

## Mojave-Southern Great Basin Resource Advisory Council

Meeting Minutes  
Thursday, August 16, 2007  
Tonopah Convention Center  
Tonopah, Nevada

### In Attendance

Chairperson: Dr. John E. Hiatt	Wildlife
Co-Chairperson: Stephen Mellington	Public at Large
Coordinators: Chris Hanefeld	BLM, Ely Field Station, PAO
Karen Eller	BLM, Tonopah Field Station, PAO
Juan Palma	BLM, Las Vegas Field Office, Field Manager
Kenny Anderson	Native American
Greg Seymour	Archaeology/History
Jackson Ramsey	Red Rock Canyon Interpretive Association, Executive Director
Douglas "Stretch" Baker	Nye County Road Department (Right of Way)
Skip Canfield	State of Nevada
Claire Toomey	Permitted Recreation (Las Vegas Distance Rider)
Ed Higbee	Grazing
Gracian Uhalde	Ranching and Grazing (Livestock)
Julie Gleason	Wild Horse & Burro
John F. Ruhs	BLM, Ely Field Station, Field Manager
Tom Seley	BLM, Tonopah Field Station, Assistant Field Manager
Steve Tryon	BLM, Las Vegas Field Office, SNPLMA
David Wood	BLM, Las Vegas Field Office, SNPLMA, Hazardous Fuels Reduction and Wildfire Prevention; Eastern Nevada Landscape Restoration Project
Libby White	BLM, Las Vegas Field Office, SNPLMA, Land Acquisition
Jeremy Brooks	BLM, Las Vegas Field Office, SNPLMA, Parks, Trails, and Natural Areas; Multi-Species Habitat Conservation Plans
Nancy Christ	BLM, Las Vegas Field Office, SNPLMA, Conservation Initiatives
Wendy Seley	BLM, Las Vegas Field Office, Realty Specialist/Sales
Susan Rigby	BLM, Tonopah Field Station, Archaeologist
Michele Pointel	BLM, Tonopah Field Station, Legal Clerk (OA)

### Public Present

No members of the Public attended the meeting.

## **Meeting Materials**

Note: A copy of the presentation notes (listed at end of meeting notes) is available from Chris Hanefeld, Public Affairs specialist, at (775) 289-1842.

## **Meeting Notes**

9:03 a.m. Introduction to the meeting and of the parties present.

Juan Palma explained the absence of some of the members and staff, and reminded the group of the Tri-RAC meeting in Carson City, Nevada which will be held November 14-16, 2007.

Chris Hanefeld took care of some administrative matters (travel vouchers and minutes from the last MOSO RAC meeting).

## **SNPLMA Division , Round 8 Nominations Review, Steve Tryon Presenting (Attachments #2-5)**

Legislation regarding the Parks, Trails, and Natural Areas requires that money from sales be transferred to local governments as soon as possible. Steve described the future outlook for Round 8 funding by individual categories, and the process for selecting the projects which total \$81,652,521.00.

The market is generally depressed. Steve Mellington asked if Juan had considered whether or not to suspend sales until the market has recovered. Juan replied that the local government must participate in joint selection process meetings. Steve Mellington acknowledged that there is a process to follow, and asked that if BLM must consider requests from local governments for land to be sold. Juan replied "yes". Steve Tryon said that not all lands are sold; some lands are set aside for particular reasons.

Steve Tryon briefly reviewed the program and opened the floor for questions.

John Hiatt asked if 10% is built into the budget. Steve Tryon replied that it is. Applicants have improved in making more accurate estimations.

Ed Higbee and David Wood discussed the frequency of communication between rural people and SNPLMA employees.

Steve Mellington inquired regarding the relationship between being awarded funding and performance of a project, and if there is a penalty for recipients not performing as proposed. Steve Tryon replied that one cannot get funding if they don't perform. Projects are accountable on a quarterly basis; the work accomplished can be tracked. Steve Mellington brought up having incentive for funded recipients to perform. Steve Tryon suggested that those who complete their projects early, or under budget, for example, should be shown favor. Steve Mellington reflected that a facet to consider

when weighing a project for funding is whether or not a group has the infrastructure to complete it. Gracian Uhalde inquired if there is a format for organizing what will be done. Juan Palma stated, "Planning". Gracian Uhalde asked if people think their projects through. Tryon replied that the proponents are asked to phase their work.

Steve Tryon discussed the eleven total projects submitted for Capital Improvements. They totaled \$25 million. He went over the projects, listed by priority.

Skip Canfield asked if projects in Nye County can qualify (referring to the Ash Meadows National Wildlife Refuge). John Hiatt said that the headquarters are in Clark County, and the project is thus eligible. Libby White said that projects qualify according to their boundaries.

#### Acquisitions, Libby White, Presenting (Attachments # 3, 6 & 7)

Libby White covered the chart on page 14 of Attachment #3 of the lands being recommended.

The SNPLMA legislation defines environmentally sensitive lands. The criteria for scoring nominated lands are directly related to that definition. Lands are scored and ranked based on the extent to which they offer the qualities included in that definition and as reflected in the criteria. Five to seven of the 14 nominated lands qualify for funding under the Federal Lands Transaction Facilitation Act (FLTFA).

Skip Canfield asked her to give a comparison of process length between FLTFA and SNPLMA lands. She explained that several states have recently developed their FLTFA process, and a portion of the FLTFA funds are allocated competitively among all eligible states. However the FLTFA funding for Nevada is set at a particular level and should not be affected by other states' processes or nominations. In terms of the length of time, the FLTFA process requires an additional step for approval. After the SNPLMA Executive Committee recommends lands be acquired under FLTFA, a "Nevada FLTFA Recommendation" is prepared and sent forward to the Land Transaction Facilitation Council in Washington, D.C., which reviews lands recommended for acquisition by all eligible states. That entity prepares the "Final FLTFA Recommendation" which must be approved and signed by both the Secretaries of the Interior and Agriculture. Therefore, the FLTFA approval process is typically somewhat longer than the SNPLMA process.

John Hiatt had a question on the water rights ownership during the discussion on Grapevine Springs. Libby White said that both ground and surface water can be bought and sold separately from the land itself. There are permitted and certificated water rights. These processes are done through the state engineer. Libby said that BLM's policy is to only buy enough water rights to sustain the natural resource needs of the land. To keep water on site for this use permitted and certificated water rights are purchased. She explained the process. Juan Palma stated that LVFO is just about to acquire some water rights, and is working with Nevada Division of Wildlife (NDOW) to obtain water for the

wildlife. John Ruhs recommended that for a topic at a future meeting, BLM discuss water policy. John Hiatt concurred; he has questions on the matter.

#### Parks, Trails, and Natural Areas, Jeremy Brooks, Presenting (Attachments #3 & 8)

Jeremy Brooks covered the chart on page 10 of Attachment #3 of the lands being recommended.

Regarding the Las Vegas Wash Regional Trail System I-15 Pedestrian bridge Project, John Hiatt inquired as to where Gowan Road crosses I-15. Greg Seymour offered the information. There was discussion on the type of bridge to be constructed.

Steve Mellington asked for the definition of equestrian trail use. Jeremy Brooks said that there wouldn't be any equestrian users of the bridge.

Jeremy handed out a map showing the areas to be developed as trail corridors. They are close, but not directly adjacent to, wetlands. They are still deciding where to build them.

#### Multi-Species Habitat Conservation Plans (MSHCP), Jeremy Brooks, Presenting (Attachments #3 & 9)

Jeremy Brooks covered the chart on page 16 of Attachment #3 of the projects being recommended.

John Hiatt asked how the monies work together to fund the program. Jeremy Brooks replied that SNPLMA is an additional funding source.

John Hiatt inquired as to what are the evident results of what processes have taken place to date. Jackson Ramsey informed the group that the Mojave Max elementary school program is funded by the MSHCP. Jeremy highlighted some educational television shows. Greg Seymour commented that there has been a lot of press on this topic due to the reticence of federal agencies to release information to the County due to confidentiality needs. Jeremy gave Marcy Henson's name as a reference on this question.

#### Conservation Initiatives, Nancy Christ, Presenting (Attachments #3 & 10)

Nancy Christ referred to page 13 of Attachment #3 for a listing of the proposed projects.

Based on the first priority project involving aquifers, there was another discussion on water rights. Nancy Christ said that this study fills in a gap left by other water studies. Some issues brought up by MOSO RAC members were 1) who will pay for water, and 2) who will protect water rights.

1. Regarding the project on "Fire History, Fire Effects, and Postfire Seeding in Southern Nevada: Compilation of Fire Histories and Evaluation of Past and Future Fires and Seeding Treatments", John Hiatt inquired if the study is for the

last 5 years. Nancy Christ confirmed that it is. [Subsequent to the RAC meeting, it was determined the fire history will date back to at least 1972 and possibly as far back as the first half of the 20<sup>th</sup> century depending upon availability and quality of data.]

2. Regarding the “Resource Protection (Law Enforcement), White Pine County” project, the United States Forest Service (USFS) has withdrawn their participation. There was discussion regarding funding salaries out of project monies and the need to have a permanent salary allocation for employees. Juan Palma suggested this as a topic for future meetings.

Hazardous Fuels Reduction and Wildfire Prevention, David Wood, Presenting (Attachments #3 & 11)

David Wood covered the chart on page 17 of Attachment #3 of the projects being recommended.

Eastern Nevada Landscape Restoration Project (ENLRP), David Wood, Presenting (Attachments #3 & 12)

David Wood covered the chart on page 19 of Attachment #3 of the projects being recommended.

Steve Tryon summarized the presentations and listed future items to be addressed. John Hiatt and Juan Palma asked that this list be provided to members of the RAC.

**Lunch Break**

12:55 p.m. John Hiatt called the meeting back to order.

The minutes from the previous MOSO RAC meeting were presented for approval. Some changes were made. Skip Canfield moved that the minutes be accepted. Steve Mellington seconded the motion. The minutes stand approved as corrected. (Attachment #13 is the version prior to corrections.)

**12:59 p.m. Resource Management Plans (RMP) (outdated), Tom Selev, Presenting**

For the current Tonopah RMP, pre-planning was started in 1990 (approximately) and the ROD was signed in 1997. It is an incomplete RMP because the revision of the land use plan for Areas of Critical Environmental Concern (ACEC) was never finalized. There was a false start in 2004 for revision of the Shoshone-Eureka RMP. The pre-plan analysis will be done in FY08. Under a best-case scenario, the RMP would be done by 2011. The land use plan revision will be on a district-wide basis, covering 10-11 million acres.

*1:02 p.m. John Hiatt opened the meeting for public comment. As there were not any members of the public present, he returned the floor to Tom Seley.*

Steve Mellington asked if the current plan covers all of Tonopah and Tom Seley replied that it covers everything that Tonopah is responsible for.

John Hiatt asked Juan Palma if he foresees any possibility for amendments or updates to the LVFO RMP. Juan Palma replied that yes, in light of the changes in the areas surrounding the Las Vegas Valley, the LVFO RMP needs to be reassessed.

**1:07 p.m. Table Mountain Wind Energy, Juan Palma, Presenting**

Table Mountain is west of Jean, Nevada. It creates a natural saddle for harnessing the wind. The Record of Decision (ROD) has been completed. The Environmental Impact Statement (EIS) has not yet been signed. There is a conflict between Ivanpah Airport and Acciona Energy North America Corporation's wind turbines project. Table Mountain is Visual Resource Level 2. The Ivanpah Airport EIS is in process. Acciona wants the ROD to be signed. However, the Ivanpah Airport threatened to sue because they feel their needs would be jeopardized by the ROD being signed. The end result was that Acciona agreed to do a supplemental EIS. Juan Palma felt it was important to involve the Public in the decision because the area has changed a lot since the project was initiated. The supplemental EIS will take 9-12 months to complete. All decisions will allow input from the Public.

Skip Canfield asked how much weight Visual Resources have when considering a project. Juan Palma replied that it carries a lot of weight. Skip said that his constituents are concerned about the scenery being affected.

John Hiatt commented that military concerns restrict wind energy development by ruling much of Nevada as off-limits to wind power corridors. The solar power maps show Southern Nevada as having almost no potential for development of solar energy. Large parcels of acreage are required to set up solar power.

**1:22 p.m. Wild Horse & Burro Issue, Tonopah, Tom Seley Presenting**

The burros in Beatty is a highly sensitive issue. There are 5-22 burros that have become a nuisance that we are currently working to capture within Beatty. Tom's approach is to handle as wild animals.

Piper Management Area is located near the California line, Oasis, north toward Dyer, in the southern Fish Lake Valley Area. There are approximately 25 wild horses that cross highway State Route 264 and present a potentially dangerous situation for drivers passing through. A water trap will be set up to remove the problem wild horses. The rest of the area is at or below the Appropriate Management Level (AML).

*John Hiatt asked Juan Palma if he has any comments for LVFO.*

Juan Palma stated that both he and Julie Gleason will address the matter of the 71 horses that recently died on the test site.

There was something poisonous of manmade origin in the water on the playa that the horses would stir up and drink. Fencing from the Winnemucca Field Office (WFO) was placed to close off the area, and 4 troughs from LVFO were placed to provide water for the horses. Since that time, no additional horses have died.

Claire Toomey asked Juan Palma what he knew of horses on Tonopah Test Range having hoof problems. Juan Palma said that he would find out. Julie Gleason informed the group that there are instances of the wild horses having club feet on the range. This is due to the great traveling distances between food and water. The horses' hooves get worn out, and toxins come up into their feet. Claire said that she understands that club feet are hereditary. Julie concurred, adding that some people think club feet are due to traveling and may not be due to genetics in this particular situation. It is still being researched. When the numbers of horses are kept down, the problems aren't seen, except in very rare cases.

John Hiatt asked Juan Palma if there were alternative ideas being considered for providing water for the horses as hauling water would be hard to maintain, and if there was a natural source of water somewhere nearby. Juan said that they're looking at all options. The Air Force is helping. There will be a gather this winter of a couple hundred horses. However, a long-term solution is needed. Ed Higbee asked Juan if there were springs that could be developed, and where they are located. Juan Palma listed several springs. Julie Gleason commented that we need to more effectively manage the water and spring source for all of wildlife and wild horses on the Range. Juan Palma said that they ran out of water this summer and they had 4 tanks placed to collect water and sustain the wildlife during low water periods. Julie Gleason commended Juan Palma and BLM for doing this.

### **Update on Money Diverted from SNPLMA, Julie Gleason Presenting**

Forty horses and 10 burros have been adopted. They had 2 horses adopted at a County Fair in order to promote adoption. All horses are doing well. Juan Palma said that the adoptions were very successful and had good participation.

Their money is monitored so that they can be accountable for it. Money was given to the Mustang Heritage Foundation who feature an "Extreme Mustang Makeover" program.

Money has also been sent to 3 other programs:

1. Sister City--three different locations
2. Futurity Program (renamed the Adoption Incentive Program)—scheduled for October 2007.
3. Virtual Adoption Website

Juan Palma thanked Julie Gleason for all that she has done with the program. He also shared that Jerrie Reynolds had the idea of putting an advertisement for adopting a wild horse on milk cartons. It will be released in November 2007. Juan said that LVFO is working with the prison at Indian Springs or Jean to set up a program where inmates work with the wild horses.

*1:50 p.m. John Hiatt closed the Public Comment period.*

John Hiatt pondered the size of the AML. Different sources have cited different numbers of horses. He said that perhaps the AML needs to be reconsidered. Juan Palma said that he will look at it again.

**1:54 p.m. Rhyolite (including trespass issues), Wendy Seley, and Susan Rigby, Presenting (Attachment #14)**

Susan Rigby gave an overview of the current status of Rhyolite's projects.

Wendy Seley explained that there is a rundown house next to the Bottle House which is in trespass. Being located on Public land, BLM Realty has jurisdiction over the house, which is in the status of Unauthorized Use and Occupancy. A case file has been opened for the property. Wendy has been researching the status of the house in order to determine viable options. No personal property taxes have been paid on it. Sheila Davis has indicated that she has a quit claim deed for it, and would like to donate the property to the BLM.

Susan Rigby said that engineers from Denver have concluded that the house cannot be rehabilitated for a reasonable cost; nor would owning it be cost effective. John Hiatt asked the State Historic Preservation Office's (SHPO) position on the matter. Susan replied that SHPO agrees that the house may be disposed of. The house is a safety hazard. As BLM has liability for the house, Steve Mellington supported its disposal.

There was discussion about the filmmaking that takes place in Rhyolite--whether or not fees are charged, and if so, to which account they are applied. Wendy Seley informed the group that a fee is charged for filming, and the money goes to the BLM state office which then allocates the money, that, in part, is used to pay employees' salaries.

Susan Rigby said that a BLM presence at Rhyolite is necessary in order to handle donations. However, due to the lack of facilities, it is difficult to attract caretakers to Rhyolite. Steve Mellington asked if the Park Service has any interest in Rhyolite; Tom Seley replied that it doesn't. Steve asked if Rhyolite has facilities in place. Tom said that one has to haul water and empty holding tanks elsewhere.

## **Field Managers' Reports**

2:19 p.m. John Ruhs, Ely Field Office (EFO), Field Office Manager, Presenting (Attachment #15)

John Ruhs covered the handout he had prepared of the EFO activities.

Regarding the EFO RMP, the NV BLM briefed the Washington Office (WO) director on August 10<sup>th</sup> and received permission to continue with the process which will lead to the printing of the RMP.

Range is up to 26 permits for this year. All have been out for scoping, and are at various stages.

***Not in notes handout:*** In December 2006, Congress identified more Wilderness areas. They are all marked. Over 3,000 letters were sent to hunters who received hunting tags this year so they will be aware of them.

Juan Palma, Las Vegas Field Office, Field Office Manager, Presenting (Attachment #16)

*Juan Palma brought up some items not included in the report (following).*

Areas of Critical Environmental Concern Withdrawal: ACECs were withdrawn from mineral entry for 5 years, which ends in November 2007. The area is set aside for desert tortoise, so they don't want mineral activity on those lands. It has been completed.

A meeting with approximately 20 managers is being planned for next week (Tuesday & Wednesday) to set priorities for the Mojave ecosystem.

In the South McCullough Wilderness, there were some cattle in the wrong area. The rancher is removing them.

Las Vegas Field Office has proposed having a field office in Pahrump, and Wendy Seley is the first hired employee in Realty. She works out of the Tonopah Field Station. Regarding the Upper Las Vegas Wash Conservation Transfer Area Supplemental EIS, the last meeting is tonight. The goal for completing the document is within one year.

John Hiatt asked if there has been any information on the 2002 Clark County bill passed where one provision said "no net loss for intensively or less intensively managed lands".

Juan Palma replied that he's not sure if acres have been gained or lost, nor if it's a County responsibility or whose, nor of how many studies have been done.

2:49 p.m. Tom Seley, Tonopah Field Station, Assistant Field Manager, Presenting (Attachment #17)

John Hiatt asked, regarding allotments in general, if the question of upcoming longer-than-normal droughts has been considered within the scope of future development. Tom Seley replied that decisions are based on forage and water available today. This includes analysis of weather patterns. Tonopah Field Station takes a fairly conservative approach while still meeting permittees' needs.

Joni Eastley has been very helpful in relation to cultural issues and Rhyolite.

*Tom Seley brought up an action that isn't covered in the notes.* He will meet with the State Parks in September regarding the proposed Monte Cristo State Park. There are various issues (active MCs, DOE Mina corridor crossing through it) to be addressed on this proposal. John Hiatt said that he understands that the State Parks is against it because they don't have enough funding for what they have at present. Tom Seley replied that when the governor of Nevada came through on a tour, he said that it may be underfunded.

John Hiatt stated that the scheduled part of the meeting was now concluded.

**Additional Discussion**

John Hiatt said that the MOSO RAC's best approach would be to look at process rather than "bog down" in individual points. Some themes are:

- Fiscal Responsibility: are we getting our money's worth?
- Is the management such that approval of projects is being met?

Chris Hanefeld said that the RAC will be providing comments by the deadline by Round 8 SNPLMA nominations. He asked the RAC members to provide him with their receipts and travel vouchers. Anyone who wishes to take the RMGC tour will meet at the TFS at 9 a.m. tomorrow. Everyone will meet for dinner tonight at the El Marques restaurant.

Meeting adjourned at 3:47 p.m.

Meeting notes approved by:

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Date

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John Hiatt, Chair  
Mojave-Southern Great Basin  
Resource Advisory Council

## Attachments

1. Meeting Agenda, Mojave-Southern Great Basin Resource Advisory Council August 16-17, 2007
2. Southern Nevada Public Lands Management Act, Round 8 Preliminary Recommendation
3. Round 8 Preliminary Recommendation, Expenditure of the Special Account for The Southern Nevada Public Land Management Act and Federal Land Transaction Facilitation Act—Round 4, August 15, 2007
4. Southern Nevada Public Land Management Act of 1998, as Amended/Capital Improvements—Project Summary/Round 8
5. Map showing the Southern Nevada Public Lands Management Act: Capital Improvements, Round 8
6. Southern Nevada Public Land Management Act of 1998, as Amended/Environmentally Sensitive Land Acquisitions—Project Summary/Round 8
7. Southern Nevada Public Land Management Act of 1998, as amended/Progress Report through April 30, 2007/Round 8/ Environmentally Sensitive Land Acquisitions—(charts)
8. Southern Nevada Public Land Management Act of 1998, as Amended/Parks, Trails, and Natural Areas—Project Summary/Round 8
9. Southern Nevada Public Land Management Act of 1998, as Amended/Multi-Species Habitat Conservation Plans—Project Summary/Round 8
10. Southern Nevada Public Land Management Act of 1998, as Amended/Conservation Initiatives—Project Summary/Round 8
11. Southern Nevada Public Land Management Act of 1998, as Amended/Hazardous Fuels Reduction and Wildfire Prevention—Project Summary/Round 8
12. Southern Nevada Public Land Management Act of 1998, as Amended/Eastern Nevada Landscape Restoration Project—Project Summary/Round 8
13. Mojave-Southern Great Basin Resource Advisory Council/Meeting Minutes/Thursday June 14, 2007
14. Photographs of House Next to Bottle House in Rhyolite, Nevada (2 pp)
15. Bureau of Land Management, Ely Field Office Field Manager's Report
16. Bureau of Land Management, Las Vegas Field Office Field Manager's Report
17. Bureau of Land Management, Tonopah Field Station Assistant Field Manager's Report