

Mojave-Southern Great Basin Resource Advisory Council

Meeting Minutes

Friday, May 2, 2008

Conference Room A, BLM So. Nevada District Office, 4701 N. Torrey Pines Dr.
Las Vegas, Nevada

Resource Advisory Council members present and category represented:

Dr. John E. Hiatt, Chairperson	Wildlife	Category 2
Douglas Baker	Transportation and ROW	Category 1
Don "Skip" Canfield	State Agency Representative	Category 3
Joni Eastley	Elected Official	Category 3
Julie Von Tobel Gleason	Wild Horse and Burro	Category 2
Elise McAllister	Dispersed Recreation	Category 2
Greg Seymour	Archeology/Historic	Category 2

Resource Advisory Council members absent and category represented:

Kenny Anderson	Native American	Category 3
Tim Carlson	Mineral Development	Category 1
Ed Higbee	Ranching/Grazing	Category 1
Steven Mellington, vice-Chairperson	Public at Large	Category 3
Dr. Peter Starkweather	Academic/UNLV	Category 3
Claire Toomey	Permitted Recreation	Category 1
Gracian Uhalde	Ranching/Grazing	Category 1

Bureau of Land Management (BLM) representatives present:

Chris Hanefeld	BLM Ely District Public Affairs Specialist
Michael Herder	BLM Ely Associate District Manager
Hillierie Patton	BLM Las Vegas District Public Affairs Specialist
Mary Jo Rugwell	BLM Las Vegas District Manager
Tom Seley	BLM Tonopah Field Manager
Scott Soss	BLM Regional Paleontologist
Jeff Steinmetz	BLM Las Vegas District NEPA Coordinator
Bob Taylor	BLM Red Rock and Sloan NCA Field Manager
Anna Wharton	BLM Las Vegas District Supervisor Realty Specialist, Sales

Public

Brad Hardenbrook Nevada Department of Wildlife (NDOW)

A copy of each attachment is listed in the text of or at the end of these minutes and is also on file with the official copy of the minutes in the Ely Field Office of the BLM. Persons desiring to review said minutes should contact Chris Hanefeld, public affairs specialist, at (775) 289-1842.

There is no quorum because a majority of the council members of each interest group are not present

8 a.m. Chairperson John Hiatt called the meeting to order.

- 8:05 a.m. Chris Hanefeld collected RAC members' travel receipts and information, and reminded the RAC about the meeting scheduled Thursday and Friday, June 26-27, in Ely.
- 8:10 a.m. The RAC reviewed and provided comments to a draft letter to BLM Nevada State Director Ron Wenker re: solar and wind energy project applications.
- 8:15 a.m. Hiatt opened the public comment period. There being no public comment, Hiatt continued the discussion on the Southern Nevada Public Land Management Act Round 9 nominations.

Hiatt noted that Conservation Initiatives are limited to 10 percent of the dollar amount, and asked if Conservation Initiatives are really about conservation. He expressed concern that the RAC, seeing multiple-phased projects, assume that all the phases are automatically funded upon initial approval, which is not accurate. He suggested the RAC think about asking for back-up funding from project proponents to ensure project completion. The RAC voiced concern that Conservation Initiatives received quite a bit more funding than did Parks, Trails, and Natural Areas. It was noted that the Craig Ranch is a positive PTNA project. It was also noted by the RAC that projects in Lincoln and White Pine counties cost less than do similar-type projects in Clark County. The RAC thought this might be related to the size and complexity of the individual projects. The RAC discussed dates on which the RAC could continue discussing SNPLMA Round 9, noting that June 2 is the deadline for comments. It was determined to meet on Friday, May 16, in the U.S. Fish and Wildlife Service conference room, in Las Vegas. The RAC requested that the SNPLMA Division provide each RAC member with an executive committee binder, the ranking criteria and website address.

District/Field Manager's reports:

Tonopah Field Office (attachment 1): Tom Seley reported that the Stateline burn area, north of Deer Lodge Way, is being impacted significantly by wild horse use. He talked briefly about SNPLMA funding and the closing and securing of abandoned mine lands.

Las Vegas District Office (attachment 2): Mary Jo Rugwell told the RAC about changes in the original proposal to convey areas of the Nellis Dunes to Clark County. She said new legislation would convey a limited area only to the county, retaining the rest under BLM jurisdiction so it would remain open for Off-Highway Vehicle (OHV) use. The RAC pointed out the lack of public support for the conveyance. It was noted that once the land is conveyed, the City of North Las Vegas might consider annexation. A brief discussion ensued re: Clark County's hiring of a consultant to conduct a study for the management of the area. The proposal called for a number of amenities and facilities, including bike trails, etc., at a cost of \$32 million.

Ely District Office (attachment 3): The RAC asked about a U.S. Air Force request for 14 Patriot Missile sites in Lincoln County that was not accompanied by a press

release. It was noted that the Environmental Assessment (EA) and related information are available on the Internet. There is a 30 day public comment period.

- 9 a.m. 3-Kids Mine Update, Anna Wharton, BLM Las Vegas District Supervisor Realty Specialist, Sales: Anna Wharton said that talks have been held between the Bureau of Reclamation, private developers Lakemoore Development, and BLM re: withdrawing approximately 950 acres of public lands that are part of a the 3-Kids Mine site for residential development. Lakemoore Development has also talked with the City of Henderson. Wharton told the RAC that BLM would not be involved in the clean-up, only Lakemoore Development and City of Henderson. Wharton said the Nevada Division of Environmental Protection would be involved with any potential development of the site.

Wharton pointed out that the site contains contaminants, including arsenic and lead. There is also a possibility of PCB contamination. The mine pits would need to be cleaned up and reconstructed, and surface scraping would be necessary. Clean-up could cost as much as \$300 million.

Wharton noted that there is an Area of Critical Environmental Concern (ACEC) within the proposed area of withdrawal, as well as known cultural sites. She also noted that the area for the proposed withdrawal is outside the existing (land) disposal boundary. She also said the Lake Las Vegas development is across the roadway, adding that the development may actually make the clean-up of the 3-Kids Mine site economically viable.

Wharton said the developer is asking that the area be submitted. BLM is drafting a letter to Sen. Harry Reid (D-Nev.), with intentions of notifying Nevada's other congressional representatives, as well. The question has been asked if Brownsfield Act funding could be used provided the land was conveyed to the community of Henderson. In the meantime, the proponents are performing extensive studies to access clean-up expenses. The concept is that some of the materials located at the 3-Kids Mine would be buried on-site and others removed for safe disposal elsewhere. The challenge is to prevent the issues from evolving in complexity due to constraints on funding and clean-up logistics. The BLM is contemplating the possibility of using contractors to assist in the assessment process. The BLM is considering appraising the land as "clean," deducting clean-up costs from the appraised dollar amount. A HAZMAT assessment has been performed. There has been a suggestion that BLM partner with the Nevada Division of Environmental Protection (NDEP) and provide the state agency an opportunity to review the process (NDEP has final approval). The RAC asked if legislation is being enacted to convey the 948 acres. Hiatt said that the conveyance could be attached to another piece of legislation. He reminded BLM of the magnitude of the situation and expressed concern that BLM might suffer as an agency if Henderson does not accept transfer of the land. Wharton said BLM has worked with city of Henderson attorneys, but not with city officials directly.

9:15 a.m. National Environmental Policy Act (NEPA) process and Nevada Department of Wildlife projects on public lands, Michael Herder, BLM Ely District Manager (Acting): RAC member Gracian Uhalde asked at the previous meeting to have the item placed on the May agenda. Uhalde could not participate today so the item was tabled and will be placed on the June agenda, instead.

9:20 a.m. BLM Ely District Wilderness Planning Update, Dave Jacobson, BLM Ely District Wilderness Planner: Dave Jacobson told the RAC that the BLM Ely District is preparing to go to the public to begin the NEPA process on the Fortification Range, Parsnip Peak, and White Rock Range Wilderness Management Plan. He said BLM expects in June 2008 to publish the Big Rocks, Mount Irish, South Pahroc Wilderness Management Plan.

- Hiatt recessed the meeting at 9:40 a.m., reconvening at 9:55 a.m. –

9:55 a.m. Sloan Canyon and Red Rock Canyon National Conservation Area (CTA) update, Bob Taylor, BLM Red Rock and Sloan NCA Field Manager: Bob Taylor told the RAC that the BLM is in the process of a trails planning effort for both Sloan Canyon and Red Rock. Construction is scheduled to begin in approximately 18 months.

Regarding the Sloan Canyon NCA: It was noted that legislation reserves the possibility of two trails through the city of Henderson. The RAC and Taylor discussed the possibility of adding stipulations to trails construction and operation/maintenance prior to project submittal to ensure everything meets wildlife criteria.

The RAC briefly discussed illegal Off-Highway Vehicle (OHV) activity in Sloan Canyon, which is impacting the NCA. Taylor said the BLM is conducting education and outreach.

The RAC discussed the addition of a Sloan visitor center. It was noted that the plan was to never expend more than was generated through interest generated on the land. ??? Not sure I understand that sentence.

Taylor told the RAC that the city of Henderson is submitting a pre-project proposal (PPP) to perform a study on the Sloan area.

Taylor said the BLM has transferred land to Clark County for construction and operation of a heliport. A \$3 charge will be added to each departing passenger's ticket for lands in the National Landscape Conservation System (NLCS).

Regarding the Red Rock NCA: Taylor updated the RAC on the NCA's recent 1,280 acre expansion. He said BLM has signed a \$23 million contract for construction of a visitor center that will include indoor and outdoor components. Completion is anticipated in about 20 months. Soon, the BLM will award the interior and display contracts.

Taylor said BLM is in the scoping process for an environmental education center. The project has been delayed due to projections that the budget provided is insufficient to operate and maintain the center. BLM is considering construction of a smaller facility to be located near the to-be-completed visitor's center. The smaller facility would not include residences. When completed, the center is expected to educate approximately 20,000 students annually. The BLM is also considering development of an Internet-based system to focus on research and development, and will include Power Point presentations on different study areas. Area schools would also provide the center with content.

Taylor told the RAC that a public meeting is scheduled May 28 for a proposed bike trail system parallel to Highway 159. He said BLM will, in about 45 days, begin looking at a north bike trail plan that would include Cheyenne and Indian Springs. Also, BLM is contemplating the use of buses to alleviate parking issues along the scenic loop, which is being upgraded. Taylor said the Red Springs project is nearly complete and that the Old Spanish Trail project is at the signage stage. A parking lot in the south area is being finalized.

Taylor said BLM is contemplating Spanish-language signage, etc., to reach out to the Spanish-speaking community.

Taylor said a new NCA manager would soon be on board. His name is Walter Tanaka Sanders. A new wilderness specialist should also arrive soon.

The RAC briefly discussed funding and transportation issues facing the Clark County School District. It was noted that there are an established number of buses countywide. There is a possibility that BLM will have to purchase buses that would be school district maintained. The possibility of partnering with the Nevada Department of Transportation was briefly discussed.

The RAC briefly discussed the White Rock Trail, noting that significant erosion is causing the area to deteriorate. BLM was advised to pay particular attention to the site to ensure proper maintenance. Taylor told the RAC that BLM is assessing, reconstructing and rerouting trails to better provide for erosion control and to minimize maintenance.

The RAC talked briefly about commercial permits. A concern was expressed that there is no chance to compete once minimal requirements are met. Taylor said BLM has a limited number of permits it can approve. The approval process is done on a lottery system.

The RAC talked briefly about trails in Sloan Canyon and area wildlife developments, voicing concern over trail development and wildlife impacts. Taylor said wildlife concerns are being addressed in trails development.

9:55 a.m. National Wind Energy Environmental Impact Statement (EIS) and wind energy development in southern and eastern Nevada, Michael Herder, BLM Ely District

Manager (Acting); Gerald Smith, BLM Battle Mountain District Manager; and Mary Jo Rugwell, BLM Las Vegas District Manager: Mike Herder initiated the presentation with an overview of BLM workloads in regards to solar projects using a map that reflected the number of proposed projects in eastern and southern Nevada.

In regards to wind energy development, Herder said there are 12 proposals for projects in the Ely District, noting two, i.e., the Spring Valley Wind Project, proposed by Babcock and Brown; and the Wilson Creek Wind Project, proposed by Mission Energy. If constructed, the Spring Valley Wind Project would be located on public lands in north Spring Valley, about 25 miles west of Ely. The Wilson Creek Wind Project would be located on public lands in the areas of Atlanta Summit, Table Mountain and Wilson Creek. It was noted that the Las Vegas District has received 11 proposals. (proposals or applications?)

The RAC briefly discussed project processes and phases from anemometer installation to construction, and operation and maintenance of the facility. The BLM and RAC discussed briefly what level of NEPA process would be appropriate, especially in areas with sensitive resources. The RAC determined it best to conduct an Environmental Impact Statement (EIS) level of analysis because of issues such as impacts to sage grouse and other wildlife and cultural sites. A brief discussion ensued re: the Wind Energy Development Programmatic EIS. The RAC suggested BLM proceed with caution, especially in regards to impacts to wildlife. It was stated that the State of Nevada lacks a wildlife monitoring protocol. It was further stated that such a protocol would be best developed in cooperation with the Nevada Department of Wildlife (NDOW).

Don "Skip" Canfield asked if BLM was considering impacts to visual resources, regardless of level of analysis. A brief discussion ensued re: light pollution and the impacts to our quality of life, wildlife, in particular avian species; and more. The RAC talked about dark and night sky concepts, and referred to Preserve Nevada and its work on preserving disappearing (visual) landscapes. It was noted that BLM is also receiving a number of proposals for solar energy projects and that visual resource management (VRM) is a necessity for both wind and solar development. Visual impacts were also determined by the RAC to be an issue.

The RAC talked briefly about what's needed to construct, operate and maintain a wind generation facility, from material transportation to infrastructure. The RAC also discussed wind energy's connectivity to the electric power grid. Individual RAC members suggested considering using helicopters to install equipment, as best as possible.

The RAC also briefly discussed potential restrictions to public access, including recreation, and raised the issue of Payment in Lieu of Taxes (PILT), suggesting Congress fully fund PILT.

10:45 a.m. Las Vegas Wash Conservation Transfer Area (CTA) Update, Jeff Steinmetz, BLM Las Vegas District NEPA Coordinator: Jeff Steinmetz said the Environmental Impact Statement for the Las Vegas Wash CTA is under review by BLM and that a Record of Decision (ROD) is expected to be signed by the end of this fiscal year. Steinmetz named the following alternatives, noting that the draft should be ready for distribution by the end of June:

- Conservation – Conserve 13 thousand acres
- Recreation – Conserve 1007 acres
- Mixed Used – Conserve 6000 acres
- Development – Conserve 5300 acres
- City – Conserve 3300 acres
- No action – all lands are available for disposal with the exception of Eglinton Preserve and Tule Springs adding (equaling?) to 1100 acres

11:20 a.m. Significance of Las Vegas Wash Conservation Transfer Area (CTA), Scott Soss, BLM Regional Paleontologist (for Nevada, Utah and Washington State): Soss told the RAC that the Las Vegas Wash CTA is a significant resource regarding land mammal development, including that of the official fossil of the State of Nevada, the *Shonisaurus Popularis*, as well as the *Nothrotheriops Shastensis*. Sadly, development in the area has stripped away about 90 percent of the exposure and the nation is losing a wealth of scientific knowledge (don't think "knowledge" is the right word). A brief presentation on Virgin Valley fauna followed, e.g., Ammonites and Trilobites. Soss pointed out the three most significant challenges to managing paleontological resources on public lands:

- Recreation
- Energy and mineral development
- Professional differences on resource management

The RAC briefly discussed recreation, including legislation and protocols for the hobby collecting of fossils. It was noted that the BLM term "reasonable amounts," as applied for noncommercial purposes is too vague and needs to be more clearly defined.

The RAC talked about energy and mining, and effects on paleontological sites, as well as means to protect the sites. Soss said that in order to address the Potential Fossil Yield Classification, measures to identify potential impacts to significant paleontological resources were created:

1. Very low
2. Low
3. Variable or unknown
4. High
5. Very High

Soss and the RAC talked briefly about the Antiquities Act, the National Environmental Policy Act, and the Federal Land Policy and Management Act, and how each of the pieces of legislation help to protect paleontological resources.

12 p.m. Hiatt adjourned the meeting.

APPROVED BY:

Date: _____

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

- Minutes provided by Olivia Sierra, BLM Las Vegas District Office -

Attachments:

1. BLM Tonopah Field Manager's report
2. BLM Las Vegas District Manager's report
3. BLM Ely District Manager's report