

Letter F1

Comments on the BLM Resource Management Plan/Environmental Impact Statement for the Ely District

By James Potts, Natural Resource Conservation Service
Holly Rask, University of Nevada Cooperative Extension

- F1-1 [Comments on the BLM RMP/EIS will follow table 2.4-1 in section 2.4 Summary of Management Direction by Alternative. As a whole, the majority of actions for resource management are agreed with. There are some areas for suggested changes and in need of clarity which are listed below:
- F1-2 [Under the VEGETATION:
Parameter – Pinyon-juniper Woodland
Alternative C or a combination between B and C would be preferred.
In the first row alternative B could use rewording to “...achieve a variety of phases capable of recuperating after disturbance and provide essential wildlife”. This avoids saying resistant which is not achievable and simplifies the statement to the goal outcome. The terms resilient and resistant need to be defined in the glossary and then used appropriately.
- F1-3 [Second row – Where are we going with 77% of the woodland – what is the treatment and how can this much be treated? Commercial uses (mentioned in Alt C) could help drive treatment of 77% of the woodland.
- F1-4 [Parameter – Aspen
We agree with the choice of alternative B. It is recommended to add ‘more’ in front of “resistant to disturbance” because it will never be totally resistant. The terms resilient and resistant need to be defined in the glossary.
- F1-5 [Parameter – High Elevation Conifer Species
We agree with alternative C but wonder why the same didn’t apply for pinyon-juniper woodland.
- F1-6 [Parameter – Salt Desert Shrub
We agree with proposed action.
- F1-7 [Parameter – Sagebrush
We agree with the choice of alternative B. Two questions come up: “How can such a large area be treated? And what kind of impact will the treatment activity have on current livestock operations. Flexibility for management of livestock and grazing allotments will be required.
- F1-8 [Parameter – Mountain Mahogany
We agree with proposed action.
- F1-9 [Parameter – Mojave Desert Vegetation
More work will be required on fire prevention and rehabilitation.

Responses to Letter F1

- F1-1 Comment noted.
- F1-2 In response to your comment, in Table 2.9-1 has been revised to incorporate the wording you suggest. Please refer to the Glossary in the Draft RMP and EIS and Proposed RMP and Final EIS for definitions of resilient and resistant.
- F1-3 The 77 percent of existing woodland would be treated to achieve the desired future conditions presented in the Proposed RMP for pinyon and / or juniper. Treatments would utilize all tools available, individually or in combination. Please see Appendix H in the Proposed RMP and Final EIS for a listing of Tools and Techniques.
- F1-4 In response to your comment, the text related to Alternative B in Section 2.6.5.3 of the Proposed RMP and Final EIS has been revised to incorporate the wording you suggest. Please refer to the Glossary in the Draft RMP and EIS and Proposed RMP and Final EIS for definitions of resilient and resistant.
- F1-5 The management direction in Alternative C has been incorporated into the Proposed RMP. Pinyon and /or juniper communities as a whole are generally more accessible, whereas most of the High Elevation Conifer areas are not.
- F1-6 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-7 The management direction in Alternative B has been incorporated into the Proposed RMP. The vegetation treatment would be implemented over a long period of time, as determined appropriate through watershed analyses. Areas of treatment would require exclusion of livestock per BLM policy; however, there would be a balance of treatment acres among watersheds and allotments to lessen the effect on current livestock operations.
- F1-8 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-9 Fire prevention and rehabilitation are important components of the Proposed RMP.

Letter F1 Continued

- F1-10 [Parameter – Riparian/Wetlands
Hydrologic function should be first consideration and then plant community structure and composition.
- F1-11 [Parameter – Nonnative Seedlings
We agree with proposed action.
- F1-12 [FISH and WILDLIFE
We agree with proposed action.
- F1-13 [TERRESTRIAL WILDLIFE
We agree with proposed action.
- F1-14 [SPECIAL STATUS SPECIES
We agree with proposed action. Under Parameter – Great Basin, sage grouse row 4, what is the definition of occupied source habitat and occupied isolated habitats?
- F1-15 [WILD HORSES
We agree with proposed action.
- F1-16 [CULTURAL RESOURCES
We agree with proposed action.
- F1-17 [VISUAL RESOURCES
We agree with proposed action.
- F1-18 [LANDS AND REALTY
Parameter – Disposal of public lands
What was the basis on how the locations were decided? Did it consider impact on economics, lifestyle, etc.? Is the land meant for farming, residential, industry? More thought and effort needs to go into the selection of lands for disposal.
Other parameters - We agree with proposed action.
- F1-19 [RENEWABLE ENERGY
We agree with proposed action.
- F1-20 [TRAVEL MANAGEMENT AND OFF-HIGHWAY VEHICLE USE
Parameter – Off highway Vehicles
The “0 acres – open to cross county off-highway vehicle use” is too restrictive and does not appear to allow access for emergency, research, and ranchers to service needs or retrieve cattle.
- F1-21 [RECREATION
The question of who will mitigate damages to roads caused by events and under what conditions will events be cancelled (e.g. drought) is left unanswered.

Responses to Letter F1

- F1-10 Hydrologic function is tied to plant community structure and composition, and the two are not separable and would be considered together on a watershed basis. Riparian/wetlands are part of a watershed system and would exhibit ecological site integrity.
- F1-11 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-12 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-13 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-14 In response to your comment, the Glossary in the Proposed RMP and Final EIS has been updated to include clarification of the terms identified in Table 2.9-1.
- F1-15 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-16 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-17 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-18 The lands proposed for disposal were selected in coordination with county officials. The counties held public meetings to get input on where the Ely Field Office should dispose of public lands and then provided their choice of lands to be available for disposal that would best meet the county's future needs. The proposed lands are concentrated around the communities in the planning area to provide for community expansion for residential, commercial, and public purpose uses.
- F1-19 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-20 In response to your comment, the text in Section 2.4.14.2 of the Proposed RMP and Final EIS has been revised to clarify the discussion of Off Highway Vehicle Designations. Please refer to Section 2.4.14.1, transportation plan, in the Proposed RMP and Final EIS for a discussion of emergency motorized vehicle access.
- F1-21 Thank you for expressing your concern. 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.

Letter F1 Continued

- F1-22 [LIVESTOCK GRAZING
Parameter – Lands Available for Livestock Grazing
We agree with proposed action.
- F1-23 [Parameter – Permit administration
We support alternative E in achieving greater flexibility from administration on adjusting grazing according to the plant population response to grazing and the year's climate.
- F1-24 [Parameter – Kind of Livestock
We agree with proposed action.
- F1-25 [Parameter – Livestock Management in Bighorn Sheep Ranges
We agree with proposed action.
- F1-26 [Parameter – Non-use Relinquished Permits
We agree with proposed action.
- F1-27 [Parameter – Temporary Nonrenewable
What is "temporary non-renewable grazing"?
- F1-28 [Parameter – Water Hauling
We agree with proposed action.
- F1-29 [WOODLAND AND NATIVE PLANT PRODUCTS
Parameter – Fuelwood collection
It is not clear whether this is live or dead trees. This section should be linked to vegetation management plan and treatment of woodlands.
- F1-30 [Parameter – Pinyon Pine Nut Harvesting
We agree with proposed action.
- F1-31 [Parameter - Christmas Tree Harvest
We agree with proposed action.
- F1-32 [Parameter – Post and Pole Harvesting
We agree with proposed action.
- F1-33 [Parameter – Seed Collection
Collection permission should remain on a case-by-case basis. It is important to prevent over-harvesting.
- F1-34 [Parameter – Cactus and Yucca Collection
We agree with proposed action.
- F1-35 [Parameter – Other Vegetation Product Collection

Responses to Letter F1

- F1-22 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-23 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-24 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-25 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-26 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-27 Please refer to Section 2.5.16.2 in the Proposed RMP Final EIS for an explanation of "temporary non-renewable" grazing.
- F1-28 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-29 In response to your comment, the text in Section 2.4.17.2 of the Proposed RMP and Final EIS has been revised to clarify the discussion that fuelwood collection would include both live and dead trees.
- F1-30 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-31 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-32 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-33 In response to your comment, the Proposed RMP in Section 2.4.17.6 of the Proposed RMP and Final EIS has been changed to allow commercial use on a case-by-case basis. Please refer to Section 2.4.17.6 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of how BLM would prevent over-harvesting.
- F1-34 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-35 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.

Letter F1 Continued

- F1-35 [We agree with proposed action.
- F1-36 [GEOLOGY AND MINERAL EXTRACTION
We agree with proposed action.
- F1-37 [WATERSHED MANAGEMENT
We agree with proposed action.
- F1-38 [FIRE MANAGEMENT
We agree with proposed action.
- F1-39 [INVASIVE AND NONNATIVE PLANT SPECIES, INCLUDING NOXIOUS WEEDS
We agree with proposed action.
- F1-40 [SPECIAL DESIGNATIONS
Parameter - Areas of Critical Environmental Concern
How do these affect livestock grazing?
- F1-41 [Parameter – Back Country Byways
We agree with proposed action.
- F1-42 [Parameter – Designated Wilderness (Section 2.5.22.3) is missing from table 2.4-1
We agree with proposed action.
- F1-43 [Parameters - Wilderness Study Areas
Table 2.4-1 references the wrong Section (2.5.22.3 instead of 2.5.22.4)
It is unclear what management will happen in Wilderness Study Areas. What are wilderness characteristics?
- F1-44 [Parameters - Other special designations
Table 2.4-1 references the wrong Section (2.5.22.4 instead of 2.5.22.5)
We agree with proposed action.

Responses to Letter F1

- F1-36 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-37 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-38 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-39 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-40 Please refer to Section 4.16 in the Proposed RMP and Final EIS for a discussion of the acreage that would be lost to livestock grazing with the designation of ACECs under each alternative.
- F1-41 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-42 Since the management related to wilderness is common to all alternatives, a parameter related to this topic is not needed in Table 2.9-1. The table heading has been corrected in the Proposed RMP and Final EIS to eliminate this erroneous reference to Section 2.4.22. The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- F1-43 Section references have been eliminated from Table 2.9-1. Please see Section 2.5.22.4 for discussion of the management for Wilderness Study Areas and to Section 2.5.22.5 for the management of Other Special Designations. Wilderness characteristics are defined by wilderness regulations. (Please also see Section 1.6.2.1 for further discussion of these areas).
- F1-44 Please refer to Response to Comment F1-43.

Letter F1 Continued

Please find attached a review of the Ely RMP/EIS by James Potts, NRCS and Holly Rask, UNCE.

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(See attached file: 051122 Comments BLM RPM.doc)

Letter F2



DEPARTMENT OF THE AIR FORCE
99TH CIVIL ENGINEER SQUADRON (ACC)
NELLIS AIR FORCE BASE, NEVADA

18 November 2005

Gene Drais, Project Manager
Bureau of Land Management
Ely Field Office
HC 33 Box 33500
Ely NV 89301

Ms Eloisa V. Hopper
99 CES/CEV
4349 Duffer Drive Suite 1601
Nellis AFB NV 89191-7007

Dear Mr. Drais,

On behalf of the United States Air Force, Nellis AFB greatly appreciates being invited to participate as a Cooperating Agency for this document.

Attached are our comments to the draft Resource Management Plan/Environmental Impact Statement for the Ely District. While we consider all of our comments important, of key interest to Nellis AFB and the DoD are land disposals, which bring the potential for residential development underneath military airspace and Wind Energy development, which can have serious flight safety and mission impacts. If you have any questions, my point of contact in this manner is Mr. Jim Campe, (702) 652-5813.

Sincerely,


ELOISA V HOPPER, CMC
Environmental Flight

Attachment(s):

1. Air Force Comments to the RMP/EIS
2. Avigation Disclosure Statement

Global Power for America

Letter F2 Continued

Ely RMP/EIS		Comment Form for Draft RMP dated July 2005			Author	
Instructions:						
a) The Excel file automatically wraps the text in a cell. Although you may not be able to see all of your comment at one time, it is there. Please do not extend comments to the next row. This makes it impossible to pull the comment into our Access database.						
b) Please do not reference other comments using the row number on your comment form. When pulled into Access, this context disappears.						
Page Number (e.g., 1-5-9 [bottom of printed page])	Section Number (e.g., 1.3.4)	Paragraph Number (counting from the first full paragraph on the page)	Line Number (counting from the first line of the paragraph)	Comment	Author	
2.4-23	table 2.4-1	1		Alternative B and E show our Mt Irish NACTS site in the middle of a YRM Class II area. While the map appears to have cut our ROW out of the affected lands, we are totally surrounded. Will BLM levy rulings that require monies to correct? i.e. re-paint facilities? We need the detailed map that shows the area.	schlofeld	F2-1
2.4-25	table 2.4-1	4		Table references map 2.4.25. Some of the areas shown as compatible for wind energy development conflict with our RE/EIM mission. Development in the areas as shown on the BLM map could impact our mission. To evaluate this we need a better map of the BLM wind areas. Request GIS coverage from BLM so that we can overlay our RE/EIM areas with the BLM compatible wind use areas maps.	schlofeld	F2-2
2.4-37	table 2.4-1	1		Alternative B and E show our Mt Irish NACTS site in the middle of a ACEC area. While the map appears to have cut our ROW out of the affected lands, we are totally surrounded. Will BLM levy rulings that require monies to correct? Will they limit our activities? Will they renew our ROW? This is a key node in our battle space. Limiting our activities or refusing to renew our ROW will have a significant impact to our mission.	schlofeld	F2-3
2.5-111	2.5.11	2	all	Alternative B and E show our Mt Irish NACTS site in the middle of a YRM Class II area. While the map appears to have cut our ROW out of the affected lands, we are totally surrounded. Will BLM levy rulings that require monies to correct? i.e. re-paint facilities? We need the detailed map that shows the area.	schlofeld	F2-4
2.5-113	2.5.12	3	1	"The Ely Field Office would be responsive to the public's needs..." Does "public" also include Federal agencies (DOD or Air Force)? If not, recommend adding Federal Agencies to this paragraph.	schlofeld	F2-5
2.5-114	2.5.12	1	3	"meet public needs..." Does "public" also include Federal agencies (DOD or Air Force)? If not, recommend adding Federal Agencies to this paragraph.	schlofeld	F2-6
2.5-115	2.5.12.1	2	16	Reference to Appendix O: Request a GIS coverage of the lands mentioned here so we can compare our mission use areas to lands recommended for sale to the public for development.	schlofeld	F2-7
2.5-126	2.5.12.6	3	6	Recommend changing sentence to read: "Coordinate with Department of Defense on all communication towers over 100 foot above ground level."	schlofeld	F2-8
2.5-127	2.5.12.7	2	2	Recommend changing sentence to read: "Coordinate with Department of Defense on all communication towers over 100 foot above ground level."	schlofeld	F2-9
2.5-129	2.5.13.1	1	5	Recommend changing sentence to reflect the wording in the Final Programmatic EIS on Wind Energy Development on BLM Administered Lands in the Western United States, June 2005: Section 5.10.3, "... constraints to military testing and training operations could be the basis for denial of a ROW authorization should there be no available mitigation measures. Therefore, developers should conduct preapplication consultations with the BLM and the appropriate military representatives."	schlofeld/camp	F2-10
2.5-132	2.5.14.1	2	1	This sentence references a "review team". Request that Nellis AFB is invited to become part of the review team.	schlofeld/camp	F2-11

Responses to Letter F2

- F2-1 Rights-of-way are subject to valid existing rights. Visual resource management would not require the Air Force to modify or remove existing facilities.
- F2-2 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. Applications received for wind energy development would be subject to NEPA analysis in coordination with local, state, and other federal agencies. The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for wind energy development are received and evaluated.
- F2-3 Please refer to Sections 2.4.12.7 and 2.4.22.1, management common to all alternatives, for a discussion of valid existing rights. Rights-of-way are subject to valid existing rights. ACEC management would not require the Air Force to modify or remove existing facilities.
- F2-4 Please refer to Response to Comment F2-1.
- F2-5 In response to your comment, the text in Section 2.4.12 of the Proposed RMP and Final EIS has been revised to include the needs of Federal Agencies in land use authorizations by the Ely Field Office.
- F2-6 Please refer to Response to Comment F2-5.
- F2-7 The requested GIS coverage will be provided.
- F2-8 In response to your comment, the text in Section 2.4.12.6 of the Proposed RMP and Final EIS has been revised to clarify coordination with the Department of Defense on communication towers.
- F2-9 In response to your comment, the text in Section 2.4.12.6 of the Proposed RMP and Final EIS has been revised to clarify coordination with the Department of Defense on rights-of-way equipment.
- F2-10 In response to your comment, the text in Section 2.4.13 of the Proposed RMP and Final EIS has been expanded to clarify coordination with the Department of Defense on wind energy proposals.
- F2-11 The Ely Field Office will continue to involve Nellis Air Force Base in decisions that affect its operations.

Responses to Letter F2

F2-24 Please refer to Response to Comment F2-2.

F2-25 Please refer to the text in Section 2.4.14.2 in the Proposed RMP and Final EIS for discussion related to management of off-highway vehicle use on roads and trails in the Ely RMP decision area and to Section 2.4.15.1 for discussion regarding Special Recreation Management Areas. Map 2.4.14-1 in the Proposed RMP and Final EIS is related to planning area-wide travel management, not SRMA management. This map and others have been revised in the Proposed RMP and Final EIS to improve clarity of the information being presented.

Letter F2 Continued

	map 2.4-55			Alternative B and E show our Mt Irish NACTS site in the middle of a ACEC area. While the map appears to leave our ROW out of the affected lands, we are totally surrounded. Will BLM levy rulings that require monies to correct? Will they limit our activities? Will they not renew our ROW? This is a key node in our battlespace. Limiting our activities or refusing to renew our ROW will have a significant impact to our mission.	schofield	F2-26
	map 2.5-3			Need to compare to the LV District Fire Plan to see how LV characterizes land contiguous to the Ely district. Are they characterized the same?	schofield	F2-27
				* Air Quality and Climate - Management Common to All Alternatives: * Add #5: coordinate with DoD relative to planning of prescribed burns within the MOA/NTTR.	Shupe	F2-28
4.11-3	4.11	5	all	Alternative B and E show our Mt Irish NACTS site in the middle of a VRM Class II area. While the map appears to have cut our ROW out of the affected lands, we are totally surrounded. Will BLM levy rulings that require monies to correct? i.e. re-paint facilities? We need the detailed map that shows the area and to discuss possible restrictions/requirements that would be placed on this sight.	schofield	F2-29
4.12-1 and 4.12-8	4.12	4	Goals 1 and 2	Lands & Realty: no alternatives listed under goals 1 or 2 discussed the impact of military overflights on development or vice versa. Residential development would be impacted by overflights and subject to noise of low level overflights, sonic booms, use of chaff and flares, etc. Without proper disclosure, the impact on military operations would be increased noise complaints and potential flight restrictions. Recommend placing deed restrictions stating lands transferred under Military Operations Areas and Military Training Routes are subject to these impacts. A sample avigation disclosure is attached. Economic Development: no discussion of the avigation issue. Since military overflights occur, it should be addressed. (See previous comment)	Shupe/Campe	F2-30
4.23-1	4.23	1	all	Section does not address impact to AF airspace. If BLM allows towers/wind turbines to be built that enter AF airspace (usually 100 ft above ground level under our Military Operations Area) then BLM should consider DoD mission and safety before approving a ROW?	Shupe/Campe	F2-31
4.28-47	4.28.11	all	all	Fire Management Zones around the NTTR do match to Fire Mgt Zones created by LV BLM within the NTTR. If a fire occurs on the border would that result in different fire responses between the two Field Offices?	schofield	F2-32
4.28-50	4.28.13	all	all		schofield	F2-33
2.5-188	2.5.20.1 and Map and Map 2.5-3				Christensen	F2-34

Responses to Letter F2

- F2-26 Please refer to Response to Comment F2-3.
- F2-27 Please refer to Response to Comment F2-16.
- F2-28 In response to your comment, the text has been expanded to include the wording you suggest (see Section 2.4.2).
- F2-29 Please refer to Response to Comment S2-1.
- F2-30 In response to your comment, new text you provided has been added to Section 3.12.1 and 4.12 of the Proposed RMP and Final EIS. However, the BLM Nevada State Director has declined to require deed restrictions on lands identified for disposal.
- F2-31 Thank you for your comment. The BLM appreciates the Air Force's concern regarding the potential effects of lands management on its flight operations over the Ely RMP decision area. In response to your comment, text discussing the potential conflicts of land disposal with Military Operations Areas has been added to Section 4.12 (Proposed RMP), and a mitigation measure for this conflict has been added to Section 4.29 (Lands and Realty). With respect to economic development, the planning area's size, low density of development, concentration of lands considered for disposal in proximity to existing development, and other factors would reduce possible conflicts between military overflights and economic development potentials across the planning area.
- F2-32 Please refer to Response to Comment F2-1.
- F2-33 In response to your comment, the text in Section 2.4.13 of the Proposed RMP and Final EIS has been revised to clarify the discussion of land use authorizations that might affect the Air Force mission.
- F2-34 Please refer to Response to Comment F2-16.

Letter F3



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

November 22, 2005



Gene Drais, Project Manager
Bureau of Land Management
Ely Field Office
HC33 Box 33500
Ely, Nevada 89301

Subject: Draft Environmental Impact Statement (DEIS) for the Ely District Resource Management Plan, White Pine, Lincoln and Nye Counties, Nevada (CEQ #20050308)

Dear Mr. Drais:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act.

F3-1 [The DEIS analyzes five alternatives and identifies Alternative E as the Preferred Alternative. Our review found that the DEIS sufficiently addresses the environmental impacts of this alternative. Accordingly, we have rated the Preferred Alternative as Lack of Objections (LO). Please see the enclosed Rating Factors for a description of EPA's rating system.

F3-2 [EPA supports the approach of the Preferred Alternative which shifts management of resources from an individual resource allocation basis to an ecological systems basis. We also commend the Bureau for a highly collaborative process that included 14 cooperating agencies, including four Indian tribes.

EPA appreciates the opportunity to review this DEIS. When the Final EIS is released for public review, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me or David P. Schmidt, the lead reviewer for this project. David can be reached at 415-972-3792 or schmidt.davidp@epa.gov.

Sincerely,


Duane James, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosure: Summary of EPA Rating Definitions

Responses to Letter F3

F3-1 The Ely Field Office appreciates your comment.

F3-2 The Ely Field Office appreciates your comment.

Letter F4

Responses to Letter F4



Department of Energy
Washington, DC 20585
NOV 3 0 2005

Mr. Gene Draais, Project Manager
U.S. Department of the Interior
Bureau of Land Management
Ely Field Office
HC33 Box 33500
Ely, Nevada 89301

Dear Mr. Draais:

The U.S. Department of Energy, Office of National Transportation (Department) appreciates the opportunity to provide comments on the Draft Resource Management Plan/Environmental Impact Statement (DRMP/EIS) for the Ely District. The Department acknowledges the effort that has gone into preparing this draft document, as well as the attention given to the principles of multiple use and sustained yield found in Section 202 of the Federal Land Policy and Management Act of 1976.

The Bureau of Land Management (BLM) is participating in the Department's preparation of a Rail Alignment Environmental Impact Statement for the Caliente rail corridor as a cooperating agency. Our comments focus on the potential for impacting the development of the proposed rail line along this corridor and focus on:

- F4-1 [1. Uncertainties regarding possible restrictions on granting the Right of Way (ROW) that could be required for this proposed rail line.
- F4-2 [2. The potential for certain alternatives in the DRMP/EIS creating the need for future amendments to the final RMP that could significantly impact the Department's schedule for building the proposed rail line. The time needed for creating an amendment could significantly delay the development of the proposed rail line and it would be unfortunate if this issue was not resolved with the finalization of the RMP.
- F4-3 [3. Uncertainties regarding references to the need for mitigation measures for the proposed rail line.

- F4-4 [Proposed actions of concern to the Department in the alternatives include:
 - Changes to the Visual Resource Management (VRM) Classes
 - The proposed creation of the Garden Valley SRMA
 - Limitations to Lands and Realty actions (particularly not allowing new ROW applications)

- F4-5 [Additionally, other proposed actions in the DRMP/EIS, specifically actions in Alternatives B, D, and E, are very restrictive with regard to surface disturbing activities. If implemented, these actions could require a future amendment to the final RMP, if DOE does decide to construct a rail line.

- F4-1 Please refer to responses to Comments F4-14 and F4-15 for a discussion regarding granting a right-of-way for the rail line.
- F4-2 Please see response to Comment F4-5 for a discussion of alternatives. A project-specific EIS is being prepared for the rail line. Conformance with the appropriate approved RMP will be analyzed as part of that NEPA process. The concerns alluded to are addressed in the responses to a number of subsequent comments.
- F4-3 Please refer to response to Comment F4-18.
- F4-4 Please refer to responses to Comments F4-14 and F4-15 for a discussion regarding granting a right-of-way for the rail line.
- F4-5 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.

Letter F4 Continued

2

F4-6 The Department requests that the RMP be finalized, in sections such as those proposing the Garden Valley SRMA, with the necessary recognition and inclusion of the proposed rail line (as presented to BLM in the Department's application for a Public Land Order dated December 19, 2003, and as discussed with BLM in our lead agency/cooperating agency interactions in developing the Rail Alignment EIS). Further, we request that F4-7 BLM not change the VRM classifications for areas under consideration for the rail line from Class IV and III to Class II. This is necessary to avoid potential future conflicts that could adversely impact the development of the rail line.

For ease of identifying the Department's comments on the DRMP/EIS, we have organized our comments to match the sections and resource categories in the draft document. Resource areas of concern to the Department include Visual Resources, Special Recreation Management Areas, Geology and Minerals Extraction, and Lands and Realty.

We appreciate this opportunity to provide comment and look forward to working closely with BLM, and the Ely Field Office, as we proceed with this important program.

Sincerely,



J. Gary Lanthrum, Director
Office of National Transportation
Office of Civilian Radioactive
Waste Management

Enclosure

Responses to Letter F4

F4-6 Please refer to responses to Comments F4-19 and F4-21.

F4-7 Please refer to responses to Comments F4-8, F4-9, F4-10, and F4-11.

Letter F4 Continued

Responses to Letter F4

Comments to the US Department of the Interior, Bureau of Land Management
Ely Nevada District, Regarding the Draft Resource Management Plan / Environmental
Impact Statement for the Ely District

Section 2.5, Management Direction for Resource Programs

Section 2.5.11 Visual Resources

Proposals in the alternatives to change Visual Resource Management (VRM) Class IV areas to VRM Class II could significantly impact efforts to construct the rail line through the Ely planning area. To avoid any possible need for a future amendment to the Resource Management Plan (RMP), the U.S. Department of Energy, Office of National Transportation (Department) suggests:

F4-8

1. Retaining the VRM Classes in Alternative A in the final RMP, specifically in locations along the Caliente Corridor (the location of the Department's current application for a Public Land Order) so that they remain VRM Class III and IV. The objective of VRM Class II, as described in the Draft Resource Management Plan / Environmental Impact Statement(DRMP/EIS) on page 2.5-109,

“is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape.”

With such language, the proposed VRM changes in the DRMP/EIS could greatly restrict the development of the rail line by requiring an amendment to the final RMP. In the case of Southern Utah Wilderness Alliance, et al., (144 IBLA 70, May 20, 1998), the class II designation was held to prevent BLM from permitting activities they had deemed appropriate. VRM changes of concern in the DRMP/EIS include:

F4-9

- The Garden Valley Area (changing from a Class IV to a Class II)
 - The description of the Garden Valley area on page 2.5-111 does not clearly explain the proposed change

F4-10

- The Timber Mountain Area (changing from a Class IV to a Class II)
 - No explanation is given in the DRMP/EIS for this change

F4-11

- The area around the town of Caliente (changing from Classes IV and III to a Class II)
 - No explanation is given in the DRMP/EIS for this change

F4-8

In response to this and similar comments, the management actions in Section 2.4.15.1 of the Proposed RMP and Final EIS regarding special recreation management areas have been revised.

F4-9

Please refer to response to Comment F4-8.

F4-10

Please refer to response to Comment F4-8.

F4-11

New technology in the form of geographic information systems, as well as changing public perceptions about visual resources, led to the development of a new inventory for the Ely RMP planning area, and subsequent changes to visual resource management classes.

Letter F4 Continued

Responses to Letter F4

- F4-12 [Explanations in this section of the basis for these proposed changes for these areas would have enabled us to better comment on this issue.
- F4-13 [2. Including references to a separate inventory report or documentation of the inventory process in order to better support the proposed changes in VRM classes. Although section 2.5.11 includes general Bureau of Land Management (BLM) guidelines and methodologies used in the VRM inventory, it does not describe with any specificity the process for VRM classifications in the Ely planning area. Contrast rating worksheets (Form 8400-4-Visual Rating Worksheet) completed during the inventory could be referenced in this section, as well as all other visual resource inventory rating forms, overlays, slides and written material (BLM Manual Handbook 8410, section I. General Guidance, paragraph C), (BLM Instruction Memorandum No. 98-164) and (BLM Manual Handbook 8431-1, at 2).
- F4-14 [3. Addressing the uncertainty of the need for future amendments if the Department decides to build the proposed rail line and applies for the necessary ROW. Although the preceding suggestions request additional explanation be provided in this section for the proposed changes in VRM classifications, the Department's main concern with the Visual Resources Section is less with the lack of explanation for the proposed changes in classification, and more with the uncertainty that these proposed changes create for the possibility that a future amendment will be needed to permit the issuance of a Right of Way (ROW) for the rail line. The final RMP needs to deal directly with this uncertainty.

Section 2.5.12, Lands and Realty

The Department's comments on this section focus on the alternatives presented in the draft:

- F4-15 [1. There is a potential conflict between the Department's future rail line ROW application and lands available for disposal under Alternatives B, C, and E. Under these alternatives, lands where the rail line corridor may be located have been identified as available for disposal (as shown in maps 2.4-13, -16, and -21). A portion of those lands would not be available for disposal if the Department were to obtain a ROW to construct and operate a rail line in these areas. The lands identified for disposal in this section are those lands that are also referenced by the Lincoln County Conservation, Recreation and Development Act of 2004.
- F4-16 [2. Alternatives A and C are the least restrictive of the alternatives and are favored by the Department (notwithstanding the conflict in Alternative C mentioned previously in point number one) since actions in these alternatives would not restrict the development of the rail line.
- F4-17 [3. Alternative D would place very strict limitations on development of the rail line in that no new ROW will be issued. Because of this, Alternative D would not be favored by the Department as it may not allow the development of the rail line without a future amendment to the final RMP.

- F4-12 Please refer to responses to Comments F4-9, F4-10, and F4-11.
- F4-13 Please refer to Section 3.11.3 in the Proposed RMP and Final EIS for a discussion of the visual resource inventory process. The detailed methodologies requested are discussed in the referenced BLM guidelines. Overall, the difference in visual resource management between alternatives is consistent with the differing resource management approaches and philosophies among the alternatives.
- F4-14 The VRM classifications shown on Map 2.4.11-1 have been incorporated into the Proposed RMP and will be used during the life of the plan to manage 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.
- F4-15 The Caliente to Yucca Mountain Rail Line corridor was withdrawn on December 28, 2005, for 10 years. If a right-of-way is issued, the withdrawal will be relinquished and the lands will be available for disposal subject to the rail line right-of-way.
- F4-16 Comment noted.
- F4-17 Comment noted.

Letter F4 Continued

Responses to Letter F4

F4-18 4. Alternative E does not appear to preclude development of the rail line without an amendment (not withstanding the conflict in Alternative E, mentioned previously in point number 1), however the requirement to mitigate surface disturbing activities could have unspecified and uncertain impacts on the development of the rail line. The DRMP/EIS is not clear on requirements for mitigation, so the Department is unsure of the limitations placed on the construction of the rail line in this alternative. This should be made clear in the final RMP.

Section 2.5.15.1, Parameter – Special Recreation Management Areas

In this section, the Department suggests adding text in the final RMP to describe the purpose and need for the proposed Garden Valley Special Recreation Management Area (SRMA) under alternatives B and E. The additional text should:

- F4-19
1. Provide a description of activities that would occur in this area.
 2. Address the need for the Garden Valley SRMA
 3. Describe the rationale for restrictions that would be placed on surface disturbing activities as a result of the SRMA.
 - Discussing potential restrictions from this designation can provide a better understanding of the management and purpose of the SRMA. Without this understanding, it is difficult for the Department to determine how the SRMA would affect development and operation of the rail line. Again, it is the uncertainty regarding the need for future amendments that is at issue here.

Section 2.5.18, Geology and Mineral Extraction

F4-20 The action described in the alternatives in this section should include development of rock quarries for ballast, in addition to sand and gravel. Several quarries for ballast may be proposed for the rail alignment.

Section 4.12, Lands and Realty

Alternative E, Impacts from Other Programs, Recreation

F4-21 Additional analysis should be added to this section to clarify the impacts from the proposed SRMA on the lands and realty program. The Department finds that the analysis in this section (page 4.12-7), lacks a discussion of impacts on Lands and Realty from the designation of the Garden Valley SRMA. It is not clear if designation of the SRMA suggests that the area is of high recreational value, thus excluding it from potential proposals such as the rail alignment.

Section 4.28, Cumulative Impacts

Section 4.28.1.3, Present, and Reasonably Foreseeable Future Actions

In this section, the Department suggests:

F4-18 Thank you for your comment. Required mitigation for the rail line would be a location-specific decision made by the BLM as part of the NEPA analysis for the final right-of-way. The Best Management Practices presented in Appendix F, Section 1, of the Proposed RMP and Final EIS would provide guidance as to what types of mitigation might be required.

F4-19 Please refer to response to Comment F4-8.

F4-20 The Introduction to Section 2.5.18 in the Proposed RMP and Final EIS indicated that “stone” is a saleable mineral. Definitions for leasable, locatable, and saleable minerals have been added to this section. Section 4.28.18 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of rock quarries associated with the interrelated projects. The basic impact conclusions presented in the Draft RMP and EIS have not been changed.

F4-21 Please refer to response to Comment F4-8.

Letter F4 Continued

F4-22 [1. Changing Table 4.28-1, under the heading “Ongoing Water Demand within the Ely District”, from “No Effect” to either “Unknown” or replacing it with an approximate figure. The ongoing water demand would be lower than the construction water demand for the rail alignment. However, describing the impact as “No Effect” may be an understatement of the ongoing water needs of the rail project.

F4-23 [2. Changing Table 4.28-2 to indicate that the rail alignment project could also have an impact on air quality, renewable energy, woodland and native plant products, mineral extraction, and special designations. Currently, the text in this table indicates that there would be no interaction with these resources.

Section 4.28.11, Visual Resources

On page 4.28-47, section 4.28.11, under “Impacts of Interrelated Projects”, the text reads, “potential impacts to visual resources could occur from...the development of the Department of Energy rail line. Those projects could potentially require mitigation actions to reduce visual impacts within areas having more restrictive visual resource management classes (i.e., Class I and Class II areas).” It is the Department’s understanding that visual resource inventory classes “...do not establish management direction and should not be used as a basis for constraining or limiting surface disturbing activities.” (BLM Manual Handbook 8410-1, Visual Resource Inventory, dated 1/17/86, section V-1). The text in this section implies that impacts from VRM classes could limit surface disturbing activities. The Department suggests:

F4-24 [1. Clarifying the text in order to understand if this is the intent.

F4-25 [2. Identifying the types and extent of mitigation anticipated as being required to address potential impacts to visual resources from the rail line, or including a reference to a document containing the BLM standard operating procedures for mitigation. Part of the VRM system is, “to provide timely inputs into proposed surface disturbing projects...”, (BLM Manual Handbook 8400, Visual Resource Management, dated 11/14/86, section 07, Overview of Visual Resource Management Systems) (BLM IB No. 98-135).

Section 4.28.12, Lands and Realty

The Department suggests including the BLM proposed action for the withdrawal of public lands within and surrounding the Caliente Rail Corridor in the discussion of trends for future uses of BLM lands in this section.

F4-26 [

Section 4.28.18, Geology and Mineral Extraction

For this section, the Department suggests that a description of the potential development of rock quarries, in addition to sand and gravel, be included in the text. Several quarries for ballast may be proposed for the rail alignment, and their inclusion is needed for an adequate cumulative impact analysis in this section..

F4-27 [

Responses to Letter F4

F4-22 In response to your comment, the text on Table 4.28-1 in the Proposed RMP and Final EIS has been modified to more clearly present the water usage associated with the proposed rail line.

F4-23 In response to your comment, the text on Table 4.28-2 in the Proposed RMP and Final EIS has been modified to more clearly present the potential cumulative impacts associated with the proposed rail line.

F4-24 in response to your comment, the text in Section 4.28.11 of the Proposed RMP and Final EIS has been revised to clarify the discussion of cumulative impacts to visual resources. The basic impact conclusions presented in the Draft RMP and EIS have not changed.

F4-25 Please refer to response to Comment F4-18.

F4-26 Please refer to response to Comment F4-15.

F4-27 In response to your comment, the text in Section 4.28.18 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of rock quarries associated with the proposed rail line. Also see Response to Comment F4-20 for further discussion on saleable minerals. In response to your comment, the text in Section 4.28.18 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of rock quarries associated with the proposed rail line. Also see Response to Comment F4-20 for further discussion on saleable minerals.

Letter F5



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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RECEIVED
Bureau of Land
Management
Ely, Nevada

November 29, 2005
File No. 1-5-06-TA-024
Ref. File No. 1-5-02-SP-307

Memorandum

To: Mr. Gene Drais, Project Manager, U.S. Department of the Interior, Bureau of Land Management, Ely Field Office, Ely, Nevada

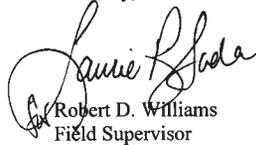
From: Field Supervisor, Nevada Fish and Wildlife Office, Reno, Nevada

Subject: Service comments on July 2005 Draft Resource Management Plan and Environmental Impact Statement for the Ely District

Attached are the U.S. Fish and Wildlife Service, Nevada Fish and Wildlife Office's comments and suggested edits on the Draft Resource Management Plan (RMP)/Environmental Impact Statement (EIS) for the Ely District. These comments include input from staff in both our Reno and Las Vegas Offices. We appreciate the opportunity to review and provide comments and edits on the Draft RMP/EIS.

Please reference File No. 1-5-06-TA-024 in future correspondence concerning this input. If you have any questions on our comments, or require additional information, please contact me or Kevin Kritz at (775) 861-6300.

Sincerely,


Robert D. Williams
Field Supervisor

TAKE PRIDE
IN AMERICA 

Letter F5 Continued

**U.S. Fish and Wildlife Service, Nevada Fish and Wildlife Office
Comments on the July 2005 Draft Resource Management Plan and
Environmental Impact Statement for the Ely District**

General Comments

F5-1 [The Preferred Alternative for management of desert tortoise in the draft RMP incorporates existing management actions as described in the Record of Decision for the Caliente Management Framework Plan Amendment. As you may know, the 1994 Desert Tortoise Recovery Plan is under review, and updates to the plan are expected to be completed in 2006. We recommend that BLM incorporate language in the RMP that will allow management flexibility for implementing new recovery guidance that may be included in the updated Recovery Plan. This language should be incorporated into the description of alternatives under "Management Common to All Alternatives", as it will be important for BLM to consider new management guidance for the tortoise, regardless of the management alternative ultimately accepted in the Record of Decision for the RMP EIS.

F5-2 [We recommend that BLM include provisions for development of plans to monitor public use in the desert tortoise ACECs. As development progresses within the Coyote Spring Valley and the Lincoln County Land Act lands, we anticipate that public use of the adjacent ACECs will increase, as well as potential impacts to the tortoise. Coordinating and cooperating with local landowners and governmental agencies in these monitoring efforts will ensure that meeting recovery goals for the tortoise remains a high priority for management in the Mojave Desert region of the Ely District.

F5-3 [We have recently learned from the Nevada Department of Wildlife (NDOW) that the California condor has been documented in the Condor Canyon area in Nevada. The California condor sighting was probably a member of the nonessential experimental population of California condors in northern Arizona as designated by the Service in the Federal Register (FR Vol. 61, No. 201, pp 54043-54058). Since this population was designated as nonessential, any members of it should be treated as a species proposed for listing as threatened. We suggest BLM consider the needs of this species with regard to the management of any BLM lands administered by Ely BLM Field Office in the Condor Canyon area. There may also be a need for BLM to consider this species in regard to management outside of this area.

Watershed Analysis Process- We reviewed Appendix C and noted the approach Ely BLM District intends to use with regard to watershed analysis for the watersheds within the Ely BLM Field Office administrative boundaries. Further, we understand the utility of this approach and the value this process has for addressing many resource concerns. However, we also note that the RMP EIS indicates that this process will take 10 years to complete, and furthermore that with the current funding levels provided to the Ely BLM

Responses to Letter F5

F5-1 Text in Section 2.4.7 of the Proposed RMP and Final EIS states management would follow U.S. Fish and Wildlife Service Recovery Plans. No text revisions are deemed necessary in response to this comment.

F5-2 In response to your comment, the text in Section 2.4.7 of the Proposed RMP and Final EIS has been expanded to clarify management of the desert tortoise ACECs.

F5-3 In preparation for the Biological Assessment associated with the Ely RMP, the USFWS has made the decision to treat the California condor as a transient to the area. As such, no changes have been made in the Proposed RMP and Final EIS other than to acknowledge the sighting in Chapter 3.

Letter F5 Continued

Field Office, it will take an estimated 20 years to complete to this process (Ch. 4, page 4.1-9). We also note that livestock grazing decisions and adjustments will be made after the watershed analysis is complete and there is some basis for making the change on the ground. Another concern is that watershed analysis has limited utility for most wildlife species (ie. sage grouse, golden eagle, elk, pronghorn antelope, etc.) that use landscapes on a much broader geographic scale than individual watersheds. A recent policy statement of The Wildlife Society states that "Caution should be exercised, however, when using watersheds to integrate wildlife management objectives into large-scale management plans. Because watersheds are defined by patterns of water drainage, their use as a management and planning tool for terrestrial species represents an artificial human constraint that may not be applicable when addressing wildlife populations that range beyond the boundaries of a planning unit delimited by water runoff."

F5-4 [In summary, while we see the benefits of watershed analysis, especially for aquatic species, and recognize the soundness of the approach you outline in Appendix C, we are concerned that waiting to complete watershed analyses for all the Ely Field Office watersheds before management actions are taken to restore and improve existing degraded habitat conditions will unnecessarily delay management actions/decisions that are badly needed now. Also, because of our concerns about the utility of the watershed analysis approach for many terrestrial wildlife species, we suggest the limitations and shortcomings of this approach be acknowledged in the RMP. Finally, we recommend moving forward and implementing those restoration activities within watersheds that have already been identified, without waiting for the watershed analysis process to be complete.

F5-5 [Nevada Comprehensive Wildlife Conservation Strategy (CWCS). In 2005, the Nevada Department of Wildlife (NDOW), working with other state, federal, non-governmental organizations, and private interests, developed a Comprehensive Wildlife Conservation Strategy for the state of Nevada. This comprehensive plan is designed to assess current populations, conservation status, and management and monitoring needs for all species of fish and wildlife under NDOW's management authority (mammals, birds, reptiles, amphibians, fish, and some aquatic invertebrates). We did not see any reference to the Nevada CWCS in the Draft Ely BLM RMP, or any indication that Ely BLM will embrace all or parts of the CWCS, in terms of management actions that are within the authority of the Ely BLM Field Office. We recommend that the Ely BLM RMP EIS at least reference the CWCS and that BLM agree to support it at some level. Finally, we recommend that BLM document the level of support that will be provided towards implementation of the CWCS and include this in the RMP EIS.

F5-6 [Cumulative Effects analysis for projects that may occur within the foreseeable future. We understand the challenges that the Ely BLM Field Office faces in regard to analyzing all of the cumulative effects of actions proposed in the RMP EIS, as well as other actions like groundwater development, community growth, power plant construction, that may occur in the future. However, we remain concerned that a comprehensive analysis of all the cumulative effects of various types of development and resource extraction activities

Responses to Letter F5

F5-4 Management actions to restore and improve habitat conditions are not dependent on completion of watershed analyses for individual watersheds or until completion of all watershed analyses as inferred in this comment.

F5-5 In response to your comment, the text in Section 2.4.6 for both the Aquatic Habitat and Fisheries, and in Section 2.4.7 for Terrestrial Wildlife has been modified to address the Nevada Comprehensive Wildlife Conservation Strategy.

F5-6 The EISs prepared for the Draft and Proposed RMPs identified those projects within the Ely RMP planning area that could interact with landscape-scale resource management actions. The information that is available on many of these interrelated projects is very limited, but they were included for full disclosure. As development plans for specific proposals are advanced and applications are submitted to the Ely Field Office, the appropriate level of NEPA analysis, including interaction with other projects that could result in cumulative impacts, would be conducted.

Letter F5 Continued

F5-6 within the area of the Ely BLM Field Office land base needs to be completed in a NEPA format document.

Specific Comments

F5-7 **Section 1.7, Resource Management Plan Implementation**
Page 1.8-1, section 1.8.1, paragraph 2. In the second sentence we suggest some slight modifications to the wording regarding consultation to state “BLM consults with the U.S. Fish and Wildlife Service whenever a federal project or action that it funds, authorizes, or carries out may affect a listed species, or may adversely modify its designated critical habitat (see Section 3.7 for details on listed species).”

F5-8 Page 1.8-1, section 1.8.1, paragraph 3. This part of the document indicates BLM will coordinate with the U.S. Fish and Wildlife Service (Service) on decisions that may affect the National Wildlife Refuge System. It also identifies the three National Wildlife Refuges that lie adjacent to Ely BLM administered lands. We suggest a consistency evaluation for any proposed management actions in the Draft Ely RMP that could impact fish and wildlife habitat on adjacent National Wildlife Refuge lands. We recommend coordinating directly with Service personnel responsible for managing these Refuges to complete this consistency evaluation. Finally, we request that BLM not include any proposed actions in the Ely Draft RMP for lands that lie directly adjacent to Service NWR lands that would compromise the intent for which these National Wildlife Refuges were designated.

F5-9 Page 1.9-5, section 1.9.1, Regional Organizations.
 To the bulleted list of plans provided at the top of page 1.9-5 consider adding the following to this list:
 North American Waterfowl Management Plan
 United States Shorebird Conservation Plan
 North American Waterbird Conservation Plan

Section 2.5, Alternatives – Management Direction for Resource Programs

F5-10 Page 2.4-10, Table 2.4-1, Great Basin Rocky Mountain Bighorn Sheep.
 For Alternative E we encourage BLM to add a stipulation that “No domestic sheep or goat grazing would be allowed within 9 miles of rocky mountain bighorn sheep habitat, except where topographic features or other barriers prevent physical contact.” This is the same stipulation provided for desert bighorn sheep on Page 2.4-13 for Desert Bighorn Sheep. We believe that rocky mountain bighorn sheep should be managed the same as desert bighorn sheep with regard to this issue. Similarly, under the Livestock Management in Bighorn Sheep Ranges parameter on Page 2.4-30 we recommend that this same language be added for the rocky mountain bighorn sheep under Alternative E that you have below it for the desert bighorn sheep.

Responses to Letter F5

F5-7 In response to your comment, the text in Section 1.8.1 of the Proposed RMP and Final EIS has been revised to incorporate your recommended wording.

F5-8 In response to your comment, the text in Section 4.6 of the Proposed RMP and Final EIS has been expanded to clarify impacts to and compatibility of USFWS National Wildlife Refuges with BLM management actions. The basic impact conclusions presented in the Draft RMP and EIS have not changed.

F5-9 Please note that Section 1.9.1 in the Draft RMP/EIS is now Section 1.8.1. In response to your comment the text of Section 1.8.1 of the Proposed RMP and Final EIS has been revised to incorporate your suggested additions to the list.

F5-10 Thank you for your comment. Sections 2.4.6.2, 2.4.6.3 and 2.4.16 have been modified to clarify that within occupied habitat for both desert bighorn and Rocky Mountain bighorn sheep, domestic sheep and goats would be managed in accordance with current BLM guidelines when changes to BLM grazing permits are being considered. At the present time, BLM guidelines regarding buffer zones are different for Rocky Mountain bighorn sheep and desert bighorn sheep, because in most states desert bighorn sheep are considered a sensitive species and Rocky Mountain bighorn sheep are not.

Letter F5 Continued

- F5-11 Page 2.4-23, Table 2.4-1, Disposal of Public Lands.
We suggest that Alternative E text be modified to include a stipulation that lands with habitat for federally listed, proposed, and candidate species, or proposed or critical habitat not be exchanged or disposed of.
- F5-12 Pages 2.4-25 and 26, Table 2.4-1, Wind and Solar Energy parameter.
The wording for Alternative C, and by default Alternative E, for wind energy in Table 2.4-1 needs clarification. The text in this Table suggests that despite the fact that about 202,000 acres have been designated as potential wind energy development areas (Map Volume-Map 2.4-25), this type of development could also occur outside these areas. Are all potential wind areas in the District open to development? This seems overly broad and we advise against this approach. We note that some of the areas designated on Map 2.4-25 as "Potential Wind Energy Development Areas" occur in the Butte/Buck/White Pine sage-grouse Population Management Unit (PMU). This PMU is one of five sage grouse PMU's in Nevada that have the highest known population levels of sage grouse in the state. We further note that some of the potential wind energy development areas occur in areas with: elk migration corridors and crucial summer range; pronghorn migration corridors and crucial winter range; mule deer migration corridors and crucial winter range; and desert bighorn sheep migration corridors. We recommend BLM consider reducing some of the acres identified in the RMP EIS as potential wind energy development areas that occur within the Butte/Buck/White Pine sage-grouse PMU and in areas of key habitat for elk, mule deer, desert bighorn sheep, and pronghorn.
- F5-13 Table 2.4-1 also indicates that about 59 percent of the Ely District land base would be open to solar energy development. Although we acknowledge the value of developing more renewable energy sources, we recommend that the approach of allowing this much of the Ely District land base to be open for this type of development should be revisited, and that BLM consider placing additional constraints on this type of development. Some additional considerations for closures to solar energy development would include: 1) areas designated or proposed as critical habitat for a federally listed or proposed species; 2) areas that provide habitat for federally listed species, proposed species, and candidate species; 3) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 4) Riparian and wetland habitat in general; 5) significant portions of the Butte/Buck/White Pine and Schell/Antelope sage-grouse PMU's, and to further consider a full closure for one of these PMU's; 6) crucial elk summer range; 7) crucial winter pronghorn range; and 8) crucial winter and summer range for mule deer.
- F5-14 Page 2.4-30, Table 2.4-1, Non-use Relinquished Permits.
We do not agree with the direction provided in Table 2.4-1 with regard to this parameter. We suggest that the Table be edited for Alternative E. This practice should not be allowed for all grazing allotments in the Mojave Ecosystem part of the Ely BLM land base. We are comfortable with this approach for grazing allotments in the Great Basin Ecosystem section of the Ely BLM land base except in instances where an allotment is closed to protect resource values where this practice should not be allowed.

Responses to Letter F5

- F5-11 In response to your comment, the text in Section 2.4.12.1 Retention of the Proposed RMP and Final EIS has been revised to clarify the discussion of what lands will be retained for federally listed species (i.e., designated critical habitat). Habitat for proposed and/or candidate species will be managed under current policy, which means actions requiring authorization or approval will not contribute to the need to list these species. This means the BLM may or may not be able to dispose of non-critical habitat for these species in the future.
- F5-12 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. 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 energy development are received and evaluated.
- F5-13 Please refer to Response to Comment F5-13. Applications received for solar power development would be subject to NEPA analysis in coordination with local, state, and other federal agencies. Impacts to biological resources (wildlife, fish, plants), ACECs, and endangered and special status species would be considered.
- F5-14 Please refer to Section 2.4.16 and 2.5.16.2 in the Proposed RMP Final EIS for a discussion of non-use relinquished permits.

Letter F5 Continued

- F5-15 Pages 2.4-34, Table 2.4-1, Salable Mineral parameter.
Alternative E indicates that up to about 84 percent of the Ely District land base would be open to development for salable minerals such as sand and rock. We understand that in all likelihood only a limited part of the District land base will actually be developed to provide these commercial resources. However, allocating 84 percent of the Ely BLM land base to this type of development is inconsistent with the general description of Alternative E and the RMP Management Focus that is repeated throughout the RMP EIS. We suggest BLM reconsider this approach for Alternative E and consider reductions in acreage open to this type of development.
- F5-16 Page 2.5-24 and 25, section 2.5.5.3 High Elevation Conifer Species.
The document indicates that there are approximately 56,000 acres of this habitat type on District (about 0.5 percent of the Ely BLM land base). Given that such a small proportion of the District consists of this type of habitat we do not agree with the management direction described for this under Alternative E. This section indicates that accessible sites would be managed for commodity products. We suggest you reconsider this approach and instead recommend revising Alternative E to indicate that habitat values for wildlife would be driving force for all management actions in these areas. All treatments within these areas should be designed to accomplish a habitat objective. This is not a concern if as a result of implementing treatments to address a habitat need there are products left over that can be utilized by the forest products industry. Again, the dominant driver in decisions about what treatments would be implemented, and how they would be implemented, should be habitat objectives not commodity products objectives.
- F5-17 Page 2.5-49, section 2.5.5.10, paragraph 1, Monitoring of Vegetation. We recommend adding citations for references on vegetation monitoring plans that identify goals, objectives, success criteria, protocols, monitoring intervals, and data management and analysis needs. If these plans do not exist, we recommend that a statement be added that proposes development of such plans.
- F5-18 Page 2.5-58, section 2.5.6.4, Migratory Bird Habitat, Alternative B, paragraph three.
This section states that migratory bird habitat needs will be assessed to determine if livestock grazing is a causal factor for nonattainment of standards. If these standards have not yet been developed, a monitoring plan should be prepared that establishes the standards by which effects of livestock grazing will be determined. These standards should be based on the needs of migratory birds, and should include factors such as understory cover, canopy cover, patch size, density, vertical diversity, and other such factors important in describing migratory bird habitat.
- F5-19 Page 2.5-50, section 2.5.6, Fish and Wildlife.
This section focuses disproportionately on game fish and game animals. We recommend that this approach be reconsidered and that more discussion of those non-game fish and wildlife species, that are not Special Status Species, be included in this section.

Responses to Letter F5

- F5-15 Specific rationale would be required to close an area to the sale of mineral materials. None has been provided in this comment.
- F5-16 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 into the Proposed RMP and Final EIS.
- F5-17 In response to your comment, the text in Section 1.7.2 and 2.4.23 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of monitoring.
- F5-18 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.
- F5-19 The Ely Field Office disagrees that the emphasis is disproportionate. Please refer to Sections 2.4.6.2 and 2.4.6.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for management actions for non-game wildlife.

Letter F5 Continued

- F5-20 Page 2.5-62, section 2.5.6, Fish and Wildlife, Alternative E.
At the top of page 2.5-62, the RMP EIS indicates big game species habitats would be managed to meet public demands beyond what natural habitats and water sources would support. We are unclear as to why the Preferred Alternative should have such a goal. We suggest revisiting this objective for Alternative E and that a more appropriate management direction would be to manage big game habitat to support population levels consistent with what habitats and waters sources can support.
- F5-21 Page 2.5-65, section 2.5.7, Special Status Species, Management Common to All Alternatives, item # 2. Priority for the application of management actions would be given respectively to Federal endangered and threatened species, Federal proposed species, Federal candidate species, and BLM sensitive species. Although these categories most likely include most of the rare species that may occur within the Ely District, some rare species may not be captured within these categories. The Nevada Natural Heritage Program's lists of rare species include several that do not fall within any of the aforementioned categories, and may be overlooked. We recommend that the BLM also consider these species while implementing management actions on District lands.
- F5-22 Page 2.5-65, section 2.5.7, Special Status Species, Management Common to All Alternatives, item # 7. Restate this item as follows: "Most of the conservation measures developed under section 10 of the Endangered Species Act to mitigate effects on non-Federal lands within the Ely District to species covered under future habitat conservation plans would be implemented on Federal lands administered by the BLM Ely District. Development of mitigation measures to be implemented on BLM-administered lands under future habitat conservation plans would be coordinated with and approved by the U.S. Fish and Wildlife Service."
- F5-23 Page 2.5-66, section 2.5.7, Special Status Species, Management Common to All Alternatives, item # 11. This paragraph describes the general management proposed at Ash Springs. We recommend BLM also consider adding the option of developing cooperative agreements with the adjacent private landowner, to enhance conservation efforts for the White River springfish at Ash Springs.
- F5-24 Page 2.5-69, section 2.5.7.3, Special Status Species, Alternative B, first paragraph. We support the construction of a new fence around Shoshone Ponds, but request that access for fish surveys is included in the design. Additionally, we recommend including management actions that would divert stormflow from this site.
- F5-25 Page 2.5-71, section 2.5.7.4, Special Status Species, Mojave and Great Basin Riparian Habitats, Alternative E, first paragraph. This paragraph states that the habitat needs of the Meadow Valley Wash speckled dace and desert sucker would be evaluated in conjunction with the Southwestern Willow Flycatcher Recovery Plan. While protection of riparian areas for the flycatcher will generally provide benefits for the rare fishes, there are conservation actions that should probably be implemented for the fishes that are not included in the flycatcher Recovery Plan. We recommend that development of a management plan for the fishes from Eagle Valley downstream through Meadow Valley

Responses to Letter F5

- F5-20 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.
- F5-21 The Ely RMP focuses on federally listed, proposed, or candidates species; BLM sensitive species; and species that are state protected that could occur within the Ely RMP planning area. (See Planning Criteria #4 in Section 1.5.3.) This approach is consistent with the BLM Land Use Planning Handbook. The Nevada Natural Heritage Program database was consulted during preparation of the Proposed RMP and will be consulted when implementing management actions in the future.
- F5-22 In response to your comment, the text in Section 1.8, Section 2.4.6 and Section 3.7 of the Proposed RMP and Final EIS has been revised to address the involvement of the USFWS in developing habitat conservation measures.
- F5-23 In response to your comment, a new sentence was added in Section 2.4.7.4 of the Proposed RMP and Final EIS stating that activities could include an option to consider developing cooperative agreements with the adjacent private landowner for the purpose of enhancing conservation efforts for the White River springfish.
- F5-24 In response to your comment, the text in Section 2.4.7.2 of the Proposed RMP and Final EIS has been revised to include evaluation and potential implementation of additional protection measures such as diversion of streamflow around the pond.
- F5-25 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 effects to special status species in Meadow Valley Wash. The basic impact conclusions presented in the Draft RMP and EIS have not changed.

Letter F5 Continued

- F5-25 Wash would be a more efficient process for establishing evaluation criteria for the Meadow Valley fishes. This effort could be coordinated with the Nevada Department of Wildlife and members of the Big Springs Spinedace Recovery Implementation Team.
- F5-26 Page 2.5-71, section 2.5.7.4, Special Status Species, Mojave and Great Basin Riparian Habitats, Alternative E, paragraph 2. The last sentence in this paragraph states that livestock grazing would be excluded from the desert tortoise habitat areas of the Lower Meadow Valley Wash (Elgin south to Clark County). This statement should clarify if livestock grazing would be excluded from all tortoise habitat or all tortoise ACECs.
- F5-27 Page 2.5-71, section 2.5.7.4, Special Status Species, Mojave and Great Basin Riparian Habitats, Alternative E, paragraph 3. Please either describe, or include a reference for, the appropriate stipulations that would be considered to determine if livestock grazing would be appropriate in unoccupied suitable habitats between October 15 and March 15.
- F5-28 Page 2.5-71, section 2.5.7.4, Special Status Species, Mojave and Great Basin Riparian Habitats, Alternative E, paragraph 4. This section states that a Southwestern Willow Flycatcher Implementation Plan for Meadow Valley Wash would outline the schedule and procedures to determine if livestock are a causal factor for nonattainment of standards and guidelines. These standards and guidelines should be based on the ecological needs of the flycatcher, and should include factors such as understory cover, canopy cover, patch size, density, vertical diversity, and other such factors important in describing flycatcher habitat. If these standards and guidelines have not yet been developed, we recommend coordinating with the Service and knowledgeable flycatcher scientists to determine the appropriate factors that should be considered as part of this assessment.
- F5-29 Pages 2.5-78 to 81, section 2.5.8.1, Wild Horses, Herd Management Area Establishment. We support Alternative E (same as Alternative B), which would eliminate herd management area status and remove herds from those areas that do not provide adequate and suitable habitat, including the Mojave Desert region of southern Lincoln County.
- F5-30 Page 2.5-124, section 2.5.12.5, Lands and Realty, Corridors, item # 2. This item designates a corridor along existing telephone fiber-optic lines beginning at Township 11 South, Range 71 East, Section 30, and running easterly to the Arizona state line. This corridor appears to occur within the Beaver Dam Slope ACEC. We recommend identifying alternative routes for all new utility corridors that avoid desert tortoise ACECs.
- F5-31 Page 2.5-124, section 2.5.12.5, Management Common to All Alternatives. We recommend that another item be added to the list here. The addition would be "All future electric utility line developments would follow the guidance provided by the Avian Protection Plan (APP) Guidelines released in 2005." This guidance was developed jointly by the Service and the electric utility industry working through the Avian Power Line Interaction Committee. It is available online at <http://www.aplic.org>.

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- F5-26 Under section 2.4.16 Livestock Grazing, management actions specify that the 208,160 acres within the Mormon Mesa, Kane Springs, and Beaver Dam Slope ACECs would remain unavailable for grazing. Grazing on allotments or portions of allotments within desert tortoise habitat, but outside of ACECs, would continue at current stocking levels (see Table 2.4-15).
- F5-27 The text in Section 2.4.7.3 has been changed from the Draft RMP. The issue raised in your comment (i.e., livestock grazing in the proposed Lower Meadow Valley Wash ACEC) will be considered by the Ely Field Office when an ACEC management plan is prepared. The BLM will coordinate with the Service regarding livestock grazing in southwestern willow flycatcher habitat when the management plan is being developed.
- F5-28 Please refer to Response to Comment F5-27.
- F5-29 Comment noted.
- F5-30 This corridor was designated in the Approved Caliente Management Framework Plan Amendment and Record of Decision for the Management of Desert Tortoise Habitat in September 2000. This amendment and decision were developed in coordination with the Service and incorporated terms and conditions from the Biological Opinion. The text in Section 2.4.12.5 of the Proposed RMP and Final EIS has been changed to state that this designated corridor will be retained.
- F5-31 The text in Section 2.5.12.7 of the Proposed RMP and Final EIS has been revised to add coordination with the USFWS policy on utility line development and Avian Protection Plan guidelines.

Letter F5 Continued

- F5-32 { Page 2.5-126, section 2.5.12.6, Lands and Realty, Communications Sites, Management Common to All Alternatives. We recommend that BLM adopt the Service's *Guidance on the Siting, Construction, Operation and Decommissioning of Communications Towers* to minimize effects to migratory birds. We further request that you include this among the numbered items on page 2.5-126 under the "Management Common to All Alternatives."
- F5-33 { Page 2.5-130, section 2.5.13.1, Renewable Energy, Wind and Solar Energy, Alternative E (and Map 2.4-25). According to Map 2.4-25, it appears that several areas along the Meadow Valley Wash would be designated as potential wind energy development areas. Meadow Valley Wash is one of the most biologically diverse ecosystems in southern Nevada for birds. The potential of impacts to birds from wind energy projects established along or adjacent to the Meadow Valley Wash may be much greater than if these projects were located outside of this drainage. We recommend no designation of wind energy development areas within the vicinity of the Meadow Valley Wash.
- F5-34 { Pages 2.5-131 to 133, section 2.5.14.1, Travel Management, Transportation Plan, Management Common to All Alternatives. We recommend identifying desert tortoise habitat outside ACECs, as well as desert tortoise ACECs, as highest priority areas for the designation of roads and trails.
- F5-35 { Pages 2.5-134 and 135, section 2.5.14.2, Parameter- Off-highway vehicles. We are encouraged that under Alternative E none of the landbase would be categorized as "open" to cross-country off-highway vehicle use, that about 10.3 million acres of the Ely FO would have OHV use limited to existing roads and trails, and that about 1.1 million acres would be closed to off-highway vehicle use. However, we are concerned that too much of the District land base (approximately 90%) would still be open to OHV's. We understand OHV's would be limited to existing roads and trails, however, given BLM's limited budget to monitor and provide law enforcement patrols over this large area this approach will likely result in many areas where OHV's continue to travel cross-country. We recommend BLM reconsider the approach taken under Alternative E and consider closing more of the District land base to OHV travel. We suggest that the following areas should receive additional consideration for OHV closures: 1) areas designated or proposed as critical habitat for a federally listed or proposed species; 2) areas that provide habitat for federally listed species, proposed species, and candidate species; 3) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 4) significant portions of the Butte/Buc/White Pine and Schell/Antelope sage-grouse PMU's; 5) crucial elk summer range; 6) crucial winter pronghorn range; and 7) crucial winter and summer range for mule deer. This list is not intended to be all inclusive but rather provided as an indication of the types of concerns we have with regard to off-highway vehicle use.
- F5-36 { Page 2.5-141, section 2.5.16, Livestock Grazing. On page 2.5-141 under the Management Common to All Alternatives header the RMP EIS indicates that "adjustments to stocking rates would be based on watershed analysis." If this means that stocking rates would not be adjusted until watershed analysis was completed in a watershed, then we are concerned about this approach (see our comments

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- F5-32 The text in Section 2.5.12.6 of the Proposed RMP and Final EIS has been revised to add coordination with the USFWS policy on communication sites.
- F5-33 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. 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).
- F5-34 The designation of roads and trails as part of a transportation plan would not be limited to ACECs. The Ely Field Office will develop logical units for transportation planning. The sequence for developing transportation plans will be based on existing or anticipated travel use and the associated resource conflicts.
- F5-35 Thank you for your suggestion. The BLM designates areas as "closed" if a closure to all vehicular use is necessary to protect resources, ensure visitor safety, or reduce use conflicts. The BLM designates areas as "limited" where it must restrict off-highway vehicle use in order to meet specific resource management objectives. These limitations may include: restricting the number or types of vehicles; limiting the time or season of use; permitted or licensed use only; limiting use to existing roads and trails; and limiting use to designated roads and trails. The BLM may place other limitations, as necessary, to protect resources, particularly in areas that motorized off-highway vehicle use enthusiasts use intensely or where they participate in competitive events. The limited designation across 90% of the Ely RMP decision area is consistent with BLM policy.
- F5-36 Management actions to restore and improve habitat conditions will commence with completion of the initial watershed analyses for individual watershed rather than being delayed until completion of all watershed analyses as inferred in this comment. It is expected that the limiting factor for rate of treatment to restore and improve watershed health will be funding availability rather than the watershed analysis process. Term permits will be fully processed in compliance with NEPA procedures, applicable public laws, and BLM regulations and policies. The Ely Field Office intends to process term permits based on watershed assessment and priorities. However, term permits may be fully processed apart from the watershed process when necessary. The terms and conditions would be modified if information indicates that revision is necessary to achieve or make progress toward the Northeastern Great Basin Resource Advisory Council standards or the Mojave-Southern Great Basin standards.

Letter F5 Continued

F5-36 above under Watershed Analysis Process). Specifically, we are concerned that given the time BLM projects it will take to complete watershed analysis for the Ely District, stocking rate adjustments which are needed in the short term to address resource issues will not occur. This could result in further, and potentially serious, deterioration in watershed health and condition.

F5-37 Page 2.5-142, section 2.5.16.1, Alternative E. We note under the Preferred Alternative that 11,170,000 acres of the Ely District would be available for livestock grazing. We also recognize that livestock grazing is a historic and legal use of public lands. However, the RMP EIS states repeatedly "the restoration and maintenance of healthy ecological systems within watersheds is a primary focus for the future management of the Ely District" and "resources and resource uses will be managed to restore or maintain ecological health." Additionally, the RMP EIS characterizes Alternative E as "a shift from a commodity or individual resource allocation approach to a holistic or ecological systems approach to management." What is not clear is how allowing 11,171,000 acres (approx. 98% of Ely BLM landbase) of the District land base to be open to grazing is consistent with these focus statements, and the RMP characterization of Alternative E. In Chapter 3 on page 3.16-4, the RMP EIS indicates 61 of the grazing allotments in the District are in the "improve" category which, according to IM No. 82-292, means that the "present range condition is unsatisfactory." We do not support this level of grazing utilization on the Ely District land base and ask that BLM seriously reconsider this approach.

We request these type of reductions, or eliminations of livestock grazing, so that the needs of grazing permittees are better balanced with the need to conserve biological resources. Allowing 98 percent of the Ely BLM land base to be open to grazing could have numerous negative consequences to biological resources including federally listed species, federal candidate species, and sensitive species. In terms of areas to focus on in reducing lands open to livestock grazing we suggest the following : 1) areas designated or proposed as critical habitat for a federally listed or proposed species; 2) areas that provide habitat for federally listed species, proposed species , and candidate species; 3) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 4) Riparian and wetland habitat in general; 5) significant portions of the Butte/Buc/White Pine and Schell/Antelope sage-grouse PMU's, and to further consider a full closure for one of these PMU's; 6) crucial elk summer range; 7) crucial winter pronghorn range; and 8) crucial winter and summer range for mule deer.

F5-38 Page 2.5-144, section 2.5.16.2, Alternative E for Permit Administration Parameter. The RMP EIS indicates on page 2.5-144 that Alternative E would implement a performance-based grazing system on the Ely District. We are open to this approach and recognize advantages it may provide. However, we have some reservations and concerns about how this will work in practice. We suspect some permittees will do a great job and others will not. We are also concerned about BLM's ability to administer and monitor this system given limited staffing and funding available to Ely BLM Field Office for this purpose.

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F5-37 The areas presented in points 1 through 7 regarding lands open to livestock grazing currently are considered and addressed during annual grazing authorizations, the term permit renewal process, and the watershed analysis process.

F5-38 The term Performance Based Grazing has been removed as a Parameter. Performance Based Grazing emphasized flexibility. Flexibility will continue to be addressed on a site-specific basis. Allotment compliance will continue and will be prioritized based on criteria to include resource issues and operator performance capabilities.

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F5-39 Pages 2.5-158 to 165, section 2.5.18.1, Descriptions for Alternatives B and E.
The Draft Ely BLM RMP indicates that about 1.2 million acres would be open to leasing with some stipulations (standard lease terms and conditions and migratory bird restriction) and that another 8.6 million acres would be open to leasing with some programmatic stipulations. Additionally, another 446,000 acres would be open to leasing with only minor constraints. This means that about 90 percent of the Ely BLM land base would be open to leasing for fluid minerals with either some stipulations, or major stipulations. It also means only about 1.2 million acres would be closed to fluid mineral leasing (about 10 percent of the Ely BLM land base). We are not comfortable with this approach and the large proportion of the District land base that would potentially be open to leasing for fluid minerals like oil and gas. As with livestock grazing, we find that the approach proposed in the Draft RMP EIS is not consistent with the general description of Alternative E which characterizes BLM's Preferred Alternative as "a shift from a commodity or individual resource allocation approach to a holistic or ecological systems approach to management." Nor do we find it consistent with BLM's stated RMP Management Focus.

F5-40 We do note that many of the stipulations for fluid mineral development were specifically designed to benefit biological resources such as migratory birds, desert tortoise, sage grouse, and ferruginous hawks. However, most of these "wildlife" stipulations only relate to timing restrictions on fluid mineral activities. As long as the lessee adheres to seasonal timing restrictions, they can still have surface occupancy and develop the site for oil and gas, etc. Hence fluid mineral development is not prevented, but only shifted to avoid key time periods in the life cycle of certain species. This certainly has benefits for wildlife species but does not negate the negative consequences to wildlife of developing the site.

F5-40 Having 90 percent of Ely District lands open to fluid mineral leasing, and preventing surface occupancy for this purpose on about 10 percent of the land base, conflicts with conserving biological resources. We suggest BLM seriously reconsider allowing this many acres to be open to fluid minerals leasing. Additional considerations for closures to fluid mineral leasing include: 1) areas designated or proposed as critical habitat for a federally listed or proposed species; 2) areas that provide habitat for federally listed species, proposed species, and candidate species; 3) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 4) Riparian and wetland habitat in general; 5) significant portions of the Butte/Buc/White Pine and Schell/Antelope sage-grouse PMU's, and to further consider a full closure for one of these PMU's; 6) crucial elk summer range; 7) crucial winter pronghorn range; and 8) crucial winter and summer range for mule deer.

F5-41 Pages 2.5-158 to 176, Geology and Mineral Extraction, Fluid Leasables, Solid Leasables, Locatables, and Saleables, Alternative E (same as Alternative B). We support BLM's recommendation to close Condor Canyon, Kane Springs, Lower Meadow Valley Wash,

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F5-39 The President's Energy Policy directs the BLM to keep open as much land as possible for energy development and to utilize specific management plans and mitigations to protect resources. The current and specific plans in place such as Class I visual areas, threatened and endangered species, ACECs, ISAs, and WSAs have such strict standards for non-impairment that most mineral operations would be precluded. Leasing stipulations, standard lease terms and conditions, and the Best Management Practices listed in Appendix F would help minimize adverse impacts to resources of concern for those operations that are permitted.

F5-40 Please refer to Response to Comment F5-39 for a discussion of closing areas to fluid mineral leasing.

F5-41 Particular consideration was given to the Desert Tortoise Amendment to the Caliente MFP (1999), its specific Standard Operating Procedures based on the Biological Opinion, current minerals activities and leasing, consistency with neighboring BLM Field Offices, and the BLM's mineral and national energy policy. As a result of this analysis, the management actions for the Mormon Mesa and Beaver Dam Slope ACECs have been retained in Section 2.4.18 of the Proposed RMP and Final EIS.

Letter F5 Continued

F5-41 and Shoshone Ponds ACECs to mineral extraction. We also recommend closing Mormon Mesa and Beaver Dam Wash ACECs to all mineral extraction.

Pages 2.5-168 to 171, section 2.5.18.3, Descriptions for Alternatives B and E.

F5-42 This section indicates that about 10.1 million acres are open to locatable minerals development (about 88 percent of the Ely BLM District land base). In contrast, only about 1.3 million acres would be proposed for withdrawal from mineral entry (about 12 percent of the Ely BLM land base). We do not support this approach and the large proportion of the District land base that would potentially be open to leasing for development of locatable minerals like gold and silver. As with our previous comments pertaining to leasable minerals, we find that the approach proposed in the Draft RMP is not consistent with the general description of Alternative E which characterizes BLM's Preferred Alternative as "a shift from a commodity or individual resource allocation approach to a holistic or ecological systems approach to management." Nor do we find it to be consistent with the RMP Management Focus stated in the RMP. Allowing this many acres of land to be open to potential leasing for locatable mineral development conflicts with conserving biological resources. We suggest that Ely BLM seriously reconsider allowing this many acres to be open to locatable minerals leasing. Additional considerations for closures to this type of mineral leasing include: 1) areas designated or proposed as critical habitat for a federally listed or proposed species; 2) areas that provide habitat for federally listed species, proposed species, and candidate species; 3) ACEC's established to benefit biological resources (wildlife, fish, plants) or that contribute significantly to the conservation of these biological resources; 4) Riparian and wetland habitat in general; 5) significant portions of the Butte/Buc/White Pine and Schell/Antelope sage-grouse PMU's, and to further consider a full closure for one of these PMU's; 6) crucial elk summer range; 7) crucial winter pronghorn range; and 8) crucial winter and summer range for mule deer.

F5-43 Page 2.5-191, section 2.5.21, Noxious and Invasive Weed Management, Management Common to All Alternatives, item # 1. The Nevada Administrative Code (NAC) list of noxious weeds may not include invasive weed species, such as red brome and Sahara mustard, that are of concern to federally-listed, rare, and sensitive species. We recommend adding language to this section that identifies the potential need to manage invasive weeds other than those found on the NAC list of noxious weeds, to reduce threats to federally-listed, rare, and sensitive species and their habitats.

F5-44 Page 2.5-192, section 2.5.21.2, Monitoring of Noxious and Invasive Weeds. This paragraph states that burned areas, both natural and prescribed, would be surveyed for noxious weeds *as funding becomes available*. For prescribed burns, we suggest that weed surveys should be a part of the prescribed burn project, and the funding required for weed surveys should be included in the cost estimate for the project plan or grant proposal. Therefore, if the cost of weed surveys is built into the total cost of the prescribed burn project, conducting weed surveys in conjunction with prescribed burns would not be dependent on the availability of funds.

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F5-42 As a point of clarification, locatable minerals are not subject to leasing. Nevertheless, the current and specific plans in place such as Class I visual areas, threatened and endangered species, ACECs, ISAs, and WSAs have such strict standards for non-impairment, that most mineral operations would not be permitted. This precluded the need for blanket closures and enables more site-specific decisions regarding the resource use. For those operations that are permitted, the Best Management Practices listed in Appendix F would help to minimize adverse impacts to resources of concern.

F5-43 In response to your comment, the text in Section 3.21.3 of the Proposed RMP and Final EIS has been revised to clarify that invasive species of concern include both red brome and Sahara mustard as well as cheatgrass and halogeton.

F5-44 Please refer to Appendix A in the Proposed RMP and Final EIS for a revised discussion of Watershed Analysis and Section 2.4.23 for Monitoring.

Letter F5 Continued

- F5-45 Pages 2.5-194 and 225, section 2.5.22.1, Special Designations, Areas of Critical Environmental Concern, Existing ACECs: Kane Springs, Beaver Dam Slope, and Mormon Mesa. This section proposes to close Kane Springs ACEC to minerals extraction, but leaves Mormon Mesa and Beaver Dam Slope ACECs open to minerals extraction. We recommend all existing ACECs, as well as proposed ACECs (Condor Canyon, Lower Meadow Valley Wash, and Shoshone Ponds) established for the protection of federally-listed species be closed to all mineral extraction.
- F5-46 Page 2.5-225, section 2.5.22.1, Special Designations, Areas of Critical Environmental Concern, Existing ACECs, Transportation. This section should state that roads and trails would be designated open or closed, rather than making a statement that transportation would be limited to existing roads.
- F5-47 Page 2.5-234, section 2.5.22.1, Special Designations, Areas of Critical Environmental Concern, Condor Canyon, Alternative B, Fire Management. Fire management for full suppression should include proactive elements into the strategy, such as incorporating fuel breaks and conducting prescribed fire in a manner that would diminish burn intensity and minimize probability of catastrophic wildfire. Fire management should focus on minimizing potential of erosion and other effects from fire to the Big Springs spinedace.
- F5-48 Page 2.5-234, section 2.5.22.1, Special Designations, Areas of Critical Environmental Concern, Condor Canyon, Alternative B, Livestock Management. We support the recommendation for limited grazing within the ACEC, provided that guidelines are developed to provide options for livestock grazing management that include eliminating or restricting grazing if monitoring shows that goals for riparian management are not being met. These guidelines should be developed with assistance from the Big Springs Spinedace Recovery Implementation Team.
- F5-49 Page 2.5-241, section 2.5.22.1, Special Designations, Areas of Critical Environmental Concern, Lower Meadow Valley Wash ACEC, Alternative B. We support the establishment of an ACEC for the protection of riparian habitat along the Meadow Valley Wash. This ACEC proposes to protect 3,240 acres of riparian habitat within three separate segments along the Meadow Valley Wash south of Caliente down to the Lincoln/Clark County line. These areas were identified based on the best information available a couple years ago on the occurrence of suitable or potentially suitable southwestern willow flycatcher habitat on BLM-administered land along the Meadow Valley Wash. Since that time, additional information has become available regarding disturbance to riparian habitat resulting from flooding events during the winter and spring of 2005 and other ground-disturbing activities conducted in response to damage caused by flooding. This information should be used to verify that the ACEC boundaries as proposed, would encompass the most appropriate locations for protective management of riparian habitat. We recommend that the proposed ACEC boundaries be overlaid with data on the distribution of southwestern willow flycatcher habitat, and with post-flood data on areas that were subject to ground-disturbing activities, to validate the appropriateness and/or feasibility of managing these areas for purposes of riparian habitat

Responses to Letter F5

- F5-45 In response to your comment, the Kane Springs, Beaver Dam Slope, and Mormon Mesa ACECs have been closed to mineral development. Proposals for other ACECs intended to protect federally listed species also contain stipulations on mineral development. Please refer to Section 2.4.18 of the Proposed RMP and Final EIS for specifics on mineral stipulations for individual ACECs.
- F5-46 The BLM proposes to follow the decisions previously negotiated and approved in the Caliente Management Framework Plan Amendment and Record of Decision for the Management of Desert Tortoise Habitat dated September 2000, since these decisions are still valid. As a point of clarification, travel would be limited to designated (not existing) roads and trails. Thus, existing roads and trails would be either designated open or designated closed. The text in Section 2.4.22.1 of the Proposed RMP and Final EIS has been revised to be more consistent with the wording contained in the Amendment and ROD.
- F5-47 The topic of detailed fire management plans for individual ACECs will be considered by the Ely Field Office when individual management plans are prepared for these special designation areas.
- F5-48 The topic of detailed livestock grazing plans for individual ACECs will be considered by the Ely Field Office on a case-by-case basis for these special designation areas. Livestock grazing will be controlled through terms and conditions on the grazing permit.
- F5-49 In response to your comment, the text and maps related to the proposed Lower Meadow Valley Wash area of critical environmental concern in Section 2.5.22 of the Proposed RMP and Final EIS have been revised.

Letter F5 Continued

- F5-49 [conservation. We are available to assist BLM with any additional efforts you may undertake to re-evaluate the location of this ACEC.
- F5-50 [In addition, since the two southerly segments are subject to a much more stressful desert environment, and are in much poorer condition than the northerly Rainbow segment, we recommend Alternative B for livestock management of the Lower Meadow Valley Wash ACEC, provided that the locations of the three segments of this ACEC are not substantially altered by subsequent evaluations. Alternative B would close the Carp and Rox units to livestock grazing, while limiting grazing in the more northerly Rainbow unit.
- Section 3.0, Affected Environment**
- F5-51 [Page 3.3-8, section 3.3.2, Trends- Groundwater.
We do not agree completely with the first complete sentence on this page. This sentence indicates how areas like Reno, Carson City, and Las Vegas are growing and the ways that water demands related to the growth of these areas can be met. There are other alternatives that could be considered which you do not list here. One example is constructing water desalinization plants in California in exchange for Colorado River water (this would be appropriate for southern Nevada only).
- F5-52 [Page 3.6-1, section 3.6 Fish and Wildlife, general comments on this section.
We note the RMP EIS included a list of game fish that occur on the District. We understand that detailed accounts of all the fish and wildlife species that occur on the Ely BLM District cannot be provided. However, we suggest considering the addition of a table to the Appendices that at least provides a list of mammals, birds, reptiles, amphibians, and fishes that are known or suspected to occur on the District.
- F5-53 [The RMP EIS wildlife discussion under section 3.6.2 is heavily weighted towards a few big game species. We suggest that expanding coverage of non-game wildlife species that are not Special Status Species. We also suggest adding in a specific section under Wildlife to address migratory birds. There is information available from the Great Basin Bird Observatory's Nevada Bird Count Program and their Breeding Bird Atlas project for Nevada on bird numbers and distribution within the Ely BLM District. Since BLM was a partner in these efforts this data is available to BLM upon request. Trend information for birds is available from the Breeding Bird Survey. We note that within the area covered by the Ely BLM District boundary there are 10 Breeding Bird Survey transects that have been surveyed for birds. Additionally, NDOW likely has information on both non-game wildlife and small game numbers that could be integrated into this part of the document.
- F5-54 [Page 3.6-13, section 3.6.2 Wildlife, Current Management.
On the top of Page 3.6-13 the Ely BLM RMP indicates the number of birds from the Service's Birds of Conservation Concern that could occur in the Great Basin and Mojave ecosystem parts of the Ely District. Consider adding an Appendix Table that summarizes this information for interested persons.

Responses to Letter F5

- F5-50 Please refer to Response to Comment F5-27.
- F5-51 In response to your comment, the text in Section 3.3.2 of the Proposed RMP and Final EIS has been modified to clarify groundwater development trends.
- F5-52 Several sources of direction were consulted in determining the information to include in the Proposed RMP and Final EIS. The BLM Land Use Planning Handbook instructs the Ely Field Office to designate priority species of wildlife and habitats for management emphasis. Priority species are identified in Section 2.4.6 of the Proposed RMP and Final EIS. Habitat management that would benefit priority species would also benefit other wildlife species. With regards to the affected environment chapter of the EIS, the Council on Environmental Quality directs that "The descriptions shall be no longer than is necessary to understand the effects of the alternatives" (40 Code of Federal Regulations 1502.15). Therefore, the Ely Field Office did not consider an expansive species list as being necessary for developing management actions or analyzing the impacts of the alternatives.
- F5-53 In response to your comment, the text in Section 3.6.2 of the Proposed RMP and Final EIS has been revised to expand the discussion of migratory birds. The BLM Land Use Planning Handbook directs the Ely Field Office to develop management actions for "game, non-game, and migratory bird species". The priority species listed in Section 2.4.6.2 of the Proposed RMP and Final EIS includes game species and migratory birds. Also, please refer to Response to Comment F5-52.
- F5-54 In response to your comment, a table has been added to Section 3.6.2 of the Proposed RMP and Final EIS to present the 28 species of birds that are of concern.

Letter F5 Continued

- F5-55 Page 3.7-1, section Special Status Species.
Most of the discussion of plant, fish, and wildlife species is for federally listed and candidate species. Consider adding more discussion for species that are not federally listed or federal candidate species. Some information is available about these species from the Nevada Natural Heritage Program, the Great Basin Bird Observatory's Breeding Bird Atlas project and their Nevada Bird Count program, the Breeding Bird Survey program administered by U.S. Geological Survey- Biological Resources Division, the Nevada Department of Wildlife (especially the Wildlife Diversity Bureau), and other sources.
- F5-56 Page 3.7-2, section 3.7.1, Federal Species of Concern and Sunnyside green gentian.
First we are not certain as to the intended meaning of the term "Federal Species of Concern." If it is intended to be a reference to the "Species of Concern" list that the Nevada Fish and Wildlife Office, U.S. Fish and Wildlife Service, formerly kept for the state of Nevada then we suggest that the RMP refer to these species in a different manner. In October 2003, the Nevada Fish and Wildlife Office discontinued the practice of maintaining a list of species of concern for the state of Nevada. We remain concerned about the conservation status of the species on that former list, however, most were already on the sensitive species list for Nevada maintained by the Nevada Natural Heritage Program (NNHP). So rather than maintain our own list we have adopted NNHP's sensitive species list. We informed partner agencies of this change in a letter sent out in the fall of 2003.
- F5-57 While the sunnyside green gentian it is not a Federal Species of Concern, it is on a list maintained by NNHP of rare plants. Also, it is on a list maintained by the Nevada Division of Forestry of Nevada plants that are "fully protected" under state law.
- F5-58 Page 3.7-2, section 3.7.2 Aquatic Species, Aquatic Invertebrates and Amphibians header.
In the first sentence under the Aquatic Invertebrates and Amphibians header the RMP EIS has the term "proposed species of concern". We are unclear what this is referring to. Is this referring to a species proposed for federal listing, or does it refer to a BLM sensitive species, or is it a reference to the former species of concern maintained by the Service?
- F5-59 Page 3.7-10, section 3.7.3 Wildlife.
We suggest that a discussion for pygmy rabbit in the Special Status Species wildlife section be added to the RMP EIS. Wording regarding management of sagebrush habitat should include qualifiers to allow for possibility that what is good for sage grouse may not be the right approach for other sagebrush obligate species (ie. pygmy rabbit, sage sparrow, sage thrasher, etc.) and may need to be adjusted on a site-specific scale or local project scale.
- F5-60 The Bald Eagle Protection Act should be cited as the Bald and Golden Eagle Protection Act. Since golden eagles are protected under this federal act we suggest that a specific section concerning the management of golden eagles be added to the RMP EIS. One of the appendices includes management stipulations for golden eagles but this approach should be present throughout the document.

Responses to Letter F5

- F5-55 The species presented in Section 3.7 of the Proposed RMP and Final EIS include federally listed species, federal candidate species, and selected BLM sensitive species. The bird species emphasized in Section 3.7.3 (southwestern willow flycatcher, Yuma clapper rail, bald eagle, yellow-billed cuckoo, greater sage-grouse, and western burrowing owl) were selected through discussions between the Ely Field Office and the Fish and Wildlife Service as those most appropriate planning-area-wide impact analysis.
- F5-56 In response to your comment, the text in Section 3.7.1 of the Proposed RMP and Final EIS has been revised to clarify the discussion of the Sunnyside green gentian. The Federal Species of Concern heading has been deleted.
- F5-57 Changes have been made in the text (Table 2.9-1 and text sections 2.4.7.6, 3.7.1, and 4.7) to correctly identify the status of the sunnyside green gentian and to discuss related impacts in an appropriate manner.
- F5-58 In response to your comment, the text in Section 3.7.2 of the Proposed RMP and Final EIS has been revised to clarify the discussion of BLM sensitive species.
- F5-59 In response to your comment, the text in Section 3.7.3 of the Proposed RMP and Final EIS has been modified to discuss additional sagebrush obligate species.
- F5-60 In response to your comment, the text in Section 3.7.3 of the Proposed RMP and Final EIS has been revised to reference the Bald and Golden Eagle Protection Act. In addition, a decision has been added in Section 2.4.7.1 that states, where appropriate, permitted activities will be restricted from May 1 through July 15 within 1/2 mile of a raptor nest site unless the nest site has been determined to be inactive for at least the previous five years. This pertains to all raptors including golden eagles.

Letter F5 Continued

- F5-61 [The recovery plan for bald eagles in Nevada is the Pacific States Bald Eagle Recovery Plan which was published in 1986. We suggest you properly cite this document in the EIS and list it with your list of recovery plans that apply to the Ely BLM District on page 1.9-1. You should also be aware in 2005, bald eagles nested in the Ruby Valley in Elko County. This means that bald eagle nesting in the Ely District is possible, although admittedly nesting habitat is rather limited and it is likely that the District will not support very many nesting pairs over time.
- F5-62 [Page 3.7-13 Current Management. Although bald eagle presence and use in the Ely District BLM area is rather limited management direction for bald eagles here are covered under the Pacific States Bald Eagle Recovery Plan (1986). This Recovery Plan should be cited on Page 3.7-13 under this header.
- F5-63 [Page 3.7-1, section 3.7.1 Plant Species. The “Existing Conditions” section indicates that there are two federally listed plant species on the Ely District. The Utes ladies’-tresses is the only federally listed plant species that occurs on Ely District. The sunnyside green gentian is not a federally listed species so the text should be corrected to reflect this. In 2005 there was a rediscovery of Utes ladies’-tresses in the vicinity of where it was formerly documented. We suggest adding some discussion to incorporate this new information.
- F5-64 [Page 3.7-5, section 3.7.2. Affected Environment, Aquatic Species, Pahrnagat Roundtail Chub. Add additional language to this section regarding the new refugium recently developed for this species at the Key Pittman Wildlife Management Area. This refugium is a former irrigation reservoir fed by well water. It was lined with a pond liner during 2004, and 2,400 individuals were stocked. During surveys in the fall of 2005, young of year chub were detected, suggesting reproduction was occurring.
- F5-65 [Page 3.7-8, table 3.7-1, Affected Environment, Summary of Population Sampling for Federally Listed Fish Species. More recent data is available for all of the fish species listed in this table. Surveys for each of these species were conducted either in 2004 or 2005. We recommend coordinating with NDOW to update this table so that it reflects the most current data.
- F5-66 [Page 3.7-10, section 3.7.3, Wildlife, Federally Listed Species, Southwestern Willow Flycatcher, second paragraph. More recent survey data is available for the Pahrnagat National Wildlife Refuge. One of Nevada’s largest flycatcher populations occurs on the Refuge, and surveys have been conducted annually since 1998. Please contact our office to obtain a list of references for these surveys.
- F5-67 [Page 3.7-11, section 3.7.3, Wildlife, Federally Listed Species, Bald Eagle, first paragraph. Please add to this paragraph that bald eagles are known to roost in the large cottonwoods and willows at the Pahrnagat National Wildlife Refuge during winter months.

Responses to Letter F5

- F5-61 In response to your comment, the text in Chapter 1 and Section 3.7.3 of the Proposed RMP and Final EIS has been revised to reference the Pacific States Bald Eagle Recovery Plan. In addition, Section 3.7.3 has been modified to acknowledge the nest site in Ruby Valley.
- F5-62 In response to your comment, the text in Section 3.7.3 of the Proposed RMP and Final EIS has been revised to include the reference to the Pacific States Bald Eagle Recovery Plan (1986).
- F5-63 In response to your comment, the text in Section 3.7.1 of the Proposed RMP and Final EIS has been revised to indicate the recent observations of the Ute ladies’-tresses. Changes have been made in the text (Sections 2.4.7, 3.7.1, and 4.7.1) to correctly identify the status of the sunnyside green gentian and to discuss related impacts in an appropriate manner.
- F5-64 In response to your comment, the text in Section 3.7.2 of the Proposed RMP and Final EIS has been revised to clarify the discussion of the new refugium in the Key Pittman Wildlife Management Area.
- F5-65 In response to your comment, Table 3.7-1 in the Proposed RMP and Final EIS has been updated to include more recent survey information.
- F5-66 In response to your comment, the text in Section 3.7.3 of the Proposed RMP and Final EIS has been updated to include the more recent survey data for the southwestern willow flycatcher.
- F5-67 In response to your comment, the text of Section 3.7.3 in the Proposed RMP and Final EIS has been revised to incorporate the additional information on bald eagle roosting.

Letter F5 Continued

Section 4.0, Environmental Consequences

F5-68 Page 4.1-6, section 4.1.3, Assumptions for Analysis. The first bullet statement indicates existing state and federal environmental legislation and regulatory programs would remain relatively unchanged. Our concern with this statement relates to BLM Environmental Impact Statement DES 03-62 regarding Proposed Revisions to Grazing Regulations for the Public Lands. Our understanding is that BLM is in the process of finalizing these proposed revisions to grazing regulations. If this is the case then there are some fundamental changes that will be made to the way BLM administers its grazing program. Many of the proposed changes give greater ownership and benefits to permittees grazing on federal lands, and change the time interval between when a resource problem is identified on an allotment and when livestock numbers are adjusted to address the problem. If these revisions are imminent they would change much of the discussion about livestock grazing and its effects on biological resources of the Ely District. Hence there may be a need for BLM to revise livestock grazing discussions in all appropriate sections of the Ely BLM RMP EIS to account for these changes.

F5-69 Page 4.1-12, section 4.1.4.5 Special Status Species, Summary of Existing Information. This bulleted item indicates that the Nevada Natural Heritage Program only has information about special status plants and not animals. The Nevada Natural Heritage Program tracks information about all rare species in Nevada including animals (includes all taxa). This bullet should be revised accordingly. If the Ely BLM District has not already done queries with the Nevada Natural Heritage Program to acquire information on animal species, consider doing this. Similarly, NDOW, through its Wildlife Diversity Bureau, collects data on animal species and maintains databases and GIS themes with this information. For bird species the Great Basin Bird Observatory has a Nevada Bird Count program focused on monitoring trends of bird populations throughout the state of Nevada. For White Pine and Lincoln Counties this monitoring work has been ongoing for the last four years.

F5-70 Page 4.3-3, section 4.3, Environmental Consequences, Water Resources, Impacts from Other Programs, Lands and Realty. This sentence states that impacts to water resources from lands and realty actions could contribute to increased erosion. This sentence greatly understates the potential impacts to water resources that would result from lands and realty actions. The sale of Federal land for development purposes promotes a greater demand for water resources to support the resulting development. The BLM should disclose all impacts, including indirect impacts related to water resource development, which would result from the sale of disposal lands.

F5-71 Page 4.6-30, section Alternative E- Wildlife Conclusion. We assume that the conclusion statement is a summation of the indirect and direct impacts on wildlife resources from all program areas under the management authority of the Ely BLM Field Office. Most of the discussion about impacts in Chapter 4 is overly generalized and not very specific. Nor is much provided in the way of quantitative information to back up the conclusions that you reached. The discussions in Chapter 4 also seem to focus disproportionately on the positive outcome for biological resources that will accompany actions like range and

Responses to Letter F5

F5-68 Thank you for expressing your concerns regarding consistency between the Proposed RMP and the Proposed Revisions to Grazing Regulations for the Public Lands (BLM EIS DES 03 62). The Record of Decision for revisions to grazing regulations was issued in July of 2006, and the Proposed RMP was evaluated for consistency. In addition, a summary of the grazing EIS has been added to the Proposed RMP and Final EIS in Section 1.9.3.4 on Recent Programmatic EISs.

F5-69 In response to your comment, the text in Section 3.7 of the Proposed RMP and Final EIS has been changed to clarify the discussion regarding the Natural Heritage Program.

F5-70 Without further specifics regarding individual lands and realty actions, it would be speculative to identify site-specific impacts from these actions or try to quantify them. In general, land disposals leading to development would result in increased demands on water resources. In response to this and similar comments, the text in Section 4.3 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of the effects of land disposal on water resources. The basic impact conclusions presented in the Draft RMP and EIS have not changed. In addition, each disposal action would undergo a NEPA process wherein its specific impacts would be assessed, and cumulative impacts from past, present, and reasonably foreseeable future actions would be addressed at that point in time.

F5-71 The conclusion statement is meant to be a brief summary statement about effects of management actions on wildlife in general, not an itemization by individual species or even species groups. Impact discussions that provide effects on particular groups of wildlife species are described earlier in the text for the Proposed RMP.

Letter F5 Continued

F5-71 watershed improvement projects, habitat restoration, etc. This is also the case for the conclusion statement. We acknowledge that much of the restoration and habitat enhancement actions you discuss in the EIS will benefit wildlife species. However, the statement lumps many different types of wildlife species together when impacts are likely to affect different wildlife species in very different ways. We are unclear as to why a summary statement about whether the combined indirect and direct impacts would negatively impact wildlife populations, positively affect them, or that they would remain stable was not provided in the RMP EIS. In short, a conclusion about the indirect and direct impacts on wildlife was not provided. We recommend expanding the analysis, splitting out statements of impacts based on different types of wildlife, and providing both conclusory statements and more context as to how these conclusions were reached. We note similar deficiencies in the conclusion statements for Aquatic Habitat and Fisheries on page 4.6-10. The conclusion provided in the RMP EIS for these biological resources is not accurate and lacks justification.

F5-72 Page 4.7-19, section 4.7.2, Environmental Consequences, Aquatic Species, Alternative B, Fish and Wildlife, Big Spring Spinedace. This sentence states that management actions would have no effect on the spinedace because trout distribution in the Meadow Valley Wash does not overlap with that of the spinedace. However, the Recovery Implementation Team has been discussing the potential for establishing a refugium for the spinedace in Clover Creek, which is within the historic range of the spinedace, and this may create an overlap with trout management in this area. We recommend adding language that would address the potential need for coordinated fish management efforts in Clover Creek at some point in the future.

F5-73 Page 4.7-19, section 4.7.2, Environmental Consequences, Aquatic Species, Alternative B, Livestock Grazing, Other Sensitive Species on BLM-administered Land. This section mentions reducing impacts to the White River desert sucker and relict dace from livestock grazing. However, there is no mention of these two species elsewhere within the document. Management alternatives and affected environment for these species should be added to chapters 2 and 3.

F5-74 Page 4.7-20, section 4.7.2, Environmental Consequences, Aquatic Species, Alternative B, Mineral Extraction, Big Spring Spinedace and Other Sensitive Species on BLM-administered Land. This section should be expanded to describe more specifically what the anticipated effects may be to aquatic listed, rare, and sensitive species from mineral extraction. Since most of the Meadow Valley Wash and Clover Creek are located within areas proposed to be open to minerals extraction, and the upper Meadow Valley Wash is located within a high potential oil and gas development area, we are particularly interested in understanding the specific impacts that may occur to listed, rare, and sensitive aquatic species, and the measures that will be taken to ensure that impacts from mineral extraction are minimized to avoid adverse effects to the species.

F5-75 Pages 4.7-25 and 4.7-46, section 4.7 Special Status Species, Conclusion statements for Aquatic Species and Wildlife Species. Similar to our previous comments above regarding the "Conclusion" statements about impacts (indirect and direct) on Wildlife

Responses to Letter F5

F5-72 In response to your comment, the text in Section 4.7 of the Proposed RMP and Final EIS has been revised to include a discussion of the potential for establishing a refugium for the spinedace in Clover Creek. If the refugium is established, coordinated management between the USFWS and NDOW would be required.

F5-73 In response to your comment, the text in Section 2.4.7, Section 3.7.2, and Section 4.7 of the Proposed RMP and Final EIS have been revised to clarify the discussion regarding management of special status species and impacts to those species. Specific management direction is provided for those species that the BLM and the USFWS agreed to address during the consultation process for the Ely RMP. All other special status species (see Appendix E) have been addressed in a general way in the Proposed RMP and Final EIS.

F5-74 The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for mineral extraction are prepared and evaluated. NEPA analysis and Section 7 compliance will be required and impacts and mitigation will be described for the specific development areas. Best Management Practices would be implemented to minimize impacts to sensitive species. Please refer to Section 2.4.18 in the Proposed RMP and Final EIS for a discussion of specific restrictions to mineral development in ACECs that provide habitat for sensitive species.

F5-75 The conclusion provides summary statements about effects of management actions on sensitive species as an overall group. Impact discussions that provide effects on particular sensitive species are described under each program.

Letter F5 Continued

F5-75

and Aquatic Habitat and Fisheries we do not think the "Conclusion" statements in this section are accurate or appropriate given the limited discussion provided about indirect and direct impacts. The RMP EIS analysis is overly general and does not provide a context that allows for the conclusion that is provided. The RMP EIS "Conclusion" statement lumps together a wide variety of species and concludes the same outcome for all when the outcomes will actually vary by species. We suggest BLM revisit these sections of the EIS. There is a need to provide more background and context for the conclusions. Rather than lumping together a wide variety of taxa we suggest that they be split into separate discussions. Some type of summary statements about whether you expect populations to remain the same, decrease, or increase should be provided.

F5-76

Page 4.28-32 and 34, section 4.28.6 Fish and Wildlife, Cumulative Impacts Conclusion. After reviewing the summary statements provided on pages 4.28-32 and 4.28-34 for "Fisheries" and "Wildlife", we do not understand how the conclusions that are provided in the RMP EIS were reached. Most of the discussion about impacts in Chapter 4 is overly generalized and not very specific. Nor is much provided in the way of quantitative information to back up the conclusions that are provided. The RMP EIS discussions also seem to focus disproportionately on the positive outcome for biological resources that will accompany actions like range and watershed improvement projects, habitat restoration, etc. We acknowledge that much of the restoration and habitat enhancement actions discussed in the EIS will benefit wildlife species. However, under Alternative E 98 percent of the Ely BLM land base will be open to livestock grazing, the area open to locatable minerals would be 89 percent of the District, the total acreage open to salable minerals would be 84 percent of the District, the acreage open to leasing of fluid minerals would be 89 percent of the District, the acreage open to leasing of solid minerals would be 89 percent of the District, about 60 percent of the District would be open to solar energy development, there does not appear to be any general stipulation preventing lands with known occurrences of federally listed species from being disposed of, about 11 percent of the land base would be open to maximize opportunities for motorcycle special recreation permit events, and only about 7 percent of the District would be closed to off-highway vehicles. Even considering that a variety of best management practices, contract stipulations, and management adjustments will be applied to programs that negatively impact fish and wildlife resources, we do not agree with the conclusions that are provided. Within the context of cumulative impacts analysis the RMP EIS should consider the worst case scenario from the combined impact of all the extractive type activities that BLM could potentially allow and then project an outcome for fisheries and wildlife based on this. BLM may also want to project the best case scenario for resource development in the RMP EIS and then project a range of possible outcomes that may result. In reviewing Chapter 4 we have to assess the greatest potential impact that may result for fish and wildlife resources from the alternative BLM proposes to implement. In doing this we conclude that the overall impact to fish and wildlife resources from the BLM preferred alternative is likely to have negative consequences for fish and wildlife populations on the Ely BLM District land base.

We suggest that BLM revisit the analysis of cumulative effects for fish and wildlife resources, split out the analysis into more categories or groupings of fish and wildlife,

Responses to Letter F5

F5-76

In response to this and other comments, the impact analysis in Section 4.6 of the Proposed RMP and Final EIS has been clarified and expanded as appropriate. However, the Council on Environmental Quality has eliminated the requirement for a "worst case analysis" in EISs. In accordance with applicable statutes and policies, the Ely Field Office would continue to manage the majority of lands within the Ely RMP decision area for multiple uses. The widespread closure of lands to other uses for the sole purpose of protecting and enhancing fish and wildlife values is not consistent with BLM's multiple use mandate. The Ely Field Office's management actions for the decision area are based on projected resource demands, sustainable use levels, and site-specific management applied at the watershed level. The fact that the majority of the decision area would remain open for mineral development or for renewable energy development is essentially irrelevant to the reasonably foreseeable development projections for these resource uses, which serve as the logical basis for assessing environmental impacts from the Proposed RMP. In support of the impact conclusions presented, it should be noted that while the management actions in the Proposed RMP would retain multiple use throughout most of the decision area, almost all disturbance-generating uses would be subject to substantially greater constraints and environmental protection measures than are applied under current management. For example, where current management identifies almost the entire decision area as being "open" to off-highway vehicle use, the Proposed RMP would "limit" such use to designated roads and trails or "close" some areas entirely. Similarly, Section 2.4.12 stipulates that lands designated as "critical habitat" for listed species would not be disposed. The Cumulative Impacts Conclusion statements are intended to be very brief summary statements, not a repeat of the more detailed discussions presented throughout Chapter 4.

Letter F5 Continued

F5-76 | and provide more of a context for how the conclusions provided in the RMP EIS were reached.

Appendix B, The Bureau of Land Management’s Proposed Wind Energy Development Program

F5-77 | Will the Ely BLM Field Office be adopting all the best management practices from the BLM Final Programmatic EIS on Wind Energy Development? More specifically, would the Ely Field Office be adopting the best management practice that would prohibit the disturbance of listed plant species?

Pages B-1 to B-6, Under the Proposed Policies and Proposed Best Management Practices header.

F5-78 | We recommend that the Ely BLM Field Office fully adopt both the Service’s *Interim Guidelines to Avoid and Minimize Wildlife Impacts from Wind Turbines* and guidance contained in the Service’s *Prairie Grouse Leks and Wind Turbines: U.S. Fish and Wildlife Service Justification for a 5-Mile Buffer from Leks; Additional Grassland Songbird Recommendations* briefing paper. We also suggest these guidance documents be referenced in this Appendix and that all appropriate guidelines and best management practices from these Service guidance documents be integrated into all future wind energy developments on the Ely BLM District.

Page B-16, under References.

F5-79 | The “Conservation Assessment of Greater Sage-grouse and Sagebrush Habitats, 2004” was not written by the State of Nevada. This was a product of the Western Association of Fish and Wildlife Agencies and authored by John Connelly, Steven Knick, Michael Schroeder, and San Stiver. This publication should be cited as it is given on the front page of that Assessment.

Appendix E, Tools and Techniques

F5-80 | A section is needed to describe monitoring plans for determining the effects or success of management tools and techniques for use in managing natural resources, watersheds, and ecological systems. Although the RMP describes monitoring in general for each of the programs in Chapter 2, more specific guidelines should be developed to test the efficacy of management tools and techniques, to ensure that results are successful in reaching management goals while reducing or avoiding impacts to listed, rare, or sensitive species.

F5-81 | **Appendix F, Special Status Species.** In Table 1, in the column labeled “U.S. Fish and Wildlife Service”, the Greater sage grouse is coded as “PT.” We assume that this is intended to indicate that the species has been proposed for listing as threatened. Since sage-grouse have not been proposed by the Service for listing, this space should be blank.

Responses to Letter F5

F5-77 | The Proposed RMP/Final EIS has incorporated the best management practices from the BLM Final Programmatic EIS on Wind Energy Development found in Appendix F, Section 3. Any disturbance of listed plant species that might be identified in the future would be addressed during the NEPA process and consultation with the US Fish and Wildlife Service.

F5-78 | Please refer to Appendix F, Section 3 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. These are the best management practices that will be adopted by the Ely Field Office. Please note that the Fish and Wildlife Service consulted on the preparation of the Wind Energy EIS and is expected to issue a programmatic biological opinion on the development of wind energy on public lands. If the Service determines that best management practices beyond those published in conjunction with the Record of Decision are necessary and appropriate, it is expected that these would be included in the biological opinion.

F5-79 | In response to your comment, the referenced citation has been corrected.

F5-80 | In response to your comment, the text in Section 2.4.23 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of monitoring.

F5-81 | In response to your comment, Appendix E in the Proposed RMP and Final EIS has been modified by removing the code “PT” from the referenced table.

Letter F5 Continued

- F5-82 [**Appendix H, Standard Operating Procedures.**
We recommend an addition to “WL3” on page H-1 to add another sentence to this SOP stating that “To the greatest extent possible all mind adits and shafts that are slated for closure will be surveyed for bat presence and use prior to being closed.”
- F5-83 [For Standard Operation Procedure “SS4” on page H-2 we suggest that BLM add in a reference for the most recent joint guidance produced by APLIC, the 2005 Avian Protection Plan, for minimizing wildlife impacts from powerline/utility line construction.
- F5-84 [We suggest the addition of a stipulation to the “Minerals” part of the Standard Operating Procedures (pages H-6 to H-8). The stipulation should state that for circular, hollow mining claim markers the tops are required to be capped, in accordance with Nevada state law, to prevent mortality to migratory birds, bats, and insects.
- F5-85 [**Appendix L, Standard Terms and Conditions for Mineral Development Within the Ely District.** On Page L-4 under Standard Operating Procedures for Mineral Materials we suggest adjusting the time period with regard to nesting migratory birds so that it reads “Any disturbance commencing between April 1 and July 15.” Similarly, on page L-5 under “13” and on page L-23 under “1.2.4.4” we suggest the same change be made.
- F5-86 [On page L-7 under “20” the Appendix indicates that a 0.5 mile buffer zone will be imposed on activities around various raptor use sites. For what length of time would this buffer zone against disturbance be in effect?
- F5-87 [On page L-7 under “21” we suggest changing the language to read “Consultation with the U.S. Fish and Wildlife Service is required under Section 7 of the Endangered Species Act if a BLM project (any project funded, authorized, or carried out by BLM) may affect a listed species or adversely modify designated critical habitat for the species. If a BLM project may affect a species proposed for listing or adversely modify proposed critical habitat for a species, BLM 6840 policy requires conferencing with the U.S. Fish and Wildlife Service.” The last sentence provided under item “21” is fine as is. Similarly, we suggest changing this language elsewhere in this Appendix where it occurs (ie. item 25 page L-12, etc.).
- F5-88 [For the desert tortoise on page L-38 under item 1.4.7.1 we suggest some modifications to the existing text to account for the fact that desert tortoise has designated critical habitat. The suggested revision would be “Consultation with the U.S. Fish and Wildlife Service is required under Section 7 of the Endangered Species Act before a project can be approved if BLM determines that the proposed action may affect the desert tortoise, or adversely modify designated critical habitat for the species. If a determination is made that a BLM project may affect the desert tortoise, or adversely modify designated critical habitat for the species, the proposal must be modified or denied per appropriate regulations.”
- F5-89 [Page L-25 under section 1.2.4.15, Pygmy Rabbit Standard Operating Procedure. We suggest some changes and revision to the measures that you include here. Our recommendation is that there be three measures as follows:

Responses to Letter F5

- F5-82 In response to your comment, the text of Standard Operating Procedure WL3 from the Draft RMP and EIS has been revised to incorporate the wording suggested in the comment. It now appears in Appendix F, Section 1, as best management practice #1.7.5.
- F5-83 In response to your comment, the text of Standard Operating Procedure SS4 from the Draft RMP and EIS has been revised to incorporate the reference suggested in the comment. It now appears in Appendix F, Section 1, as best management practice #1.7.2.
- F5-84 A best management practice as described in this comment is not needed in the Proposed RMP, because mining claim markers are regulated by the State of Nevada.
- F5-85 The Standard Terms and Conditions for Mineral Development listed in Appendix L of the Draft RMP/EIS are for Alternative A, which is continuation of present management. Thus, the dates referenced in this comment cannot be changed. A specific time period for the nesting of migratory birds in the planning area is not included as a management action in the Proposed RMP, because it would vary substantially between the Great Basin and the Mojave Desert regions. However, please note that the Ely Field Office Policy for Management Actions for the Conservation of Migratory Birds allows for revising the dates of the "no activity" period as new information on avian species or specific characteristics of a proposed project indicate a need to do so.
- F5-86 In response to your comment, the wording of item 20 under Geophysical Operations has been revised to clarify that the referenced buffer zone would apply throughout the period of active use of these sites. Please note that Appendix L has been combined into Appendix K in the Proposed RMP and Final EIS.
- F5-87 In response to your comment, your suggested text changes have been incorporated. Please note that Appendix L has been combined into Appendix K in the Proposed RMP and Final EIS.
- F5-88 In response to your comment, your suggested text changes have been incorporated. Please note that Appendix L has been combined into Appendix K in the Proposed RMP and Final EIS.
- F5-89 In response to your comment, your suggested text changes have been incorporated. Please note that Appendix L has been combined into Appendix K in the Proposed RMP and Final EIS.

Letter F5 Continued

- F5-89
- a. Avoid areas pygmy rabbits occupy
 - b. Restriction of activities near burrows during the months of April through early August
 - c. Avoid fragmentation of populations

Appendix M, Wildlife Desired Future Conditions

F5-90

We note that desired future conditions for sagebrush habitat, and those species associated with this habitat type, are provided in this Appendix. This is key given that about 49 percent of the Ely BLM land base is sagebrush habitat. However, we are concerned that desired future condition sections for any of the other wildlife habitats that Ely BLM District is responsible for managing were not developed and provided in this Appendix. We strongly encourage BLM to develop desired future conditions for all the wildlife habitats managed by the Ely BLM Field Office.

Appendix N, Standard Requirements for Lands and Realty Actions Within the Ely District

F5-91

We are concerned that this Appendix has no stipulations or standards that relate directly to fish, wildlife or plants. More specifically there are no standards provided relative to federally listed species, designated critical habitat, and species that are proposed for listing or those that are federal candidates for listing. We suggest adding a stipulation to this Appendix that specifically indicates that BLM lands with habitat for federally listed species, species proposed for listing, species that are candidates for listing, or with designated or proposed critical habitat for a federally listed species, will not be exchanged or disposed of by BLM.

Responses to Letter F5

F5-90

Please refer to Section 2.4.5 in the Proposed RMP and Final EIS for a discussion of the desired future condition of vegetation by all habitat types. Please note that this Appendix has been deleted from the Proposed RMP and Final EIS.

F5-91

Please refer to Section 2.4.12 in the Proposed RMP and Final EIS for a discussion of lands and realty management actions. Please note that Appendix N has been combined into Appendix K in the Proposed RMP and Final EIS.

Letter F6



United States Department of the Interior

NATIONAL PARK SERVICE
Great Basin National Park
Baker, Nevada 89311-9701

N16(GRBA)

November 30, 2005

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

Mr. Drais,

Great Basin National Park has reviewed the Draft Resource Management Plan/Environmental Impact Statement for the Ely District and would like to provide additional information on issues concerning wildlife. Although Humboldt National Forest and Great Basin National Park predominately administer the south Snake Range, the proposed alternatives could weaken the ability to carry out management for Rocky Mountain Bighorn sheep on the south Snake Range and sage grouse in Snake Valley. Listed below are our comments to include in the document.



F6-1

- Include the Windy Peak and Sacramento Pass area of the south Snake Range for management of Rocky Mountain bighorn sheep. Great Basin National Park is currently preparing a restoration plan for bighorn sheep that will encourage metapopulation dynamics with the Mt. Moriah population and cooperative domestic sheep management. The Windy Peak/Sacramento Pass area provides existing bighorn sheep habitat based on GIS habitat models developed by the park and provides a corridor for movement between Mt. Moriah on the north Snake Range and alpine habitats on the south Snake Range. This corridor allows for metapopulation dynamics that would maintain the genetic viability of both populations. Movements between Mt. Moriah and the south Snake Range do occur. Bighorn sheep released on Mt. Moriah in 1991 and fitted with ear tags were seen as far south as Lincoln Peak on the south Snake Range, 30 miles from Mt. Moriah. In addition, private landowners on Sacramento Pass have reported bighorn sheep movement both north and south in that area.

F6-2

- Include the document titled Instruction Memorandum No. 98-140 Revised Guidelines for Management of Domestic Sheep and Goats in Native Wild Sheep Habitats as an appendix. This document is referred to multiple times, yet without knowledge of it's contents, a reviewer cannot determine the adequacy of the guidelines to protect

Responses to Letter F6

F6-1

In response to your comment, the text in Table 2.9-1 and in Section 2.4.6.4 of the Proposed RMP and Final EIS has been revised to include the entire Snake Range.

F6-2

Thank you for your comment. Any reference to Instruction Memorandum No. 98-140 has been removed from the Proposed RMP and Final EIS because this IM could be replaced during the life of the RMP. The most current BLM guidelines for management of domestic sheep and goats in bighorn sheep habitat will be applied. At the present time, BLM guidelines regarding buffer zones are different for Rocky Mountain bighorn sheep and desert bighorn sheep because in most states desert bighorn sheep are considered a sensitive species and Rocky Mountain bighorn sheep are not.

Letter F6 Continued

F6-2 [bighorn sheep. Mention that these guidelines would be addressed when revising grazing plans on allotments adjacent to bighorn sheep habitats that occur primarily on lands administered by the Humboldt National Forest and National Park Service, which largely occurs on the south Snake Range. Implementing these guidelines around the south Snake Range would reduce risks for disease transfer between domestic and bighorn sheep as buffers would largely be non-bighorn sheep habitats.

F6-3 [

- New information concerning sage grouse in Snake Valley is now available. In October 2004, members of your staff and the Nevada Division of Wildlife captured four male sage grouse on the Baker Ranch and fitted them with radio telemetry transmitters. They requested Great Basin National Park Resource Management staff monitor the movement of these grouse to determine seasonal distribution, lek locations and relative abundance. We are still monitoring several birds today. Range distribution of these birds included the eastern extent of the Baker Ranch between May and October. In November, the birds shifted their range west of Baker onto the bench below Kiou Springs and remained there until mid-May. We discovered new lek locations on the bench below Kiou Springs. Unfortunately, the population is small with only nine birds counted at once. A full report including GIS shapefiles will be sent under a separate letter.

F6-4 [

- Details are not sufficient in the Draft Resource Management Plan/Environmental Impact Statement for the Ely District to determine how proposed land disposals would affect the habitats used by this small population of sage grouse, but we feel it necessary to reevaluate proposed land disposals in Snake Valley in light of the small and isolated nature of this population.

F6-5 [

- Lands within one mile north and south of State Highway 488 and lands within one mile west of State Highway 487 from the junction of U.S Highway 6 & 50 to Baker, NV should not be considered for disposal and should be closed to entry for fluid leasable minerals, solid leasable and locatable minerals and saleable minerals to preserve scenic viewsheds and consolidate urban growth in the townsite of Baker.

This concludes our comments on the Draft Resource Management Plan/Environmental Impact Statement for the Ely District. If you have any questions, do not hesitate to contact Tod Williams at (775) 234-7331 ext. 223 or tod_williams@nps.gov.

Sincerely,


Cindy Nielsen
Superintendent

cc Paul Podbourny, BLM Ely District
Curt Baughman, NDOW

Responses to Letter F6

F6-3 Thank you for this wildlife resource information. Effects on specific leks will be considered by the Ely Field Office when project-specific plans are prepared or evaluated.

F6-4 In response to your comments, the land disposal maps (Maps 2.4.12-1 through 2.4.12-4) in the Proposed RMP and Final EIS have been revised to retain the sage grouse habitat you have identified.

F6-5 This land has not been identified for disposal, and it has not been closed to fluid leasable minerals, solid leasable and locatable minerals, and saleable minerals. The type of issues raised in your comment will be considered by the Ely Field Office when project-project plans are prepared or evaluated.