface flows.
- N16-94 BLM has failed to assess impacts of Oil Gas, mining, geothermal or other exploration and development on release or contamination by radioactive materials. What is the radiological risk associated with re-injection of OG well removed-water contaminated with radiation – to the aquifer? What will be released to the air?
- N16-95 BLM has failed to provide information military airspaces and training areas, and use of aerial flares or other activities that may increase fire risk, disturb or displace wildlife, etc. What areas of Ely lands are military airspace, what activities occur there, and what are the possible in environmental impacts or effects of these actions to the public, wild lands, cultural sites, and native biota??? Please provide detailed information on the current military “footprint” on Ely lands – ranging from sonic booms in bighorn sheep habitat to AGL flight levels to military air space to use of flares to ground-based activity, to number of wild land fires started by military activity, to flight noise levels over populated or wilderness or WSA areas to air pollution from contrails.
- N16-96 Please also provide detailed analysis of the impacts of the proposed nuclear waste rail corridor or other associated activities or infrastructure on Ely BLM and surrounding lands and land uses.
- N16-97 An assessment of current impacts and projected impacts under development under various scenarios to air and water quality and human health related to mining, Oil and Gas, and other developments on BLM lands. For example, the impacts of extensive OG leasing, exploration and development impacts to public lands, along with development of a massive renewable energy program or infrastructure, as hinted at in EIS maps. We have reviewed recent Elko and Winnemucca BLM documents that base impact analyses of OG leasing, exploration and development on out-dated models that do not reflect the current Oil and Gas Boom across the West including Nevada. You must provide truthful and detailed information on this in a SEIS.

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- N16-93 Please note that Table 4.1-1 is a summary table; additional discussion is presented in Sections 4.3 and 4.4 of the Proposed RMP and Final EIS. The watershed impact analysis was written from the standpoint of watershed processes, with consideration of current trends within the Ely RMP planning area. Literature upon which the analysis is also based is cited in the impact sections, and these references are also relevant to the concerns expressed. Additional monitoring frameworks are identified in Section 2.4.23. The watershed planning framework and specific tools and guidance are further described in Sections 1.7.3, 1.7.4, Sections 2.4.3 and 2.4.19, and in several appendices.
- N16-94 Please refer to Section 4.2 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of radioactive fallout in the Ely RMP planning area. Water reinjection is controlled by state and federal regulations. Project specific implementation plans would be developed by a company proposing such reinjection. The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for oil and gas wells are submitted by a lease holder and evaluated in an appropriate NEPA document.
- N16-95 Thank you for your comment. Military Operation Areas have been added to Chapter 3 of the Final Ely RMP as part of the affected environment. The specific impact analysis issues of this comment are beyond the scope of the Ely RMP and does not require further agency response.
- N16-96 Thank you for your comment. The subject of this comment is beyond the scope of the Ely RMP. Analysis of the impacts of the construction and operation of the Yucca Mountain rail spur will be conducted by the Department of Energy and presented in an EIS prepared by that agency.
- N16-97 The RFD for locatable minerals anticipates as many as 10 new mines would be put into production over the life of the plan. Currently, the Robinson and Bald Mountain mines have announced expansions and increased mine life due the current high metal prices. There has been little exploration for new deposits.
- The impacts to air and water resources in relation to mineral and renewable energy development are discussed in Section 4.2 and 4.3, respectively, of the Draft RMP and EIS and Proposed RMP and Final EIS. No management actions for the health and safety considerations of mineral and renewable development are contained in the Proposed RMP, as these are outside the jurisdiction of the BLM.

Letter N16 Continued

Responses to Letter N16

- N16-98 BLM presents an map that shows virtually every ridge or elevated areas across the FO as potential wind energy sites, yet fails to provide necessary analysis of the impacts of such massive development and associated infrastructure such as powerlines, roads, areas avoided by wildlife and wildfire disturbance, on important values of public lands, especially recreational use, and native biota. BLM must not simply allow wind energy developers (often tied to huge oil companies, including foreign companies) to place facilities anywhere they want on public lands, but must instead use specific criteria to determine appropriate vs. inappropriate siting, and thus establish valid and scientifically tenable allocations under this Land Use plan. The same applies to geothermal, solar and other energy development on public lands. Otherwise, these forms of energy cannot be called “green” energy, but instead energy red with the blood of killed bats, golden eagles, burrowing owls, and extirpated sage grouse populations. BLM must assess the difficulties and decreased efficiencies of siting wind facilities in some of the windiest spots. BLM must require detailed 2-3 year year-round studies that include detailed information on avian and bat migration and migration patterns as part of any energy development proposals under the EIS. While WWP supports renewable energy, we believe siting should be conducted to minimize adverse impacts.
- N16-99 The RMP should provide specific avoidance of energy development and any exploration activity in important sensitive or special status or T&E species habitats. This means ALL such species, and other high-value sites such as ACECs.
- N16-100 If you persist in claiming that all the land areas shown on the DRMP maps are suitable for wind or other energy development, then also please provide maps and analysis of the impacts of associated facilities and infrastructure on the public lands, so that the public can understand the massive impacts of development in so many areas would result in.
- N16-101 Any corridor, right-of-way, powerline, communication or other siting should be clumped with other development and sited to avoid important habitats or unroaded lands to the maximum extent possible.
- N16-102 Given that a huge new coal-fired power plant is already proposed for the Ely area, which currently is supposed to have some of the cleanest air in the nation, the EIS should provide detailed information on current air quality across the district. This means conducting air quality monitoring for a broad range of pollutants. This includes mercury (related to gold mining in Nevada), ozone, carbon monoxide, sulfur dioxide, particulate matter, haze, visibility, lead hydrogen sulfide, and other pollutants. This is also essential to understand the impacts of Oil and Gas or mining development (ranging from haze from fossil fuels to fugitive dust) that may occur under an alternative of the RMP, and will require preparation of a Supplemental EIS.
- N16-103 We are very disappointed in the inadequate economic analysis that is provided in the DRMP. It makes the extremely minor role of livestock grazing in local, regional or state economies. It also does not provide necessary information on the costs of implementing all alternatives of the EIS, especially the treatment/restoration activities. It does not present information on the likelihood of failure – and thus even greater costs – of various

- N16-98 The Proposed RMP does not designate areas for wind and solar energy development, and the text and map titles in the Proposed RMP and Final EIS have been changed to clarify this. Changes in technology may change the potential for renewable energy development and which areas are suitable. These decisions and subsequent proposals would be made by private industry. Thus, while renewable energy development could be an authorized activity under the plan; the Proposed RMP does not designate the location or magnitude of specific projects. The general impacts associated with these types of development, including the amount of surface disturbance anticipated within the Ely RMP decision area during the life of the plan, are discussed in Chapter 4 of the Proposed RMP and Final EIS. When application for a specific project is made to the Ely Field Office, appropriate NEPA review in the form of an EA or EIS would be undertaken before the project is approved.
- N16-99 The Proposed RMP does not designate avoidance areas for wind and solar energy development, and the text and map titles in the Proposed RMP and Final EIS have been changed to clarify this. All applications will be subject to NEPA analysis and the Wind Energy Development Program Policies and Best Management Practices published in conjunction with the Record of Decision for BLM's Final Wind Energy Development Programmatic EIS (Appendix F, Section 3, of the Ely Proposed RMP and Final EIS). The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for wind and solar energy development are received and evaluated
- N16-100 Please refer to Response to Comment N16-98 for a discussion energy development. The Ely Field Office does not anticipate that the entire areas shown on the maps would be developed.
- N16-101 Please refer to Sections 1.4.1 and 1.4.2 and 2.4.12.7 in the Proposed RMP and Final EIS for a discussion of land use authorizations and specific criteria to be considered in approving or rejecting applications.
- N16-102 NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions and make a reasoned choice among alternatives. Where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The data that is requested in this comment, while potentially of interest, is more detailed than that required to prepare an RMP/EIS for the Ely planning area. BLM does not deem the data that is requested in this comment as being necessary to prepare the Ely RMP. It is not necessary to issue a Supplemental Draft RMP and EIS.

Letter N16 Continued

- N16-103 “treatments” or rehab actions under continued livestock grazing at near-status quo AUM levels. Please also incorporate information from the latest GAO report on the annual costs of livestock grazing to taxpayers. Please note this report does NOT take into account the huge costs related to livestock spread of weeds, watershed damage and loss of surface waters, water pollution, loss or conflict with recreational uses, etc.
- N16-104 The DRMP lacks analysis of the current extent of disease organisms and health risks to public land users of livestock-related pathogens in soils and waters of the District. Please conduct detailed water sampling across the district during the period of time when livestock grazing is occurring in particular allotments. Please also sample soils for Q fever, and other organisms. Please present this information to the public, so a full understanding of the impacts to public health (and wildlife health) can be understood.
- N16-105 Please also assess the role of livestock increasing occurrence of West Nile virus on public lands. Not only do livestock provide a bonanza of a large-bodied food source typically found much of the time near water for mosquitoes that may result in higher mosquito populations and thus higher levels of West Nile virus and wildlife exposure, livestock trampling depressions at the margins of moist areas provide ideal sites for mosquito larvae development.
- N16-106 We are very concerned that we can find no map that depicts the location of known special status species occurrences (both animal and plant) in the lands of the District, nor any map that depicts the land areas with current surveys for special status species.
- N16-107 We are currently in the process of reviewing the BLM Weed EIS. In 2002, WWP and several other conservation groups met with EIS leader Brian Amme, and submitted a restoration alternative focused on passive restoration. Mr. Amme informed us that the Weed EIS would NOT set allocations/stocking/suitability related to livestock, and that the LAND USE PLANNING process (i. E. this RMP effort!) would establish these allocations. Unfortunately, we can find no place in the EIS where current inventory data is used to establish, adjust or change allocations for livestock. The only place where any “allocations” change is in relation wild horses –where they will be eliminated from close to 2 million acres, thus INCREASING allocations for livestock.
- N16-108 Application of sound fire science. We are very concerned that the EIS lacks a firm application of principles of fire science and detail on how they would be applied across the landscape and in specific projects affected by the RMP. This is critical, as under the grazing and disturbance regimes to be imposed, great damage can be caused by fire or treatment. For example, at a site proposed for treatment, what would be a minimum level and kind of treatment - based firmly on fire science, that would achieve objectives, best protect resources, etc.? Calculations of flame length, topography, fuel loads, invasive species, and post-treatment invasive species risks, and many other factors, must all be considered using best available science.
- N16-109 A broad range of alternative based on protection and enhancement of pinyon pine and other forests due to their ecological, aesthetic and economic value, must be assessed in a

Responses to Letter N16

- N16-103 Please refer to Section 4.23 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of the assumed expenditures for implementation. More detailed costs will be developed over time as the Ely Field Office compiles actual experience from detailed watershed analysis and implementation; however, actual outlays for treatment and restoration activities will be affected by actual appropriations. The experience gained over time will also allow the Ely Field Office to adapt and revise the treatment and restoration activities to increase their effectiveness. The other information that is requested in this comment is beyond the scope of the Ely RMP.
- N16-104 Please refer to Response to Comment N16-6 for a discussion of data collection.
- N16-105 Please refer to Section 4.28.8 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of West Nile virus concerns within the Ely RMP planning area. The virus affects primarily birds and horses, and any role of cattle in the spread of the virus has not been documented.
- N16-106 Please refer to Map 3.7-1 for generalized locations of federally listed fish species, and to Map 3.7-2 for desert tortoise habitat, both in the Draft RMP and EIS and in the Proposed RMP and Final EIS. Additionally, Map 2.4.22-1 shows Areas of Critical Environmental Concern, several of which relate to the presence of special status species. Numerous other special status species, e.g., greater sage grouse, occupy broad areas of habitat for which mapping would have little relevance. Management objectives for such species will be considered by the Ely Field Office when project-specific plans are prepared.
- N16-107 Please refer to Current Management Direction under the Parameter- Lands Available and Not Available for Livestock Grazing, which addresses allocation, lands available for livestock grazing, and the amount of forage available. Grazing use will be evaluated during the term permit renewal process, during watershed analysis, and during grazing use monitoring. The Proposed RMP specifies management policies and actions and provides programmatic and implementable direction for management of the public lands.
- N16-108 The Ely RMP does not address the management of individual natural or prescribed fires within the Ely RMP decision area or the rehabilitation of such burned areas. During the site-specific planning process and development of a prescribed burn plan and an environmental analysis, many scientific factors will be evaluated and in your comment you have stated a few. Other factors, such as cumulative impacts, will bear heavily in the decision where and if a particular prescribed fire, fire use fire, or other vegetation treatment is conducted. Watershed analysis will also play an important role in decisions on how to best manage a watershed. Fire science along with other fields of science will be used to plan, implement, and monitor projects across the landscape.

Letter N16 Continued

N16-109 SEIS. A growing body of data shows the great importance of the pinyon pine and forest in Nevada to persistence of the pinyon jay and other native biota, as large-scale tree die-offs and climatic change occur across the West. What is the potential value of pine nuts produced currently on BLM lands? How would this be altered by the massive and widespread deforestation under the preferred action and other alternatives? The U. S, currently imports large amounts of pine nuts. Emphasizing prudent and conservative management of pinyon and other forest resources should be a number one priority and allocation made under this land use plan. Please see the information on economic and other values of pinyon pine available on-line at www.pinenut.com concerning values of Nevada's pinyon pine. Nevada pinyon pine recently received

N16-110 We are very concerned about the proposal under the preferred and other alternatives, to dispose of significant acreages of public land – on top of the land privatization and development set in motion by the Lincoln County Act and additional foreseeable land privatization under a brewing White Pine bill. Alternatives based on no net loss of public land, and significant acquisition of private land to reconnect habitats, restore watersheds and fisheries, reduce habitation interfaces and heightened fire danger, restore pygmy rabbit habitats, etc. should be assessed.

N16-111 As we have previously expressed to you, the errors in the DEIS make review difficult, and the maps are terrible. A SEIS with expanded mapping, and mapping showing much greater detail is urgently needed.

Sincerely,



Katie Fite
Biodiversity Director
Western Watersheds Project
PO Box 2863
Boise ID 83701

Responses to Letter N16

N16-109 Maintenance of healthy pinyon-juniper communities is one of the objectives of BLM's vegetation management programs, but not to the exclusion of other vegetation communities. BLM has determined that its array of alternatives outlined in the Draft RMP and EIS and Proposed RMP and Final EIS addresses the maintenance and management of pinyon-juniper on the "natural" woodland sites (approximately 3.6 million acres) and control of the community where it is expanding into "natural" sagebrush sites (approximately 1 million acres). The Proposed RMP does not include any "widespread and massive deforestation." Please refer to Response to Comment N16-1 regarding a Supplemental Draft RMP and EIS.

N16-110 Please refer to Section 2.4.12 in the Proposed RMP and Final EIS for a discussion of management direction for lands and realty. The management direction for land disposal under Alternative D specifies no net loss of public lands.

N16-111 Please refer to Response to Comment N16-1 regarding a Supplemental Draft RMP and EIS.

Letter N17

November 27, 2005

Gene Drais
Ely Field Office
HC 33 Box 33500
Ely, NV 89301

Dear Mr. Drais,

Here are additional comments of Western Watersheds Project on the Ely DRMP effort. If these are redundant, I apologize as I am working at home on a different computer than earlier comments may have been submitted from.

Springs, Seeps, Wet Meadows, Springbrooks, Streams

N17-1 [BLM must conduct a full inventory and assessment of the location, condition and characteristics of all spring, seep and wet meadow areas, including historically wetted sites. BLM must study the role of historic and ongoing livestock grazing and trampling activity (and other disturbances such as roads, mining, wild horse use, etc.) in altering, degrading or desiccation of these scarce sites. The inextricable link between the health of springs, seeps and wet meadows and watersheds must be addressed.

N17-2 [A full suite of restoration actions for damaged, degraded or diverted riparian areas must be assessed under all alternatives – including an array of passive treatments, such as stubble heights, rest to jump start recovery, or until recovery, then limited, if any grazing.

N17-3 [BLM's own data must be collected to provide evidence of the failure of past structural or excavational developments and its failed riparian management actions – especially accompanied by high livestock stocking rates - to protect public land values. Despite the damage it has caused in the past, BLM's alternatives will allow it to develop and irreversibly alter even more fragile springs without a necessary inventory of current impacts.

Springs are “hot spots of “hot spots” in arid lands. 75 percent of 505 springs surveyed by Sada in northern Nevada were highly or moderately disturbed (Sada and Herbst 2001). Degradation of springs in the Great Basin is widespread. Their isolation and small size render many spring communities particularly vulnerable to disturbance and loss.

“The continued development of springs for livestock by ranchers and state and federal agencies also poses a threat to the continued existence of spring biota”. These actions typically involve fencing off an area, immediately adjacent to springs, piping most or all of the water off the site to livestock tanks. Although some riparian vegetation may be retained, “the essential flowing character of the spring is lost, and often no exposed water remains on the surface”. Livestock grazing poses a serious threat to spring

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N17-1 These resources and disturbances will be considered during the watershed analysis process. NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions and make a reasoned choice among alternatives. Where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The data that is requested in this comment, while potentially of interest, is more detailed than that required to prepare an RMP/EIS for the Ely planning area.

N17-2 Specific restoration actions for riparian areas are dependent on site-specific conditions and are not appropriate for inclusion in the Proposed RMP. Restoration actions for riparian areas will be recommended as part of the evaluation process and delineated as part of the implementation strategy, all of which are part of the watershed analysis process.

N17-3 Please refer to Response to Comment N17-1 for a discussion of data collection.

Letter N17 Continued

Responses to Letter N17

communities. Livestock trampling reduces substrates to mud, can completely eliminate vegetation, and alters flow characteristics. The magnitude is likely great because of complete alteration of vegetation and substrate structure.

www.biology.usgs.gov/s+t/SNT/noframe/gb150.htm

N17-4

Sada and Pohlman (2003) provide a series of protocols to be followed to assess spring conditions. Given the scarcity of springs across these allotments, the extreme damage that has been caused by livestock grazing and other disturbance, often coupled the ill-conceived developments that have occurred, often killing all natural water flows at spring sources, BLM must conduct Level I (locate and provide reconnaissance level characterization of springs, delineate important species distribution and salient aspects of habitat, and unique circumstances/challenges) Level II (qualitatively sample riparian and aquatic communities to determine community structure quantitatively sample salient physiochemical elements to identify aquifer affinities), and Level III Surveys (quantitatively sample to determine aquifer dynamics, sample riparian and aquatic communities and habitats to determine spatial and temporal variation in environmental and biotic characteristics, and to quantitatively determine biotic and abiotic interactions). Identify and characterize all sites. BLM must then follow this with surveys that fully assess the ecological scene, and the effect of management and livestock use and other uses, across a broad area.

N17-5

These Protocols must include collecting information necessary to assess the extreme importance of springs and the continuum of hydric and mesic vegetation communities in their vicinity to sage grouse, especially in providing essential summer brood rearing habitats (green forbs); to migratory birds (deciduous shrubs and trees); and many other important attributes vital to other native animals. Level III surveys can add this element. Thus, in addition to all the important issues raised for consideration, the importance to sage grouse and other wildlife must be fully considered. We believe this elevates ALL spring areas here (especially since so much damage - including harmful development - has been allowed to occur, and the potential at many sites so greatly reduced) that ALL springs, seeps, wet meadows here are worthy of restoration to whatever potential can be achieved.

N17-6

We urge BLM to very carefully examine all intermittent and ephemeral drainages, as well. Often, water not only persists in intermittent and perennial drainages in pockets as a result of runoff, but seep, spring and mesic areas may be present, and interspersed along the length of these drainages. Erosion, downcutting and lowered water tables stemming from livestock grazing is often a primary cause of perennial reaches becoming intermittent. BLM must also determine if stock ponds or other livestock facilities have been built/placed/gouged into or on top of spring, seep or meadow areas. Restoration potential must be assessed, and plans must be developed to restore such sites and increase perennial flow under all alternatives.

N17-7

BLM must conduct studies of all desiccated, dried up, or otherwise altered springs, and develop plans for restoration of riparian area structure (areal extent of wetted area, native vegetation components), and flows. The benefits of restored or more natural springs to

N17-4

Please refer to Response to Comment N17-1 for a discussion of data collection.

N17-5

The Ely Field Office agrees that sage-grouse and other wildlife are important, and they have been fully considered in the management actions contained in the Proposed RMP. Springs are also important, and "harmful development" has not been and will not be allowed under the plan. At a minimum, all riparian/wetlands need to be properly functioning. This and other habitat needs have been and will continue to be evaluated to determine if they are meeting/achieving Resource Advisory Council standards. Implementation strategies will be developed to address situations where standards are not achieved.

N17-6

Please refer to Response to Comment N17-1 for a discussion of data collection.

N17-7

Please refer to Response to Comment N17-1 for a discussion of data collection.

Letter N17 Continued

N17-7 | native species must be assessed. For example, what are the characteristics of a riparian community sufficiently restored to support nesting Cooper's hawks in the vicinity?

Aquifer sources: Springs are supported by precipitation that seeps into soil and accumulates in aquifers (through fault zones, rock cracks, or orifices that occur where water creates a passage by dissolving rock) where it is stored. The hydrology of springs is affected by regional and local geology, and how water moves through an aquifer.

Perched aquifers often characterize high elevations, where local aquifer springs may be fed by adjacent mountain range precipitation, and may change annually due to recharge from precipitation in mountain range. They typically have cool water, and may dry out during extended droughts. *Regional aquifers* support warmer springs fed by several recharge sources that may extend over vast areas. Aquifer flow is complex, and may extend beneath several valleys and topographic divides. Seeps are small springs that support vegetation adapted to drier conditions. Springs may be small, but have larger aquatic habitats, and support larger riparian zones with moist-soil affinity species. Springs are characterized by the morphology of their sources.

Each spring and seep is a unique combination of physical and chemical conditions (Sada and Herbst 2001, Sada and Pohlman 2003). These, coupled with disturbance factors, are dominant influences on riparian and aquatic plant and animal communities. Highly modified springs have less diverse riparian communities, and may include non-natives, and upland-associated species. Plant and animal communities associated with spring-fed wetlands are a function of physical and chemical characteristics of water and soils, proximity to other aquatic habitats, and prehistorical connections with regional drainage systems (Sada and Herbst 2001, citing Hubbs and Miller 1948, van der Kamp 1995, McCabe 1998). Primary abiotic factors that influence biotic qualities of unmodified springs include habitat persistence, geographical and geological settings, and aquifer dynamics Sada and Herbst 2001 (citing Ferrington 1995, van der Kamp 1995). Springs have a more integral connection with ground water than streams (Sada and Herbst 2001).

At Ruby Marsh, Sada et al. 2001 found that substrate composition, water depth, springbrook width, current velocity, conductivity and vegetation were most influential in affecting macroinvertebrate communities. Habitat condition strongly influenced biotic characteristics. Degraded conditions often masked the influences of natural events and chemical characteristics on the macroinvertebrate community structure.

54 percent of aquatic species endemic to the Great Basin springs have suffered population losses and 62 percent have suffered major decreases because of channelization, impoundment, removing water and the introduction of non-natives. **Removing water** from springs through diversion reduces habitat for vegetation and aquatic biota by decreasing springbrook length, water width, water depth, and quantity of water available for vegetation. Groundwater pumping and surface diversion have decreased and dried up many springs and springbrooks in the Great Basin, causing loss of populations and extinctions.

Letter N17 Continued

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Riparian vegetation at springs may be restricted to area just along immediate boundaries of aquatic habitat, or may extend outward over much larger areas. Wider riparian areas occur where water seeps outward and moistens hydric soils. Species may be restricted to spring sources. Rheocene-inhabiting species are more similar to stream-inhabiting species, and limnocene species to lake or pool inhabitants. Springs tend to be more constant environments than other aquatic habitats.

Spring size and habitat conditions influence biodiversity of springs (Sada and Pohlman 2003, citing Sada and Nachlinger 1996 and 1998), with different species inhabiting spring sources than downstream reaches/springbrooks. Ephemeral springs and seeps with harsh environments may have fewer species.

Possible relict endemic taxa may occur in Great Basin Springs springs, including these allotments. These taxa include springsnails, endemic beetles and bugs (especially if springs have gravel substrates and fast flow). High animal species diversity may exist in springs, due to relative isolation, the presence of water, and their relict nature. Plant diversity and endemism may be high too.

Spring-fed riparian habitats are of great importance to wildlife species for roosting, food, and shelter. Higher quality springs have high structural diversity created by a dense undergrowth of tangled vegetation and debris.

This vegetation may be reduced by diversion, burning, vegetation control and grazing, so suitable habitat is eliminated or degraded, with the result that the songbird nest parasite brown-headed cowbird can more readily invade and parasitize the nests of migratory birds. Migrating birds may use spring waters to drink, and vegetation and insects associated with springs to refuel. Migration stresses may cause insectivorous and frugivorous bird species to drink. Plus, granivorous species are more dependent on water. Birds are vulnerable to predation, and seek watering sites with greater tree and shrub cover. Areas with larger intact riparian vegetation may attract more migrants, and thus provide more prey for raptors such as Cooper's hawk or northern goshawk.

Small mammals such as voles may be endemic to spring-fed mesic alkali wetlands. Water produces insects whose aerial life forms are eaten by both birds and bats. Insectivorous birds forage on deciduous foliage.

N17-8

A spring creates a continuum of soil conditions from wet to moist to dry, each harboring plant and animal associations adapted to those habitat conditions. BLM must systematically inventory native fauna present in and near springs, seeps and springbrooks, over at least two years. As an example of breeding bird inventories (that should also be performed in the full spectrum of vegetation communities across a range of ecological conditions in these allotments), see Red Willow 2004, "Pinyon-Juniper and Juniper Birds". In this two-year study, breeding bird surveys were conducted in and near riparian habitats primarily in pinyon-juniper and interfacing big sagebrush communities, which are typical of much of the vegetation in watersheds supporting springs in the project area.

N17-8 Please refer to Response to Comment N17-1 for a discussion of data collection.

Letter N17 Continued

- N17-9 [Aquatic biota must also be assessed. Sampling for invertebrates must include collection from all habitat types within a spring (spring, springbrook, degraded reaches, any undegraded reaches). All springs within the project area must be sampled for invertebrates.

- N17-10 [The link between the condition (health) of the watershed and the functionality springs and springbrooks must also be assessed.

 Anthropogenic disturbances like livestock grazing and other uses have degraded vegetation, increased water temperature, and increased fine sediments. Aquatic and riparian habitats can be degraded or eliminated through water diversion, intense grazing and trampling, and non-native plants. Springs have often been piped, spring brooks channelized, and excessive ground water withdrawal has occurred. This affects spring biota by decreasing habitat size (drying some habitats) and vegetative cover, and changing species composition.

 Level I Surveys: Locations, type of spring - rheocene/limnocene, volume of spring discharge, springbrook length and depth, wetted perimeter width, DO, temperature, conductivity, pH, percent of emergent cover, percent and type of emergent cover, percent of vegetative bank cover, springbrook bank incision, spring brook bank stability, percent of wetted perimeter covered by watercress, substrate composition, animals present. Estimate site condition and identify influences causing disturbance, i.e. level and cause of disturbance, grazing, horses, diversion. "natural disturbances" – drought, fire, scouring floods, avalanche – however – these can be exacerbated – or caused – by grazing effects.

- N17-11 [Multiple surveys are needed to measure discharge, which may vary seasonally or otherwise.

- N17-12 [BLM must research any existing information on spring characteristics – flow rates, aquifer depletion, BLM's own records and project files regarding any spring or other developments, any water rights filings, any water rights surveys done by BLM, etc. BLM should also research any water rights filings by other parties on spring flows, or any waters where diversion/drilling/depletion may affect flow rates from springs in the project area (which includes other nearby lands important to special status species here, or to which springs may be linked). BLM must provide detailed descriptions of past projects – and promises made during authorizations, funding agreements, etc. and/or NEPA. This is necessary to understand all direct, indirect and cumulative impacts of actions affecting spring flows, health and hydrologic integrity. BLM must describe spring provinces/complexes/clusters, also.

- N17-13 [What type of spring is it? What functional changes or changes in biodiversity have occurred? How can function and/or biodiversity be restored? What are flow rates throughout the year – under drought or normal conditions? What is the current areal extent of wetted area vs. historical? (Examine soil profiles and characteristics, remnant plant communities, etc.). What vegetation would be present in an undisturbed site? What

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- N17-9 Please refer to Response to Comment N17-1 for a discussion of data collection.

- N17-10 References to the link of various vegetation functional groups and their below-ground water consumption and links to soil water have been given. Some watersheds will exhibit linkage between watershed conditions and water resources such as springs; other watersheds will not because of different geology. In some situations, pre- and post-treatment monitoring of water resources would occur to document this linkage.

- N17-11 Please refer to Response to Comment N17-1 for a discussion of data collection.

- N17-12 Please refer to Response to Comment N17-1 for a discussion of data collection.

- N17-13 Please refer to Response to Comment N17-1 for a discussion of data collection.

Letter N17 Continued

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N17-13 is the potential of the site (vegetation, flows, habitat) if livestock grazing or other disturbance is removed? Reduced by one half? Reduced by 75%? How are livestock grazing or other disturbances in the watershed affecting aquifer recharge or flow rates? How do runoff rates (and also recharge rates) from a watershed in pristine or good condition compare to the rates from watersheds in poor or fair condition? What is the condition of intermittent or ephemeral drainages in the watersheds? Is gullying, rilling, head-cutting or other erosion occurring, and how is grazing or other disturbance affecting this? What aquifer is each spring part of, and what are past, current or anticipated threats to these aquifers? How long will it take to recover flows to ¼, ½, all historically wetted areas of springs that have been highly degraded or altered through diversion? What are values of each spring as sheltering, rearing, feeding areas for sage grouse chicks, refueling stops for migrants, water for nesting songbirds across a land area, providing essential water to raptor chicks, etc.?

N17-14 BLM must develop alternatives in the RMP commit to regular scheduled monitoring of many parameters – water quality, flow rates, aerial extent of wetted area, plant species composition trampling, etc.

In review of many BLM riparian documents, such as subjective PFC assessments, we have frequently noticed a bias towards rating areas in better condition if livestock grazing has not yet occurred in an area at the time the assessment is conducted. Thus, surveys must be conducted over multiple years, and must also include surveys during periods when livestock have been present for a significant amount of time – for comparison with any studies conducted in livestock-free periods.

N17-15 BLM cannot rely on monitoring only springs in good condition. Given the extreme damage that has occurred (and continues) here – all sites should be monitored. This must be done during the time of year when livestock are actually present in the allotment. It is especially important that BLM track sheep grazing patterns, and fall/winter/spring use areas of allotments, and study impacts that are occurring throughout the period when livestock are present, and that these studies be conducted over multiple grazing years. Repeatedly, we have seen Nevada BLM blame wild horses for impacts when in reality livestock, especially trespass cattle, are present during unauthorized seasons of the year and their impacts are being attributed to horses.

N17-16 Under all alternatives in the RMP, BLM must establish long-term monitoring of effects of levels and types of resource use to riparian and aquatic macroinvertebrates, quantitatively describe biotic communities. Initiate by establishing baseline conditions that identify spatial and temporal; variability in biotic and abiotic features (Sada and Herbst 2001). Quantify baseline conditions by describing changes in vegetation and invertebrate demography and assemblage structure; and the characteristics of riparian and aquatic habitats. Sample for sufficient time to encounter a broad range of environmental conditions and fluctuations in demography and structure. Long-lived species should be sampled for a long time, short-lived species – long enough to encounter environmental variability. Sada and Herbst at 12). Springs and riparian vegetation should be managed

N17-14 In response to your comment and similar comments, the text in Section 2.3.3.5 and Section 2.4.23 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of monitoring.

N17-15 Please refer to Response to Comment N17-14 for a discussion of monitoring.

N17-16 Please refer to Response to Comment N17-14 for a discussion of monitoring

Letter N17 Continued

- N17-16 as wetlands, and they can generally be protected by **guidelines** to manage similar wetland systems such as riparian zones.
- N17-17 Macroinvertebrate and vegetation surveys should be conducted prior to implementing management actions that may adversely affect spring biota (Sada and Herbst 2001 at 14). These also serve as an environmental baseline to gauge any management changes. In order to be able to understand cumulative, synergistic or indirect impacts of proposed actions (and to adequately understand current conditions).
- N17-18 Degradation/loss of springs and other riparian areas may be caused by groundwater pumping, hot spring development, open-pit gold mines. In areas of Nevada, extensive ground water depletion has occurred as a result of cyanide heap leach gold mining. Cumulative or synergistic impacts of such activities, if they affect aquifers or biota on these allotments, must be assessed. As springs associated with aquifer sources affected by gold mining in northern Nevada increasingly dry up, the springs of the RMP lands become of even greater regional significance. BLM must weigh the relative scarcity of undeveloped springs in the Great Basin landscape, and the increasing loss of springs across the region.
- Intermittent/Perennial Drainages**
- N17-19 For all streams and springbrooks in or related to the project area and species of interest, BLM must assess the following: How has vegetation been changed, reduced, eliminated? How have channels been widened or degraded? Have water tables been lowered? Has erosion potential increased? How have these effects impacted habitats for raptors, sage grouse and other special status and important species?
- N17-20 How does livestock consumption of overstory vegetation, elimination of shady cover, trampling of banks, etc. affect water quality (temperature, sediment, bacteria, algae) and aquatic species presence and habitats? What are the characteristics of the banks in areas accessible to livestock use? How is livestock grazing affecting recruitment of young willows and other riparian plants, and altering structure of older or mature shrubs and trees?
- N17-21 What is was the historical potential of the site? What would the potential of the site be under rest from livestock grazing (coupled with flow restoration if large volumes are diverted or the spring is damaged by diversion) in 5, 10, 15, 20 or more years? How much more quickly would sites heal if livestock were removed to jump start recovery? How is livestock grazing or other current disturbance (of the stream and its watershed) affecting vegetation, banks, water quality, aquatic species, flow, stream morphology? How is livestock grazing or other disturbance contributing to the intermittent or ephemeral conditions of the stream or spring brook?
- N17-22 For all riparian areas, BLM must pay particular attention to livestock trampling impacts, as over time, trampling of clay soils near springs may seal the spring, causing it to dry up completely. Plus, BLM must assess the impacts of intense or concentrated livestock use

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- N17-17 Please refer to Response to Comment N17-1 for a discussion of data collection.
- N17-18 Potential direct impacts of management actions in the Proposed RMP within the planning area that may affect springs are addressed in Section 4.3. Potential groundwater pumping and other regional activities that may cumulatively affect springs within the planning area are discussed in Section 4.28.3. Impacts on springs within the Great Basin overall, or for a multi-state portion of it outside the planning area, are beyond the scope of the Proposed RMP and Final EIS. Such impacts would be addressed in NEPA documents for the appropriate project areas for specific proposals. As a result, no changes to the final document have been made.
- N17-19 Please refer to Response to Comment N17-1 for a discussion of data collection.
- N17-20 Please refer to Response to Comment N17-1 for a discussion of data collection.
- N17-21 Please refer to Response to Comment N17-1 for a discussion of data collection.
- N17-22 The potential direct impacts of livestock grazing and wild horse use on springs are addressed in Section 4.3. Ely Field Office monitoring programs are described in Section 2.4.23. Please refer to Response to Comment N17-1 for a discussion of data collection.

Letter N17 Continued

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N17-22

in areas in the vicinity of riparian areas, i.e. troughs or dug out ponds outside small exclosures. BLM must collect detailed water quality measurements throughout the time when livestock are present, as well as during spring runoff to assess livestock impacts to water quality. BLM must fully consider the relative scarcity of these values in the arid landscape when balancing uses.

Desertification and Watersheds

There is an extensive body of scientific literature on desertification of watersheds, including in the western United States. Desertification is defined as: “a change in the character of the land to a more desertic condition”, involving “**The impoverishment of ecosystems as evidenced in reduced biological productivity and accelerated deterioration of soils** and in an associated impoverishment of dependent human livelihood systems”. See Sheridan 1981, CEQ Report 1981 at iii. Major symptoms of desertification in the U. S. include: declining groundwater tables; salinization of topsoil or water; reduction of surface waters; unnaturally high soil erosion; desolation of native vegetation (Sheridan CEQ at 1). The existence of any one can be evidence of desertification. As lands become desertified, they become **less productive**, and activities such as livestock grazing become **less sustainable**. Continuing activities like livestock grazing may result in grazing becoming permanently unsustainable across the landscape. In many areas of these allotments, ecological conditions because of desertification and degradation processes that has already occurred and which is still underway, have already crossed the threshold between sustainability and, essentially, “mining” of increasingly **non-renewable** natural resources. Desertification can be both a patchy destruction, often exacerbated by drought, as well as as **the impoverishment of ecosystems within deserts**.

N17-23

The RMP must assess the levels and degree of desertification that have occurred across these allotments and surrounding lands. This is necessary to understand the suitability of these lands for livestock grazing, the productivity and carrying capacity of these lands for grazing, the effects of any alternatives developed here, the ability to meet any objectives, and the ability to sustain, enhance or restore habitats and populations of special status and other important species and native plant communities. For example, how has the extensive depletion of understories in many areas of Wyoming big sagebrush and salt desert shrub vegetation affected the degree and rate of desertification processes across the allotments? How has this affected livestock patterns of use, acres per AUM, etc.? What are the acres per AUM across all vegetation types in all conditions across these allotments? How many acres per AUM are required to sustain cattle or sheep in the lower salt desert shrub or Wyoming big sagebrush communities of these allotments? What actions can be undertaken to halt desertification processes and begin recovery? BLM must also assess the combined effects of desertification and exotic species/weed increase and infestation.

N17-24

Even PRIA acknowledged that production on many BLM lands was below potential, and would decline even further. To continue the current level of grazing under BLM’s Decisions will result in even further loss of soil, microbiotic crusts, water, watershed

N17-23

Please refer to Response to Comment N17-1 for a discussion of data collection. Mid-scale analyses of watersheds will address all vegetation communities within watershed boundaries. Watershed analysis has and will continue to consider climate as part of the evaluation process, along with factors such as current livestock management. Watershed analyses will address major vegetation communities, such as Wyoming big sagebrush and salt desert shrub, and evaluate them using the assessment data to determine if they are meeting or not meeting Resource Advisory Council standards. This process does and will continue to consider exotic species and weed increases and infestations.

N17-24

Please refer to Section 4.16 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of the impacts of livestock grazing on other resources. Livestock numbers in the Ely RMP decision area are not greatly in excess of those grazed in recent decades. Evaluation of livestock grazing is a continual and on-going process. Grazing use will be evaluated during the term permit renewal process, during watershed analysis, and during grazing use monitoring. The Ely RMP specifies management policies and action and provides programmatic and implementable direction for management of the public lands.

Letter N17 Continued

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N17-24 integrity, wildlife habitat, and forage on these allotments. BLM's Decisions (and "Proposed Action") allow livestock numbers greatly in excess of those grazed here in recent decades. The fact that AUMs/stocking rates much below the high permitted levels were actually grazed, demonstrates the continued loss of productivity on these lands.

N17-25 Desertification symptoms in arid lands include: Sparsity of grass; presence of invading plant species - both native and non-native, in grass areas that have survived: plants are of poor vigor; topsoil losses - in many places, topsoil is held only by pedestals of surviving plants. Surface signs of soil erosion include: pedestaling, gullies, rills, absence of plant litter to stabilize soils. Please provide an inventory of these effects across the RMP landscape.

Desiccation and erosion caused by livestock can cause water tables to drop, rilling, gullyng and arroyo cutting to occur, and result in sediment flow from degraded areas (Sheridan CEQ at 14). Grazing creates extremely dry site conditions for plants due to removal of litter, loss of soil cover, and trampling of the ground that prohibits rainfall from reaching plant roots (CEQ at 15). Livestock grazing exacerbates any climate changes and shifts that may be occurring (CEQ at 16). This is of particular concern in the northern Nevada landscape periodically plagued with severe drought, and which is facing increasing heat and aridity due to global warming.

The near-absence of many species of native bunchgrasses, such as larger-sized native grasses from many areas of the allotments, such as the diminished state of the once abundant Indian ricegrass (*Oryzopsis hymenoides*), signals stress of overgrazing (CEQ at 19). Such losses are vividly shown in BLM's Key Area data for these allotments, as shown in the Assessments.

Absence of plant litter makes germination of natives more difficult. Recovery of lower elevation areas will be exceedingly slow, especially considering the aridity of the project area. Arid land recovers very slowly; massive soil erosion has exposed soils that are less able to support plant life because of lower organic content; and invader species have become well established and have the competitive edge (Sheridan CEQ at 21). Even though it is well recognized that **"the way to end overgrazing is to reduce the number of livestock in the end"** (Sheridan CEQ at 22), political pressures from ranchers results in strong political opposition to reduced grazing. Political pressures have hamstrung implementation of the Taylor grazing Act.

N17-26 This EIS/RMP process provides BLM a special opportunity to gain a better understanding of the actual capability and productivity of the vegetation and soils that meets the desires and needs of the public on these lands.

Sagebrush, pinyon-juniper and salt desert shrub vegetation communities in Nevada are now showing signs of "extensive changes" and significant stresses, with livestock grazing and aggressive non-native weeds recognized as among important causal factors. Nevada Natural Resources Status Report 2002 <http://dcr.nv.gov/nrp01/bio02.htm> . Continued grazing disturbance, degradation and weed invasion will cause native plant communities

N17-25 Please refer to Response to Comment N17-1 for a discussion of data collection.

N17-26 Comment noted. NRCS Order III soil surveys and NRCS ecological site description, 2003 edition, are being used as baseline information for the Ely RMP. Please refer to Section 1.5.1 in the Draft RMP and EIS and Proposed RMP and Final EIS for general planning criteria #18.

Letter N17 Continued

to cross thresholds from which recovery is very difficult, if not impossible. The decline in Nevada's sage grouse populations and other species dependent on arid land shrub habitats is a landscape-scale biological indicator that the loss of functions and values of sagebrush ecosystems are serious and widespread. These are also signs of desertification processes across the landscape.

Imperilment of the Sagebrush Biome

A recent analysis, Dobkin and Sauder 2004, "Shrubsteppe Landscapes in Jeopardy: Distribution, abundances, and the uncertain future of birds and small mammals in the Intermountain West", examined bird and small mammal species in the sagebrush biome. The authors found that "very little of the sagebrush biome remains undisturbed", the **inherent resilience of the ecosystem has been lost and the ability to resist invasion and respond to disturbance has been compromised** (Dobkin and Sauder at 5). At least 60% of sagebrush steppe now has exotic annual grasses in the understory or has been converted completely to non-native annual grasslands (citing West 2000). More than 90% of riparian habitats have been compromised by livestock or agriculture.

The authors distilled a list of 61 species of birds and small mammals that are completely or extensively dependent on shrubsteppe ecosystems, and conducted an analysis of their distributions, abundances, and sensitivity to habitat disturbance to assess current state of knowledge and conservation needs of these species, with focus on Great Basin, Interior Columbia Basin and Wyoming Basin, based on BBS data and other studies.

The Columbia Plateau, Great Basin and Wyoming Basin are among the **least sampled** of all physiographic provinces covered by the Breeding Bird Survey. **Remarkably little** is known about the actual distributions or population trends of small mammals. "Range maps created by connecting the dots among sites where a species has been captured do not paint a realistic picture, especially in the highly altered and fragmented shrubsteppe landscapes of today. For small terrestrial mammals ... our results support the view that many of these species now exist only as **small, disconnected populations isolated from each other ... it is completely untenable to assume species' presence based on simply on presence of appropriate habitat in shrubsteppe landscapes of the Intermountain West**". Also, the authors "**find no reason for optimism about the prospects in the Intermountain West of any of the 61 species**" (at 3). "**The results of our analyses present an overall picture of an ecosystem teetering on the edge of collapse** (citing Knick et al. 2003)".

N17-27

This highlights the need for BLM to conduct a systematic and comprehensive on-the-ground survey and assessment of species presence and habitat presence and quality on these allotments and surrounding lands. BLM has a unique opportunity in this EIS process to act to identify important components of native biodiversity on these lands – and, armed with this knowledge, take management action to enhance and restore these species habitats and populations before it is too late.

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N17-27 Please refer to Response to Comment N17-1 for a discussion of data collection.

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Sagebrush Mammal Summaries (based on Dobkin and Sauder 2004)

11 of 24 mammals in the report by Dobkin and Sauder (2004) are endemic to the IM West, representing a high degree of endemism. Many of the small mammal species whose status is reviewed in the report are important prey for raptors and some other special status species. In addition, the high degree of endemism is likely even greater than species-level ranges would indicate, and genetic analyses of upland and riparian small mammals may provide more examples of “cryptic” species like has now been found in endemic ground squirrels in Idaho.

Only one of the 19 species of small mammals for which adequate trapping data was available was found in more than 62% of potentially suitable localities. This analysis of field studies is the first comprehensive attempt to quantify presence or absence across a region. The report found that **21 of the 24 small mammal species respond negatively to the effects of livestock grazing. Eleven of 18 small mammal species responded negatively to the presence of exotic plants**, with riparian mammal species exhibiting neutral responses if vegetation was thick enough.

Geographic patterns of species richness and community stability raise concern. Despite range maps showing occurrence over broad areas, many species of small mammals now exist only as small, disconnected populations isolated from each other by unsuitable habitats.” Thus, **it is completely untenable to assume species’ presence based simply on presence of appropriate habitat in shrubsteppe landscapes of the IM West.**” This demonstrates why BLM must systematically conduct non-lethal site-specific surveys for small mammals in representative habitat types, and assess habitat conditions, across the allotments.

The report authors conclude: We find **no reason for optimism** about the prospects in the Intermountain West for any of the 61 species identified. Sagebrush distribution is highly fragmented, and much less extensive than large-scale maps suggest. Extraordinary fragmentation and degradation of sagebrush-steppe landscapes has been caused by livestock grazing practices, purposeful removal of sagebrush and/or seedings through prescribed fire, mechanical treatment, biological agents and herbicides, invariably done to provide forage for livestock, especially as native vegetation communities have become increasingly depleted, as well as ag-conversion, roads, mining and mining exploration fragmentation, powerline and pipeline corridors.

An untold number of livestock facilities (fences, spring projects, pipelines, trough systems salting sites, corrals, wells, windmills, water haul sites, etc.) have been constructed or placed on public lands – including across these allotments and surrounding lands. Roads almost inevitably grow up either as a direct result of facility construction/placement, or of continued facility use and maintenance. Then, roads become travel corridors for predators (Braun 1998, Federal Register 2003, Federal Register 2004, Connelly et al. 2004, Freilich et al. 2003, Connelly et al. 2004, Dobkin and Sauder 2004), and conduits for weed invasion (Gelbard and Belnap 2003). Many of these facilities have unforeseen effects, and exert influence over much larger areas than

N17-28 Please refer to Response to Comment N17-1 for a discussion of data collection.

N17-28

Letter N17 Continued

anticipated. For example, water developments may attract sage grouse predators and be “sinks” (Connelly et al. 2004).

Ecological changes have pushed many sagebrush landscapes beyond ecological thresholds for recovery. Cumulative effects of land use and habitat degradation are moving sagebrush habitats toward ecological collapse and dysfunction (Knick et al. 2003, Dobkin and Sauder 2004).

Although sage grouse have been the flagship species for this ecosystem, and publicity over concerns have focused mainly on grouse, it is not just sage grouse that are in trouble. Sage grouse have become a surrogate for numerous species of animals and plants that depend on sagebrush communities, and many of these species may also use salt desert shrub communities.

Shrubland and grassland birds, representing an important component of the biodiversity of the western United States, are declining faster than any other group of species in North America (Saab and Rich 1997, Paige and Ritter 1999, USGS Great Basin Mojave-Desert Region XXX, Dobkin and Sauder 2004). Species dependent on sagebrush ecosystems (Brewer’s sparrow, Sage Sparrow, Sage Thrasher), may be important predictors of ecological collapse.

Contiguous expanses of higher quality sagebrush-steppe landscape must be protected. A review of field studies of small mammal response to livestock grazing (compared moderately to heavily grazed upland or riparian areas with exclosures), found **overwhelmingly negative responses** (decreased abundance or productivity) to the effects of livestock grazing for 12 species (Table 8): Upland: Paiute ground squirrel, Washington ground squirrel, little pocket mouse, Great Basin pocket mouse, Chisel-toothed kangaroo rat, desert woodrat, sagebrush vole, Riparian: Water shrew, Western harvest mouse, long-tailed vole, montane vole, western jumping mouse. 9 species have an extremely high likelihood for negative responses to livestock grazing (Table 8) are: Upland: Merriam’s shrew, Preble’s shrew, pygmy rabbit Idaho ground squirrel, Merriam’s ground squirrel, Townsend’s ground squirrel, Townsend’s pocket gopher. Riparian: Townsend’s pocket gopher. Plus, negative responses to presence of exotic species have been demonstrated for eight upland species, and can be inferred with high likelihood for three others.

Upland, mammals, shows that species richness for small mammals may be quite “High” (representing the interspersed salt desert shrub communities?) Dobkin and Sauder 2004, Figure 4). Virtually no areas in the IM West exhibited much riparian species diversity. For riparian birds, areas of highest species diversity were areas of highest community stability.

Patterns of high mammal species richness were concentrated within the three primary shrubsteppe ecoregions. Species richness was high in much of the Great Basin. Remarkably little is known about the actual distribution or conservation status of small-mammal species – there is no standardized survey. Alarming, there was a **high**

Letter N17 Continued

frequency in which species were missing from studies focused on suitable habitat. This should raise concern about the current actual extent of populations. It must be understood in the context of the high degree of fragmentation and altered disturbance regimes (Knick et al. 2003), the “overwhelmingly negative response to livestock grazing”, and the limited dispersal capabilities of small mammals (Dobkin and Sauder 2004). **“Our results support the view that many of these species now exist as small, disconnected populations isolated from each other by unsuitable habitats across which they cannot disperse”.** Catastrophic decline of the largest population of northern Idaho ground squirrels illustrates this. **The combined effects of altered fire cycles, (loss of fire here - as this species occurred in meadows in forest), livestock grazing and exotic species introduction is the reality faced by many small mammal populations.**

Many species of small mammals exist as scattered, disconnected populations. One cannot assume species presence based simply on presence of appropriate habitat in shrubsteppe landscapes of the IM West.

Vole populations isolated from each other and tied to the riparian habitats among isolated mountain ranges are likely candidates for endemism to be found if genetic analyses are conducted. Several isolated subspecies of montane vole occur along the southernmost portion of the species range - likely isolated from conspecifics for millennia. Endemism among small mammals of the IM West, already high, is likely even greater. Many of the species have two or more described subspecies, and much of the described subspecific variation is based on morphological variations. Where thorough genetic analysis is conducted, there may be sufficient evidence to warrant elevation to full species.

A pattern of high species richness is much more concentrated for small mammals, and the number of endemics may represent more habitat specificity. The authors note that very little attention is paid to conservation needs of small mammals. Conservation efforts should integrate areas of high species richness for birds and mammals.

Across the IM West, **altered fire frequencies combined with ubiquitous grazing drives the loss of native plant community structure and composition on which birds and small mammals depend.** Grazing reduces competition from native grasses, and cheatgrass and other weeds flourish, with each successive fire promoting invader expansion, resulting in self-perpetuating monocultures of exotic plant species with very short fire return intervals (Whisenant 1991, Anthony and Vitousek 1992, Billings 1994, Knick et al. 2003). Exotic plant dominated landscapes are uninhabitable for nearly all native bird and small mammal species (Dobkin and Sauder 2004). Shrub-steppe habitat has diminished greatly - at least 44% of potential habitat for Greater Sage-Grouse has disappeared (Schroeder et al 2004) - and this study did not evaluate fragmentation of the rest!

Biome-wide, accelerated Oil and Gas development is occurring in Wyoming, and now exploding in Nevada. This places landscape-scale fragmentation and soil disturbance on an even faster trajectory. Also, an astonishing number of fences and other livestock

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projects that serve to fragment habitats are found across the sagebrush biome (see Connelly et al. 2004).

Sagebrush Bird Species Summaries (Dobkin and Sauder 2004)

There are significant declining trends for 16 of 25 upland bird species (64%) in the regions of the Intermountain West (Dobkin and Sauder 2004). Only 3 species showed a significant increasing population trend. 5 of 12 riparian species declined significantly over both the short and long term. "Birds that depend on native vegetation for their nests clearly are jeopardized by the loss or degradation of vegetation. Nearly all 25 upland species are obligate ground/shrub nesters, with 18 of the 25 species dependent on native shrubs for nesting and foraging.

Species richness for upland birds was concentrated in the three primary shrubsteppe ecoregions, with areas of highest species richness extending across the Columbia Plateau from southeastern Oregon to easternmost Idaho, the eastern two-thirds of the Great Basin, and southwestern Wyoming Basin. There was constancy in bird species composition in upland bird communities between 1968-1983 and 1984-2001. However, the community composition of riparian bird communities varied substantially between periods, with a decrease in species composition of riparian communities. Plus, ecologically unsuitable habitats are now embedded in matrices of suitable habitats.

All of the upland bird species, and all the riparian species (except the yellow-billed cuckoo) listed in Dobkin and Sauder (2004), Table 1 at 9 are likely to occur in the EIS Project area, likewise, nearly all of the small mammal species found in Table 2 at 10 are likely to occur in the Project area. For some species, such as loggerhead shrike, declines were especially severe in the three primary shrubsteppe ecoregions – with population losses across large geographic areas.

Geographic patterns of species richness for birds found that areas of highest upland avian species richness correspond with areas of lowest shrubsteppe fragmentation. Bird species "Entirely" dependent on sagebrush: Greater Sage-Grouse, Sage Thrasher, Brewer Sparrow, and Sage Sparrow. Birds "Nearly" dependent: Gray Flycatcher, Gray Vireo, Green-tailed Towhee, Black-throated Sparrow.

Riparian birds have distributions that extend beyond the IM West, as do riparian mammals. Given the relative rarity and ecological importance of riparian habitats within shrub-steppe landscapes, the high degree of instability in riparian bird community structure found in the report, reflects **the poor condition of riparian habitats** across the Great Basin, Columbia Plateau and Wyoming Basin ecoregions (Dobkin and Sauder 2004, citing Saab et al. 1995, Dobkin et al. 1998, Tewksbury et al. 2002, Krueper et al. 2003, Earnst et al. 2004) **and the dewatering of riparian zones** (Dobkin and Sauder 2004, citing Rood et al. 2003), causing damage to avifauna and habitats.

Upland Species (summarized from Dobkin and Sauder (2004):

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* Greater Sage-Grouse. Causes of Declines: Habitat destruction, degradation and fragmentation, altered fire frequency (both lower and higher), livestock grazing converting shrubsteppe to annual monocultures are Threats, range "improvements", and West Nile virus are threats. (Note: Also, muddy cow tracks, such as at the margins of stock ponds or other livestock trampled areas may provide necessary breeding sites for mosquitoes in arid landscapes. Plus, large numbers of livestock may provide an unnaturally large blood food supply for mosquito populations.

* Ferruginous Hawk. Open areas, isolated trees, and edges of pinyon-juniper woodlands are used for hunting perches and nesting. "Prey abundance, particularly jackrabbits and ground squirrels, is correlated significantly with the number of breeding pairs in an area and with reproductive success. (Dobkin and Sauder 2004, citing Jasikoff 1982 and Deschant 2001 b) (at 36). Habitat destruction and degradation are greatest threats, and directly influence prey abundance, important to reproductive success. Ferruginous hawks can be particularly sensitive to human disturbance (at 37).

* Prairie Falcon. Open habitats with moderate grass cover and low-growing sparse shrubs. Nest-site availability and ground squirrel populations are important factors in habitat

selection. Activities affecting ground squirrel abundance, include livestock grazing, frequent fires, ag conversion, poisoning. Disturbance near nest sites (cliffs) can reduce breeding success.

* Long-Billed Curlew. Livestock grazing can be negative if cows trample nests, or disturb birds and cause nest abandonment.

* Burrowing Owl. Requires low vegetation and a suitable nest burrow. BOs may expand other species burrows, but do not dig their own. Excavation by ground squirrels, marmots and badgers is important in nest burrow availability. Threats are habitat degradation and destruction, and shrub-steppe degradation by livestock or ag conversion. Pesticides can reduce populations of insect prey and fossorial mammals. Badgers, coyotes, birds of prey and vehicle collisions may also be problems.

* Gray Flycatcher. Shrub-steppe, mountain mahogany and pj. In shrubsteppe, gray flycatchers are associated with tall, dense sagebrush. Chaining or burning of sagebrush and pinyon/juniper areas is known to eliminate gray flycatchers (at 46). It is parasitized by the brown-headed cowbird. Habitat fragmentation likely increases nest parasitism and predation rates.

* Loggerhead Shrike. Shrubsteppe, open woodland, field edges, and occasionally riparian areas. Presence and abundance in shrubsteppe is positively correlated with the diversity, density and height of shrubs. Population declines in Columbia Plateau and Great Basin.

* Horned Lark. May be susceptible to trampling, and affected by invasion of annual grasses.

* Sage Thrasher. Habitat destruction, degradation and fragmentation are threats, including activities that destroy shrub cover (fire, chaining, herbicide) eliminate local populations. Although authors note that livestock grazing may increase shrubs, livestock grazing also alters shrub structure, especially that of taller sagebrush or other shrubs which are areas where sage thrashers nest.

* Virginia's Warbler. P-j, mountain mahogany, mixed deciduous shrublands. Habitat destruction, livestock grazing.

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* Green-tailed Towhee. Shrublands and disturbed coniferous zones. In shrubsteppe, its presence and abundance are positively correlated with increased shrub species diversity, shrub cover, and taller shrubs. Threats are habitat destruction and degradation – livestock grazing and frequent fire have impacted shrubs. Simplification of shrub cover results in population reduction or elimination.

* Brewer's Sparrow. Its presence is positively correlated with total shrub cover, bare ground, taller shrubs, patch size, and habitat heterogeneity – and negatively correlated with grass and salt shrub cover. Large population declines have occurred in the Columbia Plateau and Great Basin. Cowbird host. Threats are habitat destruction and degradation. Activities that destroy shrub cover (fire churning herbicide, etc.). A cowbird host. Positive (increased shrubs – see previous comments about shrub structure) and negative responses to grazing.

* Vesper Sparrow. Inhabits short, patchy herbaceous vegetation, low shrub cover bare ground, forbs. Habitat destruction and degradation – frequent fires, in conjunction with invasive grasses, heavy livestock grazing (which increases shrub cover), and poor range conditions created by livestock grazing during drought increase rates of nest abandonment and failure. Cowbird host.

* Lark Sparrow. Threats are fire and livestock grazing converting lands to annual grass monocultures are threats.

* Black-throated Sparrow. Desert shrub, shrub-steppe, open pinyon-juniper. Correlated with moderate shrub cover, tall vegetation, shrub species richness, and dead woody vegetation. Drought reduces the number breeding attempts and clutch size.

* Sage Sparrow. Particularly associated with big sagebrush, or may be found in mixed shrub communities with greater shrub cover, abundant bare ground, sparse grass cover. Shows high site fidelity. Habitat destruction, degradation and fragmentation are chief threats, and are caused by frequent fire, livestock grazing, range "improvements" (shrub treatments, exotic grass plantings) – and these promote other impacts – predation and nest parasitism.

* Savannah Sparrow. It has been assumed that Savannah Sparrow populations benefit from conversion to annual monocultures. However, converted habitats may not be equivalent to native grassland habitats and may serve as population sinks.

* Grasshopper Sparrow. Livestock grazing degrades habitats. While benefits from natural fire, annual grass conversion resulting from fire is negative.

* Western Meadowlark. May be affected by fire.

Other summaries of species trends support Dobkin and Sauder (2004). Many species with downward trends in population size are associated primarily or exclusively with shrub-steppe or riparian habitats. In shrub-steppe, this includes northern harrier, mourning dove, horned lark, loggerhead shrike, green-tailed towhee, vesper sparrow, sage sparrow (USGS Mojave-Great Basin at 33-51). Populations up in one area, down in another: rock wren, sage thrasher, Brewer's sparrow, black-throated sparrow, western meadowlark. Population sizes of mourning dove and loggerhead shrike, whose abundances are declining widely in western North America are also declining in the Great Basin. The preponderance of downward trends in shrub-steppe indicates continuing problems with the health of this community. In pinyon-juniper with a sagebrush and bunchgrass

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understory, species include common nighthawk, northern flicker, gray flycatcher, mockingbird, chipping sparrow, and Scott's oriole (USGS Mojave-Great Basin at 33). Riparian species with downward trends: killdeer, violet-green swallow, warbling vireo, yellow warbler, lazuli bunting, savannah sparrow, song sparrow, yellow-headed blackbird, Brewer's blackbird. Downward trends in riparian species – are indicative of continuing deterioration of riparian habitats of the Great Basin (USGS Mojave-Great Basin at 34).

Waterbirds. Because of tremendous past and continuing loss of wetlands, many waterbirds should be considered sensitive. Surveys of shorebirds in western North America are inadequate. Wetlands of the Great Basin provide **critical stopover habitat during** migration for great numbers of Wilson's and red-necked phalaropes, long-billed dowitcher, American avocet, least and western sandpipers. Western snowy plover has been declining in abundance throughout its range, including Nevada (USGS Mojave-Great Basin at 35), and Franklin's gull and black tern are also of concern.

Playas, or dry lakebeds in the great Basin, are wide, flat expanses of dried salt and clay flats on basin floors, typically with alkaline and salt tolerant vegetation communities, and are seasonally inundated. Playas are biologically important for ephemeral aquatic species during seasonal inundations, when invertebrates such as fairy shrimp or brine flies explode. They become instant feeding grounds for migrating shorebirds. Little is known about the global distributions and abundance of macroinvertebrate fauna that occupy ephemeral wet playas (TNC Blueprint at 78).

Conservation Strategies, and Exotic Species/Degradation of Native Communities

The Nature Conservancy has developed a conservation portfolio of sites in the Great Basin that are important for long-term conservation of native biodiversity. It stresses protection of unique sites, or important relatively intact native communities, often at the landscape scale. Landscape-scale conservation is also a critical component of ICBEMP assessments (see Wisdom et al. 2000 – much discussion in accompanying ACEC Nominations). In the Great Basin, large browsers disappeared about 12,000 years ago. The largest ungulate was the pronghorn. Jackrabbits, cottontails, and rodents may have been the largest herbivores (TNC Blueprint, Mack and Thompson 1982, Connelly et al. 2004). Microbiotic crust occurs in areas that are not, or lightly, grazed. As a result, livestock grazing and trampling impacts cause extensive, chronic and often irreversible harm to soils, vegetation and habitats of native species. This results in an alteration of composition, function and structure of plant and native animal communities (Fleischer 1994)

Salt desert communities: Invasive species have impacted shadscale and greasewood communities, and have altered their composition and function. (TNC Blueprint at 2001). Grazing is the most common disturbance that leads to weed invasions at these lower elevations. Halogeton invades dry sites, exacerbated by livestock grazing. These communities are increasingly threatened by the proliferation of non-native annual grasses. Historically, they did not burn. (TNC Blueprint at 2001).

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Responses to Letter N17

N17-29

Cheatgrass being a growing problem across the RMP lands, and intensive current surveys for this and other invasive species must be conducted as part of the RMP effort if BLM is to understand the condition and degradation of special status species habitats.

Sagebrush semidesert is highlighted for conservation because of decline of sagebrush-obligate species. Species dependent include: sage sparrow, Brewer's sparrow, sage thrasher, sage grouse, pygmy rabbit, sagebrush vole, sagebrush lizard, pronghorn (Paige and Ritter 2000).

Fire regulates the density of fire-intolerant shrubs. Invasion of exotic annual grasses has increased fire frequency in stands causing a decline in abundance of sagebrush and other non-sprouting shrubs. In some areas, knapweed or other noxious weed species may be invading annual grass-dominated sites. Grazing decreases the importance of tall bunchgrasses and increases rabbitbrush, forbs and non-native grasses. Grazed sagebrush usually lacks altogether, or has no good condition microbiotic crusts. Large tracts of sagebrush semidesert and sagebrush-steppe are needed to adequately protect these systems (GBCB at 90).

Pinyon-juniper: Lower montane ecological systems – middle elevations, including pinyon-juniper, low montane shrubland, mountain mahogany. Half of the species inhabiting these sites are endemic to the region. Pinyon jay and juniper titmouse are “restricted specialists”. More than half global population of gray flycatcher breeds in lower montane systems in the Great Basin.

PJ habitats are threatened by grazing and fire, and many are in degraded condition. Chained to create rangeland for livestock. Larger tracts of lower montane systems with connectivity to lower elevation sagebrush semidesert or basin and desert scrub systems are more likely to harbor larger populations of bighorn sheep (at 102). PJ woodlands – adjacent veg. is sagebrush steppe at lower and upper elevation margins.

Montane forest and woodlands. Montane islands in the Great Basin may be important for resilience of natural communities and species responses to climate change. GBCB at 113, citing Wharton et al. 1990. Many mammal taxa in the Great Basin occur outside GB, but some are novel genetically. Many mammal taxa are confined to and isolated in mountaintop habitats, and may be genetically unique populations of more widespread species.

Although the areal extent of riparian and wetland communities in the desert ecoregion is **exceedingly small**, they are **exceedingly important** for many species. (at 132). 80% of birds and 70% of butterflies in the Great Basin are associated with riparian areas (at TNC at 132, citing Dobkin 1998, Brussard and Austin 1993).

Wetlands associated with perennial or ephemeral alkaline lakes concentrate colonial gulls, including Wilson's phalarope, white-faced ibis, eared grebe and American avocet.

N17-29

Please refer to Response to Comment N17-1 for a discussion of data collection.

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The Partners in Flight North American Landbird Conservation Plan (Rich et al. 2004) identifies a critical need for strategic approaches to landbird conservation, and describes overarching threats faced by landbirds, including: significant direct loss of major bird habitats (including loss of western riparian, pinyon-juniper and sagebrush habitats); fragmentation and degradation of remaining habitats due to intensified agricultural practices, inappropriate grazing, spread of exotic vegetation and other factors; failure to identify and properly protect or manage habitat used during spring migration, fall migration, and winter. Birds stressed during migration require quality habitats for food and cover; a steady, widespread increase in dispersed mortality factors. These factors collectively contribute to a **high proportion of population declines and anticipated future threats**.

The Plan describes the growing recreational importance of birds, and the economic importance of bird-associated recreational activities. Birds also contribute to the maintenance of ecosystems – from dispersing native plant seeds to consuming insect pests. Conserving habitat for birds will contribute to meeting needs of other wildlife.

The Plan stressed it does not advocate conservation based on single species only, and encourages planners to identify common issues or habitats among suites of high priority species. It assesses conservation vulnerability based on biological criteria. PIF Assessment Factors include: Population size, breeding distribution, non-breeding distribution, threats to breeding, threats to non-breeding, and population trend.

Species of Continental Importance: Includes Watch List and Stewardship Species. Watch List: Greater Sage-Grouse, Swainson's Hawk, Short-eared Owl, White-throated Swift, Pinyon Jay, Brewer's Sparrow, Mountain Quail, Calliope Hummingbird, Black-capped Gnatcatcher, Virginia's Warbler. Stewardship Species: Gray Flycatcher, Western Scrub Jay ???, Sage Thrasher, Black-throated Gray Warbler, Green-tailed Towhee, Black-throated Sparrow, Sage Sparrow, Grasshopper Sparrow (?), Yellow-headed Blackbird, Rough-legged Hawk (winter?). Rosy Finch species (winter?).

Conservation of Stewardship Species will be a step towards maintaining broader suites of species within all biomes. LCP at 31 states: "**habitat loss remains the paramount factor for most species**", and "**habitats in danger of significant loss in the near future include western pinyon-juniper, sagebrush, and wetlands**". It describes the impacts of habitat fragmentation, and the growth in dispersed recreation such as OHV use.

Sage grouse are threatened by "extensive degradation of its sagebrush habitat by overgrazing and invasive plants" (LCP at 31). Livestock grazing "has had enormous effects on native vegetation – a century of selective removal of palatable plant species, soil compaction, water developments and livestock management activities" (LCP 2004, citing Saab et al. 2004). Habitat loss and fragmentation are also occurring on migration routes and in wintering areas.

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N17-30

It promotes landscape-level natural resource planning. One example of “measurable criteria” is number of agency plans into which landbird objectives have been incorporated. This EIS provides just such an opportunity!

Issues are identified that transcend biomes, including:

- Habitat loss, degradation and fragmentation
- Forestry management
- Fire management strategies
- Wetland Issues
- Exotic or invasive species
- Resource extraction/energy
- Livestock grazing management
- Climate change
- Contaminants and pesticides
- Lack of information.

The allotments lie within the Intermountain West Avifaunal Biome, which is composed of 3 Bird Conservation Regions (BCRs). “Extensive mountain ranges and broad basins produce large elevational gradients that create a complex and variable environment - including coniferous forest, pinyon-juniper woodland, and cold semidesert shrubsteppe, and important wetland complexes. The IM West is center of distribution for many birds, and over half the Biome’s SCSIs have 75 percent or more of their population here.

“Threats and/or declining trends face Species of Continental Importance that use coniferous forest, pinyon-juniper woodland, shrubsteppe, and riparian habitats”.

For example:

* Coniferous forest: flammulated owl, Cassin’s finch, others.

* Deciduous forest: Aspen forest is a declining habitat type SIC: Red-naped Sapsuckers, Mountain Bluebird.

* Woodland: Pinyon-juniper woodlands are especially characteristic of the southern portion of the IM West. This habitat type supports the largest nesting-bird species list of any upland vegetation type in the West (Beidleman 2000), cited in LCP at 53. SCIs are Pinyon Jay, Gray Vireo and Gray Flycatcher. “Degradation of pj has been widespread and continuous since European settlement”.

Shrub-steppe species comprise the largest number of Species of Continental Importance in this biome. Conversion for ag. invasion of non-native grasses and forbs, development, sagebrush eradication and changes in fire frequency. This has caused extensive loss and degradation of habitat, with subsequent population declines. Cheatgrass has invaded about half of the existing sagebrush habitat. It is the highest conservation priority in the Interior Columbia Basin (Saab and Rich 1997, Paige and Ritter 1999), and species include: Greater Sage-Grouse, Sage Sparrow, Sage Thrasher, Brewer’s Sparrow, Green-tailed Towhee. “Montane shrublands embedded in the forests provide many species with valuable food and cover – and may be critical to hummingbirds during migration. Montane Shrubland SCIs include: Dusky Flycatcher, Virginia’s Warbler, Calliope Hummingbird, Green-tailed Towhee, Rufous Hummingbird, and Mountain Bluebird.

N17-30

In response to your comment, the text in Section 2.4.6.4 of the Proposed RMP and Final EIS has been revised to clarify how the Ely Field Office will manage migratory bird habitat.

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Riparian Habitats. Characteristics of riparian habitats vary widely depending on matrix and elevation, from cottonwood gallery forests to willow thickets. Nearly all riparian areas have been substantially degraded by development or alteration of many types – including de-watering, and alteration of flows, road construction, invasion of non-native species, logging, severe overgrazing, recreation.

Conservation issues include: Inappropriate livestock grazing, invasion of exotic plants change in fire intensity and frequency, logging practices affecting forest structure, and composition – especially mature, continued degradation of riparian habitat, conversion of sagebrush and pinyon-juniper habitats, including through land management practices, water diversion, alteration of flows, and spring development, recreational OHV use.

N17-31 [Recommended actions: Retain large tracts of pinyon-juniper; ensure seed supply of seed-producing pinyon pine; Maintain/promote growth of native grasses and forbs in shrub-steppe, prevent large scale wildfire, restore with native plants following disturbance. Maintain water quality and quantity and vegetation in embedded springs, seeps and riparian areas. Restore degraded habitats and habitats that have been converted to non-native grasslands. Protect high quality riparian habitat. Restore natural flows and flooding regimes.

N17-32 [Interfacing Communities/Natural Diversity and Inherent Complexity of Plant Communities. The ferruginous hawk illustrates the importance of understanding interfacing habitats. Ferruginous hawks typically nest in junipers at the edge of, or interfacing with sagebrush habitats. It is critical that BLM examine the already complex interspersions of plant communities across the landscape. Sagebrush communities often exist as complex mosaics with inherent natural diversity (Montana Department of Fish, Wildlife and Parks 1995, Welch and Criddle 2003).

Native Vegetation: The ecological integrity of native plant communities is the foundation of healthy habitats for special status species, raptor prey species, and healthy watersheds and watershed processes that replenish aquifers for scarce desert springs.

Important RMP Area Species

N17-33 [BLM must have with lists of species known or expected to occur in the RMP area. BLM must use its current special status species list, Partner in Flight species lists, information from the Heritage Program, information on community importance from TNC’s Conservation Blueprint, and other important recent summaries, such as Connelly et al. 2004 and Dobkin and Sauder 2004, and Wisdom et al. 2000, to examine species of concern and their habitat needs. It must conduct on-the-ground surveys for species of concern, and collect thorough and up-to-date information on the quality and quantity of habitats across these allotments and surrounding lands.

N17-34 [BLM must carefully review these lists, and updated information, and assess habitat conditions for these species. BLM must conduct systematic baseline surveys for breeding birds, migrants, wintering species. BLM must conduct systematic non-lethal small

N17-31 The desired range of conditions is designed to meet the types of actions mentioned in this comment.

N17-32 Please refer to Section 2.4.5 in the Proposed RMP and Final EIS for a discussion of the desired range of conditions for the composition of plant communities and their various states desired across the landscape.

N17-33 Please refer to Appendix E in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of special status species. NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions and make a reasoned choice among alternatives. Where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The data that is requested in this comment, while potentially of interest, is more detailed than that required to prepare an RMP/EIS for the Ely planning area.

N17-34 Please refer to Response to Comment N17-1 for a discussion of data collection.

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N17-34

mammal surveys in represent habitats – in various ecological conditions – across the allotments. BLM must try to understand the impacts of depauperate vs. better condition habitats on special status species. In addition, in areas of special concern (such as the isolated montane vole population in the Goshutes (vole mentioned in NDOW’s comments). BLM should work with experts to assess populations, genetic uniqueness, etc.). BLM must also fully consider the changing dynamics in wildlife populations – such as elk, and the high priority segments of the public place on this species, as well as antelope and mule deer.

Juniper and/or pinyon-juniper birds are of high conservation concern (USFWS 2002, Rich et al. 2004). Yet, pinyon-juniper habitats are among the **most consistently under-represented** habitat types in biological and ecological survey efforts (Red Willow Research 2004).

In the Great Basin Bird Conservation Region, high-priority Pinyon-Juniper species include: Pinyon Jay, Ferruginous Hawk, Plumbeous Vireo, Virginia’s Warbler, and Black-throated Gray warbler. Pinyon-juniper and juniper woodlands/pygmy forest provide important breeding habitat for many wildlife species. Pinyon-juniper provides important food for birds and other wildlife. Avian species known to consume pinyon seeds include: Pinyon Jay, Steller’s Jay, Black-capped Chickadee, Northern Flicker, Gray-eyed Junco, Black-billed Magpie, Clark’s Nutcracker, Red-breasted Nuthatch, Pine Siskin, Juniper Titmouse, and Lewis Woodpecker (Martin and others 1951, cited in Red Willow 2004). Both pinyon nuts and juniper berries provide a vital food resource for birds. Juniper berries remain on trees in winter, and are important for Cedar Waxwing, Townsend’s Solitaire, Pinyon Jay, Clark’s Nutcracker, Western Scrub Jay, Grosbeak sp., American Robin (Martin and others 1951; Johnson 1998; PIF 2000). Townsend’s Solitaires establish winter territories based on juniper berry presence and abundance.

N17-35

Extensive alteration has occurred to pinyon-juniper in many areas of the Great Basin – chaining, spraying, and prescribed fire have been used to remove pinyon-juniper and juniper to plant livestock forage, especially at lower elevations on upper portions of alluvial fans and toeslopes of ranges. Often, exotic crested wheatgrass was planted. Wildfires have consumed large acreages, including across northern Nevada. BLM must assess the integrity and continuity of pinyon-juniper communities both within these allotments, and compare it to many other areas, including the often much-fragmented Ely BLM lands to the south). The relatively intact areas of pinyon-juniper and juniper in mountainous areas may provide reference areas for unfragmented pinyon-juniper habitats.

Wisdom et al. (2000) provide additional information on understanding animal species habitat needs that are applicable to the Ely RMP area. See Summaries for Groups 30-35, for example – two specific examples provided below. Please apply information in this document to species and habitat needs analyses in the area. Examples:

N17-35 Please refer to Response to Comment N17-32.

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Group 30. Ash-throated flycatcher and bushtit depend on a mix of source habitats. Retain contiguous blocks of mature juniper/sagebrush, especially old juniper with nest cavities. Consider site-specific ecological potential and response to management before removing juniper trees. Retain old growth, cavities, restrict pesticides, restore native understories, minimize likelihood of exotic invasion.

Group 31. Ferruginous hawk, burrowing owl, vesper sparrow, lark sparrow, western meadowlark, shirt-eared owl and pronghorn. Ferruginous hawk populations fluctuate in response to prey populations. Breeding populations of short-eared owls are nomadic, and may occur when rodent densities are high. Burrowing owls rely on burrows provided by burrowing mammals (ground squirrels, marmots, coyotes, badgers) and may be closely tied to these mammals. Broad-scale changes in source habitats – have dramatic “decreasing” and “strongly decreasing trends”. Source habitat remains in northern Great Basin. Source habitat loss – tied to loss of big sagebrush. Ag. conversion, conversion to exotics. BO populations have declined as the result of pest control programs. Meadowlark and lark sparrow success, correlated with grass. Removal of grass cover may have detrimental effects, presence of livestock may attract brown-headed cowbirds and increase brood parasitism.

Juniper expansion may have benefited ferruginous hawks. Microbiotic crusts have been widely destroyed by livestock. Roads, human activities and domestic dogs. Recreational shooting of marmots or ground squirrels impacts burrowing owls, and pesticide use may lead to direct mortality.

Management implications. Potential risks to ecological integrity are: continued declines in herbland and shrubland habitats.

Primary issues: Permanent and continued loss of shrubsteppe due to ag conversion, brush control, cheatgrass invasion; Soil compaction and loss of microbiotic crust; Adverse human disturbance.

Strategy: Identify and conserve large remaining areas (contiguous habitat) of shrubsteppe vegetation where ecological integrity is still relatively high, and to provide long-term habitat stability for populations and provide anchor points for restoration, corridors, and other landscape-level management. Restore grass and forb components. Restore microbiotic crusts, maintain burrows. Minimize adverse effects of human intrusion.

In support of conserving shrub-steppe, identify large areas of high ecological integrity to be managed for sustainability, on large areas of federal land. Criteria for protect and enhance include: maintaining or increasing the size of smaller patches, preventing further habitat disassociation, protecting or increasing the size and integrity of corridors, all in connection with the location of core areas. Use fire suppression and prevention to retard the spread of cheatgrass. Restore cheatgrass monocultures. Restore native vegetation. Design livestock grazing to promote abundance of forbs and grasses in understory, encourage development of microbiotic crusts. Allow burrows to persist or expand.

Letter N17 Continued

BLM “Range”/Vegetation Data

N17-36 [At present, BLM has very little current information on ecological conditions and the health of native plant communities across the landscape. BLM must establish, or re-visit ESI data sits, and present this to the public in a SEIS. Key Area sites are often located in only the most accessible areas, and are clustered in particular areas of the allotments, leaving vast land areas with no monitoring information at all collected. BLM also failed to collect necessary data on degradation caused by livestock facilities and management activities. Current, comprehensive data on condition of soils vegetation, and habitats must be systematically collected.

N17-37 [Plus, BLM can not ignore evidence that its limited old data does show - i. e, only a small fraction of larger size grasses present are present in most sites that should be dominated by these species. Thus, “production” is greatly less than that of good or better condition sites, and this is typical of nearly all sites. BLM must also tie water developments, water hauling or other livestock management practices to site depletion and alteration of species structure and composition.

N17-38 [As part of this process, BLM must revisit its limited monitoring sites, and must also establish a series of new ESI and monitoring sites across the allotments, in all vegetation types, and that represent levels of livestock use that occurs across these lands.

BLM Treatments Pose Grave Dangers to Native Species

N17-39 [BLM’s original, flawed and very cursory analysis for these lands involved large-scale vegetation manipulation proposals – ranging from massive burning and “treatment” of pinyon-juniper and higher elevation conifer forests to extensive fragmentation (aka burning “mosaics”) across some of the most intact remaining Wyoming and mountain big sagebrush habitats. of these proposals have serious risks for the perpetuation of native species – and pose great threats of escalated weed invasion and permanent loss of plants, animals and biodiversity.

N17-40 [If BLM delves at all into “treatments” in this EIS, it must conduct a comprehensive analysis of pre-existing projects and disturbance across the landscape of these allotments and others in Nevada BLM Districts, and examine the degree of fragmentation that already exists, as well as the very significant ecological problems that have arisen in the wake of many treatments.

N17-41 [Plus, in our past experience with Nevada BLM, the agency has much exaggerated the needed scale of any fire prevention treatment projects that may be necessary to protect plant communities from large-scale fires. For example, in the Ely-Mount Wilson Urban interface – only around 13% of the land area proposed by the Ely FO was actually found necessary to be treated when BLM’s own national-level fire experts, having assessed the situation, developed a sane and reasonable approach.

Responses to Letter N17

N17-36 NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions and make a reasoned choice among alternatives. Where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The data that is requested in this comment, while potentially of interest, is more detailed than that required to prepare an RMP/EIS for the Ely planning area. It is not necessary to issue a Supplemental Draft RMP and EIS.

N17-37 Water hauling and other livestock management practices are evaluated on a site-specific basis. Evaluation of livestock grazing use relative to achievement of the standards for rangeland health is a continual and on-going process. Ecological condition and production ecological sites are factors that are assessed and evaluated during the standards assessment process. Standards assessments will be conducted during the term permit renewal process, watershed analysis, and during grazing use monitoring.

N17-38 Please refer to Response to Comment N17-1 for a discussion of data collection.

N17-39 No substantiation is provided that the impact analysis provided in the Draft RMP and EIS is flawed or cursory. Mid-scale analyses of watersheds will address all vegetation communities within watershed boundaries. Watershed analysis has and will continue to consider past fires as part of the evaluation process. These analyses will also address invasive and noxious weed composition in the major ecological sites of the watershed. To meet or make progress towards meeting rangeland health standards, as well as the desired future conditions presented in Section 2.4.5 of the Proposed RMP and Final EIS, the Ely Field Office will manage for the perpetuation of native plants and animals, special status species, and biodiversity.

N17-40 Existing conditions within the Ely RMP planning area, including habitat fragmentation and ecological problems, are adequately described in Chapter 3 of the Draft RMP and EIS and Proposed RMP and Final EIS for an RMP-level analysis.

N17-41 Council on Environmental Quality (CEQ) regulations at 40 CFR 1503.3(a) state that comments on an environmental impact statement or on a proposed action shall be as specific as possible and may address either the adequacy of the statement or the merits of the alternatives or both. The comments referenced are specific to an appeal and litigation from 2002 concerning an implementation decision under the Schell Management Framework Plan and are not specific to the current statement or proposed action. Therefore, they do not require further agency response.

Letter N17 Continued

Responses to Letter N17

Grazing Suitability and Capability Analysis

N17-42 BLM must conduct a current livestock grazing suitability analysis. BLM is aware that it has based livestock use areas and stocking rates on old adjudication processes – where AUMs claimed and then assigned in the adjudication process were often greatly inflated by ranchers. These “adjudicated” AUMs were not based on the ability of the land to sustain such high numbers of livestock and levels of use.

N17-43 In the EIS suitability analysis, BLM must examine: Slope, distance to natural water, dispersion of “forage” across the landscape – i.e. many lands have been so depleted that it takes dozens of acres to support an AUM – so the costs (including in weight gain/loss of livestock) are often so great that grazing is a resoundingly losing proposition, areas inaccessible due to winter snow, summer desiccation, etc.

Sagebrush and Other Habitat Assessments

N17-44 Assessments of the quality of sagebrush, salt desert shrub and other important habitats in the allotments are necessary because: habitats and populations of species continue to decline across vast areas; there are many sagebrush species of concern; threats to sagebrush are regional in scale; regional knowledge facilitates development of consistent, efficient and credible management strategies for a comprehensive set of species. Federal land managers have legal responsibilities for effective management of habitats for sagebrush-associated species of conservation concern.

Analysis procedures include: Ecoregion and spatial extent, identify species of conservation concern, delineate ranges, estimate habitat requirements, identify regional Threats and Effects, estimate and map the Risks posed by each threat, Calculate Species-Habitat effects from all risks and other steps. Other Analyses include: Fragmentation, connectivity and patch size analyses, Consideration of non-vegetative factors affecting species of concern, change detection studies. Regional knowledge provides essential context for land use planning.

N17-45 BLM must undertake a “regional” analysis for these allotments, as they each are large enough to be considered a region. Plus, we have reviewed the local sage grouse plan, and it: fails to provide information/conduct several necessary analyses at the appropriate scale, and fails to present necessary information to the public, and it does not integrate necessary information to understand scale and extent of Threats (such as livestock grazing, cheatgrass presence in understory or domination, livestock facility fragmentation, etc.) and other habitat degradation or fragmentation effects – especially for mammals, reptiles and many migratory birds. It also completely fails to describe or map attributes necessary to understand the **quality of habitats** that do exist. For example, there is no mapping or other information that shows sagebrush habitats dominated by cheatgrass; no mapping or other information to show where large understory grasses have been largely eliminated and weakened, and replaced by small *Poas*, or squirreltail, etc.

N17-42 Virtually all lands within the Ely RMP decision area are suitable for grazing. Livestock grazing suitability and the evaluation of grazing use relative to the achievement of the standards for rangeland health are conducted during the term permit renewal process, during watershed analysis, and during grazing use monitoring. These are issues that would be considered associated with authorizing any grazing use.

N17-43 Please refer to Response to Comment N17-1 for a discussion of data collection.

N17-44 Please refer to Response to Comment N17-1 for a discussion of data collection.

N17-45 Please refer to Response to Comment N17-1 for a discussion of data collection.

Letter N17 Continued

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N17-46

In other words, BLM should take the info in the local sage grouse plan as a coarse and incomplete starting point, and work to collect on-the-ground data needed to assess, map and identify the extent and severity of Threats and Habitat Conditions/Fragmentation for Raptors, Sage Grouse, special status species and raptor prey species across these allotments and surrounding lands.

Threats to Sagebrush and Other Shrub-Dependent Species and Habitats that must be Assessed in the RMP EIS

BLM must assess the following threats to special status species and other important wildlife:

Wells and windmills
Pipelines
Troughs
Pipelines
Roads (often linked to facilities)
Salting Sites
Weed Infestations
Powerlines
Fences
Aquifer depletion

Cheatgrass-dominated understories
Cheatgrass, few shrubs

N17-47

Fire and altered fire cycles

Altered understory species composition
Altered understory species structure
Altered overstory species composition
Altered overstory species structure (see, for example, Katzner and Parker 1997, and Federal Register 68 (43): 10389-10409) describing impacts of livestock-altered or thinned sagebrush to pygmy rabbit)

Vegetation Treatments (chainings, seedings, railings, herbicidings, mechanical such as mowing) lacking key habitat components

Grazing season/disturbance conflicts with nesting, birthing, wintering or other critical period in species life cycle
Grazing use levels fail to provide necessary habitat components (cover or food) based on nest available science
Livestock structural alteration of shrubs

Energy project siting (wind, geothermal, other)
Mines and mining exploration

N17-46

Please refer to Response to Comment N17-1 for a discussion of data collection.

N17-47

Please refer to Sections 4.6 and 4.7 in the Draft RMP and EIS and Proposed RMP and Final EIS for discussions of impacts to wildlife and special status species. Impacts from many of the items mentioned in this comment are discussed in these sections; however, most of the items are beyond the scope of the Ely RMP. The type of issues raised in your comment will be considered by the Ely Field Office when site-specific projects are proposed by outside parties or activity plans are prepared by the Field Office. The vegetation and livestock issues will be addressed in the individual watershed analyses and restoration plans.

Letter N17 Continued

Responses to Letter N17

- N17-47 OHV races
Areas of high OHV use
Unregulated motorized use
Road densities
Communication towers. Powerlines, other facilities or vertical structures
- N17-48 Often overlooked threats from livestock facilities and structures include:
- Physical harm to species - obstacles such as fences that can cause injury or mortality;
 - Structures cause species avoidance of areas, i.e. sage grouse avoid vertical structures.
 - Providing elevated predator perches and nest predator perches (in the case of songbirds – brood parasite perches).
 - Attract predators and act as sinks
 - Attract brood parasites
- All of these impacts may act directly, indirectly, cumulatively or synergistically with the effects livestock degradation associated with lands over broad areas surrounding these facilities may have to vegetation, soils and other habitat components. The end result is degradation and fragmentation of habitats for important and special status species.
- N17-49 The impacts of grazing during sensitive periods of the year for native wildlife must be assessed. For example, inundating sage grouse nesting or brood rearing habitats with large numbers of cattle or sheep during nesting season may cause: Removal of cover necessary to protect nesting birds and to hide and provide essential insect food for chicks; cause flushing of birds from nests – thus revealing nests to predators; cause separation of broods and increased vulnerability to predation; strip essential cover to hide hens and nests and conceal chicks from aerial vision-oriented predators and screen scent from ground-based predators..
- Altered Fire Cycles**
- N17-50 BLM must study the extent of cheatgrass in understories, and areas already dominated by cheatgrass. BLM must assess the risk of cheatgrass invasion of understories with continued or extended livestock use or disturbance.
- N17-51 BLM cannot gloss over the role of ongoing livestock grazing in continuing disturbance that spreads cheatgrass, retarding recovery and weakening of native vegetation in plant communities that still have a significant component of native species present, etc.
- N17-52 BLM must assess how the presence of cheatgrass may affect special status species. For example, how do cheatgrass-dominated understories and interspaces affect reptile species occurrence and abundance - (lizards may be prey species for small mammals)? How does cheatgrass affect the pygmy rabbit?

- N17-48 The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for livestock facilities are prepared and evaluated.
- N17-49 Please refer to Sections 4.6 and 4.7 in the Proposed RMP and Final EIS for discussions of the effects of livestock grazing on wildlife and special status species.
- N17-50 Mid-scale analyses of watersheds will address all vegetation communities within watershed boundaries. These analyses will also address cheatgrass composition in the major ecological sites of the watershed. Cheatgrass dominated communities are considered altered states of state and transition models that need to be reduced or eliminated. The causal effect of livestock grazing in cheatgrass spread will be evaluated and appropriate steps will be taken if grazing is found to be involved in not meeting rangeland health standards in a specific watershed. Also, please see Response to Comment N17-51.
- N17-51 Livestock grazing is one of several factors that can lead to failure in achieving rangeland health objectives or in preventing desired rehabilitation success. In such cases, BLM will examine the full array of potential causative factors to determine what management changes are necessary to achieve the desired success.
- N17-52 The subject of this comment is beyond the scope of the Ely RMP. However, please refer to Section 4.7 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of the effects of weed management on special status wildlife species.

Letter N17 Continued

Responses to Letter N17

N17-53 [Plus, in any discussion of pinyon-juniper communities, BLM must examine causes of any pinyon-juniper expansion related to livestock degradation, topsoil loss and change in site potential, climate change, etc.

Altered Composition and Structure/Lost Productivity

Over large areas of the allotments, larger sized native bunchgrasses and forbs have been eliminated, or significantly weakened. Only smaller stature native grasses and weeds remain.

N17-54 [Appropriate stocking levels for any areas grazed must be based on the amount of forage present on a sustainable level, and Risk of exotic species invasions must be minimized. In addition, with extensive depletion over large areas, BLM must assess the diminishing returns – and increased ecological damage done by livestock having to roam over dozens if not hundreds of acres to sustain themselves/harvest an AUM. This leads to more trampling impacts, more weeds, etc. BLM must identify areas where grazing is unsustainable, or where it will cause harm to still-intact communities.

Grazing systems, grazing intensity and season of use: Financial returns from livestock production, trend in ecological condition, forage production, watershed status and soil stability are all closely associated with grazing intensity (Holechek et al. 1998). Short-term rest or deferment can not overcome periodic heavy use.

N17-55 [The conflicts with wildlife habitat needs, including food, cover, nutritional composition, space, lack of disturbance and other factors, must be studied.

N17-56 [Health of vegetation communities and soils across the landscape drives the health of habitats and populations. Plant Communities - Dispersion across the Landscape: BLM must inventory and assess (including using accurate mapping) the full range and diversity of native plant communities that exist across the landscape. BLM must assess the condition of these communities, including soil stability, erosion, presence of microbiotic crusts, possible loss of soil horizons, susceptibility to wind and water erosion, and their ecological integrity.

Predator Control

N17-57 [Predator control activities associated with livestock grazing activities must be assessed. Removal of predators may have serious impacts to important special status species or their prey species. In addition, non-target species – such as raptors – may be caught in traps. Removal of badgers may affect burrow availability for the burrowing owl. Healthy native predator populations may also help provide food for scavengers like the bald eagle.

Drought

N17-53 Mid-scale analyses of watersheds will address all vegetation communities within watershed boundaries. Watershed analysis has and will continue to consider current livestock management as part of the evaluation process, along with factors such as climate. These factors could affect pinyon-juniper and sagebrush vegetation communities within specific watersheds.

N17-54 Please refer to Response to Comment N17-42.

N17-55 Please refer to Response to Comment N17-1 for a discussion of data collection.

N17-56 Please refer to Response to Comment N17-1 for a discussion of data collection.

N17-57 The subject of this comment is beyond the scope of the Ely RMP. Predator control is not undertaken by BLM.

Letter N17 Continued

N17-58 [All impacts of livestock grazing on all elements of these lands must be assessed during drought. How does drought affect productivity of vegetation? What are the additive, synergistic and cumulative impacts of grazing depletion and drought on loss of plant vigor, weakening, or death?

N17-59 [How much are plants of good vs. poor vigor affected by drought? What utilization levels are appropriate on drought-stressed vegetation? What stocking rates are necessary to prevent depletion during drought?

Need for Measures to Provide Increased Herbaceous Cover to Benefit Sage Grouse And Other Special Status Species

Sage grouse depend on a variety of shrub-steppe habitats, and populations may move over large areas of land in the course of a year. Overhead cover of sagebrush and tall residual native grass cover are critical to successful sage grouse nesting (DeLong et al. 1995; Connelly et al. 2000; Hockett 2003; 69 Federal Register (77) 21489; Connelly et al. 2004). The sage grouse is reliant on sage-steppe communities, and its populations have plummeted westwide. Excessive livestock grazing strips required nesting cover that screens nests of ground- and shrub-nesting birds from ground and aerial predators, and alters long-term diversity of native forbs that produce insects essential to the diet of sage grouse chicks. Sage grouse eat only sagebrush in winter, and require intact stands for winter survival. Physical breakage of sagebrush and nipping by livestock also alter and decrease sagebrush cover essential for sage grouse and other sagebrush species.

The “Guidelines to Manage Sage Grouse Populations and their Habitats” (Connelly et al. 2000), have been adopted by the Western Association of Fish and Wildlife Agencies (WAFWA) guidelines, and present well-established information on essential habitat components and management based on sage grouse needs. The WAFWA guidelines are now buttressed by the recent WAFWA Conservation Assessment of Greater Sage-Grouse and Sagebrush Habitats (Connelly et al. 2004). A link to this voluminous CA document is found at the NDOW Website: www.ndow.org/wild/sg/resources/assessment.shtm.

The WAFWA Guidelines and the recent WAFWA Conservation Assessment (Connelly et al. 2004) underscore the following points with respect to sage grouse biological and habitat needs:

- The great importance of herbaceous cover in nesting habitats (WAFWA at 968; CA at 4-4 to 4-8). Grass height and cover are important to nest success. Herbaceous cover provides scent, visual and physical barriers to predators. (WAFWA at 971; CA at 4-4 to 4-8);
- Successful sage grouse nesting occurs under larger bushes. Nesting habitat has greater canopy cover, taller live and residual grasses, more live and residual grass cover, and less bare ground (WAFWA at 970-971; CA at 4-4 to 4-8);
- Successful nests occur in stands with greater canopy cover (WAFWA at 971; CA at 4-4 to 4-8);
- Early brood rearing habitats should have greater than 15% canopy cover

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N17-58 The projected impacts of livestock grazing on the vegetation resource are addressed in Section 4.5 of the Draft RMP and EIS and Proposed RMP and Final EIS under Impacts from Other Programs - Livestock Grazing. Livestock use levels have been, and will continue to be, adjusted in response to unusual circumstances such as drought and fire to protect the vegetation resource. Effects of drought are also considered in Section 4.28 as a contributing factor under the cumulative impact analysis. Drought, of course, reduces the level of vegetation productivity and, therefore, also the level of available forage for grazing and seed for regeneration. It also reduces the level of carbohydrate storage in roots and crowns, thereby making individual plants more vulnerable to impacts from grazing or other disturbance.

N17-59 These are site-specific questions that are considered and addressed on an allotment-specific basis associated with drought. During the drought years of 1996 and 2000, these issues were addressed. Management actions associated with drought were then included in agreements and were implemented associated with grazing management changes due to drought.

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of grasses and forbs. After chicks hatch, these grasses and forbs produce insects for chicks to eat and canopy cover to screen them from predators. Later, forbs are eaten by maturing chicks. Forbs are also important in providing adequate pre-laying nutrients to hens (WAFWA at 971; CA at 4-8 to 4-9);

- As upland vegetation desiccates, hens with broods seek out late brood rearing habitats comprised of areas with succulent green forb vegetation, such as wet meadows and riparian areas (WAFWA at 971; CA at 4-9 to 4-11);
- Winter habitats have relatively dense sagebrush canopy cover, with sagebrush exposed above the snow (WAFWA at 972; CA at 4-14).

105. Habitat protection management actions for sage grouse are summarized in the WAFWA Guidelines, and include:

- Manage breeding habitats to support 15-25% canopy cover of sagebrush, 18 cm. or greater perennial herbaceous cover height (grasses and forbs) (WAFWA at 977);
- In late summer brood rearing habitats, “avoid land use practices that reduce soil moisture effectiveness, increase erosion, cause invasion of exotic plants, and reduce abundance and diversity of forbs” (WAFWA at 980);
- “Avoid developing springs for livestock water.” If this must occur, “design project to maintain free water and wet meadows at the spring,” as “capturing water from springs using pipelines and troughs may adversely affect wet meadows used by grouse for foraging” (WAFWA at 980).

In addition, US Fish and Wildlife Service (69 Federal Register (77) at 21491) describes studies showing that losses of hens and nests are related to herbaceous cover surrounding nests. “Enhancing Sage Grouse Habitat, a Nevada Landowner’s Guide” (Northwest Nevada Sage Grouse Working Group) also cites studies showing that sage grouse nests were least preyed upon when a residual cover of 7 inches or more of herbaceous vegetation was present.

N17-60

Thus, there is strong scientific support for application of grazing use standards that provide for 7-9 inches of residual stubble height left uneaten on native grasses. Unfortunately, the livestock utilization levels now being applied in the District allotments here do not adhere to these requirements, and **will not provide for necessary residual stubble heights and cover for sage grouse nesting**, even under normal circumstances – let alone under drought, or weakened or low vigor conditions.

That the measures will be inadequate to provide sufficient cover for sage grouse is illustrated in other BLM documents, such as a recent Environmental Assessment from the BLM’s Jarbidge Field Office (BLM Jarbidge EA, Ch. IV, pg. 88-89). The public lands of the BLM’s Jarbidge Field Office extend into northern Nevada, and are sagebrush-steppe communities, with species of native bunchgrasses that are the same as the allotments here.

N17-61

BLM has found that with 50% utilization levels, as may continue – there is NO information provided in the DRMP - bluebunch wheatgrass is grazed to 4.5 inches, Idaho fescue is grazed to 2.0 inches, Thurber’s needlegrass is grazed to 2.8 inches, bottlebrush

N17-60

Stubble height is a site-specific requirement and is reviewed on a site-specific basis. Seven to 9 inches of residual stubble height may be appropriate in certain situations. Livestock grazing suitability and the evaluation of grazing use relative to the achievement of the standards for rangeland health are conducted during the term permit renewal process, during watershed analysis, and during grazing use monitoring. These are issues that would be considered associated with authorizing any grazing use.

N17-61

Utilization levels are site-specific criteria that are included in site-specific activity plans. These are established based on multiple uses, such as but not limited to, ecological condition, the standards for rangeland health objectives, and resources in the area such as wildlife, special status species, and wild horse habitat needs. Livestock grazing suitability and the evaluation of grazing use relative to the achievement of the standards for rangeland health are conducted during the term permit renewal process, during watershed analysis, and during grazing use monitoring.

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N17-61

squirreltail is grazed to 1.5 inches, and the exotic crested wheatgrass is grazed to 3.5 inches. All of these residual stubble heights are thus far less than the 7-9 inch stubble heights called for under the best scientific information available, such as the WAFWA guidelines discussed above; and demonstrate that grazing under BLM's current management will result in far more utilization and seriously inadequate cover for sage grouse on the allotments in question. Plus, BLM's woefully inadequate upland utilization levels and hand full of riparian stubble heights are not required Terms and Conditions on grazing permits, so there is no assurance that compliance will occur.

In many areas across the allotments, livestock grazing has caused depletion of larger-sized native bunchgrasses capable of providing grass heights sufficient to mask sage grouse nests and to protect nests and chicks from predation. These larger "decreaser" grass species have been replaced with smaller "increaser" grasses like small *Poas* (bluegrasses) or unpalatable weeds.

Harmful Impacts of Livestock Facilities: Habitat Degradation and Fragmentation

A growing body of scientific evidence demonstrates the negative impacts of fences and other vertical objects, as well as the increased fragmentation of sagebrush-steppe and other wild land habitats that result from placing vertical objects in sage grouse habitats. (Connelly et al. 2004).

N17-62

BLM must conduct a full inventory and assessment of all existing livestock facilities and developments on the allotments, all water haul and salting sites, and all vegetation treatments that have been conducted on these lands. The full array of direct, indirect, cumulative and synergistic impacts of these projects and activities must be assessed.

A substantial body of scientific information demonstrates the harmful impacts of fences and other range developments on sage grouse. Sage grouse evolved in an open landscape without vertical structures, and they naturally avoid using areas near these structures - which include fences and fence posts. Sage grouse habitats are fragmented by fences and other facilities associated with grazing (USFWS 69 Federal Register (77) at 21490). Fences and other facilities (as associated with wells, pipelines, troughs and water developments in the three allotments) provide perching locations for raptors, and associated roading that grows up along fences or in association with other livestock facilities provides both travel corridors for predators and conduits for weeds (69 Federal Register (77): 21490). Mechanical treatments and seeding with exotics degrades sage grouse habitat by altering structure and composition of vegetative community (69 Federal Register (77): 21488). Development of springs and other water sources to support livestock in upland shrub-steppe habitats can artificially concentrate domestic and wild ungulates in sage grouse habitats, and worsen grazing impacts (69 Federal Register (77) at 21489). Direct mortality of sage grouse from collisions with fences is described in the WAFWA guidelines at 977, and USFWS in 69 Federal Register (77) at 21492.

N17-63

Sage grouse are a landscape-scale species, inhabiting large, interconnected expanses of sagebrush. A mosaic of fragmentation now exists across many parts of the landscape,

N17-62

An inventory and assessment of existing livestock facilities is an activity conducted on an allotment-specific basis. This is normally done during the term permit renewal process and watershed analysis. NEPA analysis will be conducted when new projects are proposed and would include a full array of impact discussions. A Supplemental RMP and EIS is not needed to address these issues.

N17-63

In response to your comment, the text in Section 2.4.7.7 of the Proposed RMP and Final EIS has been revised to clarify how the Ely Field Office will maintain intact sagebrush habitat, and how it will prioritize habitat restoration actions.

N17-63

including portions of these allotments, and BLM's Preferred RMP alternative would extend and worsen fragmentation effects across the landscape. Causes of habitat fragmentation include vegetation treatments and removal of sagebrush, wild and prescribed fire, livestock facilities and zones of livestock concentration. There is mounting evidence of long-term negative effects of fire on sage grouse populations (WAFWA Conservation Assessment at 4-16, 7-28), 80% of the land area in the Great Basin is susceptible to displacement by cheatgrass (WAFWA CA. at 7-17 and Fig. 7.10). Wyoming and basin big sagebrush and salt desert shrub cover types occupy > 40% of the Great Basin and are the cover types most susceptible to displacement by cheatgrass (these areas comprise large portions of the three allotments). The ecological effects of livestock grazing may alter vegetation communities, water and nutrient availability and soils so that **lands cross thresholds from which the system can not recover** (WAFWA CA. at 7-29 to 32). Habitat treatments have consequences for the habitat dynamics and wildlife use of habitats – and “each potentially decreases the suitability of sagebrush for wildlife” that depend on large, unfragmented sagebrush habitats” (WAFWA CA at 7-32). Evaluation of sagebrush communities primarily based on their ability to produce livestock forage (as in the case of these lands), may result in extensive alterations that are unsuitable for sage grouse and other species dependent on sagebrush habitats (WAFWA CA at 1-3).

Fences influence livestock and predator movement, facilitate spread of exotic plants, provide travel and additional access for human disturbances, increase mortality due to direct collisions, and increase predation rates by providing perches for raptors (WAFWA CA at 7-34 to 35).

Fences used to control grazing further modify the landscape by creating an artificial mosaic (WAFWA CA at 7-35), and allow more intensive grazing and loss of necessary habitat components such as residual grass cover for nesting. Intensified or more uniform use inside fenced areas results in patterns of unusable habitat across the landscape. Water developments influence the composition and relative abundance of plants (WAFWA CA at 7-35). Thus, infrastructure to support grazing programs including fences and water developments have both direct and indirect effects on the landscape (WAFWA CA at 13-9). Grouse may not commonly use water developments, and “water developments tend to attract other animals, and may serve as a predator “sink” for sage grouse, i.e. grouse fall victim to the many predators attracted to water developments (WAFWA CA at 4-12).

The Conservation Assessment describes impacts of disturbance of sagebrush habitats by vegetation treatments (at 13-6); depletion of native vegetation facilitating cheatgrass invasion (at 13-7); problems associated with blocks of crested wheatgrass and exotic seedings (at 13-7 to 8); landscape-level concerns – including that areas with larger patches of sagebrush remaining receive lower precipitation and are the least resilient to disturbance (such lower precipitation areas characterize much of these lands, and this highlights why careful management of these lands is crucial) (at 13-8 to 9).

An unknown array of livestock facilities has already been constructed throughout the three allotments (on both BLM and private lands) to facilitate, extend and concentrate livestock grazing. These facilities include wells, windmills, spring developments and

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water diversions, pipelines, troughs, stock ponds – at times dug into and destroying springs, fences and corrals. Some have fallen into abject disrepair – windmills lie crumpled on the ground, junk tanks and troughs are strewn across the landscape. Fences have improper spacing. Not only do these facilities concentrate large numbers of livestock with deleterious impacts to soils, vegetation and wildlife habitats in their vicinity and radiating outward over broad areas, unplanned roading is often directly related to construction or maintenance of these facilities. Plus, there are innumerable livestock salting or mineral supplement sites, too, which also result in zones of intensive livestock disturbance and incidental roading. All of these areas of livestock concentration, where heavy and severe livestock use has compacted soils and destroyed cover and food for wildlife, exhibit harmful impacts to vegetation and native wildlife habitats. These developments and zones of intensive disturbance fragment habitats, and cover and food, for native species including sage grouse (Braun 1998; Freilich 2003; Connelly et al. 2004). Such projects have been constructed throughout habitats critical for sage grouse and other shrub-steppe species. New pipeline spurs incrementally constructed would extend and shift livestock use to new and less grazed areas, as the vegetation has been depleted by livestock around existing artificial or natural water sources (Sada et al. 2001).

N17-64

BLM's RMP SEIS must assess a wide range of alternatives that do not expand pipeline systems, fences, facility networks, water hauling, etc. – activities that cause harmful impacts resulting from the increased livestock use associated with them - including depletion of native vegetation communities, loss of microbiotic crusts, and weed invasions. Instead, BLM must act to remove harmful projects in important special status species habitats, and lands of conservation concern.

N17-65

Lands that are not close to livestock water sources comprise the best remaining healthy native vegetation communities and are thus very important habitats for native sagebrush-steppe species – precisely because they have been far less altered by livestock impacts. Sadly, it is precisely such areas where BLM's Proposed Action does not limit massive networks of new livestock facilities, thus further degrading and fragmenting sage grouse and other wildlife habitats. On top of the existing network of facilities (and junk littering the land), BLM potentially could construct dozens of new projects, thus greatly expanding the zones of disturbance and intense livestock concentration.

Networks of roads associated with livestock facilities serve as conduits for exotic plant invasions (Gelbard and Belnap 2003), and travel corridors for predators (Braun 1998, Connelly et al. 2004). The development of a maze of roads fragmenting the landscape has resulted from the proliferation of livestock facilities across the landscape. Roads grow up as projects are constructed and maintained.

N17-66

Many of BLM's past spring development projects have completely dried up all surface flows at springs. Yet BLM's Preferred Alternative makes no commitment to restore these damaged areas, instead proposing to "develop" many more springs without consideration of the spring characteristics, water volumes and flows, and many other important features. Plus, since BLM spring projects have so degraded and destroyed springs, the

N17-64 The Ely RMP does not address specific livestock grazing improvements. However, the need for such improvements will be a consideration by the Ely Field Office when project-specific plans are prepared.

N17-65 Please refer to Response to Comment N17-64.

N17-66 Please refer to Response to Comment N17-5 for a discussion of spring development. Past spring developments have not "degraded and destroyed springs", and surface water remains available at developed springs.

Letter N17 Continued

- N17-66 protection of remaining unaltered spring sources from trampling and grazing harms by applying protective standards of use is made more imperative.
- N17-67 Instead of attempting to rest to enhance habitats or jump start recovery, or place strict use limits on degraded riparian areas, BLM relies overwhelmingly on the construction of a series of band-aid fenced enclosures, with accompanying development and de-watering of wetland areas through piping water to troughs. Large areas outside enclosures then become a wasteland. An increasing body of science demonstrates that fences are harmful to sage grouse and many other species of native wildlife, and that sage grouse may avoid use of areas near fences. Thus, BLM's small enclosure proposals may in fact further fragment habitats, rendering scarce springs and seeps (if surface waters are not killed by the development itself) unusable by grouse, while create extended wasteland areas in their surroundings, causing expanded environmental harm.
- Risks to sage grouse associated with livestock facilities, including "man-made structures near lek areas, including fences, pit reservoir berms, corrals that serve as perches/rests for avian predatory species and vertical structures that could limit sage grouse vision or act as 'intimidating factors' ". See Nevada BLM, Elko Owyhee allotment evaluation. Unfortunately, BLM often proceeds to ignore such risks and authorize construction of vertical structures across the allotment, on top of the network that already exists.
- N17-68 Instead of taking strong and decisive action to restore and enhance habitats and populations, BLM pursues an open-ended adaptive management path of new and extended habitat alteration and fragmentation across the allotments.
- Degradation, fragmentation and loss of sagebrush across landscapes has imperiled the sagebrush-steppe avifauna. Besides the many effects described for sage grouse, these habitat changes and fragmentation have been shown to affect abundance of shrub-steppe birds Paige and Ritter 1999, Knick et al. 2003, Connelly et al. 2004 at 1-3.
- The habitat for many native wildlife species across the three allotments is already fragmented. Fragmentation would continue and escalate with new livestock developments, livestock management practices that result in zones of livestock concentration, and other disturbances. Disturbance and depletion associated with livestock grazing and associated rangeland developments serve to break up and fragment the continuous cover of native sagebrush-steppe vegetation necessary for many sagebrush-dependent wildlife species survival (Knick and Rotenberry 1995; Knick et al. 2003; Freilich et al. 2003; 69 Federal Register (77), Connelly et al. 2004).
- N17-69 This all demonstrates why BLM must abandon the "proposed Action" idea that it put out in its public meeting (but failed to even mention in its Scoping Notice), and instead develop a new management strategy to enhance and restore special status species habitats, as required by its Land Use plan, and as also required under its own policy for special status species and management of their habitats.
- N17-70 BLM has never revealed the extent of degradation and widespread neglect and disrepair

Responses to Letter N17

- N17-67 Resting habitats, controlling utilization, and construction of fence enclosures are all management options to address degraded riparian areas. These may all be appropriate in certain situations and will be considered in the management of any degraded riparian areas identified in the planning area.
- N17-68 Please refer to Response to Comment N17-63.
- N17-69 In response to your comment, the text in Section 2.4.7 of the Proposed RMP and Final EIS has been expanded to clarify how the Ely Field Office will manage special status species.
- N17-70 Comment noted.

Letter N17 Continued

N17-70 | of existing projects. BLM has never revealed the current number, condition, and environmental effects of livestock facilities across the RMP landscape.

Sincerely,



Katie Fite
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Western Watersheds Project
PO Box 2863
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Letter N18



CENTER FOR BIOLOGICAL DIVERSITY

VIA ELECTRONIC MAIL AND U.S. MAIL

January 12, 2006

Gene Drais, Project Manager
U.S. Department of the Interior
Bureau of Land Management
Ely Field Office
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Ely, Nevada 89301
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JAN 27 2006



RE: Draft of Resource Management Plan/Environmental Impact Statement for the Ely District

Dear Mr. Drais,

The following comments on the Ely District Draft Resource Management Plan ("RMP") and Environmental Impact Statement ("EIS"), are submitted on behalf of the Center for Biological Diversity (the "Center"). The Center is a non-profit environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 15,000 members throughout the western United States, including members who reside in Nevada and utilize public lands managed by the BLM Ely District.

The Center is encouraged by the Ely Field Office's assertion that its choice of a preferred alternative "represents a shift from a commodity or individual resource allocation approach to an ecological systems approach to management." RMP/EIS at S-xiii. However, as the Center's comments point out, the RMP/EIS is inadequate in several ways. Most importantly, there is a glaring need for additional data regarding the environmental resources within the planning area. As a result, the EIS fails to adequately identify and analyze many of the impacts of the proposed management plan and alternatives. Moreover, the proposed RMP fails to ensure both the survival and recovery of special status species within the Ely District and fails to prevent unnecessary and undue degradation of public lands within the district.

N18-1

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Responses to Letter N18

N18-1 Thank you for expressing your concerns. The concerns raised in this comment are addressed in the more detailed comments that follow. Please refer to Responses to Comments N18-6 for a discussion of background data, N18-3 for a discussion of special status species, and N18-4 for a discussion of compliance with NEPA and FLPMA. As stated in Planning Criterion No. 1 in Section 1.5.1 of the Draft RMP and EIS and Proposed RMP and Final EIS, the Ely Field Office will comply with all applicable Federal laws.

Letter N18 Continued

As you know, the Center requested an extension of time to prepare comments after the November 28, 2005 deadline because we did not receive a copy of the draft RMP/EIS until November 23, 2005.¹ Your office refused our request for an extension of time to submit comments but assured us that: "Although we are not officially extending the comment period through publication of a federal register [sic], we are accepting and will consider relevant comments received after November 28, 2005." Email from Gene Drais dated November 28, 2005. The Center therefore expects that our comments will be carefully considered and incorporated into preparation of the final RMP/EIS.

N18-2

As a result of the size (11.4 million acres) and the number of special status and sensitive species (150) this RMP/EIS constitutes an enormous undertaking. However, the Ely District RMP/EIS as currently written fails to meet the requirements of the National Environmental Policy Act ("NEPA") 42 U.S.C. § 4321 et seq. In addition, the draft RMP/EIS fails to show that BLM will adequately protect and maintain the environmental quality in the Ely District or protect special status species and their habitats within the Ely District, as required by the Federal Land Policy and Management Act ("FLPMA"), 43 U.S.C. §1701 et seq., and the Endangered Species Act ("ESA"), 16 U.S.C. § 1531 et seq. Approval and implementation of the RMP as proposed would result in additional violation of the ESA.

N18-3

THE RMP/EIS IS LEGALLY INADEQUATE

The RMP/EIS is not legally adequate under NEPA or FLPMA, as it does not fulfill the procedural or substantive requirements under these statutes.

N18-4

1. THE RMP/EIS VIOLATES NEPA

NEPA requires federal agencies to prepare a detailed EIS for "all major actions significantly affecting the quality of the human environment." 42 U.S.C. § 4332(2)(C). "NEPA 'ensures that the agency . . . will have available and will carefully consider detailed information concerning significant environmental impacts; it also guarantees that the relevant information will be made available to the larger [public] audience.'" Idaho Sporting Congress v. Thomas, 137 F.3d 1146, 1149 (9th Cir. 1998) (quoting Robertson v. Methow Valley Citizens Council, 490 U.S. 332, 349 (1989)). As set forth below, the RMP/EIS violates NEPA, and BLM must revise the RMP/EIS prior to making any final decision on adoption of the Ely district plan.

N18-5

A. THE BLM VIOLATED NEPA BY FAILING TO GATHER ADEQUATE BASELINE DATA

A major flaw in the RMP draft is that the BLM has not gathered or analyzed much of the baseline data needed to fully understand the direct and indirect effects of its decision, in violation of NEPA. NEPA requires BLM to "describe the environment of the areas to be affected or created by the alternatives under consideration." 49 C.F.R. ss 1502.15. In Half Moon Bay Fisherman's Marketing Ass'n v. Carlucci, 857 F.2d 505, 510 (9th Cir. 1988), the Ninth Circuit

N18-6

¹ The Center requested that extension because although we had requested a copy of the draft RMP/EIS on September 29, 2005 via email and telephone and were assured that it would be sent, it was not. A copy was finally provided only after an additional request on November 17, 2005 and was not received until November 23, 2005.

Responses to Letter N18

N18-2 Your comments have been carefully considered and incorporated as appropriate in the Proposed RMP and Final EIS.

N18-3 The Proposed RMP and Final EIS fulfills all requirements under NEPA, FLPMA, and ESA. The Ely Field Office must continue to manage special status species under all existing laws, regulations, and policies. Further, any site-specific projects that would be implemented under the plan, must comply with NEPA, FLPMA, and ESA. Project-specific EAs and EISs would be prepared by the Ely Field Office, as appropriate. Conservation measures for listed species will be contained in the Biological Assessment prepared by BLM and the Biological Opinion prepared by the US Fish and Wildlife Service, in compliance with Section 7 of the Endangered Species Act.

N18-4 The Proposed RMP and Final EIS fulfills all requirements under NEPA and FLPMA.

N18-5 Based on comments received on the Draft RMP and EIS and other considerations, the Ely Field Office has incorporated revisions into the Proposed RMP and Final EIS.

N18-6 NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions, fully understand the direct and indirect effects, and make a reasoned choice among alternatives. This data is summarized in Chapter 3 of the Draft RMP and EIS and Proposed RMP and Final EIS. Where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information.

Letter N18 Continued

stated that “without establishing . . . baseline conditions . . . there is simply no way to determine what effect [an action] will have on the environment, and consequently, no way to comply with NEPA.”

N18-7 [In several instances the BLM has failed to gather any necessary baseline data required to make informed decisions and in other instances the information provided is inadequate. The RMP/EIS acknowledges that it is based on incomplete information in regard to many issues including, but not limited to, information regarding many special status plant and animal species. See RMP/EIS Vol 2 at 4.1-7 to 14, 11 to 12.

N18-8 [For example, in the discussion of watershed management the RMP/EIS states that it will take approximately ten years for half of the watershed analysis to be completed. (RMP/EIS, Vol. II at 4.19-1). As water is a crucial factor in species survival, the fact that a watershed analysis has not been completed, nor will it be any time in the near future, seriously hampers BLM’s ability to identify and analyze impacts to the environment from the proposed policies in the RMP. Indeed, the lack of such critical information will also undermine BLM’s ability to undertake site-specific in the future for projects anticipated in the RMP such as the water pipeline project, increased mining, and commodity production. For example, without first establishing the current condition of the watershed and habitat utilized by riparian species that are particularly sensitive to decreases in the water table, the BLM cannot seriously claim to be protecting these species while allowing other interests to deplete their access to water resources.

N18-9 [In addition, as discussed below, BLM has failed to gather even the most basic data on many of the sensitive and listed species found in the RMP. For these reasons, and others the BLM has not gathered or analyzed enough baseline data to determine the direct or indirect impacts of this project on the environment, as required by NEPA.

A. BLM VIOLATED NEPA BY FAILING TO CONSIDER A FULL RANGE OF ALTERNATIVES

NEPA requires that an EIS contain a detailed statement of alternatives to the proposed action. NEPA requires that the preparing agency “[r]igorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.” 40 C.F.R. § 1502.14. Failure to include a full range of alternatives renders an EIS legally inadequate. See Resources Ltd., Inc. v. Robertson, 35 F.3d 1300, 1307 (9th Cir. 1993); Alaska Wilderness Recreation and Tourism Ass’n v. Morrison, 67 F.3d 723, 729 (9th Cir. 1995).

N18-10 [None of the alternatives provide an environmental baseline, a description of the current existing environment in the planning area, against which to evaluate other alternatives. For example, the no action alternative assumes that current management practices would be ongoing including leaving grazing at current levels and off-highway vehicle (OHV) use largely unrestricted throughout the district. This would allow for ongoing loss of vegetation communities and adverse impacts to listed species, including the desert tortoise and its habitat, over time. In order to comply with NEPA, the EIS must properly identify the current environmental baseline.

Responses to Letter N18

N18-7 Please refer to Appendix E in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of special status species. Also see Response to Comment N18-6 for a discussion of data collection.

N18-8 Please refer to Response to Comment N18-6 for a discussion of data collection. At a minimum, all riparian/wetlands need to be properly functioning. This and other habitat needs have been and will continue to be evaluated to determine if they are meeting/achieving Resource Advisory Council standards. Implementation strategies will be developed to address situations where standards are not achieved. Adequate baseline information is presented in the Draft RMP and EIS and Proposed RMP and Final EIS to allow adequate impact analysis. Additional information will be collected for future projects to allow complete impact analysis. The NEPA documents prepared for the types of future projects you mention will not be dependent on the information contained in the Proposed RMP and Final EIS.

N18-9 Please refer to Responses to Comment N18-7 and N18-16 for discussions of data and impact analysis for special status species.

N18-10 Please refer to Chapter 3 (Affected Environment) in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of the current environmental baseline. The trends that are discussed for each resource would continue under the No Action Alternative (Alternative A).

Letter N18 Continued

Responses to Letter N18

N18-11 The range of alternatives offered is also inadequate as it does not provide any true conservation alternative. While alternatives B and D are less invasive than the current plan, they fall short of a true conservation plan. Alternative B, which is intended to promote restoration of ecological systems and allows OHV use only on designated roads and trails, unfortunately offers no assurance of a plan for enforcing this use. Further, it proposes an emphasis of OHV use on 310,000 acres without any significant analysis of how this intensive use area will affect the surrounding area or the species dependant on these areas. It alleges that production of food, fiber, and minerals would be constrained more than in other alternatives, but does not detail how or to what extent this will actually occur.

N18-12 Alternative D, while cutting back on commodity production does so little to correct the currently existing environmental impacts that it falls far short of correcting the excesses of the past. Noxious weeds, fire hazards, and non-native fish species threaten the entire ecosystem with collapse. Past harms such as destructive fire management and poor grazing techniques has left the region particularly vulnerable to fire hazards and watershed problems. BLM should examine a conservation alternative that includes actions designed to correct these and other problems created by past actions.

N18-13 Alternative E, the preferred alternative, is even less protective of fish and wildlife habitat than Alternative B. It also fails to require full compliance with recovery plans for listed species or limit the development/disturbance in all conservation areas. This alternative also fails to commit BLM to gather adequate survey data for covered species and fails to ensure both in-kind and fiscally viable mitigation measures for any actions that impact listed species directly or indirectly.

N18-14 In sum, the alternatives in RMP/EIS do not fulfill the intent and letter of NEPA. The BLM must revise the RMP/EIS with an appropriate range of alternatives and include at least one conservation alternative that provides for recovery of listed species, preservation of sensitive and candidate species, and protection of the habitats on which they depend (including vital water resources).

B. BLM VIOLATED NEPA BY FAILING TO PROVIDE ADEQUATE ANALYSIS OF ENVIRONMENTAL CONSEQUENCES

NEPA requires that an EIS must contain a "full and fair discussion of significant impacts, whether direct, indirect, or cumulative." 40 C.F.R. § 1508.8. The document must analyze the environmental effects of the action and alternatives, in a comparative form, to "sharply define the issues and provide a clear basis for choice among options by the decision maker and the public." 40 C.F.R. § 1502.14.

i. Inadequate Alternatives

N18-15 The alternatives presented in the RMP/EIS are inadequate for several reasons. As noted above, the EIS does not explore a sufficient range of alternatives. Further, the alternatives presented are not backed by sufficient scientific data to gain a full understanding of the possible

N18-11 Please refer to Response to Comment N18-14 for a detailed discussion on the range of alternatives analyzed in the Draft RMP and EIS and Proposed RMP and Final EIS. The alternatives contained in the Draft RMP and EIS and Proposed RMP and Final EIS focus on ecological protection (conservation) to varying degrees. Alternative B has the greatest management emphasis in this area of concern. Please note that in response to this and similar comments, no off-highway vehicle emphasis areas would be designated by the Proposed RMP, and no special recreation management areas emphasizing off-highway vehicle use have been identified in the Proposed RMP. Activity plans for the management of special recreation management areas would be prepared following the approval of the RMP. NEPA analysis would be conducted for these activity plans. Thus, an appropriate level of analysis for designating management areas but not implementing activity plans has been included in the Proposed RMP and Final EIS.

N18-12 Alternative D could be considered a conservation alternative. Alternative D would exclude all permitted discretionary uses of the public lands including livestock grazing, mineral sale or leasing, lands or realty actions, or permitted recreation use. No commodity production would be allowed. OHV use would be restricted to maintained roads. Wildfires would not be suppressed unless they threaten life or property.

N18-13 In response to your comment, the text in Section 2.4.7 of the Proposed RMP and Final EIS has been expanded to clarify how the Ely Field Office will manage special status species, including implementation of those actions and strategies identified in recovery plans that the Field Office has the authority to implement. Compliance with recovery plans for threatened or endangered species is required under existing laws and regulations, is currently being implemented by the Ely Field Office, and is not a subject of the Ely RMP. Such compliance includes surveys to confirm the presence or absence of listed species, as may be necessary, and development and enforcement of project-specific mitigation measures as applications are received by the Field Office.

N18-14 A reasonable range of alternatives has been presented and analyzed in the Draft RMP and EIS and Proposed RMP and Final EIS. All alternatives protect special status species and their habitats to varying degrees. In Comment Letter F3, the U.S. Environmental Protection Agency gives the Preferred Alternative their highest rating of "Lack of Objections". Each alternative had a different management emphasis, based on comments received during scoping and the needs/desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes. The management actions that are presented in the Proposed RMP were developed through consideration of the planning criteria presented in Section 1.5 of the Draft RMP and EIS and Proposed RMP and Final EIS, public scoping comments presented in Section 1.6, BLM policy especially as presented in the Land Use Planning Handbook, the professional judgment of the staff in the Ely Field Office, and comments from a wide array of users of the Ely RMP planning area.

Letter N18 Continued

Responses to Letter N18

N18-15 environmental impacts of the proposed actions. In addition, the BLM does not adequately discuss all of the significant impacts of each alternative including direct, indirect, and cumulative, as required by 40 C.F.R. § 1508.8.

ii. Biological Resources

N18-16 Throughout the plan there appears to be little or no information regarding the environmental impact of the RMP on many special status and listed species. For example, the RMP/EIS provides little baseline information regarding the current status, population trends, or effects of current management for the threatened Ute Ladies'-tresses orchid or the Sunnyside green gentian (a federal species of concern). RMP/EIS Vol 1 at 3.7 -1 to 3. Indeed, it appears that the district has failed to undertake the population or habitat monitoring for the threatened Ute Ladies'-tresses orchid recommended in the recovery plan for the species. Inevitably, the analysis of impacts to these species in the RMP/EIS is also inadequate. While there is somewhat more baseline information provided for the seven listed fish species (RMP/EIS Vol 1 at 3.7 -4 to 9), the analysis of impacts to these species in the RMP/EIS is also quite limited. Examples of other shortcomings in the identification and analysis of impacts to special status species include, but not limited to, the following:

Desert tortoise

N18-17 As the RMP/EIS points out there are two designated critical habitat units for the desert tortoise in the district encompassing approximately 256,000 acres and, overall, approximately 726,000 acres of potentially suitable desert tortoise habitat in the district. RMP/EIS Vol. 1 at 3.7-11. Importantly, much of the designated critical habitat is outside of established ACECs. See RMP/EIS Map Vol., Map 3.7-2. Nonetheless, the RMP/EIS fails to adequately identify and analyze the impacts of the proposed management plan on the desert tortoise or its critical habitat. For example, the RMP/EIS provides no analysis, only conclusions, regarding the impacts of the preferred alternative on the desert tortoise and its critical habitat. RMP/EIS Vol. 2 at 4.7-44. Further, although the preferred alternative proposes to implement special use restrictions on livestock grazing on desert tortoise habitat, it does not discuss what the effects of the ongoing grazing would be, or what special use restrictions are proposed.

N18-18 Likewise, while the RMP/EIS discusses following the procedures developed in the 2000 Caliente Management Framework Plan that affect the desert tortoise, it fails to discuss what actions would be undertaken and how they will impact the species. The Lincoln County Land Act development would also have indirect effect on this threatened species, but the effects of this development are not discussed.

Western yellow-billed cuckoo, and meadow valley wash speckled dace and desert sucker

N18-19 Under the preferred alternative the RMP/EIS asserts that these species would be evaluated in conjunction with the south western willow flycatcher recovery plan, but describes no intent, actions, or proposed alternatives to protect these species. (RMP/EIS Vol. I 2.5-71). Further, the Plan asserts that the BLM will "outline the schedule for determining if livestock are

N18-15 Please refer to Response to Comment N18-14 for a discussion of the range of alternatives analyzed and Response to Comment N18-6 for a discussion of data collection. All important impacts have been discussed in the Proposed RMP and Final EIS, including direct, indirect, and cumulative impacts.

N18-16 Please refer to Response to Comment N18-7 for a discussion of data for special status species. Also refer to Sections 3.7 and 4.7 in the Draft RMP and EIS and Proposed RMP and Final EIS for discussions of the status of individual species and impacts to those species, respectively. Both of these sections address special status and listed species at an appropriate level of detail for the Proposed RMP and Final EIS. Considerably more detail on listed species is contained in the Biological Assessment prepared for the Proposed RMP and submitted to the U.S. Fish and Wildlife Service as part of Section 7 consultation.

N18-17 In response to recently altered environmental conditions within the desert tortoise habitat (fire in 2005) and the comments received on the Draft RMP and EIS, text sections related to desert tortoise in Chapters 2, 3, and 4 have been revised. Please refer to these assorted sections in the Proposed RMP and Final EIS for clarification regarding proposed management and impact analyses related to the species.

N18-18.1 Please refer to the revised text in Chapters 2.0, 3.0, and 4.0 of the Proposed RMP and Final EIS that has been expanded to reflect management of the desert tortoise. The management actions previously outlined in Appendix J (Record of Decision for the Caliente Management Framework Plan Amendment, September 2000) of the Draft RMP and EIS have been brought forward into the appropriate resource programs of the Proposed RMP that would implement the management actions (e.g. special status species, travel management, minerals, etc.). These desert tortoise management actions have been included in the impact analysis for all programs that would be affected.

N18-18.2 Lands identified for disposal under the Lincoln County Land Act have been sold and are now privately owned. Therefore, effects on the desert tortoise would be considered under Section 10 of the Endangered Species Act and not Section 7, which applies to the Proposed RMP. The text in Section 4.7 of the Proposed RMP and Final EIS has been modified to address your comment. The basic impact conclusions presented in the Draft RMP and EIS have not changed.

N18-19 In response to your comment, the text in Section 2.4.7.3 and 4.7 of the Proposed RMP and Final EIS has been revised to clarify the discussion of management for the southwestern willow flycatcher.

Letter N18 Continued

Responses to Letter N18

N18-19 [a causal factor for nonattainment of standards and guidelines,” but fails to describe what actions will be taken to prevent any further damage caused by livestock or how long this assessment will take.

Arizona southwestern toad

N18-20 [The RMP/EIS fails to provide any information on the effects of the preferred alternative or other alternatives on this species. It appears no research has been done, or no actions to protect the toad will be taken.

Banded gila monster

N18-21 [Again, the RMP/EIS fails to provide any specific discussion of how it will affect the banded gila monster. There are no specific proposals to protect the species and no information on what the environmental impact of the RMP/EIS would have on the species.

Western burrowing owl

N18-22 [The RMP/EIS asserts that “occupied and unoccupied habitat conditions would be assessed and documented... Corrective management actions to improve or maintain habitats would be immediately implemented.” The RMP/EIS however fails to explain what the current conditions are and what effects the preferred alternative will have on this species.

N18-23 [The lack of baseline data for certain species, as mentioned above, renders BLM’s analysis of the environmental consequences of the action inadequate under NEPA. BLM’s failure to adopt specific measures to conserve listed species also violates the ESA.

iii. Noise

N18-24 [While the preferred plan proposes to create 1.36 million acres for four motorcycle events, and two truck events, it fails to discuss the impact of the noise from these events on protected species. (RMP/EIS Vol. 2 at 4.15-9). Further, the BLM does not provide for any sort of monitoring, study, or even an adaptive management to mitigate the damages caused by these events. Further, the RMP/EIS gives only a cursory glance as to the environmental impacts of these events. This failure to identify and analyze impacts is especially problematic considering that the RMP/EIS assumes that recreational vehicle use will increase over time.

N18-25 [The BLM is required by the ESA to protect listed species from known threats, and is also required by FLPMA to protect and maintain the environmental quality of public lands, including sensitive species and their habitats. The RMP/EIS acknowledges that previous studies show that high noise volume negatively effect wildlife. Unfortunately, when faced with conflicting interests, the RMP/EIS does not err on the side of caution and protect public lands but rather allows uses that are known to degrade the environment to go forward unchecked and largely unexamined. BLM’s failure to adequately identify and analyze these impacts in the EIS violates NEPA.

N18-20 Please refer to Section 2.4.7.3 of the Proposed RMP and Final EIS for a discussion of Special Status Species (Federally protected and BLM sensitive species). Also, the text in Section 4.7 has been revised to address your comment.

N18-21 Please refer to Response to Comment N18-20 for a discussion of Special Status Species (Federally protected and BLM sensitive species).

N18-22 Please refer to Response to Comment N18-20 for a discussion of Special Status Species (Federally protected and BLM sensitive species).

N18-23 Please refer to Responses to Comments N18-7 for a discussion of data for special status species and N18-3 for a discussion of the adequacy of impact analysis. Conservation measures for listed species will be contained in the Biological Assessment prepared by BLM and the Biological Opinion prepared by the US Fish and Wildlife Service, in compliance with Section 7 of the Endangered Species Act.

N18-24 In response to your comment, the text in Section 4.15 of the Proposed RMP and Final EIS discussing the Proposed RMP has been expanded to clarify the discussion of the impacts of Special Recreation Permits for OHV events.

N18-25 The Ely Field Office must continue to manage special status species under all existing laws, regulations, and policies, including the ESA and FLPMA. The Proposed RMP and Final EIS describes and analyzes management actions for the multiple uses of all the resources in the Ely RMP decision area. By its very nature, BLM’s multiple use mandate results in conflicts among uses and users. The Ely RMP analysis has focused on the major conflicts and disclosed them to the public. More detailed analyses of individual projects and their impacts on special status species would occur at the implementation stage as these projects are evaluated in project-specific NEPA analyses. The Proposed RMP and Final EIS are fully compliant with the requirements of NEPA.

Letter N18 Continued

iv. Air quality

N18-26 The BLM is required to analyze whether the RMP/EIS alternatives will meet both federal and state air quality standards. 40 C.F.R. § 1508.27 (10) (requiring that the agency evaluate “[w]hether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.”). The BLM fails to sufficiently analyze whether its proposed alternative for the RMP/EIS will comply with federal and state laws related to air quality.

N18-27 The RMP/EIS lacks sufficient analysis of air quality impacts that will result from planning area development growth, specifically the proposed coal-fired power plant. As Nevada already has problems with mercury emissions, the failure to provide any significant analysis of how this plant could affect these levels is particularly disturbing. Further complications will arise from increased OHV, motorcycle, and truck use. Informational deficiencies such as these render the analysis invalid under NEPA.

N18-28 The RMP/EIS’s cursory treatment of how increased recreational activities will affect air quality is also inadequate as it simply states that fugitive dust emissions will increase dramatically with increased speed. The RMP/EIS also fails to evaluate the effects of motorcycle and truck events in conjunction with increased fires, mining activity, and OHV use. In addition to failing to discuss the cumulative effects, the identified effects are not discussed with any certainty as to what will happen over time. NEPA tasks federal agencies with evaluating, “the relationship between short-term uses of man’s environment and the maintenance and enhancement of long-term productivity.” 42 U.S.C. § 4332.2 (C)(4). Such language requires adequate analysis of both current and future conditions.

v. Visual Resources

N18-29 The RMP/EIS will have significant impacts on the visual resources of the planning area. For example, under the preferred alternative special event areas, mineral use, and developments on private lands areas (RMP/EIS Vol. 1 2.5.120), will dramatically change the natural landscape of the district. The BLM claims it will minimize these impacts; however, it gives no significant analysis of the steps it will take, and what the resulting impacts would be. For example, the proposed coal mine could significantly impact the air quality over the Grand Canyon. Currently, the best visibility days in the Grand Canyon are the days when pristine air has drifted into the Canyon from the Ely district. Changing the current balance could threaten the visual resources of this nearby Class-I viewing area. These disruptive changes in the landscape are significant to a large portion of the public, including hikers, backpackers, photographers and birdwatchers. In order for the BLM to comply with NEPA the RMP/EIS must analyze the effects of the proposed actions on visual resources.

N18-30

vi. Land Retention Policy

The RMP/EIS identifies over 95,677 acres of land that would be available for disposal under preferred alternative—more than double the acreage available under the no action

Responses to Letter N18

N18-26 As discussed in Section 4.2 of the Draft RMP and EIS and Proposed RMP and Final EIS, there are no actions proposed under the Ely RMP that would have impacts on air quality in the region resulting in a violation of the NAAQS or PSD increment. Any future proposed projects, such as a coal-fired power plant, would require additional, separate NEPA analysis to determine whether they might have impacts that would threaten NAAQS or PSD regulatory requirements.

N18-27 Any future proposed projects, such as a coal-fired power plant, would require additional, separate NEPA analysis to determine whether they might have impacts that would threaten NAAQS or PSD regulatory requirements. Such projects are beyond the scope of the Ely RMP. It is true that recreation use of on and off-highway vehicles contribute air pollutants, mostly in the form of PM10. Section 4.2 in the Proposed RMP and Final EIS has been expanded to discuss the effects of dust from recreational vehicle use in the Ely RMP planning area, including competitive events held under special recreation permits.

N18-28 It is true that recreational use of on and off highway vehicles contributes air pollutants, mostly in the form of PM10. Section 4.2 in the Proposed RMP and Final EIS has been expanded to discuss the effects of dust from recreational vehicle use in the Ely RMP planning area, including off-highway vehicle race events. Please refer to Section 4.28.2 for a discussion of cumulative impacts to air quality and Section 4.32 for a discussion short-term uses and long-term productivity, both in the Proposed RMP and Final EIS.

N18-29 In response to your comment, the text in Section 4.11 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of impacts to visual resources. VRM management class objectives would be considered when evaluating BLM projects or private party proposals. Mitigation for potential visual resource impacts would be evaluated on a project-specific basis. VRM class objectives do not prohibit other multiple uses.

N18-30 There are no actions proposed under the Ely RMP that would have impacts on air quality in the Grand Canyon, as defined in the air quality regulations. Any future proposed projects, such as a coal-fired power plant, would require additional, separate NEPA analysis to determine whether they might have impacts to visibility in the Grand Canyon. The commenter seems to have confused air quality and Visual Resource Management issues. The Ely RMP would have no effect on and the BLM has no responsibility for management of visual resources in the Grand Canyon.

Letter N18 Continued

Responses to Letter N18

N18-31

alternative (Alternative A). RMP/EIS Vol I at 2.5- 117 and 120. While none of the alternatives allow for disposal of areas designated as critical habitat and lands within ACECs, the RMP/EIS fails to provide any meaningful analysis of the impact of land disposal on the environment in general and special status species in particular. Further, the RMP/EIS fails to provide detailed criteria that would ensure that land disposals do not adversely impact the environment. For example, such criteria could include, but are not limited to, allowing land disposals or exchanges only where they will not increase habitat fragmentation, will maintain connectivity between critical habitat units or ACECs to the maximum extent possible, will allow for consolidation of habitat for special status species, will ensure preservation of all water resources, and will reduce the likelihood of unauthorized incursions into and uses of critical habitat and ACECs.

vii. Water Resources

N18-32

The RMP/EIS fails to take into account the impact of reduced groundwater locally if the Southern Water Authority constructs the proposed pipeline. The RMP/EIS contains virtually no analysis of how decreased groundwater will affect the biological resources of the region. For example, in the cumulative effects analysis, the RMP/EIS seems to assume that as long as the proposed plan to increase vegetation is effective, the cumulative effects of the pipeline, increased residential use of water, the Toquop energy project, White Pine County coal-fired power plant, the Robinson mine, and other site specific projects listed will be negated without any scientific data to support these claims. (RMP/EIS Vol. 2 at 4.28-25). These indirect and cumulative impacts to water sources are significant as many of the special status species including the south western willow flycatcher and the yellow-billed cuckoo are particularly sensitive to changes in riparian areas.

viii. Cumulative Effects

The CEQ regulations implementing NEPA clearly direct federal agencies to consider the direct, indirect, and cumulative effects of their actions on environmental resources. 40 C.F.R. § 1508.8. The regulations define "cumulative effects" as:

The impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. 40 C.F.R. § 1508.7

N18-33

The discussion of cumulative effects discussed in the RMP/EIS fails to meet this standard. The analysis is required to consider the incremental impacts of actions in conjunction with the impacts of past, present, and future actions. Thus the agency must look beyond the life of the proposed action. In addition, these actions must include the ramifications of all actions. This includes state, federal, and private actions. The analysis of cumulative impacts should also focus on each affected resource, ecosystem, and human community, addressing the sustainability of all factors.

N18-31

Please refer to Section 2.4.12.2 in the Proposed RMP and Final EIS for a discussion of land disposal criteria. The effects of land disposals are discussed as appropriate in Chapter 4 under each program that would be affected by these management actions. The type of issues relative to special status species raised in your comment will be considered by the Ely Field Office when specific disposals are proposed and evaluated. Coordination with federal, state, and local agencies during the NEPA process will ensure the protection of these species.

N18-32

It is not the intent of the text in Section 4.28.3 (or anywhere else) to imply that cumulative effects on water resources from other projects would be minimized or negated by vegetation management on BLM-administered lands. Additional text has been added to Section 4.28.3 to address this comment, while staying within the scope of the Ely RMP. As pointed out in text and other comments, the Nevada State Engineer administers water rights in the state, including the Ely RMP planning area. The RMP addresses resources to the degree that the Ely Field Office controls or may influence them. In addition, project-specific NEPA analyses, as well as state and federal permitting processes, would be required for other individual projects (including BLM projects). Additional public involvement and further assessment of cumulative effects would be conducted at that time.

N18-33

Please refer to Section 4.28 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of cumulative impacts. The analysis considers over 50 interrelated projects (past, present, future; federal, state, private) and their cumulative effects on all 26 resource programs addressed in the EIS.

Letter N18 Continued

Responses to Letter N18

N18-34 [The limited discussion of cumulative impacts to special status species is an example of a discussion which assumes the best case scenario for current conditions, but fails to address the long-term impacts of groundwater depletion. The RMP/EIS claims that the depleted water flow would be balanced by increases in vegetation, but fails to convincingly conclude that this balance could be maintained over the long term.

N18-35 [Further, the RMP/EIS fails to sufficiently discuss the effects of ongoing OHV use in conjunction with the new proposed special recreation areas, motorcycle events, and truck rallies. The RMP/EIS seems to assume that the impact from these events will not have any significant impact on protected species, but fails to cite any scientific basis for this assumption.

ix. Mitigation

N18-36 [Mitigation measures comprise an important part of the scientific and analytical basis for the comparative analysis required under NEPA. 40 C.F.R. § 1502.16 (h). NEPA also requires this section to “[i]nclude appropriate mitigation measures not already included in the proposed action or alternatives” 40 C.F.R. § 1502.14. The RMP/EIS provides a chart of proposed mitigation measures that are simply general statements and offer few specific mitigation actions that BLM is committed to undertake. The RMP/EIS also relies other programs and as yet undeveloped restoration plans to achieve most of the mitigation goals. See RMP/EIS Vol 2, 4.29-1. This is insufficient even for a programmatic EIS. BLM has independent obligations under NEPA, as well as FLPMA and the ESA to ensure appropriate mitigation for identified impacts to the environment. Its failure to do so renders the RMP/EIS invalid.

2. THE ELY DISTRICT EIS/RMP PLAN VIOLATES THE FEDERAL LAND POLICY AND MANAGEMENT ACT

All BLM actions must be consistent with FLPMA (P.L. 94-579, 90 Stat.2743, 43 U.S.C. 1701 et seq.) In accordance with FLPMA, public lands are to be managed on the basis of multiple use and sustainable yield. 43 U.S.C. § 1701(a)(7). Furthermore, land managers are to take into account the long-term needs of future generations for renewable and non-renewable resources, including fish and wildlife. (See 43 U.S.C. ss1702(c); 43 U.S.C. § 1711(a)(8)).

A. THE PREFERRED ALTERNATIVE DOES NOT ADEQUATELY MANAGE PUBLIC LANDS FOR WILDLIFE AND NATURAL RESOURCES

N18-37 [All alternatives proposed in the RMP/EIS, including the preferred alternative promote the continuation of motorized recreation and commercial uses in the district at the expense of the natural resources that the BLM is legally obligated to protect. The proposed management plan violates FLPMA by failing to manage the district so that it “will provide food and habitat for fish and wildlife and domestic animals.” 43 U.S.C. § 1711(a)(8). This also violates FLPMA’s mandate to manage public lands for multiple uses and the long-term sustained yield of renewable resources.

N18-34 Please refer to Response to Comment N18-32. No conclusion has been drawn in the Proposed RMP and Final EIS on the effects of groundwater development, and that topic will be addressed through separate NEPA analysis.

N18-35 In response to your comment, the text in Sections 4.7 and 4.15 in the Proposed RMP and Final EIS have been expanded to clarify the discussion of the impacts of Special Recreation Permits for OHV events.

N18-36 In response to your comment, Section 4.29 of the Proposed RMP and Final EIS, which discusses proposed mitigation measures, has been expanded. Appendix F, Section 1, in the Proposed RMP and Final EIS, has also been expanded, and applicable best management practices have been cross referenced at the beginning of resource program discussions in Chapter 4.

N18-37 The Ely Field Office must manage multiple uses under all existing laws, regulations, and policies, including FLPMA. The Proposed RMP and Final EIS describes and analyzes management actions for motorized recreation and commercial uses in the Ely RMP decision area, which are valid uses under FLPMA. By its very nature, BLM’s multiple use mandate results in conflicts among uses and users. The Ely RMP analysis has focused on the major conflicts and disclosed them to the public. The Proposed RMP and Final EIS are fully compliant with the requirements of FLPMA.

Letter N18 Continued

B. FAILURE TO PREPARE A LEGALLY ADEQUATE EIS VIOLATES FLPMA'S PROHIBITION AGAINST "UNNECESSARY AND UNDUE DEGRADATION"

The FLPMA requires the BLM to, "by regulation or otherwise, take any action necessary to prevent unnecessary and undue degradation of the lands." 43 U.S.C. § 1732(b). The term "unnecessary or undue degradation" is defined in the BLM's regulations pertaining to hardrock mining as activities that "[f]ail to comply with ... federal and state laws related to environmental protection and protection of cultural resources..." 43 C.F.R. § 3809.5.

The IBLA has held that to prevent unnecessary or undue degradation, the BLM must consider the nature and extent of surface disturbances resulting from a proposed action as well as the environmental impacts on resources and lands outside the area of operations. When the BLM prepares an EIS that does not comply with NEPA, it is a *per se* violation of the FLPMA's prohibition against unnecessary or undue degradation. "To the extent the BLM failed to meet its obligations under NEPA, it also failed to protect public lands from unnecessary or undue degradation." (See Island Mountain Protectors, 144 IBLA 168, 202 (1998)). The BLM has failed to meet its obligations under NEPA for numerous reasons, as set forth above, and has thereby also committed a *per se* violation of FLPMA.

N18-38

C. THE BLM HAS FAILED TO PREPARE AND MAINTAIN AN INVENTORY OF THE UNIQUE RESOURCES OF THE PLANNING AREA

In accordance with the FLPMA, the BLM must "prepare and maintain on a continuing basis an inventory of all public lands and their resources and values," giving priority to areas of critical environmental concern. 43 U.S.C. § 1711 (a); see also State of Utah v. Babbitt, 137 F.3d 1193 (10th Cir. 1998). "This inventory shall be kept current so as to reflect changes in condition and to identify new and emerging resource and other values." 43 U.S.C. § 1711(a). As set forth above, the BLM has failed to maintain or provide the necessary data on current population numbers or trends for many of the sensitive, rare, threatened and endangered species in the district including, but not limited to, the southwestern willow flycatcher, the desert tortoise, and many unique endemic species of the district. BLM's failure to do so not only renders its NEPA analysis inadequate but also renders the proposed RMP/EIS unlawful as it violates FLPMA..

N18-39

3. THE RMP/EIS VIOLATES EXECUTIVE ORDERS 11644 AND 11989

Executive Orders 11644 and 11989 give direction to federal agencies for managing OHV on the lands for which they are responsible by requiring that the agencies minimize the impacts of OHVs on wildlife, vegetation, cultural resources, and other uses. The BLM has implemented the requirements of these executive orders in its regulations. Under 43 CFR § 8341.2(a), the BLM must close areas to OHVs where the officer determines that OHVs are causing or will cause negative impacts to threatened or endangered species. Because the proposed action fails to minimize the impacts of OHVs on wildlife and vegetation, the proposed RMP violates the aforementioned executive orders. For example, the proposed action will allow many ongoing adverse impacts to the desert tortoise and destruction or adverse modification of its critical habitat to continue. For this reason alone, the proposed RMP is unlawful.

N18-40

Responses to Letter N18

N18-38 The Proposed RMP and Final EIS fulfills all requirements under NEPA and FLPMA. Project-specific EAs and EISs would be prepared for projects that would be implemented under the plan, as appropriate.

N18-39 Please refer to Response to Comment N18-6. The Proposed RMP and Final EIS fulfills all requirements under NEPA and FLPMA.

N18-40 Please refer to Response to Comment N18-37 for a discussion of motorized recreation. Protection of the desert tortoise and its habitat will be in compliance with the Biological Opinion prepared by the US Fish and Wildlife Service, in compliance with Section 7 of the Endangered Species Act.

Letter N18 Continued

4. THE PROPOSED PLAN VIOLATES THE FEDERAL ENDANGERED SPECIES ACT

Pursuant to ESA Section 7(a)(1) federal agencies have an affirmative duty to conserve endangered and threatened species occurring within their jurisdiction. ESA Section 7 (a)(2) and its implementing regulations require federal agencies to insure that any action they take is not likely to jeopardize the continued existence of adversely modify the critical habitat of any listed species. The ESA further requires that any action that may affect listed species must be made in consultation with the U.S. Fish and Wildlife Service.

N18-41 [The RMP has failed to comply with its legal duties to conserve the listed species that are under BLM's control. In addition, the RMP fails to acknowledge the impact of proposed actions that may jeopardize a species ability to survive or negatively affect the habitat of effected species.

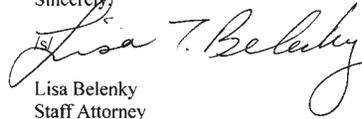
N18-42 [As discussed above, the RMP's discussion of the pipeline proposal, recreation permits, and mining plans show that these projects are likely to jeopardize the existence of listed species and adversely affect their habitat. As many of the covered species are only briefly discussed in the RMP/EIS, with little or no information on the populations of these animals or how they will be affected, it is impossible to determine how the proposed actions will affect these species. The BLM cannot demonstrate that the proposed management will fulfill the requirement that it protect endangered species based on an RMP/EIS that is incomplete, and that proposes several actions that would adversely affect the species.

5. CONCLUSION

N18-43 [As detailed above, the Center believes that the proposed RMP and the draft EIS are inadequate and unlawful because the RMP/EIS fails to provide the information and analysis required by NEPA, fails to comply with the mandates of FLPMA, and fails to ensure compliance with the ESA. The Center looks forward to receiving a final RMP/EIS that adequately address the issues raised in this letter. Thank you for your consideration of these comments.

Thank you for your consideration of these comments. **Please send all future notices, documents, and correspondence regarding this matter to my attention at Center for Biological Diversity, 1095 Market Street, Suite 511, San Francisco, CA 94103.**

Sincerely,


Lisa Belenky
Staff Attorney

Responses to Letter N18

N18-41 In response to your comment, the text in Section 4.7 of the Proposed RMP and Final EIS has been modified to more clearly present the impacts of the proposed management actions on listed species. The U.S. Fish and Wildlife Service will make the determinations of whether any listed species would be negatively affected or jeopardized, and these determinations will be documented in the Biological Opinion issued for the Proposed RMP.

N18-42 Please refer to Section 4.29 and Appendix F, Section 2, in the Proposed RMP and Final EIS for a discussion of mitigation and monitoring for special status species. The management actions contained in the Proposed RMP and future projects for which approval may be requested will be reviewed in cooperation with the USFWS through Section 7 consultation during NEPA analysis to ensure that no listed species are jeopardized.

N18-43 Please refer to Response to Comment N18-3 for a discussion of compliance with NEPA, FLPMA, and ESA.

Letter N19

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BUREAU OF LAND MANAGEMENT

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**Mojave-Southern Great Basin
Resource Advisory Council
Steve Mellington, Chair**

N19a

November 21, 2005

Bureau of Land Management (BLM) Ely Field Office
Gene Kolkman, Field Manager
Draft Resource Management Plan
702 N. Industrial Way
HC 33 Box 33500
Ely, Nevada 89301

Dear Mr. Kolkman:

The Mojave-Southern Great Basin Resource Advisory Council (RAC) appreciates the opportunity to comment on the proposed BLM Ely Field Office Draft Resource Management Plan. We are committed to providing the best possible advice and counsel to BLM in managing the natural resources throughout Southern Nevada.

As a group, we have thoroughly reviewed the RMP and are generally supportive of the proposed draft plan, which focuses on ecosystem health; however, we have specific concerns detailed in this letter as follows:

- N19-1 Water Resources: We do understand that it would be difficult and maybe impossible to address every impact in this plan, but as written it does not clearly or adequately deal with groundwater issues. The RMP-EIS lists data from the Nevada State Water Engineer on perennial yield and granted water rights and states that there will be little drawdown of the water table from pumping the perennial yield. Abundant data from around the West suggest that prolonged pumping of the theoretical perennial yield will dry up most springs in the pumped basin. Since groundwater pumping may be one of the biggest issues facing the Ely BLM District in the next two decades the subject should either be dealt with in this document or the reader referred to future documents that will be forthcoming.
- N19-2 Vehicle Management: The RAC supports the proposal to limit OHV travel to designated roads and trails but finds the document to be confusing and inconsistent with regard to this very important management issue. For example, on page 4.8-14 under Travel Management and OHV use, the document refers to four of six areas as open. This needs explanation, because the term "open" appears to be misused here. Also, the document does not clearly articulate the timing and process for how to implement the proposed Plan with regard to vehicle management. We suggest that BLM needs to provide criteria for how Off Highway Vehicle (OHV) (including motorcycle and truck race areas) use emphasis areas are designated by alternatives. Specifically, the Plan should discuss in more detail the rationale for designation of OHV emphasis areas in the preferred
- N19-3

Responses to Letter N19

- N19-1 The text in Sections 3.3.1 and 3.3.2 has been modified to address this and other comments related to perennial yield and other water projects. The perennial yield (also known as "safe yield") is an estimate developed by the Nevada Department of Water Resources, Office of the State Engineer, largely for the purpose of ascertaining sustainable levels of groundwater development. Therefore, the meaning of the sentence referring to Table 3.3-1 is correct. The description of groundwater trends in Section 3.3.2 has been expanded to identify other major water development projects.
- N19-2 In response to your comment, the text in Section 4.8 Wild Horses (Proposed RMP, Travel Management) of the Proposed RMP and Final EIS has been revised to clarify that these are off-highway vehicle emphasis areas, not open areas.
- N19-3 In response to your comment, the text in section 2.4.15.2 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of off-highway vehicle emphasis areas.

Letter N19 Continued

Responses to Letter N19

- N19-3 [alternative and how the effects upon wildlife and other multiple uses will be mitigated. For example, the Egan Crest OHV use area has a particularly high concentration of springs, and is an important wildlife winter range and migratory pathway.
- N19-4 [Invasive Plants: This document does not espouse a proactive approach to dealing with invasive plant species as far as we can determine. It would seem to us that dealing with new invasive plants should be a priority since prevention is dramatically cheaper and better than trying to eradicate established populations. It might make good sense to include dealing with invasive plants as part of the section on vegetation rather than just a section on the affected environment.
- N19-5 [Management Direction of the Plan: We find that the overarching theme is appropriate but several sections of this part of the plan are not supportable. For example in section 2.5.5.7 (Parameter- Mojave Desert Vegetation) Alternatives A and E are the same and state that livestock grazing would be the tool used to achieve management objectives. Since most of the Mojave in the Ely District is either desert tortoise ACEC with no grazing, or has recently burned, it is difficult to see how grazing will lead to a healthy ecosystem. We find that it is simply a description of the current management practices that have led to the deteriorated condition that exists today. Additionally, the changes noted in the Errata sheet in the draft Plan do not always carry forward to other sections and tables. An example is section 2.5.5.3 (High Elevation Conifer Species). Additionally, the meaning of the term "geographically diverse", which appears in the second sentence of the first paragraph of the RMP Management Focus box (scattered throughout chapter 1 and 2) is not clear to us. Do ecosystems have to cover large geographic areas or a range of elevations to be healthy?
- N19-6 [
- N19-7 [
- N19-8 [Wild Horses: We support the preferred alternative.
- N19-9 [Cultural: Generally we are in favor of the Proposed Plan; however, we suggest that in section 4.10-1 "Promote" Public use of fossils should be changed to "allow," because "promoting" the use of a non renewable resource will lead to the elimination of the resource. For example, promoting the use of fossils means collecting. On page 2.5-86, the section on the criteria for establishing fee sites should clarify the number of fee sites actually being proposed or eliminate the section. Additionally, we noticed there are cultural resources laws and executive orders that are not mentioned in the Plan.
- N19-10 [
- N19-11 [
- N19-12 [Maps: The following bullets detail the RAC concerns about maps in the document.
- Many are not useful because of the scale— for example 2-4-25.
 - Pick something that is consistent for user friendliness—for example, shading, scale, size (at least 11x17).
 - All maps in this document should be readable. An example of a map which is not readable is Map 2.4-24 Potential Wind Development Areas. Black on gray does not provide good contrast to see narrow ridge tops.
 - Check for readability when using black and white maps which originally may have had more colors.

- N19-4 Please refer to the revised text for vegetation in Section 2.5.5 of the Proposed RMP and Final EIS for the desired range of conditions that are showing altered states with annual invasive or noxious weeds. Each vegetation community contains proposed management actions related to weeds.
- N19-5 In response to recently altered environmental conditions within the Mojave Desert (fire in 2005) and the comments received on the Draft RMP and EIS, text sections related to the Mojave Desert vegetation and desert tortoise habitat in Chapters 2, 3, and 4 have been revised. Please refer to these assorted sections in the Proposed RMP and Final EIS for clarification regarding proposed management of the Mojave Desert ecosystem and impact analyses related to the desert tortoise.
- N19-6 Modifications identified in the Errata Sheet have been tracked through the Proposed RMP and Final EIS.
- N19-7 Ecological systems within the Ely RMP planning area may cover large or small geographical areas, such as pinyon-juniper woodlands and aspen woodlands respectively. The Ely RMP Management Focus indicates that a healthy ecological system would display vegetation diversity across its geographical range.
- N19-8 Comment noted.
- N19-9 In response to your comment, the text in Section 4.10 of the Proposed RMP and Final EIS has been revised to clarify the discussion of common invertebrate fossil collecting. Use of fossil sites will be limited if monitoring of a site shows a need to protect the resource.
- N19-10 The number of fee sites that could be established during the life of the plan can not be determined at this time.
- N19-11 It was not the Ely Field Office's intention to include references to all laws and regulations that apply to all resource programs in the Ely RMP.
- N19-12 During preparation of the Draft RMP and EIS, the decision was made to use an 11"x17" page format for the largest maps and to use the black and white format. Given that the District is 11.5 million acres in size (about 230 miles by 115 miles), the scale of the maps at the selected page format is small. To keep the maps as legible as possible, extra background material such as topography and roads was included only when it would not obscure the primary information being presented. Maps have been revised where possible in the Proposed RMP and Final EIS to enhance legibility and user friendliness.

Letter N19 Continued

Responses to Letter N19

- N19-12
- All maps should convey some information. For example, Map 3.1.1 Egan Basin Watershed soil units is not very useful.
 - Map 3.3-1, Springs and Perennial Streams needs topographic features.
 - All the maps should be the same size.
 - Blow ups should be used consistently to identify specific areas. Map 2.4-15 is mostly blank white paper.

N19-13

N19-14

In conclusion, we are very concerned with the lack cohesiveness of the proposed Plan, because of the inconsistencies and frequent lack of clarity. Not surprisingly, it appears to have been written by different people or groups. While reading the document, it became clear to the group that it is difficult to read—mostly because of the flow. Overall, the document needs consistent editing and cross referencing. Also, there are inconsistencies in the presentation and description of the impacts between the different resources, and there are numerous discrepancies between the alternatives and sections so that the document is not internally consistent.

N19-15

N19-16

We suggest that the document should contain names for the alternatives rather than letter designations as it would be helpful to understand what they mean. It is difficult for the casual reader to understand the “big blocks” for each alternative. Most people will first read the summary; therefore, it is very likely that if it is clearly and concisely written the BLM will gain more support for the proposed Plan. For example, the preferred alternative should be presented first; although, we are aware that the BLM has been criticized in the past for presenting the preferred alternative first in other cases.

N19-17

N19-18

N19-19

The plan should be clear about what “criteria” the BLM uses to judge the items in the Plan, because the word is used throughout, but it is not explained. There is little discussion of how various actions will be implemented. Additionally, the Plan as written does not clearly address how the success of the Plan will be measured. For example, there are no criteria for measuring the success or failure of actions taken. Finally, the monitoring sections of the Plan seem to be more proforma rather than addressing the parameters that will be measured and what actions will be taken based on monitoring data. Monitoring is just one part of adaptive management; it is not an end in itself.

Thank you for the opportunity to comment on the draft RMP. The RAC is available and willing to assist the Ely Field Office and the BLM in working to make this RMP a success. We applaud BLM’s efforts to provide for the collaborative management of our valuable natural resources. If you have any questions regarding the comments of the RAC, please contact Steve Mellington, RAC Chairperson at 702-295-2123. RAC members may provide additional comments on an individual basis.

Sincerely,



Steve Mellington
Mojave-Southern RAC Chairperson

N19-13

The format for the Draft RMP and EIS was developed to meet CEQ requirements for EISs, BLM Land Use Planning Handbook guidelines for RMPs, and the Ely Field Office's need to have the RMP organized by resource program. Consistency concerns were raised by a number of commenters. Chapters 2 and 4 in the Proposed RMP and Final EIS, in particular, have been revised to correct inconsistencies among resource programs.

N19-14

Please refer to Response to Comment N19-13.

N19-15

In preparing the Draft RMP and EIS, BLM discussed naming the alternatives, but decided against this format. The themes of each alternative are described in the summary paragraphs found at the beginning of each section describing the alternative of the Proposed RMP and Final EIS.

N19-16

In response to your comment, the Summary in the Proposed RMP and Final EIS has been revised to more closely follow Council on Environmental Quality regulations for content. This change resulted in a reduced length for the Summary, which should improve its effectiveness. In the Proposed RMP and Final EIS, the Proposed RMP is presented first, followed by Alternatives A, B, C, and D.

N19-17

The management actions that are presented in the Proposed RMP were developed through consideration of the planning criteria presented in Section 1.5 of the Draft RMP and EIS and Proposed RMP and Final EIS, public scoping comments presented in Section 1.6, BLM policy especially as presented in the Land Use Planning Handbook, the professional judgment of the staff in the Ely Field Office, and comments from a wide array of users of the Ely RMP planning area. Chapter 2 in the Proposed RMP and Final EIS has been revised to more clearly present the management actions that would apply to each resource program.

N19-18

Please refer to Section 2.3.3.5 and Section 2.4.23 in the Proposed RMP and Final EIS for a discussion of monitoring, which will be used to assess the success of management actions implemented in the future.

N19-19

In response to your comment, the text in Section 2.3.3.5 and Section 2.4.23 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of monitoring at the level of detail required in the RMP. The monitoring section of the RMP is intended as an overview, and is not intended to provide the level of detail that will be included in subsequent monitoring plans.

Letter N20

October 18, 2005

Gene Drais
Ely RMP Manager
702 N. Industrial Way
HC33 Box 33500
Ely, NV 89301-9408

Dear Mr. Drais,

N20-1 I am very concerned about the failure of the Ely BLM to provide adequate detail and corrections to the public that would provide meaningful understanding of proposed actions, alternatives, and analyses in the Draft RMP. During our phone conversation today, you said that despite our previous request, you would not reprint the DRMP pages containing the hundreds of RMP errata.

N20-2 Additionally, I had asked about more detailed maps in a phone message. You said no more detailed maps were available on either the BLM or your contractor's website, as both could not be accessed --- due to BLM's continued troubles over Indian Trust funds. I had suggested that perhaps posting maps with more detailed information overlaid - such as basic drainage or other features - would greatly enhance reader understanding and comprehension of the DRMP. This is especially feasible and can be readily accomplished in the days of GIS map overlays.

N20-3 You stated that more detail was not possible, as the RMP area covered nearly 12 million acres. Our response is that this is precisely why better maps and utmost clarity on proposed actions are necessary. The Decisions that will flow from the RMP will affect vast acreages of important public lands for decades. Very complicated and complex resource extraction or habitat alteration proposals are involved in the RMP and other actions currently underway on these and neighboring public lands, and clear public understanding of constraints, allocations, etc. is essential.

We have additional concerns that will be sent to you later.

Please incorporate this letter as part of WWP comments on this DRMP.

Thank you,

Katie Fite
Western Watersheds Project
PO Box 2863
Boise, ID 83701
kfite@juno.com

Responses to Letter N20

N20-1 Copies of the errata for the Draft RMP/EIS are available to the public at libraries and BLM offices within the planning area, and have been distributed to parties receiving the Draft document. The Ely Field Office did not deem it necessary to reprint the Draft RMP/EIS. The electronic version of the document contained on the compact disc provided to you did not contain the printing errors on the printed version that are addressed on the errata sheet.

N20-2 More detailed printed or electronic maps are not available. Mapping was done for most resources at a planning area-wide scale and can not be transferred accurately to a more detailed base map, such as a USGS 7.5-minute topographic map. Using an alternative web site would have violated the court order in effect at the time of your request.

N20-3 The Draft and Proposed RMPs are programmatic documents to guide the future management actions of the Ely Field Office. Mapping at the level of detail suggested in this comment is not consistent with the stated goals of the RMP, and would suggest analysis at a greater level of detail than occurs at the programmatic level. The mapping scale is appropriate for the resource allocations being made in the Proposed RMP. Maps have been revised where possible in the Proposed RMP and Final EIS to enhance legibility and user friendliness. Detail mapping will be prepared for the planning, analysis, and review of site-specific projects.

Letter N21

October 18, 2005

Gene Drais
Ely RMP Manager
702 N, Industrial Way
HC33 Box 33500
Ely, NV 89301-9408

Dear Mr. Drais,

I am very concerned about the failure of Ely BLM to provide adequate detail and corrections to the public that would provide meaningful understanding of proposed actions, alternatives, and analyses in the Draft RMP.

N21-1 [During our phone conversation today, you said that despite our previous request, you would not reprint the DRMP pages containing the hundreds of RMP errata.

N21-2 [Additionally, I had asked about more detailed maps in a phone message. You said no more detailed maps were available for public review, and that no maps or any information were available on either the BLM or your contractor's Website, as both could not be accessed --- due to BLM's continued troubles over Indian Trust funds. I had suggested that perhaps posting maps with more detailed information overlaid -- such as basic drainage or other features -- would greatly enhance reader understanding and comprehension of the DRMP. This is especially feasible and can be readily accomplished in the days of GIS map overlays.

You stated that more detail was not possible, as the RMP area covered nearly 12 million acres. Our response is that this is precisely why better maps and utmost clarity on proposed actions are necessary. The Decisions that will flow from the RMP will affect vast acreages of important public lands for decades. Very complicated and complex resource extraction or habitat alteration proposals are involved in the RMP and other actions currently underway on these and neighboring public lands, and clear public understanding of constraints, allocations, etc. is essential.

We have additional concerns that will be sent to you later.

Please incorporate this letter as part of WWP comments on this DRMP.

Thank you,

Katie Fite
Western Watersheds Project
PO Box 2863
Boise, ID 83701
kfite@juno.com

gen_drai

Responses to Letter N21

N21-1 Copies of the errata for the Draft RMP/EIS are available to the public at libraries and BLM offices within the planning area, and have been distributed to parties receiving the Draft document. The Ely Field Office did not deem it necessary to reprint the Draft RMP/EIS. The electronic version of the document contained on the compact disc provided to you did not contain the printing errors on the printed version that are addressed on the errata sheet.

N21-2 The Draft and Proposed RMPs are programmatic documents to guide the future management actions of the Ely Field Office. Mapping at the level of detail suggested in this comment is not consistent with the stated goals of the RMP, and would suggest analysis at a greater level of detail than occurs at the programmatic level. The mapping scale is appropriate for the resource allocations being made in the Proposed RMP. Maps have been revised where possible in the Proposed RMP and Final EIS to enhance legibility and user friendliness. Detail mapping will be prepared for the planning, analysis, and review of site-specific projects.