
APPENDIX M

Sections

Federal Agencies

Local and State Agencies

Tribal

Non-Government Organizations

Businesses

Individuals

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BLM Responses to Public Comments

FEDERAL AGENCIES

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FA-BOR

Comments

Responses



"Minor, Andrea J"
<aminor@usbr.gov>
10/19/2010 02:54 PM

To " " <wdrmp@blm.gov>
cc "Neugebauer, Peter J" <PNeugebauer@usbr.gov>
bcc
Subject Winnemucca RMP, Edwards

Hello Bob,

Here are a few comments from the Bureau of Reclamation:

Our concerns involve recognizing Reclamation's surface ownership in BLM's actions. This is especially true for our lands which are encumbered in the title transfer. We are also concerned about any activities on Reclamation lands that are managed by our partners, such as the Humboldt Wildlife Management Area and Rye Patch State Recreation Area.

This is obvious in the maps & tables included in the RMP, some have no mention of Reclamation lands, some maps show at least some of our parcels. There are at least some consistency issues between maps & charts. It's hard to tell from the maps in the document, but we are also uncertain if NDOW's land in the Humboldt WMA are shown. Your land status tables do not show Reclamation acreage at all and NDOW's acres are incorrect. Our realty staff would be happy to meet with BLM to correct the land status problems.

Figure 3-24 shows our parcels near Fernley within the Desert Queen Allotment. We have our own grazing permittee in this area. This was a problem in a recent joint project with the Carson City BLM office, and incorrect information given to their contractor. The same is true for the Humboldt WMA; NDOW as our managing partner has a contract grazer in this area. Your allotment map show it as part of the Humboldt Sink Allotment. We'd be happy to sit down with your range staff to work out boundary issues on allotments here and elsewhere.

Of course, add us to the section 1.7 Collaboration.

Thanks for the opportunity to comment on the RMP. We look forward to working with you in the future.

Andrea Minor
Natural Resource Specialist
775-884-8366

FA-BOR-1: Due to the similarity in map color between BOR and BLM, the land status between the two agencies is difficult to discern. BLM has revised applicable maps and charts to correct land status and acreages. The BLM is required to symbolize land status pursuant to IM NV -2008-028; however this is a recognized concern and BLM has modified the BOR symbology slightly to improve its visibility for this planning document only.

BLM has furnished maps suitable for an RMP analysis.

FA-BOR-2: Changes regarding land status acres and BOR grazing areas are reflected in FEIS. However, the acreage and other numbers used in the alternatives are approximate and serve for comparison and analytic purposes only. Data from geographic information systems (GIS) have been used in developing acreage calculations and may not reflect exact measurements or precise calculations. (Section 2.1.2)

FA-BOR-1

FA-BOR-2

FA-EPA

Comments

Responses



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

SEP 20 2010

RECEIVED BLM
 WINNEMUCCA NV
 2010 SEP 24 PM 3:05

Robert Edwards
 RMP Team Lead
 Bureau of Land Management
 5100 E. Winnemucca Boulevard
 Winnemucca, NV 89445

Subject: Draft Winnemucca District Resource Management Plan and Environmental Impact Statement, Nevada (CEQ #20100225)

Dear Mr. Edwards:

The U.S. Environmental Protection Agency (EPA) has reviewed the Winnemucca District Office Draft Resource Management Plan and Draft Environmental Impact Statement (DRMP/DEIS) pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) Regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

EPA recognizes the inherent challenges of managing an area for multiple uses. We commend the BLM for developing a broad range of alternatives for sustainably managing the Planning Area and for committing to a preferred alternative that represents, as described in the DRMP/DEIS, "management that is proactive and provides flexibility to adjust to changing conditions over the life of the plan."

However, based on our review of the document, we have rated the DRMP/DEIS as Environmental Concerns - Insufficient Information (EC-2) (see enclosed "*Summary of Rating Definitions*"). We are concerned about the lack of specific measures to protect sensitive resources in the preferred alternative (Alternative D), as well as the number of acres open to off-highway-vehicles (OHV). We also ask that BLM provide additional information regarding how climate change may affect the Planning Area. Our detailed comments are enclosed.

We appreciate the opportunity to review this DRMP/DEIS, and are available to discuss our comments. When the final RMP/EIS is released for public review, please send one hard copy and one CD-ROM to the address above (Mail Code: CED-2). If you have any questions, please contact me at (415) 972-3521, or contact Jason Gerdes, the lead reviewer for this project. Jason can be reached at (415) 947-4221 or gerdes.jason@epa.gov.

FA-EPA-1:

The Final RMP/EIS has been revised to include more specific measures to protect sensitive resources. Specific measures to protect sensitive resources have been included in Appendix B, BMPs and SOPs. Realty Avoidance and Exclusion areas, Priority Wildlife Habitat areas, and priority watershed areas were developed to further protect sensitive resources. BLM has addressed climate change further in the FEIS in the air quality sections Chapter 3, Section 3.2.10 and in Chapter 4. These sections address greenhouse gases, major economic sectors that contribute to emissions of greenhouse gas compounds, global mean surface temperatures, and future trends. With regards to open designations for OHV use, the BLM has developed a range of alternatives that address options for lands open to OHV use.

FA-EPA-1

FA-EPA

Comments

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10/15/2014 10:02

Sincerely,



Kathleen M. Goforth, Manager
Environmental Review Office

Enclosures: Summary of Rating Definitions
EPA Detailed Comments



FA-EPA

Comments

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EPA DETAILED COMMENTS ON THE WINNEMUCCA DISTRICT OFFICE DRAFT RESOURCE MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT, NEVADA, SEPTEMBER 20, 2010

Management Plan for the Preferred Alternative

EPA is pleased that BLM's preferred alternative includes a management strategy that is "proactive and prescriptive," and provides "flexibility to adjust to changing conditions." Incorporating flexibility into the Resource Management Plan (RMP) should enable BLM to adapt to the environmental changes that will inevitably come to the Planning Area over the two decades or so it is in place. While EPA is generally supportive of the provisions in the preferred alternative (Alternative D), we are concerned that many of its protective measures are not firm commitments outlined in the RMP, but rather conditional, based on monitoring, or in the case of some activities, voluntary.

For example, under Alternative C, Option 1, "surface disturbance activities would be required to maintain, protect, or reduce adverse impacts on soil resources, and all land where the surface has been disturbed would be required to be reclaimed," while under Alternative D, "surface-disturbing activities...would be encouraged to maintain, protect, or reduce adverse impacts." Other protective features of Alternative C that EPA would like to see incorporated into the preferred alternative include the protection of eligible river segments identified in BLM's Wild and Scenic Rivers (WSR) report, and closing Wilderness Study Areas (WSA) or areas with wilderness characteristics "to mineral leasing and salable mineral deposit" as well as designating these areas as "right-of-way (ROW) exclusion zones."

Recommendation:

EPA recommends that BLM incorporate more specific measures into the preferred alternative to protect sensitive resources. These measures should include requiring mining and other surface disturbing activities to maintain, protect, or reduce adverse impacts on soil resources; protecting eligible WSR segments; closing WSAs or areas with wilderness characteristics to mineral leasing and salable mineral deposit; and preserving more habitats for sensitive species such as the sage grouse.

Impacts on Air Quality and Species from OHV Activity

EPA is cognizant of the challenge presented to the Winnemucca District Office (WDO) by the popularity of off-highway vehicle (OHV) use in the Planning Area. EPA is concerned, however, about the impacts to air quality and sensitive species from OHV activity in the WDO area. Although each of the action alternatives restricts open OHV use, only Alternative C completely precludes it. Alternative D severely restricts open OHV use, but would still allow it on 289,932 acres (four percent of BLM-administered lands). Given that OHV activity is identified in the EIS as one of the "major sources of air pollution emissions within the WDO area," it is unclear how BLM determined to include a four percent open OHV use provision in its preferred alternative.

FA-EPA-2:

BLM developed a range of alternatives that provide protective measures within Priority Wildlife Habitat areas, priority watershed areas, and within Realty Avoidance and Exclusion Areas. These defined areas have use restrictions that provide firm protective measures for resources. The minerals sections also provide for protection of resources through No Surface Occupancy (NSO) stipulations. BLM has also included adaptive management strategies to address valid existing rights, connected actions, provide for public safety, and an allowance for surface disturbance if proposed actions are located where no suitable habitat occurs.

FA-EPA-3:

Soil resources are protected through BMPs and SOPs listed in Appendix B. The FEIS/RMP includes restrictions of surface disturbance activities through wildlife and minerals management actions to protect sensitive resources as well as soil resources. BLM has developed a range of alternatives for identifying potential Wild and Scenic River segments. Wilderness Study Areas (WSAs) are managed pursuant to the Interim Management Policy for Lands Under Wilderness Review (H-8550-1) which prohibits salable mineral disposal or the development of leasable minerals under new permits or leases since the establishment of the WSAs.

FA-EPA-4: The BLM has developed a range of alternatives. Action R 10.1 describes in detail the methodology to be used in the development of the Travel Management Plan.

FA-EPA-2:

FA-EPA-3:

FA-EPA-4:

FA-EPA

Comments**Responses**FA-EPA-4
Cont-d***Recommendations:***

EPA recommends that the BLM explain in the FEIS how it was determined that the preferred alternative would include open OHV use on four percent of BLM-administered lands. We also recommend that BLM provide additional information explaining how, with the travel analysis still being conducted, the Planning Area road network will be determined.

Climate Change

FA-EPA-5

The DEIS provides a reasonable amount of information about the historical sources of greenhouse gas (GHG) emissions in the Planning Area. Information was not provided, however, to compare anticipated emissions between the proposed alternatives. It is also not clear that reducing emissions is an objective of this RMP, or even that the preferred alternative would achieve reductions. This is a concern because both Executive Order 13514 and Secretarial Order No. 3289, among other directives, have charged BLM with accounting for, and reducing, emissions resulting from Federal land management practices, and considering and analyzing potential climate change impacts when developing multi-year management plans. Considering that the RMP, once implemented, will guide resource management decisions in the Planning Area for years to come, BLM should choose an alternative that minimizes and mitigates GHG emissions to the greatest reasonable extent.

Additionally, the DEIS states that climate change will “alter temperature, precipitation, and snowpack conditions, resulting in changes to vegetation, streamflow, and the flow of springs.” There are no detailed descriptions, however, of how potential climate change effects, including the expected warming of the Planning Area and decrease in winter snowpack, may affect sensitive species.

Recommendations:

EPA recommends that BLM provide additional information comparing anticipated GHG emissions for each of the proposed alternatives, and select an alternative that fulfills BLM and Administration directives by reducing GHG emissions in the Planning Area. Also, EPA asks that BLM describe how climate change may affect specific Planning Area sensitive species. We also recommend that BLM include a comprehensive strategy in the RMP for dealing with potential climate change impacts and adapting the RMP accordingly.

FA-EPA-5: The BLM has conducted additional analysis for climate change in the FEIS. This analysis includes greenhouse gases, major economic sectors contributing to emissions that are subject to BLM land use management practices, global mean temperature changes, and future trends. Wildlife priority habitat area, management of priority watersheds, lands and realty exclusion and avoidance areas all contain use restrictions which would reduce emissions.

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, *Policy and Procedures for the Review of Federal Actions Impacting the Environment*.

FA-USFWS

Comments

Responses

Steve Abala/R8/FWS/DOI@FWS

11/01/2010 04:12 PM

To Robert Edwards/WFO/NW/BLM/DOI
Cc Kathleen Erwin/R8/FWS/DOI@FWS
Subject USFWS comment on Winnemucca RMP

The US Fish and Wildlife Service (Service) appreciates the opportunity to review and provide comment on the Bureau of Land Management (BLM) Winnemucca District Draft Resource Management Plan (DRMP) and Environmental Impact Statement (DEIS). The Service recognizes the BLM's mandate to manage lands for multiple uses and appreciates your efforts to do so in a manner congruous with species and habitat conservation. Our comments and recommendations are pursuant to the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*), Bald and Golden Eagle Protection Act (BEGPA) of 1940, as amended (16 U.S.C. 668-668d), Executive Order 13186 and the resulting Memorandum of Understanding between our agencies *To Promote the Conservation of Migratory Birds* (April 12, 2010).

FA-USFWS

Comments

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General Comments

The Service is in general agreement with the BLM that the preferred alternative (Alternative D) is a reasonable approach toward accomplishing your land management responsibilities. We suggest, however, minor alterations to this approach, which we consider will more fully address the conservation needs of greater sage-grouse and golden eagle, species for which the Service has significant conservation concerns.

Golden Eagle (*Aquila chrysaetos*)

Golden eagle populations appear to be on the decline in the western United States (Kochert et al. 2002, Ferrer et al. 2003). Data from long-term studies of golden eagle migration, population models, and surveys sponsored by the Service indicate cause to be concerned about population trends for this species (Millsap and Allen 2006, Good et al. 2007, Farmer et al. 2008, Smith et al. 2008, USFWS 2009). Four Bird Conservation Regions (BCR), (Great Basin, Northern Rockies, Southern Rockies/Colorado Plateau, and Badlands and Prairies) are believed to contain approximately 80 percent of the golden eagle population in the lower 48 states (USFWS 2009). Good et al. (2009) estimated approximately 24,600 golden eagles in these four BCRs. A draft report on the 2006 and 2007 surveys showed population declines in all four of these BCRs (USFWS 2009).

The MBTA and the BGEPA prohibit take of eagles, which is defined as pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, disturb, or otherwise harm covered species, their nests, or their eggs. Under the BGEPA, “disturb” means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available: 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. On September 11, 2009 (74 FR 43686), the Service set in place rules establishing two new permit types: 1) authorizes take of bald and golden eagles that is associated with, but not the purpose of, an activity; and 2) authorizes purposeful take of eagle nests that pose a threat to human or eagle safety. The Service’s goal for golden eagle is stable or increasing breeding populations. The Service is sufficiently concerned regarding the status of golden eagles such that we determined, until further data shows golden eagle populations can withstand additional take, we will only consider BGEPA permit issuance of new golden eagle take for safety emergencies and for projects that result in net benefits to golden eagles. **Meaning, that unless it can be demonstrated that take can be offset by avoidance, minimization, or mitigation measures, ultimately resulting in no net loss to the population, a project should not be permitted by the action agency.**

Given our concerns surrounding golden eagles we recommend development that may result in take of golden eagles through disturbance not be sited within one mile of a nest site. Further, we encourage that development which may result in lethal take of golden eagles, such as wind energy facilities, not be sited within six miles of a nest site. We recommend adoption of appropriate No Surface Occupancy (NSO) stipulations to be the most effective means of accomplishing this no take threshold currently recommended by the Service.

FA-USFWS-1: Action SSS 1.6 addresses Golden Eagles and provides for mitigation of adverse impacts following guidelines from the “Bald and Golden Eagle Protection Act” and applicable updates. Objectives and management actions common to all at CA-SSS 1.1 includes an action that would not authorize activities that would lead to listing a species. The FEIS/RMP further addresses NSO stipulations to protect golden eagles and other sensitive species within priority wildlife habitat areas.

FA-USFWS-1

FA-USFWS

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Greater Sage-Grouse (*Centrocercus urophasianus*)

Recent studies of nest-site selection and nest success have made clear that greater sage-grouse nest distributions are spatially related to lek locations (Holloran and Anderson 2005, Aldridge and Boyce 2007, Doherty et al. 2010). Holloran and Anderson (2005) documented 64% of nests occurred within 3.1 miles of leks, 80% of nests occurred within 5 miles of leks, and 20% of nests occurred at distances greater than 5 miles from leks; nest success also was greater the farther a nest occurred from a lek, indicating a disproportionate potential importance of these more distant nests for population recruitment. Based on their results, Holloran and Anderson (2005) concluded that to protect and maintain sage-grouse populations, land managers should minimize or halt actions that reduce suitability of nesting habitats within 3.1 miles of a lek. Similarly, Aldridge and Boyce (2007) warn land managers that emphasizing too small an area for protection around lek sites will not suffice to ensure viability of sage-grouse populations. In their study (Aldridge and Boyce 2007), nearly 90% of suitable nesting and early brood-rearing habitat occurred within 6.2 miles of leks, leading the authors to unambiguously state that a lek buffer of less than 6.2 miles will be insufficient to protect important nesting and brood-rearing habitats.

Based in large part on these recent findings the Nevada Governor's Sage-Grouse Conservation Team completed an initial mapping effort intended to delineate breeding habitats in Nevada of critical importance to greater sage-grouse. This map is available through the Nevada Department of Wildlife. Further, the BLM, Washington Office recently completed a rangewide assessment which delineates a core breeding habitats across all western states (Doherty et al. 2010 – BLM Completion Report: Inter agency agreement # L10PG00911). These concurrent efforts are largely similar and intended to inform management direction. The Service recommends that these efforts be incorporated into the RMP. Specifically, we would suggest that the delineated core breeding habitats be considered as Priority 1 habitats for planning purposes. Based on the Preferred Alternative (Alternative D) it appears that the greatest omissions from Priority 1 categorization are the Pine Forest and Sonoma Ranges. Further, we submit that the current recommendation under Alternative D for a ¼ mile NSO does not afford sufficient conservation. While we would applaud the adoption of the allocated acreage of Priority Habitat associated with Alternative C, we believe the inclusion of the two ranges mentioned above are the most critical.

The Service appreciates your consideration of our comments and applauds your efforts toward effective and inclusive land management

Regards - steve

.....
 Steve Abele
 Wildlife Biologist
 Nevada Fish and Wildlife Office
 U.S. Fish and Wildlife Service
 1340 Financial Blvd., Suite 234
 Reno, Nevada 89502-7147

Ph: (775) 861-6325, Fax: (775) 861-6301 steve_abele@fws.

FA-USFWS-2: The BLM addresses protection of leks within Priority Sage-Grouse Wildlife Habitat areas and within Population Management Units in the FEIS/RMP. Management of these areas will take into consideration core breeding habitats. The Sonoma Range was not included in the Priority Wildlife Habitat designation due to its proximity to urban areas, checkerboard land status, and the amount of split estate lands. Furthermore, a portion of the Sonoma range lies within the municipal watershed which has protection measures that would also, indirectly, protect wildlife.

FA-USGS

Comments

Responses



United States Department of the Interior

U. S. GEOLOGICAL SURVEY
Reston, VA 20192

In Reply, Refer To:
Mail Stop 423

August 25, 2010

Bureau of Land Management
Winnemucca District
5100 E. Winnemucca Blvd.
Winnemucca, NV 89445

Subject: Draft Resource Management Plan and Draft Environmental Impact Statement for the Paradise-Denio and Sonoma-Gerlach Management Framework Plans

Dear Sir/Madam:

As requested by your correspondence of July 8, 2010, the U.S. Geological Survey (USGS) has reviewed the subject draft environmental impact statement (EIS) and offers the following comments.

COMMENTS**Section 4.5.3 Social and Economic Conditions and Environmental Justice**

The DEIS lists several terrestrial and aquatic species potentially affected by proposed activities, including Federally listed species (page 3-55), BLM sensitive species (page 3-58), and Federally candidate species (page 3-59). The DEIS addresses the socioeconomic impacts of protecting these species, but does not provide a discussion of possible mitigation options to reduce or avoid these impacts. Specific examples are:

- **Pg. 4-719:** The document states “Use restrictions under Alternative A to protect nesting migratory birds and management to protect wildlife habitat could affect ranching, mining, and recreational uses by limiting when and where these activities could occur. Therefore, this alternative could affect the economy by potentially reducing local expenditures, employment, and income.” Suggest the Final EIS include a discussion of possible mitigation techniques that might provide options, other than Alternative A, that protect wildlife and habitat.
- **Pg. 4-720:** The document states “Alternative B would have the lowest potential to adversely affect the economic and social uses within the WDO and the highest potential to stimulate the economy through the identified management actions.” Suggest the Final EIS include a discussion of possible mitigation techniques that might also provide low adverse economic effect but reduce or eliminate adverse impacts to wildlife and habitat.

FA-USGS-1: The social and economic analysis has been revised in the FEIS/RMP. The alternatives were developed to provide a range of management choices. Accordingly, impacts vary according to the alternatives. Specific measures to protect sensitive resources have been included in Appendix B, BMPs and SOPs. Avoidance and Exclusion areas corresponding with Priority Wildlife Habitat areas were developed to further protect sensitive resources. Measures identified through public comment to the DEIS were considered. Those applicable, such as adjustments to Priority Wildlife Habitat areas, were added to the preferred alternative.

FA-USGS-2:

See the previous response to F-USGS-1 as a contrast point. The alternatives were developed to provide a range of management choices and emphasis. Refer to Sections 2.5, 2.6 and 3.5.5. for an examination of economic and social effects within the Winnemucca District; in particular refer to the “Socioeconomic Report”, Volume 5, Appendix H. The proposed alternative of the FEIS seeks to minimize adverse economic effect and adverse impacts to wildlife and habitat.

FA-USGS-1

FA-USGS-2

FA-USGS	Comments	Responses
FA-USGS-3	<ul style="list-style-type: none"> • Pg. 4-720: The document states “Alternative C has the greatest potential to affect the economic and social uses within the WDO and the lowest potential to stimulate the economy through the identified management actions.” Suggest the Final EIS include a discussion of possible mitigation techniques that might provide options, other than Alternative C, that reduce or eliminate adverse impacts to wildlife and habitat. 	<p>FA-USGS-3 : The social and economic section of the FEIS/RMP has been revised. BLM has identified numerous Standard Operating Procedures and Best Management Practices in Appendix B which provide possible mitigation measures to reduce adverse impacts to wildlife and habitat. These SOPs and BMPs are applicable to all alternatives.</p>
FA-USGS-4	<ul style="list-style-type: none"> • Pg. 4-720: the document states, “All alternatives would impose restrictions to protect special status species that could inhibit ranching, mining, recreation, and renewable energy development activities. These restrictions could increase the costs of operations, decrease the incomes of operators, Avoiding the listing of species as threatened and endangered by implementing management actions designed to prevent listing would impose fewer restrictions on ranching, mining, recreation, and renewable energy activities, which otherwise could be curtailed to protect threatened and endangered species. Protecting threatened and endangered species also could increase operational costs for these uses. Therefore, avoiding listing would allow for the continued economic contribution of these activities without the associated costs of additional protection measures.” Suggest the Final EIS include a discussion of possible options other than avoiding the listing of species as threatened or endangered. Options might include mitigation techniques that reduce or eliminate adverse impacts to wildlife and habitat. 	<p>FA-USGS-4: Specific measures to protect sensitive resources have been included in the range of alternatives and in Appendix B, BMPs and SOPs. Priority Wildlife Habitat areas and Avoidance and Exclusion areas were developed to further protect sensitive resources. FEIS has revisited climate change in the air quality section.</p>
FA-USGS-5:	<ul style="list-style-type: none"> • Pg. 4-721: The document states “... surface disturbance restrictions [to protect sensitive species]... could affect the local economy to the extent that they would increase the operational costs of mining, realty transactions, and energy development or decrease the number of visitors. These increased costs could result in reduced earnings and decreased expenditures within the overall economy, affecting economic growth, income, and employment.” Suggest the Final EIS include a discussion of possible mitigation techniques that might minimize surface disturbance restrictions, and reduce or eliminate adverse impacts to wildlife and habitat. 	<p>FA-USGS-5: BMPs (Appendix B) are mitigations measures that should help to reduce surface disturbances and reduce impacts to wildlife and habitat.</p>
FA-USGS-6	<p>Chapter 6 References</p> <p>Pg. 6-1, second reference: Barker, C. E., T. D. Fouch, J. A. Grow, and J. A. Peterson. 1995. Western Great Basin Province (018). In: US Geological Survey, 1995 National Assessment of United States Oil and Gas Resources. Region 3 – Colorado Plateau and Basin and Range. The correct website citation is http://certmapper.cr.usgs.gov/data/noga95/prov18/text/prov18.pdf</p> <p>Thank you for the opportunity to review and comment on the DEIS. If you have any questions concerning our comments, please contact Gary LeCain, USGS Coordinator for Environmental Document Reviews, at (303) 236-5050 (x229) or at gdlcain@usgs.gov</p>	<p>FA-USGS-6 : Web site citation has been corrected in the PRMP/FEIS.</p>
	<p>Sincerely,</p> <p><i>/Signed/</i></p> <p>James F. Devine Senior Advisor for Science Applications</p>	

BLM Responses to Public Comments

LOCAL & STATE AGENCIES

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L&SA-Humboldt Coun-

Comments

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County Commissioners:

CHUCK GIORDANO, Chairman
GARLEY AMOS, Vice Chairman
MIKE BELL
DAN CASSINELLI
TOM FRANSWAY



County Administrator:
BILL DEIST

COURTHOUSE, ROOM 205
50 W. FIFTH STREET
WINNEMUCCA,
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Phone: (775) 623-6300
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September 21, 2010

Bureau of Land Management
Attn: RMP Team
Winnemucca District Office
5100 East Winnemucca Blvd.
Winnemucca, Nevada 89445

Dear RMP Team,

The Humboldt County Commission (hereafter Commission) greatly appreciates the opportunity to participate in the RMP-EIS process from initial scoping, the development of alternative actions, and comment upon the draft RMP-EIS. In general, the Commission finds the document to be well written and understandable. That said, no individual or organization is going to agree with all of the objectives or actions used to implement each of the four alternatives. The Commission recognizes that Alternative A is required by statute but also understands Alternative A is not viable.

We recognize that Humboldt County, Nevada and the United States have changed dramatically since the previous planning documents were written and they do not provide adequate guidance for many current issues. Likewise, the knowledge base for managing natural and cultural resources has increased and management objectives and actions need to be aligned with that knowledge base.

The Commission also recognizes that the economy of Humboldt County depends heavily upon access to many natural resources that occur either partially or entirely on lands managed by the BLM. Without access to these resources many mining, agricultural and recreational opportunities would be curtailed or even eliminated. There elimination would have serious, long-term negative impacts to the economy and residents of Humboldt County. The Commission, therefore, does not consider Alternative C to be appropriate for management of public lands within the Winnemucca District Office. Put simply, Alternative C is too restrictive for continued economic development of Humboldt County. Furthermore, we believe it removes much of the flexibility required to successfully manage the regions dynamic biological resources which occur in a highly variable bio-physical environment.

The Commission notes that alternatives B and D often are quite similar but that differences exist. From our perspective, a mix of objectives and actions from Alternatives B and D would be in the best interest of the residents of Humboldt County and the BLM. After we provide several brief comments related to Table 2-2, we will highlight concerns we have about specific actions under Alternatives B and D (Table 2-3). These comments are attached. Once again thank you for this opportunity to comment on this document.

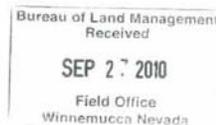
Sincerely

Chuck Giordano, Chairman
Humboldt County Commission

L&SA-Humboldt County - 1:

The PRMP/FEIS is comprised of management actions that reflect public and RAC subgroup comments; BLM laws, regulations, and policy; input from Cooperating Agencies; and district management and staff input.

L&SA-
Humboldt
County-1



L&SA-Humboldt County	Comments	Responses
L&SA-Humboldt County - 2	<p>Comments about Table 2-2:</p> <p>Page 2-13, Action CA-SSS 1.2. The Bureau needs to clarify what qualifies as a surface disturbance. For some interests, a surface disturbance may be domestic animals or people walking across a landscape. For other interest s, a surface disturbance typically means movement of the soil with mechanized equipment. The BLM should clearly define “surface disturbance” to prevent any confusion and subsequent unintended consequences.</p>	<p>L&SA-Humboldt County - 2: Surface disturbance is defined in the glossary – Chapter 7 .</p>
L&SA-Humboldt County - 3	<p>Page 2-16: Action CA-WFM 1.5: During widespread lightning events there can be numerous to many fires and not enough resource advisors to have one present on each fire. As written, this action suggests that without a resource advisor important fire management/control decisions will not occur. This is likely to lead to larger fires, which has a host of potential adverse outcomes. The BLM should have a policy that if a resource advisor is called upon but is unavailable, the on-site fire control personnel can make fire control decisions based on the conditions (fire and resource) they encounter.</p>	<p>L&SA-Humboldt County - 3: The action states resource advisors would be “notified”. It is desirable to have them available, however suppression operations will continue if they are not on site.</p>
L&SA-Humboldt County - 4	<p>Comments on Table 2-3</p> <p>Page 2-43: Vegetation – Weeds Goal Statement : In addition to using all products available to the BLM, the goal statement should acknowledge that new products and practices will become available during the life of this RMP and that the WFO will work with appropriate entities to seek approval of their use (make them allowable, sensu Action D-VW 2.1) as rapidly as possible.</p> <p>Page 2-45: Objective D-VW 2.: Clarify that the objective is to protect native plant communities <u>adjacent to/near</u> the native plant communities and that the stress to cheatgrass is a bio-physical stress to the cheatgrass and invasive and noxious species. As written, one could interpret the use of stress to imply that cheatgrass and invasive weeds are important in a positive way.</p> <p>The Commission would recommend the inclusion of Objective D-VW 2 and Action D-VW2.1, regardless of the overall Alternative Selected by the BLM. This objective and action appropriately acknowledge the spatial link between cheatgrass communities and adjacent native plant communities and the management of one affects the other.</p>	<p>L&SA-Humboldt County - 4: Newly developed herbicides must be “approved” for use on public lands. The BLM strives to work with others to seek approval for use. The BLM has revised Objective D-VW 2 in the PRMP/FEIS.</p>
L&SA-Humboldt County - 5	<p>Page 2-45; Chemical and Biological Control: Alternative C is not acceptable because it does not recognize that herbicides are often the quickest and most efficient method to control weed infestations, particularly new or small infestations of long-lived perennial weeds that develop large root systems capable of producing new plants. Biological controls (including grazing animals) are an important part of integrated weed management but they do not eradicate weeds, seldom eliminate seed production and often are most useful after herbicide applications have reduced the area of an infestation or the density of weeds in the infested area. Alternative C’s emphasis toward using biological controls first is likely to reduce the flexibility needed in successful weed management programs.</p>	<p>L&SA-Humboldt County - 5: Alternative C was not selected as the Proposed RMP.</p>

L&SA-Humboldt County

Comments

Responses

Page 2-47; Vegetation Rangeland: The Commission views Alternative C as unacceptable due to excessive restrictions upon, and/or the outright elimination of livestock grazing. Livestock production is an integral component Humboldt County's economy (\$27 million in cattle sales in 2007). Access to public land for livestock grazing is essential to maintaining a viable livestock production sector. Most of the cattle in the county spend some portion of their production cycle on public lands and the entire enterprise is viable only because of access to public lands. The loss of access to BLM lands for most livestock producers would put most out of business because they cannot run enough numbers on their private ground to produce an economically viable product. Option 1 of Alternative C changes the management focus of crested wheatgrass seedings established for livestock production. Future management would focus on returning these sites to native plant communities. These seedings were purposely established to provide critical spring forage for livestock and to facilitate the improvement of improperly grazed native sagebrush-bunchgrass rangelands. An evaluation of similar treatments for the Vale Project in southeast Oregon found they benefitted livestock production, native sagebrush-bunchgrass rangelands and many wildlife species (Heady 1977; Heady et al. 1988). The RMP-EIS does not clearly demonstrate how letting successful seedings established for livestock production revert back to native vegetation will benefit livestock grazing, wildlife management on and off the seeded areas, and other resources.

L&SA-Humboldt County - 6:
BLM considered a range of alternatives applicable to crested wheat grass seedings in Section VR 2.

L&SA-
Humboldt
County - 6

Page 2-54; Actions B and D VR 4-1: Both alternatives should have a timing requirement for seeding. Research has clearly demonstrated that fall and early winter seedings (September to January 15) have the best success. Seed often germinates in mid-winter (late January to mid March) beneath snow cover and the initial root becomes established in the moist soil at this time. Seeds that germinate after mid-March face increasing variability in precipitation and an increasing risk of surface soil drying rapidly due to increasing daily temperature and duration of sunlight from directly overhead (increased solar intensity and drying of soil). The earlier the seed is in the ground the greater the probability that a germinating seed will encounter moist soil for a prolonged period, hence the greater chance of establishment. The Commission is less concerned about whether or not seed mixes contain shrubs, but rather that any seed placed in the ground has the highest probability of germination and survival. This is especially important for areas susceptible to the rapid establishment of cheatgrass, and/or seeded with native species.

L&SA-Humboldt County - 7 and 8:
The BLM has developed a range of alternatives concerning management of crested wheatgrass seedings. See VR 2. See also C-VR 4.1 and D-VR 4.1. BLM addressed timing to seed disturbed areas in section VR 4. Specifically, D-VR 4 states seeding would "be from September 15th through March 15th.

L&SA-
Humboldt
County - 7

Page 2-59; Action D-VR 7.1: The Commission recognizes that many burned areas have been converted to perennial bunchgrass, both native and introduced. It also understands that many of these areas are very large and the loss of sagebrush potentially has adverse effects for sage grouse and other sagebrush obligate species, and ultimately the potential for continued access to these areas for livestock grazing and other desired land uses if species are listed as threatened or endangered. The Commission, therefore, understands that the re-establishment of sagebrush on sites where fire removed it from native sagebrush-bunchgrass communities is desirable. For both alternative actions, however, we believe the BLM should clarify the action does not apply to

L&SA-
Humboldt
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L&SA-Humboldt County

Comments

Responses

L&SA-Humboldt County - 8 Cont-d.

↑ seedings originally established for livestock grazing. As worded, both actions apply to all perennial grass communities, including crested wheatgrass seedings established for livestock production.

L&SA-Humboldt County - 9

Page 2-63; Action D-VRW 1.1: The first part of this action seems very appropriate: identify the problem and presumably its specific cause. The second part then states the action is to develop and implement grazing management objectives. This appears to suggest that grazing management is the solution to all riparian problems. Changes in grazing management are appropriate to deal with grazing issues but if the problem is not due to grazing, we must ask why are the proposed solution's presumed to be a change in grazing management. Action B (alternative B) does a much better job of aligning specific solutions with specific causal factors. Solutions always should be directly related to causal mechanisms.

L&SA-Humboldt County - 9 and 10: BLM has revisited Action D-VRW 1.1 in the PRMP/FEIS. Action D-VRW 1.1.1 was added to address causal factors.

Page 2-65, Action D-VRW 1.4: This action should be a standard operating procedure across all alternatives.

L&SA-Humboldt County - 10

Page 2-67, Actions B and D-FW1.1: As previously stated the Commission understands the need to protect intact sagebrush-bunchgrass habitat for sage grouse and sagebrush obligate species. We also believe that protection must be balanced with potential for economic development. The Commission believes there would be merit in designating all of the acreage in Alternative D (Priority 1 and 2) as avoidance areas and none as exclusion areas. There is merit in trying hard to avoid many surface disturbing actions in these areas. Likewise there is no merit in blanket exclusions across vast tracts of the landscape. We do believe any proposed action (e.g., mining, utility corridors, etc.) in these areas should be thoroughly analyzed and if they are shown to have substantial adverse impacts to sensitive species the activity should be modified and/or eliminated. Just because a sensitive species is known to occur within the identified polygons does not mean every acre is critical or even important to that species.

Page 2-69; Action D-FW1.4: The Commission does not have a problem with the introduction of these species but we do not believe that any existing use should be reduced or altered because one of more of these species are introduced into a new or different portion of the planning area. If there is the potential for any wildlife introduction or augmentation to displace existing land uses there should be extensive consultation and coordination with the affected/interested parties prior to any release of the species.

L&SA-Humboldt County - 11

Action B-FW 1.5: Pioneering elk are likely to become established in the following decades. That has been the trend across much of the west the past 20 years or more. The management question is: once elk immigrate to an area, what is the appropriate population size given the environmental constraints and existing land uses? Elk populations should not be allowed to increase to the detriment of other land uses or resource attributes.

L&SA-Humboldt County - 11: The BLM would work cooperatively with NDOW with respect to introductions of wildlife species including the management of pioneering elk populations. Please see Nevada Elk Species Management Plan (ESMP) for information addressing your concerns. The ESMP was adopted by the Nevada State Board of Wildlife commissioners in 1997. Its preparation was overseen by a committee made up of a wide variety of community stakeholders and reviewed at several public hearings throughout the state.

L&SA-Humboldt County	Comments	Responses
L&SA-Humboldt County - 12	Objective FW 4.1: The BLM needs to clarify the specifics about protecting migratory birds and their nests during the peak breeding season. If the concern is to protect every nest from every possible form of loss, as could be inferred from the language used, this objective would seem unreasonable. For example, Schultz (2010) clearly shows that livestock trampling of nests on shrub-bunchgrass rangelands is very unlikely. State and federal agencies manage for animal populations not individual animals, unless there are so few that every individual becomes important. That situation is not present for migratory birds in the planning area. We do believe that it is important to focus efforts toward preventing permanent, significant population declines due to seasonal conflicts between nesting birds and large scale land uses that are likely to affect a population.	L&SA-Humboldt County - 12: BLM is required to comply with the Migratory Bird Treaty Act. Action FW 4.1 includes mitigation measures if “active” nests are located.
L&SA-Humboldt County - 13	Page 2-73; Action FW 8.3: Establishing a minimum pool for irrigation reservoirs should be conducted on a case by case basis. If the new reservoir overlies a stream that had a viable fishery there is reason to establish a minimum pool to maintain that fishery. Once the reservoir is flooded the former streambed will be filled with sediment and no longer available as a refugia for fish should all of the water in the reservoir be used for irrigation. Conversely, the question must be asked will the water dedicated to irrigation result in better use of some other area of land and the benefits obtained from better use outweigh the potential loss of the fishery. Mandatory establishment of a minimum pool requirement would automatically prevent an analysis of this type from even occurring; thus, management flexibility would be lost. It would seem more appropriate for the BLM to be required to analyze direct and indirect costs and benefits (on and off-site) of establishing a minimum pool for all new irrigation reservoirs.	L&SA-Humboldt County 13: FW 8.3 was revised based on a case by case basis.
L&SA-Humboldt County - 14	Page 2-77; Action FW11.1. It is good management to prevent the overflow of troughs. Inputs should be curtailed by valves when troughs are full and/or overflow should be piped to an overflow reservoir and/or returned to the riparian area. Mud holes that surround water troughs do not benefit the livestock or other resources.	L&SA-Humboldt County - 14: This was addressed in LG5.5.
L&SA-Humboldt County-15	Page 2-79; Note: The language in this section is applicable to all alternatives and should be followed regardless of the alternative selected. Extensive effort went into the development of the PMU plans and this effort improved trust among the participants. To ignore them does not serve in the BLM’s interests.	L&SA-Humboldt County - 15: PMUs plans were considered in the development of the alternatives. These plans are derived from the First Edition Greater Sage-Grouse Conservation Plan for Nevada and Eastern California (June 2004), which is a plan identified in section 1.8 of this RMP "Consistency with Other Plans". The PMU plans are therefore incorporated throughout this document. The FEIS/RMP will address management of PMUs.
L&SA-Humboldt County-16	Page 2-87; SSS 1.6: There needs to be a clear definition of documented nesting sites. For example, currently occupied, occupied in the last five years, or occupied at any time in the past. Just because a site was used 10 years ago does not mean it is suitable today. As written, any site that was ever used as a nest site remains a documented nest site, yet it may no longer be a suitable site for any number of reasons.	L&SA-Humboldt County - 16: The BLM has revisited management of leks within PMU boundaries in the FEIS/RMP.

L&SA-Humboldt County

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L&SA-Humboldt County - 17

Page 2-94/95, Actions B and D WHB 1.10: For both actions, the appropriate management action should be directed to the class of animal causing the problem or in proportion to the respective effect of each class of livestock if all are responsible. Under current law, wild horses and livestock are allowable uses of public lands. Each should be held accountable for any degradation they cause.

L&SA-Humboldt County - 17:
See Action D-LG 1.3.1 and Action D-WHB 5.7.1

L&SA-Humboldt County - 18

Page 2-97Actions A through D-WHB 3.2: Its our understanding that current state water law precludes the acquisition of water rights by the BLM; thus, it is unclear why the BLM has proposed actions for the BLM to acquire water rights for WHB. Wild Horses and Burros are legally entitled to reside on public lands. As long as they are within AML, and HA/HMA within which they reside can support the established AML, it seems WHB should have access to water along the same principal accorded wildlife. If water becomes limited because of drought, it seems appropriate that both lawful uses of water (WHB and livestock) should be reduced as needed.

L&SA-Humboldt County - 18:
The State Engineer may no longer grant permits to the BLM for the beneficial use of stock water. This does not necessarily negate permits granted before this decision was made. Additionally, the State Engineer has ruled that wild horses are acceptable as a beneficial use under the umbrella of wildlife, Division of Water Resources ruling #5489. The BLM adheres to United States Code: Title 43 USC 666, also known as the McCarran amendment, which requires that federal entities waive sovereign immunity and comply with state water law. If water law conflicts with management objectives and actions, the BLM will defer to state law and seek to use the most effective alternative means to manage the health of the land and its multiple uses.

L&SA-Humboldt County - 19

Page 127; Action LG 1.5: It is highly desirable for the BLM to promote Cooperative Permittee Monitoring of livestock grazing regardless of the Alternative selected and we stipulate again that Alternative C is unacceptable.

L&SA-Humboldt County - 19:
Action D-LG 1.5 promotes cooperating monitoring..

Page 129; Action D-LG 1.9: The concept of forage banks is appealing. When fires or other issues preclude use of an allotment it would be desirable for the permittee to have a place to put his livestock. A significant issue is who has responsibility for maintaining the grazing infrastructure in the allotment used as the forage bank? If an allotment remains unused for several or many years it is very likely the spring developments, water troughs, exclosure fences, cattle guards, boundary fences and other infrastructure will not be in good working condition because there has been no permittee with maintenance responsibilities. Placing cattle that are unfamiliar with an allotment, in an allotment that has also been poorly maintained is a recipe for disaster for both the permittee and the BLM. A permittee who will only use an allotment for one or two years has no incentive to improve the allotment nor should they be expected to finance improvements in the infrastructure that will long outlive their use of the allotment. Without clarification for how the allotments infrastructure will be maintained and who will finance the maintenance the Commission cannot fully support alternative D. Under these conditions Alternative B is a better option.

L&SA-20 Humboldt County -

Page 2-131; Action D-LG 1.11: The blanket prohibition of TNR grazing within T&E habitat may not be in the BLM's interest. During the next 20 to 30 years there may be situations where TNR grazing may benefit the sensitive species at best, or be harmless toward the sensitive species but beneficial for other land uses or resource attributes. Good resource management, in part, requires maximum flexibility to address all situations that may arise. The blanket removal of TNR within T&E habitat removes a potential tool that may have value unknown/unforeseen management

L&SA-Humboldt County - 20:
BLM revised D-LG 1.11 to allow prescribed grazing flexibility.

L&SA-Humboldt County

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situations that require a rapid response. Amending this RMP to permit TNK may be possible, but also could take so long the window of opportunity is gone or not optimum. To us, it is unclear if the note on the bottom of page 2-132 addresses our concern because the site-specific NEPA compliance process can be quite lengthy.

L&SA-Humboldt County - 21:
Comment noted

Page 2-141: Action D-LG 5.4: We do not have a serious concern about water from new developments being used by WHB provided: 1) the water does not attract so many horses to the site it results in excessive forage use by the WHB or horse numbers at the development preclude use of the water by the livestock; and 2) the availability of water developed to improve livestock grazing management does not lead to an increase in AML for the WHB population. Water sources developed to improve livestock grazing management should be available for other land uses up to the point that those uses detract from the purpose of the water development.

L&SA-
Humboldt
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Page 231: Objective D-LR 2: We recommend that an action for each alternative be that the BLM retain and exchange lands in the Pine Forest Range as recommended by the Pine Forest Working Group. This group of diverse interests has invested a substantial amount of time evaluating whether or not the boundaries of the Blue Lakes and Alder Creek WSA should be amended to reflect changes in land use and resource quality since initial establishment of the WSA's about 40 years ago. They have identified several land exchanges that benefit Wilderness management, consolidate land ownership patterns and the livestock permittees.

L&SA-Humboldt County - 22:
BLM has taken into consideration lands to be retained and suitable for disposal in D-LR 2.1—See Figure 2-66.L&SA-
Humboldt
County - 23

Page 4-225, Alternative C: There are statements that the removal of grazing should improve ecological conditions of native habitats, and this will lead to increased vigor and abundance of native forage species. There is no research that demonstrates the removal of livestock always results in improved conditions, particularly on sites that receive less than 10-12 inches of annual precipitation and soils are silty and/or sodic. Research has shown that when shrubs are the primary growth form on a site and perennial bunchgrasses are absent or have low abundance compared to their potential, the grasses do not increase following removal of grazing or they increase very slowly and do not become abundant. On more arid shrub-grass rangelands, shrubs can competitively exclude desired bunchgrasses and if seed sources are absent those species can take decades or longer to reach a site. The potential for improvement has been overstated for many areas.

L&SA-Humboldt County - 23 and 24:
Comment notedL&SA-
Humboldt
County - 24

Page 4-439, Alternative C, Option 1: The Commission is opposed to Alternative C, regardless of the option. That said, it appears that livestock grazing is the only land use whose authorization would require that the use be complimentary to other resource values. The Commission questions why one land use would have to be complimentary to other resource values but no other land use has that same requirement. This would appear to be a very slippery slope that is not based on anything other than personal values.

L&SA-Humboldt County

Comments**Responses**L&SA-
Humboldt
County - 25

Page 4-454; Effects from Wild and Scenic Rivers Management: The Commission is opposed to designation of any of these streams as Wild and Scenic Rivers. If designated, interest groups often use those classifications as an argument to designate larger surrounding areas as National Monuments and/or other designations that come with many restrictions for land use and management. These restrictions often curtail management options, and fewer options does not create a management situation that that is conducive to good land management across a landscape with very high bio-physical variability, both spatially and temporally.

Literature Cited

Heady, H.F. (Editor). 1988. The Vale rangeland rehabilitation program: An evaluation. USDA Forest Service Pacific Northwest Research Station. USDI, Bureau of Land management Research Bulletin. PNW-RB-157.

Heady, H.F and J.W. Bartolome. 1977. The Vale rangeland rehabilitation program: The desert repaired in southeastern Oregon. USDA Forest Service Resource Bulletin. PNW-70.

Schultz, B. 2010. A Review of Nest Trampling by Livestock and the Implications for Nesting Birds on Shrub-Grass Rangelands in the Western States. Proceedings – Fourth National Conference on grazing Lands. Grazing Lands Conservation Initiative and Society for Range Management. December 13-16, 2009. Sparks, NV Pages 540-550.

L&SA- Humboldt County –25:

The BLM is required to identify and evaluate river segments to determine eligibility, tentative classification protection requirements and suitability under the Wild and Scenic River Act. A range of alternatives were developed in the DEIS to address Wild and Scenic Rivers. Eligibility of identified river segments is addressed in the FEIS/RMP. The final proposed RMP does not bring forward segments for W&SR designation—See D-WSR 1.1.

L&SA-N2GB

Comments

Responses



October 25, 2010

Bureau of Land Management
Winnemucca District
5100 E. Winnemucca Blvd.
Winnemucca, NV 89445
Attn: RMP Team

Subject: N-2 State Grazing Board comments to WDO Draft RMP/EIS

Dear RMP Team;

The following are comments to the WDO Draft RMP/EIS provided by Resource Concepts, Inc. (RCI) on behalf of the N-2 State Grazing Board.

General Overview

The N-2 State Grazing Board is pleased to finally see the Draft documents for the Winnemucca RMP/EIS available for public review and comment. General comments relating to the RMP/EIS are initially provided in this correspondence, followed by more specific comments directed at specific sections of the subject documents.

The BLM is to be commended for the earlier, very intensive and involved effort that preceded the draft documents. The N-2 Board was pleased to review and comment on the extensive work completed and provided through several iterations of matrix spread sheets that outlined alternative approaches for addressing resource issues and needs. However, the lengthy time lapse in activity following this effort resulted in several years without a draft document to review and comment on. In addition, musical chairs involving the responsible RMP/EIS lead occurred to the point where it was a challenge at times to determine who was coordinating the effort and where things were at the time. No effort of this importance should ever extend over so many years, as did this effort getting to a draft document.

On June 20, 2006 representatives of the N-2 Board, Humboldt Co, Nevada Cattlemen's Association, Nevada Department of Agriculture and the N-2 Board consultant met with the Winnemucca BLM to discuss the status of the RMP and express specific concerns, including the insufficient level of attention being directed at wildfire, as evidenced through the work shared at that time. It was the position of the group that wildfire is unquestionably the most critical resource issue District wide, yet wildfire lacked the special emphasis, attention, and priority that it warrants in the assessment of issues. The loss of and risk to resources due to wildfire is more apparent in the Winnemucca District than anywhere in Nevada, as evidenced by the historical record.

When wildfire destroys the native environment that provides wildlife habitat, livestock forage, watershed health, scenic beauty and other values, the recovery period can take decades. Under post fire conditions it is too late to potentially influence the resource threats and proactively employ actions to prevent or minimize impacts of wildfire. Agency planning should recognize the opportunity to utilize livestock for

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L&SA-N2GB

Comments

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BLM Winnemucca District
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targeted grazing in strategically identified areas to reduce wildfire risk or limit the scale of wildfire, particularly in cheatgrass infested areas.

While the alternatives presented provide a range of options to consider, it is curious that BLM does not provide evidence of monitoring or reporting to the public on the accomplishments and/or failings of the *no action* alternative over the life of the existing MFP. When the public provides input they should receive periodic report updates regarding progress in implementing the RMP and the resulting outcome.

The scoping process for this effort occurred during a period of economic prosperity. The public were actively engaging in increased recreation that included public land use with OHVs, camping, touring, hiking, trail rides and numerous other activities. With the rush to enjoy the great outdoors due to increased wealth, recreation was accelerating rapidly until the economic crash (2007-8) began. Since that time recreation has likely decreased due to significant unemployment, banking losses, foreclosures and other factors. Nevada has experienced a significant loss of population (i.e. Las Vegas > 80,000). Clearly the RMP/EIS reflects an increasing use of public lands and the accompanying demands from the recent past rapid growth period. If economic predictions are accurate, it is likely to be many years before this level of prosperity and outdoor recreation returns to Nevada's public lands. It may be advisable to revisit the predicted demand for use and services on the Winnemucca BLM District to assure that the plan still reflects current conditions and demands.

Executive Summary

It is curious that none of the Alternatives presented address wildfires under the bullets named "Key Components".

Alternative A - No Action

As the baseline alternative it appears that Alternative A is generally responsive in addressing many of the issues, but as with most RMP efforts the no action alternative unfortunately ends up being presented as ineffective, out of date, and destined to degrade resources if continued as such. This is unrealistic and does not reflect well on the effort put forth to develop the plan and the significant funding directed at implementing this alternative to date.

Alternative B

Alternative B emphasizes resource use in the planning area. Clearly this emphasis has multiple benefits, as all uses come with management requirements that would necessarily provide the safeguards and assurances of protecting the resources and/or restoring any degraded or damaged areas. In addition the benefits of fuels management through increased managed grazing activity would be evident. Benefits would include limiting the scale of wildfires rather than experiencing large catastrophic events, protection of wildlife habitat, control of invasive species such as cheatgrass, and enhanced economic benefits to ranching and rural communities.

Alternative C

Alternative C focuses on strategies to preserve and protect ecosystem health. Is this not what each of the alternatives is meant to accomplish? Alternative C, Option 2 evaluates a *no grazing* alternative which goes against the multiple use mandate as relates to an accepted and recognized use of the public lands. The alternative is obviously flawed as it portrays the resource as improving at a more rapid rate if livestock were no longer permitted. Under this alternative it is likely that wildfires will in fact continue at an even greater rate and effectively destroy many more important habitat areas and native ecosystems due

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RESOURCE CONCEPTS, INC.

L&SA-
N2GB-1

L&SA-N2GB-1:

Recreation demand will fluctuate within the life of this plan. The FEIS/RMP includes revisions to the social and economic section.

L&SA-
N2GB-2

L&SA-N2GB-2: All alternatives offer multiple use. No grazing was considered in the range of alternatives as an option under Alternative C, however, Alternatives A,B,C option 1 and D allow for grazing. Please note impacts related to "no grazing" Option 2. The FEIS/RMP further addresses prescriptive grazing in the management actions.

L&SA-N2GB

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BLM Winnemucca District
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Responses

to the greater buildup of fine fuels, increased litter, and a much greater propensity for cheatgrass invasion (see attached Davies, Svejcar, and Bates (2009); and Davies, Bates; Svejcar, and Boyd (2010)). There are limited means of harvesting renewable natural resources that include humans / animals and machinery, or natural harvest (wildlife and fire). Uncontrolled wildfire has left an indelible mark on the landscape of northern Nevada that will continue unless BLM takes aggressive and meaningful steps to both control and limit wildfires in Nevada and the Great Basin. Managed livestock grazing is a viable and cost effective tool for managing against uncontrolled wildfire. To consider a no grazing alternative makes no sense and lacks proper analysis.

Alternative D – Preferred Alternative

While parts of this alternative show promise and attempt to provide some balance between the listed alternatives, it is difficult to understand the thinking behind creating additional ACEC designations that require increased or special management at a higher cost to the taxpayer. ACECs should require sound justification that the sites are in fact threatened by existing uses. If the existing uses are not of concern or serious threat, then why continue on this pathway of special designations? This approach only further complicates an already challenging management responsibility for BLM. Will ACEC designations affect livestock grazing, and if so how? How will the proposed ACECs be managed to minimize the buildup of fuels and impacts of wildfire that can easily destroy the very values proposed for protection such as watershed, wildlife habitat, sensitive species, etc? Will additional BLM staff be required to manage these areas, and at what cost to the public? This alternative also proposes to remove grazing from over 215,000 acres which is entirely unacceptable and opposed by the N-2 Board unless all alternatives have been explored and data conclusively support such action.

Soil Resources

Why is a diverse plant community necessary to “maintain soil processes”? Clearly soil processes can be maintained and healthy on managed stands of a single species (i.e. Indian ricegrass, crested wheatgrass, etc). If ecological condition on a given area is presently at an acceptable level (i.e. mid seral or higher) and objectives are being achieved, what is there to be gained by striving for a higher ecological condition? There is no assurance of increased productivity, litter, soil biological crusts, soil fertility, infiltration, and nutrient cycling.

Soil biological crusts are emphasized for protection and special treatment under Alternatives A and D. They are also referred to as being vulnerable. If serious disturbances are anticipated due to OHV use, other vehicular use, construction or mining, then attention and careful planning may be warranted. However, livestock grazing is a natural, biological process that has existed historically and should be neither restricted nor limited on account of the presence or absence of soil biological crusts. To do so would only build on fuels and exacerbate the cheatgrass problem and create conditions for destructive wildfires. The scientific community is not in full agreement on the pros and cons of biological crusts and there is very little rangeland in Nevada that has not experienced grazing over an extended period of time. If biological crusts were an issue with grazing, this would have presented itself as a problem many years ago.

The proposed seeding preferences under Alternative B emphasize native species for land disturbances with land reclamation objectives to achieve “original conditions”. BLM should by now have learned that seeding disturbed areas to native species in arid and semiarid conditions of the Great Basin most generally results in very costly failure due to invasive species such as cheatgrass, mustard, and medusahead wildrye, and their ability as opportunists to outcompete native seedlings. To be successful in stabilizing rangelands in this increasingly arid landscape, use of adapted introduced species that have the ability to germinate early and compete with the invasive weeds should be encouraged in all seedmixes. Native

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Attached literature was reviewed and considered by BLM; however, it is not included in this Appendix. This document is viewable from the link provided for the final EIS and appendices on the Winnemucca RMP website at: http://www.blm.gov/nv/st/en/fo/wfo/blm_information/rmp.html.

L&SA-N2GB-3:

BLM is required under FLPMA Section 202 (C) (3) to give priority to the designation and protection of ACECs. 43 CFR 1610.7-2(a) and 43 CFR 1601.0-5(a) also require BLM to designate ACEC as part of the planning process. The Stillwater, Pine Forest, and Raised Bog ACEC nominations are only proposed in Alternatives C and D, not proposed in A or B. The Osgood Milvetch ACEC is the existing ACEC under Winnemucca District's current land use plans. No defined management actions relating to livestock grazing are provided under ACEC management. The attachment documents were reviewed and considered by BLM; however, they are not included in this Appendix. To view this document contact the Winnemucca District Office at 775-623-1500, or via e-mail at wfoweb@blm.gov.

L&SA-N2GB-4:

Refer to Standards and Guidelines for Nevada's Sierra Front-North Western Great Basin Area, Standard #4 : Populations and communities of native plant species and habitats for native animal species are healthy, productive and diverse. As indicated by:...Good diversity of height, size, and distribution of plants.

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species should be included in every seed mix as they may slowly establish over time, but typically natives require two years or more to establish, if at all. Extensive research and demonstration work has been carried out by the USDA-NRCS Plant Materials Program and USDA-ARS, including cooperating universities, that demonstrate the importance of including adapted species that have the best chance of success (Great Basin Wildfire Forum (2007); Davies, Svejcar, and Bates (2009)). Seedbank bioassays of areas targeted for seeding help to ascertain the presence and estimated amount of invasive seed present before embarking on a seeding that may ultimately end in costly failure due to cheatgrass competition. Even under the best of conditions seedling survival is a struggle under the limited moisture of the region.

Water Resources

Focusing on economic return (Alternative B) does not necessarily mean that BLM needs to "rely on mitigation to reduce, rather than prevent adverse impacts". Adverse impacts should be avoided under any of the presented alternatives. Water quality can and should be a priority and planned for accordingly. Management approaches should be directed at site specific conditions and needs rather than broadly applied in the interest of "preservation". It becomes convenient to penalize over a broad area when the problem could be localized (i.e. a specific reach of stream). In attempting to exclude some uses, such as grazing, the resource may then present itself for more serious natural impacts such as wildfire. Efforts should be made to make water available for multiple purposes whenever possible, with the exception of wild horse HMA's. Wild horses are managed under a thriving natural ecological balance and adapt to existing natural conditions. Stored water available to draft for firefighting purposes is scarce in some areas and should be planned for. Short water supplies can help to elevate the risk of large scale fire events.

Vegetation – Weeds

Alternative B provides possibly the best alternative to engage the weed infestation, at least for cheatgrass, by utilizing targeted grazing. Carried out at the appropriate time, grazing will help to reduce the amount of invasive biomass (fuel), help to reduce the weed seedbank, and over time provide opportunity for reseeding to adapted and native species. If cheatgrass was to be managed as forage and AUM's allocated accordingly, instead of identified only as a weedy invader, livestock could potentially be more effectively utilized to attack the problem.

Vegetation- Rangelands

To represent that Alternative C, Option I joins Alternative D in allowing for "the most resource protection" is incorrect by our review. It is our opinion that if livestock grazing becomes even more limited than is presently permitted, or was to be dropped as a permitted use, weeds would proliferate across the WDO, encouraging more frequent and larger wildfires, loss of habitat and watershed, and numerous other impacts.

Vegetation-Riparian Habitat and Wetlands

To be complete and reasonable in the qualitative analysis, one should include high intensity storm events that are common throughout the planning area as having some of the more serious impacts on these areas. These events should rank among the highest causes of major stream damage, as they rapidly gather significant amounts of water in the watershed carrying rubble and debris with tremendous force, often resulting in deeply scoured and incised stream systems. Head cuts then occur and water levels can be lowered by two or more feet. Rapid dewatering of the adjacent riparian or wetland areas then occurs and the plant community changes significantly. These events are not the result of livestock grazing, although mismanagement can exacerbate the riparian conditions and contribute to the degree of damage experienced in these events. As we have witnessed, even ungrazed, excellent condition streams can be

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L&SA-N2GB-5:

Prescribed grazing is addressed in Action D-VR 3.1 with respect to cheatgrass. Actions D-VRW 1.1 and D-VRW1.1.1 address riparian habitat and wetlands management to include other causal factors affecting PFC besides livestock grazing.

	L&SA-N2GB Comments	Responses
L&SA-N2GB-6	<p>October 25, 2010 BLM Winnemucca District Page 5 of 21</p> <p>decimated by storm events. Such was the case on streams above Carson City in a 1997 storm event. Even in the absence of grazing for many years, several drainages suffered significant scour and down cutting. Rebuilding these areas requires engineering and stream restoration expertise. The indigenous knowledge of permittees can be quite helpful both in assessing the cause and effect and by helping to identify and implement solutions. Why would Alternatives A and B provide less protection? If site-specific plans are developed and carefully implemented the outcome should be the same.</p> <p><i>Fish and Wildlife</i> Properly planned treatments to vegetation communities by mechanical practices, and other treatments can improve habitat conditions to better resist wildfire and limit destruction. Absent proactive management many decadent, overgrown areas will remain sterile of wildlife such as sage grouse or other species that require plant diversity and structure for brood rearing and optimal nesting habitat.</p> <p>Special Status Species <i>Wild Horses and Burros</i> The status quo under Alternative A would be much easier to live with if BLM managed effectively for AML within each HMA. Livestock grazing permits that share an HMA are subject to permit reductions, early off requirements, and other restrictions if grazing use exceeds the S&G. This sometimes occurs because BLM has control of the permits and can easily reduce livestock, whereas wild horse gathers only occur when overuse by horses can be monitored so as to separate the use by class of animal and gather plans completed. Even if these requirements are completed, funding to conduct the gathers is often in question, and proposed gathers can languish for extended periods.</p>	L&SA-N2GB-6: Comment noted
L&SA-N2GB-7	<p><i>Wildland Fire Management</i> Clearly there is a greater need for BLM to actively engage the threat of wildfire across the entire District. Every effort should be made to cooperate with the various state and federal agencies, local government, ranchers, and NGOs to bring all resources to bear on fuels management and presuppression activities. The WDO has not displayed a commitment over time for conducting cooperative wildfire presuppression activities with others, although some efforts are recently beginning to surface. Fire suppression activity in the District has demonstrated more success at cooperation. The BLM/Wildfire Support Group model operates under the leadership and training of BLM and has resulted in a very successful model for attacking wildfires. Fire suppression is critical for all areas, however effective fuels management shows the best opportunity to limit the size and intensity of wildfires, thereby reducing the cost of suppression and affords the greatest protection of all resources.</p>	L&SA-N2GB-7: Management of AML is addressed in WHB 5.2.
L&SA-N2GB-8	<p>Cooperation with NGO groups that demonstrate genuine interest can bring significant support resources to the WDO. These groups are willing to participate with BLM if sincere efforts are demonstrated that allow for inputs and involvement of these groups. In addition, utilizing indigenous science is critical to attaining success on the ground. USDA-ARS, UNR, Wildfire Conservation Group, ranchers, and USDA-NRCS are actively engaged in range restoration and fuels management demonstration areas of scale on private lands in the Winnemucca District. Many landowners welcome the inputs of indigenous science and hope to ward off wildfires while also reclaiming fire impacted rangelands. BLM would benefit by better utilizing local research and cooperating with rural landowners on fuels management projects.</p> <p>Fuels management efforts have largely been directed at the wildland urban interface (WUI), due to Washington DC directives. We are recently encouraged by the BLM directing fuels management planning to areas like the Montana Mountains near Orovada. This area greatly warrants the attention based on a number of critical resources in need of proactive management to lessen the probability of fires. Access is</p>	L&SA-N2GB-8: CA-WFM 2.1 and 2.2 emphasize collaboration with interagency partners. CA-WFM 3.3 emphasized fire planning including partnerships for landscape scale fire management planning.

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critical under all alternatives to assure that fire apparatus can affectively access and engage wildfires throughout the District. Also, roads provide opportunity to establish firebreaks/fuelbreaks by expanding planned treatments as necessary where roads already exist. This will help to break up fuel continuity and provide for suppression to occur while also affording safe evacuation from the area if necessary. Information programs carried out in cooperation with other agencies will help to combat human caused fires for all alternatives. WUI fires will likely decrease significantly as a result of the efforts of the Nevada Fire Safe Council (NFSC) and more than 125 trained/educated community Fire Safe chapters throughout the state.

Regarding Alternative B creating more WUI issues, there is much less opportunity for WUI developments to occur without proper pretreatment as a result of NFSC and Cooperative Extension Service education initiatives that include significant BLM and USFS involvement. Local governments and the general public are much better educated today and less likely to approve developments without pretreatment and ongoing maintenance. Also, local regulations are now frequently in place to help insure against unplanned development. Insurance companies are also becoming less reticent about denying or dropping insurance for homes in untreated areas. Alternative B appears to show the greatest strength when it comes to addressing wildfires.

Resources Uses (pgs E-19 to E-28)*Livestock Grazing*

If and when BLM anticipates excluding livestock for riparian or other restoration work, it will be important to work closely with the permittee early in the process to determine alternative approaches and to afford time to work out temporary forage resources to keep the operation whole. It is difficult to discern the BLM thinking regarding what represents the best alternative (i.e. Alternative D as shown). It seems that Alternative B would maximize the grazing opportunity, even when temporary exclusion is anticipated. The Standards and Guidelines would assure that proper grazing management is carried out and the operator would possibly stand the best chance of remaining whole under this alternative, as we understand it.

Minerals - Leasable, Locatable, and Salable

Livestock operations are mostly accustomed to minerals activities on public lands although with accelerated oil and gas exploration there may be greater potential for conflicts. By encouraging the minerals companies to coordinate with permittees on their proposed activities, BLM will help to avoid conflicts.

Recreation

At the present time, and under the existing economic conditions, it is likely that recreation use will grow at a much slower rate than anticipated and outlined in the RMP. To commit resources with accompanying facilities to several newly designated areas may not be the most judicious approach at this time, particularly if the demand has dropped off.

Renewable Energy

Any of the renewable energy sources (solar, geothermal, wind, biomass) have the potential to effect grazing. No allotments should be proposed for closure as a result of renewable energy development. Biomass energy use will typically focus on pinyon-juniper (P-J) woodlands such as the Stillwater Mountains where sufficient biomass may be available to justify some manner and scale of commercial harvest. Impacts would likely not be so severe for livestock grazing depending on the proposed treatment and limitations applied on grazing. If tree thinning results in increased forage and wildlife habitat, then

L&SA-N2GB-9:

Action VRW 1.1 includes coordination, consultation and cooperation with affected publics and to develop management actions to improve riparian areas.

L&SA-N2GB-10:

Recreation use will fluctuate throughout the life of the plan.

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<p>October 25, 2010 BLM Winnemucca District Page 7 of 21</p>	<p>livestock grazing would likely be reinstated following restoration measures. The N-2 Board supports any efforts to enhance the health of rangelands including P-J woodlands.</p>	<p>L&SA-N2GB-11:None of the alternatives except Alternative C Option 2 proposes prevention of grazing within ACECs. If use within ACECs threatens or damages resource values, separate implementation plans would be developed to manage and mitigate impacts.</p>
L&SA-N2GB-11	<p><i>Transportation and Access</i> Roads are important to ranching, as they exist today. Increased road construction would present additional issues such as weed infestations, livestock / vehicular collisions, wildlife losses, livestock rustling, and potentially increased wildfires. Any new road construction should require seeding fire resistant species adapted to harsh roadside conditions for affective weed control and fuel breaks. Forage kochia, crested wheatgrass, and other species identified by Great Basin researchers have proven effective at warding off invasive species and also slowing, or even stopping fast moving wildfires. Early coordination with permittees regarding proposed new road construction will be important to minimize conflict. Also, requiring roadsides to be seeded with fire resistant species and limiting land disturbing grading of established vegetation would help these areas from becoming vectors for in introduction and spread of invasive and noxious weeds.</p> <p><i>Lands and Realty</i> When land exchange or sale transactions are underway that may impact livestock grazing, the affected permittee(s) should be notified directly and included in discussions so arrangements can be made to minimize or mitigate the anticipated impacts to the ranch operation.</p> <p>Special Designations <i>Areas of Critical Environmental Concern (ACEC)</i> If protection from wildfires in ACECs is important, then continuation of grazing is also important to assure that fires do not destroy the very values the BLM wishes to protect (see Davies, Svejcar, and Bates (2009); and Davies, Bates, Svejcar, and Boyd (2010)). By creating special designations the BLM might call attention to resources that presently are not threatened but may become so, by alerting and drawing the public at large to the site.</p>	<p>L&SA-N2GB-12: The Wild and Scenic Rivers Act of October 2, 1968 (Public Law 90-542) requires that BLM consider W&SR values in its land use planning process. The Wild and Scenic Rivers Act of October 2, 1968 (Public Law 90-542) require that BLM consider W&SR values in its land use planning process. The BLM has developed a range of alternatives in WSR 1.1. Also, refer to Appendix G.</p>
L&SA-N2GB-12	<p><i>Wild and Scenic Rivers (W&SR)</i> It's difficult to envision a stream in the Winnemucca District that would meet the criteria for a W&SR as we recognize them. If those outstanding values were identified in the 2006 report, what's to stop the same values from remaining far into the future under the existing management being applied that helped to establish this ranking? We sometimes have unintended consequences by applying designations with the best of intentions. These designations on limited stream reaches can potentially draw public attention and may unintentionally impact the resource that BLM hopes to protect.</p>	<p>L&SA-N2GB-13: Action B-BCB 1.1 includes collaboration with local communities with respect to Back County By-ways.</p>
L&SA-N2GB-13	<p><i>Back Country Byways</i> Affected livestock permittees should be invited to help identify alternatives to resolve potential or perceived issues with grazing. Whenever increased traffic occurs on any allotment, it elevates the concerns of increased workload on the part of the permittee. Weed issues and wildfire also become more of a concern as well.</p>	<p>L&SA-N2GB-14: Comment noted.</p>
L&SA-N2GB-14	<p><i>Wilderness, Wilderness Study Areas (WSA), and Lands with Wilderness Characteristics</i> To indicate that no livestock grazing under C, Option 2 "would protect the WSA areas from damage by livestock grazing, such as trampled vegetation" is a far reach and should be reevaluated. This rangeland is has traditionally been grazed and grazing is a natural biological process that helps maintain the wilderness characteristics that these areas now exhibit. Proper grazing management maintains and invigorates</p>	

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vegetation stands. No harvest of the vegetation will potentially result in decadency over time that does not benefit the resource or the wildlife and exacerbates conditions for stand replacing wildfire. WSAs are typically a nuisance for livestock permittees due to vehicle access restrictions and being treated as defacto wilderness until legislation is enacted. However, in some cases the WSA designation may help to minimize troublesome traffic that would be anticipated with other land uses.

Volume 2: Chapter 1.*1.5.2 Issues Identification*

- 3. What actions or restrictions will be needed to maintain or improve natural resource values, reduce dangerous fuel loads, control and prevent noxious weeds and other undesirable plant species, and reduce risk of crossing ecological thresholds?
Comment: The response to this question is outlined in our comments throughout this document.
- 8. Comment: Wild horses absolutely need to be subjected to the same land health standards as livestock permitted on the public lands. There is little indication of this being a requirement in the documents.

1.5.3 Planning Criteria and Legislative Constraints

- Item 16. We strongly encourage BLM to coordinate with local scientists, including USDA-ARS, NRCS Great Basin Plant Materials Center, USFS Rocky Mtn. Station, and UNR-CABNR to assure that long term research applicable to the sustainable management of the Great Basin are utilized.

1.9 Implementation and Monitoring of the RMP

- We are pleased to see this item included and encourage the BLM to provide periodic reports to the public regarding implementation activity of the RMP and findings as a result of monitoring.

Table 1-5 Monitoring Indicators

- Land Health - should climate change be included in this grouping?
- Wild Horses & Burros- the same Land Health Indicators as applied to livestock grazing should apply here with no exceptions.

1.9.9 Changing the RMP

- The 20 year expected life of the RMP is not a reasonable target to achieve the objectives of the plan. 25-40 years would allow for a more realistic time frame to implement, monitor, and adjust the plan as necessary through the adaptive process. Changes can continue to occur as necessary through plan amendments. Annual or biannual monitoring summaries for public updates would allow for closer contact with the resource and its management. With funding levels decreasing, updating of RMP's will become increasingly more costly and potentially unattainable under the existing requirements.

Chapter 2 – Alternatives**2.3 Desired Future Conditions and Goals***Table 2-2 RMP Management Goals*

- Vegetation Weeds – we agree with the actions established for this goal.
- Wild Horses and Burros – It is impossible to achieve the goals outlined without incorporating land health indicators.

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L&SA-N2GB-15:

BLM has addressed these issues throughout the DEIS (See VW, Fire Fuels) Further revisions are included in the PRMP/FEIS. Applying land health standards are identified in Appendix B – SOPs/BMPs applicable to WH&B .

L&SA-
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L&SA-N2GB-16:
Comment noted.

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N2GB-17

L&SA-N2GB-17: The PRMP/FEIS further addresses climate change in Chapter 3 Air Quality. Land Health Standards have been developed for livestock grazing and WH&Bs. In accordance with Planning Regulations 43 CFR 1610.4-9, BLM periodically evaluates land use plans, at a minimum of every five years. Evaluations consider; 1) Decisions remain relevant to current issues, 2) Effective in achieving or make progress toward achieving desired outcomes, 3)Any decisions that need to be revised, 4) Decisions that need to be dropped, 5)Any areas that require new decisions. – See Land Use Planning Handbook H-1601-1 (2005).

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- Wildland Fire Ecology Management (WFM) this section emphasizes, "Manage fuels to protect WUI communities and natural and cultural resources". We assume that this goal relates to addressing fuels on a landscape level where appropriate, with equal enthusiasm to that directed at WUI's. Much like the WUI's, rural life and property, including high value wildlife habitat and watershed should also be given high priority for fuels management.
- Transportation and Access
 - Action CA-Ta 1.6 .00. How will this permitting process effect grazing permittees?
- Lands and Realty
 - If BLM intends to retain legal access for public and BLM use when land sales or exchanges occur, then why should the seller of private land not retain the right to refuse public access to the lands sold or exchanged to BLM? How will BLM ensure that all system roads have easements through privately owned lands? Is the intent to also include public access?

Table 2-3 Proposed Goals, Objectives and Actions per Alternative

L&SA-N2GB-20

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L&SA-N2GB-22

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- Action D-AQ 2.4. We support this action as important to sound resource management and hope that BLM will elevate this action to a high priority for implementation. Coordination with permittees is important to successful implementation. Prescribed fire should only occur with careful planning and precautions against fires getting out of control.
- Action C-S 1.1. How does BLM intend to increase litter? If cheatgrass is present in significant amounts, the litter will enhance cheatgrass production and elevate risk of wildfire.
- Action C-S 1.3. Managed grazing should have little or no detrimental effects on soil biological crusts. The statement "Eliminate soil disturbances to biological soil crusts when soil surfaces are dry" can be viewed as a potentially threatening statement to grazing and other uses and needs further clarification.
- D-WR 2.2. We support the development of water sources that can also be used to support fire suppression activities. Coordination with permittees is important to planning and locating these facilities where appropriate.
- D-WR 2.3. If wild horses and burros are to exist under the premise of a natural thriving ecological balance by law, is it right to develop water improvements aside of naturally occurring waters in an HMA, or is this not what is planned? If fencing for wild horse management and distribution (i.e. deferred grazing) is not authorized, then why would new water developments for horse distribution and management be considered any different?
- D-VF 1. If climate change continues, how will the BLM monitor vegetation changes to ascertain if water loving vegetation such as aspen and other species are not declining based on climatic conditions?
- D-VF 3.6. Why would BLM prohibit harvesting pinyon and juniper trees within 100 ft. of springs and water sources? These trees encroach on water sources and have dried up many springs. Reno USDA-ARS is studying the impact of these trees on water and watershed at this time. Removal of these trees near water would likely benefit flows, extend water supplies during drought, and help to minimize predation by raptors at the water source.
- D-VF 4.3. Absent management that includes thinning, and removal of dead or diseased trees, it is likely that overgrown conditions will eventually impact the entire stand. Old growth is important to manage for, but Phase III tree density is threatening old growth stands in many areas of the state (personal discussions with Dr. Robin Tausch, USFS). We support this action as shown.
- D-VR .We support this action and will work with BLM to achieve success with this approach.
- Objective D-VR 2. This approach is important to effective range management and balance.

L&SA-N2GB-18: Management action CA-WFM3.1 emphasizes landscape scale planning to protect both WUI areas and areas containing high resource values. Objective CA-WFM 1 includes protection of property and priority wildlife habitat areas as suppression priorities. Please also note BMP/SOP Appendix B emphasizes large landscape scale fuelbreaks.

L&SA-N2GB-19: Actions B, C and D – LR 4.1.2 (c) Indicates the one of main purposes for acquiring private lands is to provide access to public lands. Allowing the seller the right to refuse access to the public would defeat the purpose for the acquisition. Easement for system roads are acquired on a case by case basis. See Action B, C, and D - TA 2.1 System roads are for public use.

L&SA-N2GB-20: This is part of Standard 1 Soils - surface litter and cover parameters are defined in ecological site description reference sheets which are available from USDA Natural Resource Conservation Service. These reference sheets are used to determine departure from normal as part of interpreting and measuring indicators of rangeland health.

L&SA-N2GB-21: The BLM obtains water rights for WH&B not to supplement or enhance quality of life for WH&B, but rather to maintain availability of existing water.

L&SA-N2GB-22: The BLM has conducted additional analysis for climate change in the PRMP/FEIS. See Chapter 3 Air Quality. This analysis includes greenhouse gases, major economic sectors contributing to emissions that are subject to BLM land use management practices, global mean temperature changes, and future trends. BLM is required to monitor forest health as required under the Healthy Forest Restoration Act and also participates with National Forest Health Monitoring program.

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- D-VR 3.1. If cheatgrass becomes established and dominant early on the rehab site, measures need to be taken to reduce the fuel load and minimize the seed production, or the chance of successful perennial plant establishment will be greatly reduced.
- D-VR 4.1. Fall seedings are most successful in the Great Basin. Spring seedings on rangelands have proven to be mostly failures and a waste of money and resources in the Great Basin.
- D-VR 8. It is not practical to manage for climax plant communities, but rather to manage toward a viable mid to high seral stage. Historic native climax communities are not achievable with the presence of invasive species and the effects of ongoing climate change. The BLM established "desired plant community" approach works well for rangelands using. Ecological site descriptions to help determine the existing condition and opportunity for a given site to establish the desired seral state.

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- D-FW1.1. We support this objective to the point that it does not negatively impact ranching operations. This action calls for use restrictions. Where will the guidance for this use come from? What measures will be taken to protect against excessive fuels buildup?
- D-FW 1.2. What non-native species are being considered for introduction, and will introductions affect existing grazing permits? If grazing permits are reduced to accommodate new introductions, the N-2 Board is opposed to the introductions. Wildlife are recognized and appreciated by the ranching industry, however, ranch operations should not be economically stressed because of wildlife impacts brought about by wildlife introductions. Close coordination and planning should take place between the permittees, NDOW, and BLM prior to finalizing or implementing any introduction proposals.

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- D-FW 6. This should not occur without first coordinating with the permittee to assure that guzzlers will not create undue problems with grazing animals such as wild horses, or draw big horn sheep into near proximity of domestic sheep permits.
- D-FW 6.1. See above comment. Will BLM secure a water right to construct large capacity wildlife guzzlers, just as permittees are required to do when developing water sources? Coordination with the affected permittee should occur regarding any proposed developments.

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- D-SSS 1.2. This action can be threatening to grazing if treatments and/or alternatives are not carefully evaluated using the best available indigenous science including early inputs by the affected permittees. What are the use restrictions to be applied and at what locations? Are the use restrictions meant to apply to all existing uses?

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- D-SSS 1.2.1. what specifically constitutes surface disturbance and occupancy by this action? Care should be taken to coordinate closely with permittees regarding any concerns when livestock are on the allotments.
- D-SSS 1.2.2. See D-SSS 1.2 comment.

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- D-WHB 1.2. Why would BLM start adjusting HA boundaries again when they were directed to establish Herd Areas at the time of the WH&B Act? Does this mean that BLM got it wrong the first time? How will this affect existing grazing permits? Any proposals to adjust HA boundaries should be coordinated with the effected permittee(s).

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- D-WH&B. It is important that BLM adhere to this policy and not allow the herds to get out of hand. Resources suffer, and if it involves livestock grazing permits, the livestock numbers are sometimes subjected to reductions until excess horses can be removed. This presents a hardship on permittees and creates unnecessary stress between BLM and permittees. BLM should maintain a strong commitment to WH&B management and AMLs, and efforts continued to secure stable and adequate funding for this program.

L&SA-N2GB-24: Management action D-FW1.1 "Priority habitat areas" emphasizes achieving desired habitat conditions. Specific management actions that would achieve habitat conditions would be defined and implemented on a case by case basis. These actions would be subject to NEPA with public involvement and may include fuel treatments or habitat restoration. Priority habitats also correspond with "exclusion and avoidance areas" addressed in the Lands and Realty section.

L&SA-N2GB-25: The BLM has developed a range of alternatives - FW 1.4. BLM Manual 1745 Introduction, Transplant, Augmentation, and Reestablishment of Fish, Wildlife, and Plants and Executive Orders 11987 and 13112 also directs BLM with respect to introductions, transplants, augmentation, and re-establishment of fish, wildlife, and plants. Action FW 2.2 includes language applicable to development of implementation plans and coordination with NDOW and others.

L&SA-N2GB-26: The BLM adheres to United States Code: Title 43 USC 666, also known as the McCarran amendment, which requires that federal entities waive sovereign immunity and comply with state water law. If water law conflicts with management objectives and actions, the BLM will defer to state law and seek to use the most effective alternative means to manage the health of the land and its multiple uses.

L&SA-N2GB-27: Use restrictions, stipulations and mitigation measures that may be employed are based on conventional science. The BLM works cooperatively with the permittees while attempting to maintain or achieve the Standards for Rangeland Health and welcomes any input that may help. Use restrictions that may be applied in order to protect sage-grouse habitat could include exclusion areas (riparian areas), season-of-use restrictions, and utilization criteria. These or other applicable restrictions may be implemented in any location where livestock grazing or other uses are negatively impacting sage-grouse habitat. SSS 1.2 has been revised in the FEIS/RMP to clearly show what use restrictions would be applied.

L&SA-N2GB-28: The FEIS reflects the definition of surface disturbance. SSS 1.2.1 has been revised in the FEIS/RMP to clearly show what use restrictions would be applied.

L&SA-N2GB-29: See response L&SA-N2GB-27. SSS 1.2.2 has been revised in the FEIS/RMP to clearly show what use restrictions would be applied.

L&SA-N2GB-30: BLM is not proposing changes in Herd Area (HA) boundaries. BLM has proposed adjustments to Herd Management Areas (HMAs) to promote efficient management of WH&Bs. Boundary changes relate to existing fences or topological barriers.

L&SA-N2GB

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Livestock Grazing

L&SA-N2GB-31

- D-LG 1.3. BLM proposes to allocate AUMs at current levels; however it is apparent that much greater amounts of forage occur throughout the District that should be available for permitting. It's curious that grazing permit increases are not apparent as a result of sound range management and where range conditions warrant consideration. To improve rangeland health through investment of private capital and in-kind work, and then witness the excess forage being destroyed by wildfires sends a poor message and needs to be better defined in policy. The 319,328 acres closed to grazing need to be better clarified. Which of these acres were previously a part of active permits with assigned AUMs?

L&SA-N2GB-31:

Specific allotment AUM allocation decisions are addressed at the site specific or allotment level.

L&SA-N2GB-32

- D-LG 1.9. The N-2 Board is **opposed** to relinquishing allotments and creating "forage banks". This proposed action needs to be reevaluated and discussed thoroughly with the livestock industry to weigh the consequences both with relinquishing allotments and with setting up "forage banks". This action would set a bad precedent in this reviewer's opinion by reducing grazing on the District, allowing for excess buildup of fuels and elevating the threat of destructive wildfire. Traditionally, "forage banks" have been found to lack commitment to maintaining range improvements when used, and when outside livestock are brought in they tend to locate on streams and other watering areas due to lack of familiarity with the allotment. In addition, the local economy will be affected to some degree by the loss of grazing related to those allotments. When an allotment is relinquished, a ranch operation is potentially impacted or even out of business.

L&SA-N2GB-32:

A range of alternatives were presented in LG 1.9. Action B-LG 1.9 does not include creating forage banks. The Proposed RMP (Alternative D) includes forage banks.

L&SA-N2GB-33

- D-LG 1.11. Item C. If the objective is to reduce flashy fuels, sheep might well qualify as a treatment for pass-through grazing prescription in a cattle allotment where cattle cannot be effectively used to establish a grazed linear fuelbreak for the season. Item (c) removes the flexibility of this important rangeland tool if implemented.
- TNR objectives for grazing cheatgrass are often of little value when NEPA is first required because of the time it takes to carry out NEPA. By the time approvals are secured the cheatgrass is beyond the period when livestock will normally graze it and it then presents a fire risk due to its dry condition.
- D-LG 5.4. The N-2 Board **strongly opposes** this action. Each proposed water development that involves wild horses warrants careful site-specific evaluation to assure that both the resource and the intended uses are treated fairly. If livestock leave an allotment due to authorized time of use, and the permittee is required to continue providing stockwater on site for wild horse use from June through September, the area could easily experience overuse by the horses, ultimately resulting in reduced AUMs for the permittee. The water presumably was developed and perfected only for beneficial use by the permittee's livestock, including wildlife as conditioned in the permit. However, the BLM is now attempting to force permittees to provide water for wild horses at their own expense, and potential cost to the resources. Do BLM view this as a legal right in accordance with Nevada State law?

L&SA-N2GB-33:

Changing the class of livestock would require a grazing permit modification and an environmental analysis to comply with the requirements of NEPA prior to approving a permit modification. Changing the class of livestock is addressed in LG4.

L&SA-N2GB-34

- D-LG 5.5. What exactly is meant by this section? If springs are developed water cannot easily be shut off, but rather be allowed to exit the stockwater tank through an overflow pipe to a safe outlet. Overflow ponds are reasonable for windmill or pumped well installations if the permittee is in agreement and is not required to provide water for wild horses. The overflow ponds often serve as an emergency supply for livestock in remote areas when windmills fail to pump for an extended period.

L&SA-N2GB-34:

D-LG-5.4 has been modified to include opportunities to develop cooperative agreements with permittees.

L&SA-N2GB-35

- D-LG 5.6. Livestock permittees should be included and actively involved with any plans that propose enclosures on the allotments they run on. Enclosures should have a specific plan that states the purpose, need, objective, and expected life of the enclosure (years), studies to be undertaken annually by BLM, and a brief annual report prepared for affected parties and interested publics regarding changes occurring as a result of the enclosure. In addition, affected

L&SA-N2GB-35:

LG 5.3.1 has been revised to clarify the management action. Objective D-LG 1 includes collaborating with permittees in the management of rangelands.

L&SA-N2GB

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permittees should be invited to help in locating the enclosure and participating in the study to learn from the results.

Recreation, Visitor Outreach and Services

- Action D-R 8.1.1. Permittees should be consulted when designating areas that include their permitted allotments to determine what potential impacts might be anticipated and planned for regarding their grazing permit and season of use. Visitors should be educated to not interfere with or camp near watering facilities. Livestock will often avoid coming to water if humans are camped at or near the water source.

L&SA-
N2GB-36

L&SA-N2GB-36: Action CA R-3.1 includes pursuing partnerships to accomplish recreation management objectives. Action D-R 6.2 addresses camping near water sources.

Renewable Energy

- Action D-RE 1.1. The N-2 Board recognizes development of renewable energy on public lands, where appropriate, but do request that any proposed developments require close coordination with the affected permittee(s). Potential impacts can be identified at this early stage and mitigation alternatives identified that allow for a smoother transition while also initiating a neighborly, conflict free working environment. *No allotment should be closed to accommodate energy development of any type. The goal of any proposed development should be that of 'no net loss of AUMs' on an allotment.*

L&SA-
N2GB-37

L&SA-N2GB-37: FLPMA directs BLM's multiple use mandate.

Transportation and Travel Management

- Travel management plans should be coordinated closely with the permittee to assure that his long term indigenous knowledge of the allotment, and concerns, are fully considered when both planning routes and implementing construction plans in allotments

L&SA-
N2GB-38

L&SA-N2GB-38: A separate travel management plan will be developed that includes public outreach and coordination with affected parties. See action – D-R 10.2

Lands and Realty

- Action D-LR 4.1.2. d. Acquiring private land that presently does not have wild horses on site, with the idea of introducing wild horses to the area, would be **opposed** by the N-2 Board. Wild horses were to be cleared from all private lands, where requested, following the WH&B Act passage in 1971 and Herd Areas established accordingly.

L&SA-
N2GB-39

Areas of Critical Environmental Concern

- Objective D-ACEC 1. This designation should be considered carefully as it can potentially invite overzealous actions for protection, when in fact the need may not even exist at this point. By placing special designations BLM calls attention to these areas, which could invite activities that are not desired. If there is an obvious need, then a designation is potentially warranted.
- Action D-ACEC 1.1. Please explain why the Pine Forest and Stillwater areas are specifically being proposed for ACEC designation. What are the special values that are *at risk* at this point in time?

L&SA-N2GB-39: Pine Forest contains diverse landscapes, notable lakes and reservoirs, a diverse array of habitat, including sensitive species habitat, sub-alpine limber and white bark pine stands. The Stillwater Range is a traditional pine nut harvest area for local Native Americans. It is considered a place of cultural and spiritual regeneration and includes a number of traditional cultural properties (TCPs). The NDOW and Fallon Paiute Tribe nominated these areas respectively.

Wild and Scenic Rivers

- Objective D-WSR-1. We agree that no segments of rivers or streams should be managed as WSRS in the WDO.

L&SA-
N2GB-40

Wilderness Study Areas and Lands with Wilderness Characteristics

- Action D-WSA 1.1. Why should WSAs that are released be directed to other special designations such as VRM, ACEC or the like, as opposed to just releasing these areas back to multiple use?

L&SA-N2GB-40: ACECs differ from special management designations, such as WSAs, in that the ACEC designation by itself does not automatically prohibit and/or restrict other uses. Management Actions applicable to ACECs, if designated, are in ACEC 1.

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L&SA-N2GB-41

- Action D-WSA 2.1 We prefer the B-WSA 2.1 definition as it uses the word *manage* as opposed to *protect*. If the resource is not being impacted in a managed state, why then does BLM need to "protect" it?

Sustainable Development

- Objective D-SD 1. We strongly recommend that BLM initiate early contact with affected permittees whenever disposal of land that will potentially affect their operation is anticipated. Disposal by sale or exchange may show merit to some sectors, but also potentially significantly impact the permittees running on those permits.

CHAPTER 3 – AFFECTED ENVIRONMENT*3.2.1 Air Quality*

Climate Change

- It is important to consider climate change, and in the Great Basin wildfires are a major concern as a significant contributor to air quality problems. Every effort should be made to prevent biomass buildup through appropriate fuels management treatments thereby reduces occurrence of large wildfire events.

L&SA-N2GB-42

3.3.3 Soil Resources

- This section indicates that some areas are demonstrating unstable or eroded soils due to causes that include overgrazing. We trust that the BLM have the subject areas well documented and are working with those permittees to correct the problem through management changes.
- Biological crusts are a topic of ongoing controversy within scientific circles with respect to their importance for protecting against perceived soil disturbing activities such as grazing. Avoiding uses that help manage the fine fuels will subject the resource to fuels buildup and elevate the potential for increased fire. Wildfire is a poor alternative and leaves the soil exposed to severe erosion and invasive species.
- What is the BLM proposal for managing/protecting areas mapped with biological crusts? How will this affect existing grazing permits? The "Potential Biological Crust" map provided in the BLM RMP document outlines an extensive part of the District, areas that are mostly grazed by domestic livestock at this time. Clearly this is a far reach by displaying broad soil mapping units and may have only limited application when applied. What is the proposed management going forward for these areas?

L&SA-N2GB-43

3.2.9.1 Wildlife Habitat

- Bighorn Sheep - this section cites Ganskopp 1983 and states, "forage competition in this planning area is generally limited". This statement may have been the case in 1983, but clearly changes have occurred in 27 years. Bighorns presently occupy areas where they did not exist previously, which has and will continue to build pressure on traditional domestic sheep grazing areas. Wildfires have decimated critical habitat areas leaving them susceptible to invasive species with little value to wildlife. These events have presented further pressure on game species such as deer and sage grouse while also increasing pressure on livestock grazing. Before additional game transplants or introductions occur in the District, priority should be focused on reestablishing landscapes degraded by wildfires while also moving expediently to create fuel breaks and fuels treatments to help protect remaining critical wildlife habitat. Many organizations stand ready to participate in such activities if BLM was more receptive and open to alternatives and offers to participate.

L&SA-N2GB-44

L&SA-N2GB-41:
WSAs are managed in accordance with BLM Manual 6840.

L&SA-N2GB-42:
The BLM has conducted additional analysis for climate change in the PRMP/FEIS. See Chapter 3, Air Quality. This analysis includes greenhouse gases, major economic sectors contributing to emissions that are subject to BLM land use management practices, global mean temperature changes, and future trends.

L&SA-N2GB-43:
Refer to Technical Reference 1730-2 Biological Soil Crusts: Ecology and Management. Management actions applicable to biological crust are located in soils S-1.

L&SA-N2GB-44:
Fuel breaks are addressed in WFM 2.

L&SA-N2GB	Comments	Responses
L&SA-N2GB-45	<p>October 25, 2010 BLM Winnemucca District Page 14 of 21</p> <p><i>3.2.10.1 Federally Listed Species</i> Lahontan Cutthroat Trout (Federal Threatened)</p> <ul style="list-style-type: none"> Livestock are identified as a "principal threat to the subspecies" along with urban and mining development, water diversions, poor water quality, hybridization, and other. We agree that <i>poorly managed</i> livestock grazing can be a contributor to the threat. To lump livestock grazing as shown presents an unfair depiction. Livestock grazing, mining, water diversion, and other activities can be, and are carefully planned for and plans implemented to avoid such threats. <p><i>3.2.10.5 Federal Candidate Species</i> Greater Sage-Grouse</p> <ul style="list-style-type: none"> Citing Willis et al (1993) is referencing dated material, given the occurrence of numerous wildfires of scale since that period that has decimated vast areas of sagebrush habitat. Efforts need to be concentrated on managing remaining habitat areas and reclaiming our fire damaged rangelands to provide fire resilience and to help slow the expansion of cheatgrass and other invasive fine fuels. 	<p>L&SA-N2GB-45: BLM recognizes there are multiple threats to LCT Habitat. Pg. 3-57 of the DEIS states that changes affecting LCT habitat include human activity. Protection of LCT habitat is further addressed in the PRMP/FEIS. See water resources action D-WR 1.2 This was taken from the 1995 LCT Recovery Plan and the correct reference is cited in the RMP in Section 3.2.10.1 as (USFWS 1995).</p>
L&SA-N2GB-46	<p><i>3.2.11 Wild Horse and Burros</i></p> <ul style="list-style-type: none"> This section indicates that BLM must meet or ensure that progress is being made toward meeting the Sierra Front-Northwestern Great Basin RAC Standards and Guidelines for Wild Horse and Management. However, in the listing of alternatives and Alternative D, the staff proposed alternative, the standard is absent for wild horses and burros. We support the Great Basin RAC Standards and Guidelines for wild horses. 	<p>L&SA-N2GB-46: NW/Sierra Front-Northwestern Great Basin - Resource Advisory Council Standards and Guidelines for WH&B are included in appendix E.</p>
L&SA-N2GB-47	<p><i>3.2.12 Wildland Fire Management</i></p> <ul style="list-style-type: none"> This section indicates that, of the 1,549,076 acres that burned between 1987 and 2006, 1,114,047 of these acres burned between 1997 and 2006. The section further attributes this expanded wildfire incidence and scale to continued drought cycles and spread of invasive species. We agree that drought is a factor, however the marked reductions (46,108 AUMs or 12.5; Nevada Grazing Statistics Report and Economic Analysis for Federal Lands in Nevada, RCI (2001)) in livestock grazing by BLM that occurred between 1980 and 1999 likely contributed to the scale of these wildfires. With fewer livestock and fuel load building factors such as reduced spring grazing and establishing rest rotation grazing systems (not suited to Great Basin conditions), contributed to accumulation of fuels that helped fuel the wildfires experienced today. Clearly, prescribed grazing is a factor in the management of fuels, particularly with the rapid invasion of Great Basin rangelands by cheatgrass and other invasives. Until livestock are effectively utilized for targeted harvest of invasive species and other appropriate fuels treatments employed, it is probable that cheatgrass expansion, wildfires, and habitat loss will continue at an increasing rate. 	<p>L&SA-N2GB-47: Prescribed grazing is be considered in WFM 2.1.</p>
L&SA-N2GB-48	<p><i>Fire Management</i></p> <ul style="list-style-type: none"> Allow Fire for Resource Benefit - there are few areas that are not infested with cheatgrass to some degree in Nevada, and those are mostly at the higher elevations. Extreme care should be exercised to assure that cheatgrass does not exist in abundance in an area identified for either prescribed fire or a "let burn" policy. This policy can result in expansion of cheatgrass if mistakes occur. Bioassay studies of seedbanks in these areas would also help to better anticipate responses. Also, preconditioning areas (mechanical, biological, chemical) planned for prescribed fire will help to minimize adverse effects. Emergency Stabilization and Rehabilitation (ES&R) - hopefully the BLM plans to seed burn areas within the window that spells potential success vs. likely failure. Fall seedings containing 	<p>L&SA-N2GB-48: Prescribed grazing is included in Management Action VR 4.3, Alternatives B and D, WFM 2.1. BLM Winnemucca District concurs with seeding in the fall; however, flexibility with seeding periods is necessary due to availability of seeds and funding.</p>

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adapted species that compete with cheatgrass are most successful. Research in the Great Basin has demonstrated that only early germinating perennial species such as Sandberg bluegrass, crested wheatgrass, and forage kochia compete effectively with cheatgrass. At a minimum these adapted species should be a representative component of the seedmix to assure some success. Native species can require two or more years to become established and are not good competitors with invasive species. Other factors also contribute, with precipitation being the most limiting factor to plant growth. Research findings of USDA ARS Range Scientists and other researchers should be considered when developing each proposed seeding to help minimize risk of failure (see UNR Great Basin Wildfire Forum proceedings 2007).

3.3 RESOURCE USES

3.3.3 Recreation and Facilities

Recreation

- The Water Canyon wildfire that burned most of the area might have suffered less damage if annual sheep grazing had been utilized for fuels management purposes. Carson City has affectively utilized sheep grazing in the Carson Watershed west of the city to manage fuels. This program has been successful since the 2004 Waterfall Fire. Like Winnemucca, Carson City manages the watershed for City water supplies. Sheep can easily be herded to avoid sensitive areas while reducing fuels.

OHV Use

- Is BLM considering the new statewide regulations from the last State Legislative session relating to OHV use? The opportunity now exists for licensing and policing OHV use through local authorities. This new law may provide a new opportunity to readdress the use of OHV's in the Winnemucca District and allow for coordination with affected groups. Permittees also utilize OHVs as a part of their ranching operations and should be included in discussions and decisions that affect their allotments and may hinder their ability to carryout their ranch tasks.

3.3.4 Renewable Energy

Note: The N-2 Board will strongly oppose any proposals for renewable energy development that calls for removal, or cessation, of grazing.

Solar

- Solar power development requires extensive committed land area under most conditions. BLM should work with the Counties and impacted permittees in the effected areas to emulate the process utilized by Lincoln County, the permittees, and Caliente office of BLM to identify areas that will minimize the impact to ranching, wildlife and sensitive plant communities while allowing for development of solar energy. Installation of any solar facilities should not result in loss of AUM's but rather early planning allow for mitigation opportunities to avoid adverse economic consequences to ranching.

3.5.3 Social and Economic Conditions and Environmental Justice

Visitor use of the public lands will likely decrease to some degree due to present economic conditions and significant loss of population in Nevada over the past few years, thereby reducing pressure for the number of recreational designations and development proposed.

We agree that grazing management decisions within the WDO are likely to affect the economies of at least 3 of the 5 counties, but more likely all 5. The ranching economy is very sensitive to changes in public land policy changes and any adverse impacts can ripple through the local economy.

L&SA-N2GB-49

L&SA-N2GB-49: Prescriptive grazing applicable to fuelbreaks is addressed in WFM 2.1. Prescriptive grazing is not limited to class of live-stock.

L&SA-N2GB-50

L&SA-N2GB-50: Comment is outside the scope of this RMP. Licensing of OHVs is a State of Nevada responsibility. A separate OHV travel management plan will be developed in the future.

L&SA-N2GB-51

L&SA-N2GB-51: BLM must comply with the multiple use mandate of FLPMA.

L&SA-N2GB-52

L&SA-N2GB-52: The social and economic section has been updated in the FEIS.

L&SA-N2GB

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Population

While the BLM numbers and analysis reflect a growing population in the RMP area, reality is that population numbers statewide do not support growth over the past several years. A loss in population has occurred due to the change in economic conditions. This change may not have effected the resident population within the WDO area because of the present mining boom. The BLM should reassess this change and reflect the potential impacts resulting from existing conditions. The State Demographer's Office 2007 population projections are likely to change considerably from that reflected in the RMP/EIS

L&SA-
N2GB-53

L&SA-N2GB-53: The population within the Winnemucca District administrative area will fluctuate during the life of this plan.

CHAPTER 4 – ENVIRONMENTAL CONSEQUENCES**4.2 RESOURCES***4.2.1 Air Quality*

Effects from Livestock Grazing Management

- The idea of livestock grazing in the WDO area contributing a measureable amount of greenhouse gas is almost absurd. With the widely distributed grazing, and slim numbers of livestock across the District, it would be challenging to quantify air pollution.
- We question that climate change will increase cheatgrass, as indicated on Page 4-41. If the perception is related to warmer, dryer conditions encouraging more fires, followed by cheatgrass, then it is likely. Clearly, if actions are not implemented to counter the cheatgrass expansion it will prevail regardless of climate change.

L&SA-
N2GB-54

L&SA-N2GB-54: The FEIS includes additional information on climate change.

4.2.3 Soil Resources

Effects from Vegetation – Rangeland Management

- Please explain where BLM gets the 20% vs. 75 percent success difference between Alternative A and Alternative B. (pg 4-55). This appears to be a far reach in the comparison.
- We disagree with Alternative C in that native seedings on cheatgrass-affected burns are most all failures regardless of whether native seed is readily available or not. Native species are slow in establishing and challenged to compete with cheatgrass for the most part, thus the imperative for including adapted species in the seedmix. The adapted species are early germinators and competitive with cheatgrass. Natives can take up to two years to become established, but should also be a part of the seedmix, as some do become established as site conditions allow.

L&SA-
N2GB-55

L&SA-N2GB-55: Based on monitoring of fire rehab seedings since 1980, grazing prevents establishment of new seedlings. New seedlings are uprooted. The BLM has developed a range of alternatives - VR 4.1 See BLM Manual 1745 Introduction, Transplant, Augmentation, and Reestablishment of Fish, Wildlife, and Plants and Executive Orders 11987 and 13112.

L&SA-
N2GB-56

Effects from Wild Horse and Burro Management

- Effects Common to All Alternatives – hopefully BLM is not so naive as to believe “There are no likely impacts on soil resources resulting from wild horse and burro management objectives or actions at or below AML under any of the alternatives”?

L&SA-N2GB-56: The Wild Horses and Burros Goal as described in the RMP states, in part, “Protect, manage, and control healthy, self-sustaining wild horse and burro (WHB) populations within established herd management areas HMAs at appropriate management levels (AMLs) in a manner designed to achieve and maintain a thriving natural ecological balance (TNEB) and multiple-use relationship on public lands.” The PRMP/FEIS includes additional impact analysis to soils from Wild Horses and Burros. See Chapter 3 Soils.

L&SA-
N2GB-57

4.2.4 Water Resources

Effects from Soil Resource Management

- Individual Effects from Alternative B – why would only introduced species be used in seedings under this alternative? Natives can and should be included in the seedmix. To indicate that prescribed spring grazing would reduce or eliminate seeded species is not accurate. Prescriptions would hopefully be site specific and targeted. In most cases, spring grazing would likely not even be employed, particularly if the introduced species germinate with cheatgrass and are competitive. Grazing would not be practical as such. Grazing seeded areas requires site-specific evaluations and prescriptions that are not threatening to the seeding itself. Flash, or pass through grazing has merit and should be considered where appropriate and permittees willing to cooperate. Not all operations lend themselves to intensive short term grazing of cheatgrass areas.

L&SA-N2GB-57: Prescribed grazing is addressed in Action D-VR 4-3 with respect to cheatgrass.

L&SA-N2GB

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L&SA-N2GB-58

- Action B- VR 5.1. We disagree with this section and would like further explanation. Introduced species have their place, and most have been brought here or perfected to successfully serve a conservation need. If natives cannot reestablish because of site limitations (i.e. cheatgrass, soils), then more adapted species capable of achieving the objective should be used. These species are conservation species used to *stabilize*, not contribute to "erosion and sediment loading" as indicated. Also, most of these species are very conducive to grazing use and use by wildlife. We all want the native species and biodiversity wherever possible, but must also be realistic about our ability to reestablish natives in all cases.
- Individual Effects under Alternative D – we support this alternative and underscore the need for more flexibility to address the resource needs on a site-specific basis.

L&SA-N2GB-58:

D-VR 5.1 allows for native and introduced seeded species. VR 4.1 also addresses use of native and non-native species.

L&SA-N2GB-59

Effects from Vegetation-Riparian and Wetlands Management

- Hot season grazing may be an issue in some specific areas if continued use is occurring over the same area during the same season each year. This however is not reason to focus on permanently pulling livestock off during that period. Deferred rotation grazing and other tools can provide rest periods to reinvigorate riparian plant communities and can be employed without creating undue impacts to a grazing operation. Each allotment is unique, requiring the agency specialist technical knowledge and the permittees' indigenous knowledge and experience to find the solution. Carte blanche buy-in to removing hot season grazing can parallel the problems brought on when BLM embraced rest rotation grazing as a cure all for all rangelands. We need to work together using all of the available tools to solve perceived problems. Carefully located and installed exclosures (i.e. 1 acre) in riparian zones can be used to demonstrate potential, and to guide management.

L&SA-N2GB-59:

Actions L-G1.2 address utilizing an adaptive management approach to achieve resource objectives and standards for rangeland health. Adjustments to forage allocation is spelled out in LG 7.3 based on monitoring and data or information.

L&SA-N2GB-60

Effects of All Alternatives

- In regards to the BLM reference to Alternative A as being "somewhat anachronistic and does not reflect current knowledge", we would request further explanation. Many affective structures have in fact been properly placed in streams out of necessity and maintained to help stabilize and heal these areas, just as misplaced structures may have contributed to failures. Surely we have learned how to better place and maintain these structures today to help accelerate the healing process, and as such should not abandon the practice. We are curious to know what the "current knowledge" is that is referred to and preferred by BLM.

L&SA-N2GB-60

"Current knowledge" refers to greater understanding of the implications of allowing riparian areas to deteriorate.

Individual Effects under Alternative D

- If a grazing system is designed to provide deferment periods (i.e. deferred rotation) it should be possible to also defer adjustments in AUMs, as vegetation would experience use periods and utilization conducive to the needs of the riparian area. Monitoring would substantiate the success or failure of any newly applied management. Also, it would be wrong to rule out the opportunity to utilize engineered structures as a viable and useful tool to have available under this alternative. Any proposed fencing of reservoirs should involve the effected permittee to assure that he is not negatively impacted.

Effects on Wild Horse land Burro Management

- We agree with the analysis regarding horse impacts to water resources and also feel that the wild horses require management, much like livestock, if resources are to be improved or maintained. Unfortunately, that is not the situation today in most HMA's despite BLM's best efforts.

Individual Effects under Alternative D

- We generally agree with this description.

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Effects from Wildland Fire Management

- Effects common to all alternatives – we agree that minimizing fires will have a positive effect on water resources. *Ungrazed riparian areas can/will however contribute to the fuels to exacerbate wildfire and also serve as wicks to rapidly transfer wildfire to the upper watersheds if not planned for.* Riparian areas accumulate biomass more rapidly than the surrounding uplands. As the litter accumulates and dries, it builds an ideal fuel load to carry wildfire. These areas then burn hotter and more destructively than the surrounding upland. This was the case in the Waterfall Fire of 2004 in Carson City. The ungrazed meadow area was a primary source of hot, fast moving wildfire. In addition, there is considerable concern regarding the use of prescribed fire as a range improvement application, given the periodic loss of control and expansive loss of grazing resources, plus the deferred grazing that follows treatment. If the treatment is not successful, cheatgrass can be expanded into new areas and key habitat impacted.

Effects Common to all Alternatives from Livestock Grazing Management

- This section should put things in perspective. *Mismanaged* livestock grazing, like any mismanaged use, is where measureable impacts can occur. This section as presented would lead the reader to believe that grazing is bad overall. The statement also alludes to allotments possibly being overstocked because of concentration on stream zones and springs, etc. Better design of grazing systems coupled with approval of range improvements (water troughs, spring developments, pipelines, wells, fences, etc) will resolve many of the concerns. Reduced livestock numbers solve nothing as relates to protection of these concentration areas. Monitoring should demonstrate where the problems occur, and if the allotment is overstocked. Operator involvement and inputs as to solutions will many times help to address the problem. Has the Nevada Division of Environmental Protection (NDEP) issued a concern on the water quality in streams subjected to periodic grazing in the WDO area? It is our understanding that NDEP is responsible for water quality in the state and determines when contamination is apparent, including the cause. Is BLM coordinating with NDEP in this regard? The N-2 Board generally supports State assigned water quality standards and will work to help achieve those goals.

Individual Effects under Alternative A – see earlier comments regarding “hot season” grazing.

- The BLM is practicing overkill on cause and effect with this practice in our opinion.
Note: Any closure to grazing will result in significant economic impacts to the effected permittees at a time when the economy is already suffering at near record levels. The N-2 Board will vehemently resist any closures unless it can be clearly demonstrated, with supporting data, that there are no other alternatives available to mitigate conditions or risks allegedly attributed directly to livestock grazing. The Board will request outside professional inputs to assist in on-site reviews of these areas.

We agree with the availability of TNR as a tool to help control the buildup of fine fuels that feed wildfires.

Individual Effects under Alternative B

- We strongly support this alternative that promotes voluntary submittal of annual grazing plans by the permit holder for BLM approval. Plans cannot be designed from the desk, but must occur in the field. If assigned specialists are unable to work with the permittee to develop the annual plan, this course of action has merit.

L&SA-N2GB-61:

As part of BLM rangeland health standards, water quality must be held to state standards. Additionally, a number of beneficial uses from livestock grazing are listed in SOPs. See Appendix B.

L&SA-
N2GB-61

L&SA-N2GB

Comments

Responses

October 25, 2010
BLM Winnemucca District
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Individual Effects under Alternative C

- We do not support this Alternative as being viable. To take land out of grazing will only expand the already critical conditions for wildfires. In addition it shows a lack of attention by BLM to exploring mitigation alternatives where areas of concern exist.

Individual Effects under Alternative D

- As indicated under Alternative C above, the N-2 Board *opposes any closures* to grazing and will vehemently oppose such closures unless it can be conclusively demonstrated that this is the only remaining solutions to mitigation. We do support the qualified use of TNR as a valuable tool in managing vegetation against wildfire; however it should also be readily available for other uses as identified by BLM.

4.2.6 Vegetation-Weeds

The areas that we are familiar with that are truly degraded are not the result of grazing, but rather degradation due to wildfires and conversion to cheatgrass. Seedings have mostly failed and cheatgrass has mostly prevailed resulting in creation of many monocultures.

Effects from Wildland Fire Management

- Emergency stabilization with "native perennial species" alone will only encourage weed establishment and invite failure. The public are tired of high cost seeding failures that focus strictly on native species and rarely establish successfully in cheatgrass infested areas, particularly in a post fire situation. WDO should be well aware of the risk associated with native seedings without inclusion of adapted competitive introduced species.

Effects from Livestock Grazing Management

Individual Effects under Alternative B

- We disagree with this section. Grazing can often occur season-long while avoiding negative impacts, depending on the unit. A grazing system would need to be designed to allow for adequate movement through pasture or use areas, providing for necessary rest periods. This section assumes mismanagement and that there will be degraded rangelands as a result of Alternative B, and that weeds would therefore invade. BLM would be guilty of neglect if this happened. Clearly, any experienced Range Conservationist could design a system that would accommodate both the numbers and the season long grazing without damage to the rangeland if site conditions afforded such.

Individual Effects under Alternative D

- The N-2 Board *opposes this alternative* if land is to be closed to livestock grazing. No land presently permitted for grazing should be subjected to closure unless it can be conclusively demonstrated that livestock grazing cannot be accommodated under any management scenario. If lands are closed to grazing, fuels will build rapidly with wildfires soon to follow. Permittees dependent on those permitted acres may very well be subjected to economic conditions that threaten the viability of their ranch operation. Every effort must be made to avoid closures, or acceptable mitigation alternatives identified and worked out with effected parties.

4.2.7 Vegetation-Rangelands

Effects from Fish and Wildlife Management

Individual Effects under Alternative D

L&SA-N2GB-62

L&SA-N2GB-62:
See response L&SA-N2GB-58.

L&SA-N2GB-63

L&SA-N2GB-63:
Comment noted.

L&SA-N2GB-64

L&SA-N2GB-64:
A range of alternatives were developed with respect to open and closed lands for grazing. Action D-LG 1.3 allocates forage at current permitted levels.

L&SA-N2GB

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- Further clarification is needed of the Priority 1 and 2 habitats and how they were selected, and also how this classification, when applied, will affect livestock grazing.

Effects from Wildland Fire Management

- BLM promotes seedings with only native species in emergency rehabilitation treatments per this section. This is a primary reason for seeding failures as supported by range researchers in the Great Basin. Adapted introduced species used for conservation purposes are critical to include in seed mixes to increase the chance of seeding success and prevent the high cost of reseeded.

Effects from Livestock Grazing

Individual effects under Alternative D

- The N-2 Board **strongly opposes the loss of >215,000 acres** to grazing under this alternative. See comments above provided under 4.2.6 with respect to this alternative and proposed loss of grazing acres.

Cumulative Effects

- We agree with the comment "research projects are encouraged in the WDO..." This is an encouraging comment, and the N-2 Board encourage the WDO to establish a working relationship with the USDA-ARS, NRCS Great Basin Plant Materials Center, and UNR Range Scientists to identify and initiate much needed research with the WDO.

4.2.11 Wild Horse and Burro

Individual Effects under Alternative D

- How do the BLM propose to acquire water rights for wild horses and comply with Nevada water law? Wild horses are not considered livestock, nor are they considered wildlife.

Individual Effects under Alternative D

- As previously noted the N-2 Board **opposes this alternative** that proposes to eliminate more than 215,000 acres from livestock grazing unless BLM can provide justification and data to support said closure. The N-2 Board also adamantly **opposes** any suggested requirement, or permit conditions that require permittees to provide water to wild horses during the period of June 1 to September 30.

4.2.12 Wildland Fire Management

- Reducing fuel loads will help to reduce fire suppression costs. Carefully planned treatments such as green strips, rejuvenating old seedings, targeted grazing, and mechanical applications with equipment such as the Lawson Aerator and brush mowers, would help confine wildfires to smaller areas, allowing for effective suppression. The use of prescribed fire represents a threat both through loss of fire control and potential for cheatgrass to dominate the treatment area and expand its range. Any use of prescribed fire should be carefully planned for and cautiously applied. Monitoring the post fire vegetation response will be important to acquire data to evaluate the effects.

Effects from Livestock Grazing Management Common

- We agree with Alternative D that livestock, in many instances, could be used for fuel breaks to reduce fire intensity and spread.

2010-10-25 FINAL N-2 Board RMP Comments JLM-ld LJ0-29.doc

RESOURCE CONCEPTS, INC.

L&SA-
N2GB-65

L&SA-N2GB-65: Several factors went into the determination of Priority Wildlife Habitat Areas. As a starting point, and through cooperation with NDOW, the areas that are designated as Population Management Units (PMUs) for the candidate species greater sage-grouse were reviewed. Many of these areas are also inhabited by the threatened species Lahontan cutthroat trout (LCT). Of these areas, the ones considered to be the most crucial for protection due to presence of at-risk wildlife species habitat, are those proposed as Priority Wildlife habitat areas. The PRMP/FEIS proposed alternative (D) clarifies management of these areas to include use restrictions and permit stipulations applicable to certain minerals and rights-of-way proposals in order to protect these areas. See D – FW 1.2, D-SSS 1.2.1 and D-SSS1.2N. The vast majority of the areas were determined as described above, yet small adjustments were made based on other considerations such as land ownership, habitat fragmentation and areas already under special management or proposed as such (e.g. WSAs, ACECs), For ease in defining and describing the priority area boundaries, section lines were used as much as possible.

L&SA-N2GB-66: See response L&SA-N2GB-26. The State Engineer has granted water rights for wild horses.

L&SA-
N2GB-66

L&SA-
N2GB-67

L&SA-N2GB-67: Section WFM-3 addresses fuels management. Prescribed grazing as a fuels treatment is considered in the PRMP/FEIS.

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L&SA-N2GB

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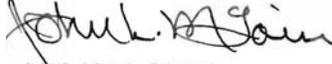
Chapter 5, Appendices*Economic Influence of BLM-Managed Lands by Sector*

Livestock Grazing/Rangeland Management

- Livestock Management – this section indicates that from 1982 to the present, WDO has experienced a net increase in AUMs on the District of 28,437. We find this curious, as a study carried out in 2001 (NV Grazing Statistics Report and Economic Analysis for Federal Lands in NV – RCI (2001)) indicates a loss of 46,109 AUMs from 1980 through 1999. Clearly there is a wide discrepancy in the numbers provided. RCI secured all information directly from the BLM District offices for the report preparation.

In summary, our review and comment to the RMP/EIS was a challenging and exhaustive process. The commitment and effort by BLM specialists to complete this immense planning effort is commendable. While there are a number of areas where our comments reflect disagreement with the BLM assessment and strategies proposed, we understand the requirement for going forward. The N-2 State Grazing Board is committed to sound resource management principles and practices that result in well-managed and productive rangelands, including riparian and wetland areas, and wildlife habitat. We trust that these comments will be given due consideration leading up to the Final RMP/EIS and Record of Decision. Please notify Don Jones, Secretary, N-2 State Grazing Board, at (775)623-3378 if you have questions regarding this correspondence. Thank you.

Sincerely,



John L. McLain, Principal
CRMC / CPESC

JLM:td

L&SA-
N2GB-68

L&SA-N2GB-68: Refer to LG 1.3

Specific allotment AUM allocation decisions are addressed at the site specific or allotment level. Four alternatives considered allocation of AUMs. Based on current regulatory requirements, grazing policy and existing land use plan decisions, the BLM will continue to adjust livestock AUMs by allotment on a case-by-case basis to ensure grazing is meeting or making significant progress towards meeting rangeland health standards. Section 2.2.2 clarifies how allocation of AUMs were considered in the range of alternatives.

L&SA-NDOW

Comments

Responses



JIM GIBBONS
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE

1100 Valley Road
Reno, Nevada 89512
(775) 688-1500 • Fax (775) 688-1595

KENNETH E. MAYER
Director

RICHARD L. HASKINS, II
Deputy Director

PATRICK O. CATES
Deputy Director

September 24, 2010

Bob Edwards
Bureau of Land Management
Winnemucca District Office
5100 E. Winnemucca Blvd.
Winnemucca, NV 89445

Subject: Draft Resource Management Plan and Environmental Impact Statement

Dear Mr. Edwards,

Thank you for providing the Nevada Department of Wildlife (NDOW) with the Bureau of Land Management (BLM) Winnemucca District Draft Resource Management Plan (DRMP) and Environmental Impact Statement (DEIS). NDOW understands and supports multiple-use objectives on public rangelands with the hope that we can provide information and make recommendations that help guide this land use planning effort. Furthermore, it is our desire to ensure that habitat benefits for wildlife are incorporated into this planning document. As a result, NDOW supports your land use planning efforts and offers the following recommendations for consideration and incorporation into the DRMP/DEIS.

NDOW is generally in support of the proposed action (i.e. alternative D); however, we recommend modifying alternative D to incorporate the following changes.

On page 4-221 under alternative D, it states that "water projects are less stringent than under Alternative C", which is vague. It should be ensured under alternative D that water remains available to wildlife, even if water projects occur. This is supported by the requirement to ensure access of wildlife to water it customarily uses in NRS 533.367, which states, "Before a person may obtain a right to the use of water from a spring or water which has seeped to the surface of the ground, the person must ensure that wildlife which customarily uses the water will have access to it". This change should also be incorporated under the "special status species" section on page 4-251.

On page 4-226 under "effects from vegetation – riparian and wetlands management," NDOW recommends a new alternative that states, "the aim is to increase PFC (proper functioning condition) from 48 percent to 100 percent by 2028." We feel that having only 85 percent of streams satisfying PFC is insufficient as the BLM is charged with managing all 100% of the riparian areas under BLM jurisdiction. Furthermore, only managing for 85 percent success is inconsistent with the "vegetation riparian and wetland management goals" stated on page 2-5. This change should also be incorporated under the "special status species" section on page 4-258.

L&SA-NDOW-1: Action D-FW 1.2 and D-FW 1.4 provides substantial flexibility for wildlife introductions.

L&SA-NDOW-2: Section FW 6 has been revised in the FEIS to address availability of water for wildlife. LG 5.4 also addresses availability of water.

L&SA-NDOW-3: Lotic and lentic systems are dynamic and constantly in flux. Naturally occurring events, such as fires or floods, and other impacts such as roads, land ownership, multiple use, or actions outside of the discretion of the BLM (ie dewatering, irrigation, etc) can affect PFC ratings and recovery. BLM has provided a realistic range of alternatives and PFC percentages for management actions designed to make progress towards PFC.

L&SA-NDOW-1

L&SA-NDOW-2

L&SA-NDOW-3

L&SA-NDOW	Comments	Responses
L&SA-NDOW-4	<p>NDOW is in support of the majority of alternative D for “effects from fish and wildlife management” on page 4-228; however, the “priority 1 and 2 wildlife habitat” designations under alternative C is more palatable and we request that alternative D priority designations mirror alternative C. Therefore, alternative D should read, “Designation of 1,279,481 acres as priority 1 wildlife habitat areas and 869,645 acres as priority 2 habitat areas would preserve habitat for sage-grouse and sagebrush obligate species. Furthermore, it should also be stated that augmenting upland game populations may occur in addition to big game augmentation. Additionally, NDOW recommends establishing an elk management plan as elk pioneering is currently occurring.</p>	<p>L&SA-NDOW-4 – The proposed RMP includes revised management of priority wildlife habitat areas – See D-FW1.1 Sensitive species management applicable to sage-grouse is addressed at D-SSS 1.2.1 and D-SSS 1.2N.</p>
L&SA-NDOW-5	<p>NDOW would like alternative D modified on page 4-229 under “effects from wild horse and burro management”. NDOW requests BLM consider reducing the Appropriate Management Level (AML) population numbers for wild horses within priority 1 and 2 wildlife habitat designations since the goal of these designations is to “mitigate or eliminate impacts on wildlife resources”. Reducing wild horse population numbers would also aid in achieving management goals for streams, banks, and shorelines to improve toward PFC. Furthermore, reducing the wild horse populations within wildlife priority 1 and 2 areas is necessary for improving habitat for special status species as described on page 4-263 - 264. Additionally, NDOW supports developing water for wild horses as this could spread out wild horse use within the Herd Management Area (HMA) and could potentially reduce damage at the few sites where water is now available. However, we would oppose the development of additional water sources as justification for increasing horse numbers in the HMA.</p>	<p>L&SA-NDOW-5: AMLs will be considered in implementation level plans.</p>
L&SA-NDOW-6	<p>On page 4-231 under effects from wildland fire management, NDOW prefers alternative B as it allows for a greater amount of restoration using fire. As a result of limiting this tools use (i.e. fire) under the other four alternatives, the benefits to habitat may also be limited. This change should also be incorporated under the “special status species” section on page 4-265 as the greatest long term benefits may be realized under alternative B. We urge caution with the use of fire and prescribed burning in sagebrush communities (especially in areas of sage grouse occupancy) as the recovery of sagebrush species has been demonstrated to be very long term (25+ years), unless the location possesses sufficient moisture conditions to support reestablishment of native species. Additionally, we oppose the use of fire when there is a sufficient risk of a weed invasion.</p>	<p>L&SA-NDOW-6: Use of prescribed fire is identified in D-WFM 2.1.</p>
L&SA-NDOW-7	<p>Under “effects from renewable energy management” on page 4-240, alternative C is the desired alternative as it results in the greatest protection of habitat through exclusion and avoidance designations. This change should also be incorporated under the “special status species” section on page 4-276.</p> <p>Some additional questions and comments NDOW would like addressed in the DRMP/DEIS include:</p>	<p>L&SA-NDOW-7: Management of priority wildlife areas and management of sensitive species habitat will reflect use restrictions applicable to renewable energy. See Fish and Wildlife D-FW 1.1 and sensitive species D-SSS 1.2.1 and SSS 1.2N.</p>

L&SA-NDOW

Comments**Responses**L&SA-
NDOW-8

In all areas designated for specialty purposes, NDOW request that guzzlers remain in place as guzzlers have demonstrated wildlife reliance on these water sources. For big game use guzzlers, the presence of some guzzlers is being used to support species augmentation and may be the only water source available. Guzzlers may be developed, and the use of motorized equipment be permitted for guzzler maintenance purposes. Furthermore, NDOW request that access and hunting privileges remain available to and in all specialty designated areas.

L&SA-NDOW-8: Guzzlers are addressed in FW-6. A separate travel management plan will be developed that would address specifics for OHV use. See Recreation D-R-10.2.

L&SA-
NDOW-9

NDOW request that Special Recreation Management Area's (SRMA) designations be defined and their use restrictions and permission be disclosed as it was not apparent how this designation would inhibit and promote certain uses. As such, NDOW cannot adequately address wildlife impacts within such areas.

L&SA-NDOW-9: Identification of SRMAs and RMZ are required in RMPs. Decisions as to specific projects, such as campsite locations, etc., will be addressed in implementation level plans and associated NEPA. For more information refer to BLM Handbook (H-1601-1 Appendix C, Recreation and Visitor Services).

To sum up, NDOW supports the BLM's efforts at establishing a land use plan for the benefit of wildlife and sportsman and is optimistic that our recommendations are considered. If you have questions, concerns, or need additional information, please let us know.

Sincerely,

Mark Freese
Supervisory Habitat Biologist

L&SA-NVSC

Comments

Responses

JIM GIBBONS
Governor

STATE OF NEVADA

ANDREW K. CLINGER
Director



DEPARTMENT OF ADMINISTRATION

209 E. Musser Street, Room 200
Carson City, Nevada 89701-4298
(775) 684-0222
Fax (775) 684-0260
<http://www.budget.state.nv.us/>

September 21, 2010

Bob Edwards
US Department of the Interior
Bureau of Land Management
Winnemucca Field Office
5100 East Winnemucca Blvd
Winnemucca, NV 89445-2921

Re: SAI NV # **E2011-002**

Reference: **1610 NV010.00**

Project: **Draft resource management plan and DEIS for the Winnemucca District**

Dear Bob Edwards:

The State Clearinghouse has processed the proposal and has no comment.

This constitutes the State Clearinghouse review of this proposal as per Executive Order 12372. If you have questions, please contact me at (775) 684-0213.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Tietje".

R. Tietje
Nevada State Clearinghouse

L&SA-NVSC

Comments

Responses

JIM GIBBONS
Governor

STATE OF NEVADA

ANDREW K. CLINGER
Director



DEPARTMENT OF ADMINISTRATION

209 E. Musser Street, Room 200
Carson City, Nevada 89701-4298
(775) 684-0222
Fax (775) 684-0260
<http://www.budget.state.nv.us/>

September 27, 2010

Bob Edwards
Bureau of Land Management
Winnemucca Field Office
5100 East Winnemucca Blvd
Winnemucca, NV 89445-2921

Re: SAI NV # **E2011-002**

Reference: **1610 NV010.00**

Project: **Draft resource management plan and DEIS for the Winnemucca District**

Dear Bob Edwards:

Enclosed are additional comments from the following agencies regarding the above referenced document:

These comments were received after our previous letter to you. Please incorporate these comments into your decision making process. If you have questions, please contact me at (775) 684-0213.

Sincerely,

R. Tietje
Nevada State Clearinghouse

Enclosure

L&SA-SHPO

Comments

Responses



JIM GIBBONS
Governor

STATE OF NEVADA
DEPARTMENT OF CULTURAL AFFAIRS

State Historic Preservation Office
100 N. Stewart Street
Carson City, Nevada 89701
(775) 684-3448 • Fax (775) 684-3442

www.nvshpo.org

RONALD M. JAMES
State Historic Preservation Officer

MICHAEL E. FISCHER
Department Director

interoffice
MEMORANDUM

to: Nevada State Clearinghouse
from: Rebecca Palmer *RPalmer*
subject: Draft Resource Management Plan and DEIS for the Winnemucca District,
SAI#E2011-002
date: September 22, 2010

The SHPO has reviewed the draft RMP for the Bureau of Land Management Winnemucca District. The SHPO concurs with most of the subject document and recommends that the Bureau of Land Management address the following item.

Pages 4-346 and 4-348: The SHPO notes that the Bureau of Land Management is planning to reduce the historic landscape management from the current Class II VRM standard to a three-tiered objective from Class II through Class IV based on the assessment of the actual scenic values present. Has the Bureau of Land Management conducted any landscape inventories that would be used to change the current management? What data will be used to reduce the current objectives? What parties have been consulted concerning this reduction in protection afforded to the visual setting of cultural resources?

If you have any questions concerning this correspondence, please feel free to contact me at (775) 684-3443 or by e-mail at Rebecca.Palmer@nevadaculture.org.

L&SA-SHPO-1

L&SA-SHPO-1:

BLM conducted VRM inventory in 2009. The results of this inventory were utilized in developing VRM classes for the different alternatives. OCTA was consulted. Methodology also discussed with Alice Baldriga of NSHPO office.

L&SA-PCBCC

Comments

Responses

BOARD OF COUNTY COMMISSIONERS

PERSHING COUNTY
P.O. DRAWER E
LOVELOCK, NEVADA 89419

July 29, 2010

Bureau of Land Management
Winnemucca District Draft RMP/EIS
5100 East Winnemucca Blvd.
Winnemucca, NV 89445

RE: "East Rye Patch Allotment"

2010 AUG 13 PM 2:25
RECEIVED BLM
WINNEMUCCA NV

To Whom It May Concern:

On the 21st day of July, 2010, the Pershing County Board of Commissioners (Board) met for a regularly agendized meeting. Based upon a vote during that meeting, this letter is being sent for your consideration in relation to the scoping process in relation to the potential closure of the "East Rye Patch Livestock Allotment".

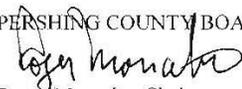
On the 20th day of March, 2008, the Board sent a letter to Mr. Ron Pearson regarding the above-referenced matter. The letter was based upon information presented to the Board at an open meeting. However, upon further inquiry, the Board has determined that the letter was sent without proper advisement of the Permittee on that allotment. The tone and content of the letter may have been much different had the Permittee been given the opportunity to provide input. Accordingly, the Board hereby formally and expressly rescinds the March 20, 2008 letter to Ron Pearson.

In reference to the BLM's proposals, the Board hereby takes a neutral position, which supports neither party. The Board fully recognizes that the Permittee and local residents have a significant stake in the outcome of your decision. The Board also recognizes the intricacies of both positions. It is our understanding that such a neutral approach by the Board will allow the BLM to proceed to make a decision that is not influenced by this Board's previous letter.

Should you have any questions, please do not hesitate to contact us at your earliest. Our office telephone number is 775-273-2342.

Sincerely,

PERSHING COUNTY BOARD OF COMMISSIONERS


Roger Mancebo, Chairman

L&SA-PCBCC

Comments

Responses

October 22, 2010

Winnemucca RMP
c/o Bob Edwards
Bureau of Land Management
Winnemucca District Office
5100 E. Winnemucca Blvd.
Winnemucca, NV 89445

RE: COMMENTS FOR BLM WDO RMP

We are writing to inform you of our wish to comment on the Winnemucca District Office of the Bureau of Land Management Regional Management Plan (BLM WDO RMP). In reviewing the various proposals, we would hope that you will take into consideration our comments herein. Previously we wrote to you expressing a neutral stance (reversing a previous stance) on the John and Jhona Bell's Rye Patch Allotment. After a further review of the matter and having become more fully aware of all the facts and circumstances, we are adopting a view that is consistent with the attached letter drafted by the Pershing County Resources Advisory Committee. We believe that, in accordance with Nevada State Law, the open range laws favor the Bell's continued operation of their cattle operation. Furthermore, we are of the opinion that a takings assessment has not been performed in conjunction with the proposed changes to the Rye Patch Allotment. While we recognize that there are safety issues, those safety issues come within the purview of state law and should not be a factor in your decision making process. Please accept this letter and the attached letter as our official stance on this issue.

You will also find attached a document entitled the Natural Resources and Federal or State Land Use Plan (Resources Plan). This plan was adopted by the Pershing County Board of Commissioners as a coordinating agency. To the extent that it is needed, the BLM WDO RMP should be coordinated and made to match the Resources Plan therein. This Plan was the result of a scoping process conducted by the PCRAC over the past several months. We have enjoyed a great working relationship with the BLM WDO and hope to continue to have such a relationship. We believe that this Plan will provide a better working relationship between the BLM and Pershing County on the RMP and will serve the citizens of this area. Please consider this plan in conjunction with your plan. Should you have any questions, we would be glad to sit down with your representatives to further discuss this plan.

Sincerely,
Pershing County Board of Commissioners

Roger Mancebo
Chairman

Enc.

L&SA-PCBCC-1: LG 1.3 provides a range of actions relating to closure of areas to livestock grazing. The BLM assumes the reference to the Rye Patch Allotment means the Humboldt River Ranch and Old Victory Highway Allotment areas. Alternatives A and B do not include the Rye Patch Allotment to be closed. The Proposed Alternative (D) does not close these allotments.

L&SA-PCBCC-2: BLM adheres to FLPMA 202(C)(a) with respect to local plan consistency. BLM is required to ensure that RMPs developed under FLPMA are consistent with state and local land use plans only if consistent with federal law. The Proposed RMP (Alternative D) does not propose closing these allotments.

L&SA-
PCBCC-1L&SA-
PCBCC-2

BLM Responses to Public Comments

TRIBAL

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T-FMPST

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Responses



Fort McDermitt Paiute And Shoshone Tribe

P.O. Box 457
McDermitt, Nevada 89421
Phone: (775) 532-8259 • Fax (775) 532-8487

October 25, 2010

Gene Seidlitz, District Manager
Winnemucca District
Bureau of Land Management
5100 E. Winnemucca Boulevard
Winnemucca, Nevada 89445

RE: 1610 NV010.00 – Winnemucca District RMP and Environmental Impact Statement

Dear Mr. Seidlitz:

Thank you for allowing the Fort McDermitt Paiute and Shoshone Tribe (Tribe) to respond and comment on the Draft Resource Management Plan (DRMP) and Draft Environmental Impact Statement (DEIS) for the Bureau of Land Management, Winnemucca District. Recently, we established to begin developing, maintaining and implementing a process that carries-out our government-to-government relationship, furthermore, the Tribe believes mutual respect and the recognition of our sovereignty is a specific element to continue this relationship.

The DRMP/DEIS is quite extensive, although the Tribe was provided with the documentation in a timely manner we have not reviewed the contents in its entirety and reviewed portions we have interest in and may become involved with on behalf of the Tribe. The Tribe holds the Winnemucca District to its responsibilities of historic preservation, natural resource protection and cultural resource protection in addition to our tribal views and practices therein.

To this end, I ask the Winnemucca District to continue to consult and coordinate with the Tribe in those areas applicable of preservation and protection under the consultation concept and process significant to the Tribe. This includes discussion early in the planning process as possible to identify any special requirements for consultation or consideration that could be impinged upon by a proposed project. I applaud your leadership and support in keeping with the tradition of government-to government responsibility.

Sincerely,

Handwritten signature of Billy A. Bell in black ink.

Billy A. Bell, Chairman
Fort McDermitt Paiute and Shoshone Tribe

T-FMPST-1

T-FMPST-1:

The BLM will continue to consult with all Federally recognized tribes with valid interests in our district.

T-FMPST

Comments

Responses

FORT McDERMITT PAIUTE AND SHOSHONE TRIBE
FORT McDERMITT TRIBAL COUNCIL
OFFICE OF THE CHAIRMAN



BUREAU OF LAND MANAGEMENT
WINNEMUCCA DISTRICT

*DRAFT RESOURCE MANAGEMENT PLAN/
DRAFT ENVIRONMENTAL IMPACT STATEMENT*

October 25, 2010

T-FMPST

Comments

Responses

FORT McDERMITT PAIUTE AND SHOSHONE TRIBE
FORT McDERMITT TRIBAL COUNCIL
OFFICE OF THE CHAIRMAN

INTRODUCTION

The Fort McDermitt Paiute and Shoshone Tribe (Tribe) as a sovereign Tribal Nation, is providing comments on the Winnemucca District Draft Resource Management Plan and Draft Environmental Impact Statement (DRMP/DEIS) in its efforts to continue with developing, maintaining and implementing a consultation process that will create and generate communication dialogues on a government-to-government relationship with the Bureau of Land Management, Winnemucca District Office.

The Tribe is headquartered on the site of the former Fort McDermitt military reserve 74 miles north of the Winnemucca District office on the Fort McDermitt Indian reservation straddling Oregon and Nevada. Tribal lands consists of approximately 36,000 acres, mostly on the Oregon side and the reservation's community is located along the Quinn River on the Nevada side and is the traditional homeland of the tribe's ancestors prior to military occupation in the 1860's.

The Tribe's culture is intertwined with the vast resources found in the traditional and ancestral territories now administered by the Winnemucca District under resource management and regulatory conditions placed upon the lands through various laws, regulations and policies. The Tribe understands collaborating with the land management agency is not only paramount to regulatory changes, general public demands or uses but also to ensure the agency is including tribal views and practices. The Tribe shares the burden in preserving and protecting cultural and natural resources to sustain its own relationship with the United States despite historical accounts that shaped the Tribe's present status.

DISCUSSION

Alternative A. The Tribe does not support this alternative as the purpose of and need for action clearly indicates the present management practices does not adequately address the conditions of regulatory and resource changes, or the public demands and uses. The Tribe does not provide additional comments on this alternative approach, except, the Tribe has serious concerns with this alternative and would be interested in consultation in the event the District Office implemented these methods.

Alternative B. The Tribe does not prefer this alternative as the methods primarily focus more on resource uses. The Tribe does recognize the recreational frequency in this area, an invitation of recreationalists can provide access to identified and unidentified cultural resources for potential destruction or removal of these resources. The BLM indicates that this alternative has few protected areas and restrictions of development and use, therefore would not provide proper land management in protecting and preserving the resources. Although the Tribe recognizes its own needs specific to livestock grazing and recreational use, the alternative does not provide for or consider sensitive areas surrounding cultural resource protection.

T-FMPST

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Alternative C, Options 1 and 2. The Tribe may or may not prefer these alternative options as the Tribe is at odds with encouraging the development of management strategies to preserve and protect the ecosystem and enhancing the resource values by out weighing the restrictive impacts either alternative options potentially poses on the Tribe's operational and cultural interests. For instance, the Tribe is a permit holder for Livestock Grazing and developing management strategies to protect the ecosystem could impact the operational comfort of the Fort McDermitt Livestock Association. And encouraging Mineral Resources action in preserving and protecting the ecosystem from mining operations or expansion proposals to protect Tribal Cultural Properties is the other weighing factor in operational versus cultural interests. With Land and Realty actions for land disposal, the Tribe is interested in the transfer of BLM administered lands to the Fort McDermitt Paiute Shoshone Tribe to expand the Tribe's reservation and favor specific consultation beyond this comment. In response to Tribal Consultation, it is the key element in demonstrating good faith effort when consulting with the federally recognized tribes. Determination on the preferred method by the individual tribes in respect to notification, involvement and level of engaging in meetings to express important issues and concerns for the protection of cultural properties is central to a continued relationship on matters to be implemented under the DRMP/DEIS. We recommend Winnemucca District and its field offices seek to understand the unique ideas of the tribes individually and collectively when developing a collaborative approach for a specific site, location, project, or issues and concerns.

Alternative D. The Tribe may prefer this alternative when specific consultation and mitigation are in place to properly satisfy the Tribe's concerns with respect to any potential destruction, removal, or excavation of significant TCP, the impacts on livestock operations, and destruction of ceremonial and burial sites. Also, the potential impacts of current traditional practices, including collecting and gathering of ceremonial wood, food, medicines, etc., as outlined within this alternative. The specific comments listed in alternative C above are incorporated into this section.

DISCREPANCY

The Tribe is federally recognized as the Fort McDermitt Paiute and Shoshone Tribe; many traditional members identify themselves as Pah-Nakwit (Bannock), which means "by the water". The DRMP/DEIS, Volume 2, Chapter 3 at Page 3-79, "Ethnographic Resources" should make reference to this fact. Northern Paiute is commonly distinguished by the Indian Claims Commission reports and the Tribe feels this naming influenced many tribal elders providing testimony at the Northern Paiute Claims hearing for settlement and distribution of funds, therefore, improperly identifying the remaining traditional members of the Tribe as "Paiute".

CONCLUSION

The Fort McDermitt Paiute and Shoshone Tribe's overall purpose for commenting is to make known its interests and support of any proposed or planned projects being undertaken by the Winnemucca District through proper consultation measures currently in place or being developed. As a sovereign Tribal Nation, the Tribe does not consider itself a member of the public and therefore reserves specific comments for consultation with the Winnemucca District on specific information concerning adaptable management principals and the mitigation of historic preservation, natural resource and cultural resource protection from the Tribe's views and practices.

T-FMPST-2:

Action D-LR-3.2 address transfer of public lands to the Fort McDermitt Tribe subject to Congressional approval. Tribal Consultation Action CA-TC 2.3 includes opportunities for tribes to establish standards for management of cultural resources.

T-FMPST-3:Comment noted and is reflected in FEIS.

T-SLPT

Comments

Responses



SUMMIT LAKE PAIUTE TRIBE
 Primary Administrative Office
 1708 H Street, Sparks, NV 89431-4337
 (775) 827-9670 (775) 827-9678 (fax)

SUMMIT LAKE PAIUTE COUNCIL
 Chairman: Warner Barlese • Vice-Chairperson: Ernie Barlese
 Secretary/Treasurer: Jerri Lynn Barlese • Council Member: Jerry L. Barr • Council Member: Randi DeSoto

October 25, 2010

Bureau of Land Management
 Winnemucca District
 5100 E. Winnemucca Blvd.
 Winnemucca, NV 89445
 Attn: RMP Team

Subject: Winnemucca District Office Draft Resource Management Plan and Draft Environmental Impact Statement

Dear RMP Team,

This letter is written in response to your solicitation dated June 11, 2010 for comments on the Draft Resource Management Plan (DRMP) and Draft Environmental Impact Statement (DEIS) for the Bureau of Land Management (BLM), Winnemucca District. Contrary to the BLM assertion that no trust administration responsibilities are within the Winnemucca District (see pages ES-26, 1-19, 3-133, and 4-689) the DRMP prescribes management that affects tribal trust resources including legal interest in property or intangible property rights, on much of the traditional homelands of the Summit Lake Paiute Tribe (Tribe) (see the attached map which delineates in red, the eastern boundary of the Tribe's traditional homeland or historic territory, Summit Lake Paiute Council Resolution SL-01-2010, enclosed, review the final judgment of the Indian Claims Commission in the Northern Paiute Nation, et al. v. The United States of America, and the application of the United States Court of Claims 25 U.S.C. 3002(a)(C)(1)). The attached map, developed by Samuel Potter (Archaeologist, BLM Winnemucca District) with the Tribe's input, only shows the eastern boundary of the Tribe's traditional homeland. The southern, northern, and western boundaries extend outside of the jurisdictional boundary of the DRMP. Based on the above, we recommend the DRMP strike all assertions that BLM has no trust administration responsibilities to the Tribe or other tribal communities (e.g., Fort McDermitt, Winnemucca, Pyramid Lake, Fallon, etc.) that may be affected by the DRMP.

T-SLPT-1

T-SLPT-2

The Tribe is interested in pursuing co-management agreements to jointly administer select areas with the BLM to better coordinate management actions affecting first, the entire Summit Lake basin, and secondarily for management within the Tribe's historic territory. This cooperative management approach could be enhanced through cooperative agreements and contracts between the BLM and the Tribe pursuant to the Indian Self-Determination and Education Assistance Act of 1975. This act of Congress (Public Law 93-638) authorizes the Secretaries of Interior, and Health, Education and Welfare and respective government agencies to enter into contracts with, and make grants directly to, federally recognized Tribes. The intent of this act was to grant Tribes the tools and authority to acquire funding that is allocated to federal agencies for services

Attachments were reviewed and considered by BLM; however, they are not included in this Appendix. This document is viewable from the link provided for the final EIS and appendices on the Winnemucca RMP website at: http://www.blm.gov/nv/st/en/fo/wfo/blm_information/rmp.html.

T-SLPT-1:

The Winnemucca District will adhere to current BLM policy regarding Native American Trust. The attachment document was reviewed and considered by BLM; however, it is not included in this Appendix. To view this document contact the Winnemucca District Office at 775-623-1500, or via e-mail at wfoweb@blm.gov.

T-SLPT-2:

Action TC 3.1 provides a range of alternatives that includes opportunities to develop partnerships with tribes to monitor the condition of cultural resources and provide law enforcement patrols susceptible to illegal collection or vandalism.

Visit the Tribe's website at www.summitlaketribe.org

T-SLPT

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which affect tribal welfare. There are many services the DRMP prescribes which would qualify for contracting with the Tribe, including, monitoring range health and utilization, monitoring fish and wildlife resources, road maintenance, cultural resource inventories and protection, and assistance for general management of all resources BLM prescribed in the plan (e.g., noxious weed management, fence construction and maintenance, fire suppression, etc.).

The Tribe acknowledges BLM made an initial effort to solicit input for the DRMP beginning in 2005. During that year, critical tribal management positions were vacant followed by elections of the Summit Lake Paiute Council (Council), which prevented the Tribe from fully participating in the DRMP scoping process. Consequently, important issues of concern to the Tribe (e.g., roads, transportation, land disposal to extend Reservation boundaries, etc.) were not conveyed to BLM for consideration in development of the DRMP. It is the hope of the Tribe that amendments to the DRMP will include the Tribe's request for future land disposal and transfer to the Bureau of Indian Affairs (BIA) similar to what is considered for Fort McDermitt Indian Reservation (see pages 2-237 to 2-241) to implement projects designed to minimize non-point source pollution of Summit Lake and projects identified in the Tribe's long term transportation plan. Specifically, the Tribe would like BLM to dispose of and transfer eligible lands within a 15 mile radius of the existing Reservation to allow expansion of the Reservation land base. This initiative is necessary for public health and safety, sustainable development of the Tribe, the social and economic well being of the Tribe to protect cultural and natural resources, including protection and anti-degradation of surface and groundwater quality and quantity within and surrounding the Summit Lake watershed, protection and enhancement of species diversity endemic to the area surrounding Summit Lake, providing revenue for the Tribe while promoting opportunities for ecologically appropriate tourism and recreation, and providing the American public safe and environmentally appropriate roadways.

An immediate priority of the Tribe is the disposal and transfer of lands immediately west of Summit Lake within Township 42 North, Range 25 East, Section 36. Future land acquisitions would radiate outward from the Reservation to secure lands and resources critical for the long-term protection and preservation of Summit Lake, a unique desert terminal lake. The protection and preservation of Summit Lake is a goal of Congressional legislation enacted by Public Law 101-161, as part of the Consolidated Appropriations Act, 2008 (H.R. 2764). The Tribe recommends the amendment of **LANDS AND REALTY** sections of the DRMP to facilitate disposal and transfer of lands to BIA for the above purpose and to provide a place in the plan to facilitate disposal of lands to be added to the Summit Lake Paiute Reservation, radiating out from the Reservation, a distance of 10 miles, with the first phase of acquiring Section 36 described above, a second phase to acquire lands within the Summit Lake watershed, and a third phase to acquire other lands for sustainable development, social and economic well being of the Tribe. Enclosed is a map depicting land ownership of the Summit Lake watershed. The disposal and transfer of BLM land within the Summit Lake watershed is a goal of utmost importance for the Tribe.

Tribal priorities do not align with a specific alternative proposed in the DRMP. Rather the Tribe supports a blend of proposed goals, objectives and actions that may be common or unique for a specific alternative. Following are comments submitted for consideration by the Resource Management Plan (RMP) Team in completing a final RMP.

T-SLPT-3

T-SLPT-4

T-SLPT-5

T-SLPT-3:

1) Congressional Action is required to transfer lands to the BIA for reservation expansion. Any designation of lands in the area of the Summit Lake Reservation as suitable for disposal may be available for private acquisition as well as Tribal or BIA acquisition.

2) Area described includes land within a ISA and lands withdrawn for the USF&WS.

T-SLPT-4:

See response to comment T-SLPT-3.

T-SLPT-5:

See response to comment T-SLPT-3.

T-SLPT	Comments	Responses
T-SLPT-6	<p>Section 3.2.7 Vegetation – Weeds (Pgs. 3-35 to 3.40) – The Tribe has initiated a noxious weed program to prevent the spread of noxious weeds, including: hoary cress, perennial pepperweed, scotch thistle, bull thistle, and poison hemlock. The Tribe has noticed increased occurrences of hoary cress within riparian areas of the upper Summit Lake watershed, which is administered by BLM. The Tribe recommends BLM initiate control of noxious weeds for the upper Summit Lake watershed, and along roadways leading to and from the Reservation.</p>	<p>T-SLPT-6: Management of invasive and noxious plants is identified in VW-1, VW2.1. Prioritization of areas needing weed treatments is outside the scope of the RMP and is addressed at implementation planning levels.</p>
T-SLPT-7	<p>Additionally, Alternative D would allow introduced species to be used for soil erosion reduction measures. Since introduced species can be considered invasive the Tribe does not agree with control methods which could potentially compromise native plant communities.</p> <p>Section 3.2.10 Special Status Species (pg. 3-55) – Two “special status species” are found within the Reservation boundary. Both the Lahontan cutthroat trout (LCT) and Greater sage grouse are culturally important species that also depend on resources immediately surrounding the Reservation in the RMP area. The Tribe supports management actions that protect and enhance these species on BLM managed lands.</p>	<p>T-SLPT-7: VR 1.3.1, Pg 2-50, 2-51 offers a range of alternatives that includes not using non native plant species for rehabilitation or reclamation. D-VR 4.1 prioritizes use of native seed to stabilize areas.</p>
T-SLPT-8	<p>Section 3.2.10.1 Federally Listed Species: Lahontan cutthroat trout (pg. 3-55) – Summit Lake is well known for supporting the largest self-sustaining lacustrine population of LCT remaining in its native range. These fish use Mahogany Creek, listed in Table 3-16, to spawn. Some of those fish become stream-dwelling, and have been discovered near the headwaters; indicating that more than the 3.5 miles of Mahogany Creek listed in the Table is occupied habitat by LCT. Although the Tribe is the primary entity managing this population of LCT, a large portion of spawning habitat is located off the Reservation on BLM land. Additionally it should be noted in Table 3-16 (pg. 3-56) that LCT occupied habitat in Snow Creek is mostly on the Reservation.</p> <p>Section 3.2.10.5 Federal Candidate Species: Greater Sage-Grouse (pg. 3-58) – Greater sage-grouse have historically been hunted by Tribal members on the Reservation. However, a component of the population may not spend their entire lifetime within the Reservation boundary, but use other important habitats surrounding the Reservation for specific parts of their life history. Many leks (mating grounds) have been discovered near the Reservation boundary, and it is likely that birds using those leks also use habitats on the Reservation. Therefore, ensuring preservation of habitats off the Reservation in the surrounding RMP area is a high priority for the Tribe.</p>	<p>T-SLPT-8: Management of LCT habitat within the RMP decision area is located in the Water Resources section—Table 2-1. See Action D-WR 1.2.</p>
T-SLPT-9	<p>Section 3.2.13 Cultural Resources (pgs. 3-81 to 3.82) – The Tribe concurs with the generalized list of concerns expressed by Northern Paiutes and Western Shoshones, except in a broader context. We recommend adding “and other activities” to specific modes of disturbance listed, to recognize there are other modes of disturbance to burials, archeological sites, and areas traditionally used by Tribes and members to perform ceremonies and to gather food and medicines.</p> <p>Section 3.2.15 Visual Resources (pg. 3-82) – Members of the Tribe place a high value on the scenic aesthetics of the unaltered landscape surrounding the Reservation and in the RMP area.</p>	<p>T-SLPT-9: BLM has revisited the Vegetation-Rangeland section to address short term harvesting of plant materials for Native American use.</p>

T-SLPT

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This is an important and unique resource that should be preserved as much as possible. The Reservation is surrounded by the Black Rock/High Rock NCA, which is categorized as a Visual Resource Class (VRC) II. The rest of the area surrounding the Reservation is categorized as VRC Class III.

Page 3-83 explains that it is during the RMP process when class boundaries are adjusted. The Tribe requests that the Reservation and the area surrounding it be categorized as VRC Class II. The objective of VRC Class II, to retain existing landscape character, is more aligned with management objectives of the Tribe for the Reservation and the surrounding area. Conversely, if changing the VRC compromises the eligibility of lands surrounding Summit Lake for disposal and transfer to BIA due to proximity of the National Historic System of Trails (**see item h, Alternative D, page 2-238**), the Tribe would support no change.

Section 3.3.1 Livestock Grazing (Pgs. 3-88 to 3-93)— Because the quality of water and vegetation resources are affected by livestock grazing, the Tribe supports grazing utilization practices that protect riparian areas within the Summit Lake watershed from grazing. Additionally the Tribe prefers the no-grazing objective on or near riparian areas within the Summit Lake watershed, specifically those riparian habitats that affect water quality of springs and seeps that contribute flow (surface and sub-surface water flow) to Summit Lake, Snow Creek, Mahogany Creek, Summer Camp Creek, and Pole Creek.

Section 3.3.2 Minerals (Pgs. 3-94 to 3-107)— **Leasable, Locatable and Salable** — Because of the potential for direct and indirect disturbance to cultural resources, the Tribe opposes mining and development of minerals within the Summit Lake basin and within the traditional area of the Tribe.

Section 3.3.3 Recreation and Facilities (Pgs. 3-108 to 3-111) — Following establishment of the Black Rock Desert - High Rock Canyon NCA, and Burning Man events, unique resources within the traditional territory of the Tribe are being adversely affected. Cultural resources have been vandalized or looted, and road integrity has been compromised due to higher volume of vehicular use which now spans year round. The higher frequency of recreational use has enhanced dispersal of noxious weeds from vehicular use and increased the likelihood for wildfires. Additionally, OHV use has enabled the public to access formerly inaccessible areas. The issuance of permits for dispersed, and organized, competitive, and commercial recreational use should be limited to periods of dry weather when road conditions and ephemeral drainage resources are not compromised.

OHV Use (Pgs. 3-310 to 3-114) - The Tribe is concerned with wildfires ignited by OHV use on BLM administered lands. This risk can be decreased by requiring OHV operators to carry a small fire extinguisher since electric or fuel fires on machines are the most common source of wildfire ignition (BLM 2010, see http://www.blm.gov/nv/st/en/fo/carson_city_field/in_the_spotlight/tips_to_avoid_starting_print.html). Furthermore, OHV use on BLM administered lands west of the Reservation where there is no designated road has been a continuing problem. Unauthorized access increases the risk of spreading fire and noxious weeds onto the Reservation, especially since prevailing winds are primarily westerly and waterways flow toward Summit Lake. These natural patterns increase the

T-SLPT-10: Alternative D classifies the lands surrounding the reservation as VRM Class II; see Figure 2-15 of the FEIS.

T-SLPT-11:
A separate Transportation and Travel Management Plan will be developed for managing OHV use—See D-R 10.2. Seasonal restrictions and temporary closures of roads are addressed at D-TA 4.3.

T-SLPT-12:
BLM will further be developing a Comprehensive Travel and Transportation Management Plan during the implementation phase of this RMP subject to public review—See D-R 10.2

T-SLPT-10

T-SLPT-11

T-SLPT-12

T-SLPT	Comments	Responses
T-SLPT-12 Cont-d	<p>risk to the Reservation even when OHVs are used outside the Reservation boundary. To promote awareness to recreationists and hunters, erecting signage to discourage OHV use in this area may be an important component to protecting important cultural and biological resources.</p>	
T-SLPT-13	<p>Furthermore, the Tribe recommends restrictions on cross country travel by OHV and all other vehicles within the Summit Lake watershed are instituted within the preferred alternative (Chapter 2, Table 2-3). Additionally the Tribe supports Alternative D (Chapter 2, Table 2-3) as it relates to OHV use in the broader traditional use area of the Tribe; that until route inventories and designations are completed, OHV use would be limited to existing roads and trails, except when cross country travel is needed for safety, required for federal, state, and local administrative needs, as authorized by a permit for big game retrieval, or as otherwise officially approved.</p>	T-SLPT-13 See response to T-SLPT-12.
T-SLPT-14	<p>Facilities (Pgs. 3-112 to 3-114) There are no facilities for the public to dispose of garbage or human waste within most of the District.</p> <p>Section 3.3.4 Renewable Energy (Pgs. 3-114 to 3-115) - The Tribe is not in support of renewable energy projects that affect visual resources of the Summit Lake area or within the traditional area of the Tribe (see comment for Visual Resources).</p>	<p>T-SLPT-14: The BLM has facilities at Water Canyon, Pine Forest, Lovelock Cave, Steven's Camp and Soldier Meadows. Fees collected from SRPs are in a large part dedicated to developing such facilities.</p>
T-SLPT-15	<p>Section 3.3.5 Transportation and Access (pgs. 3-115 to 3-116) - The BLM System Roads inventory does not prioritize road maintenance from Soldier Meadows Ranch to the Reservation, from Knott Creek Ranch to the Reservation, or from Five Mile Flat to the Reservation which are primary access routes to the Reservation from the south, north, and west, respectively. These routes should be elevated to priority maintenance classification to reflect the importance of access and safety.</p>	T-SLPT-15: See response T-SLPT-12. BLM only maintains BLM system roads. Main access routes to the reservation are not BLM system roads.
T-SLPT-16	<p>The Tribe is currently working with the BIA and the Federal Highway Administration to develop a 20-year Long Range Transportation Plan to meet requirements of a Transportation Planning Services/Road Maintenance Grant. The Tribe intends to recommend rerouting the road west of Summit Lake a distance of 3 or more miles to protect Summit Lake. Additionally, the Tribe will be investigating options to recommend re-route or engineering a new access road to the Reservation to ascend the steep topography approximately 2.7 miles south of the Reservation (i.e., up gradient from confluence of Dry Canyon and Tollhouse Canyon). The Tribe would appreciate acknowledgement and a place in the final RMP to facilitate future transportation planning efforts of the Tribe.</p>	T-SLPT-16: See response to T-SLPT-12.
T-SLPT-17	<p>Additionally, through the Indian Self Determination and Education Assistance Act, road maintenance responsibilities could be shifted from the county to the Tribe if BLM or the Federal Highway Administration provides funding to the Tribe through Public Law (PL) 93-638 contracting. Furthermore, rerouting portions of the road between Soldier Meadows and the Reservation may be a viable option since maintenance costs alone are exceedingly high over time and the road is currently prone to frequent washouts which would adversely affect residents, emergency responders, recreation users, and others.</p>	T-SLPT-17: See response T-SLPT 12 and 15.

T-SLPT

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Section 3.4.6 Watchable Wildlife Viewing Sites – The “Watchable Wildlife Viewing” designation for Mahogany Creek, tributary of Summit Lake has been a problem for the Tribe. The Tribe was never consulted on this designation nor were potential impacts to the illegal taking of LCT or its habitat considered. By inviting the public to view spawning LCT in its natural habitat, BLM did not consider that they were encouraging the public to harass a threatened species protected by the Endangered Species Act. Additionally, when LCT are spawning, during the late Spring and early Summer season, the ground is saturated. The unrestricted access on roads or 4-wheel trails by vehicles within the Summit Lake basin, including Mahogany Creek and Summer Camp Creek promotes excessive erosion within the watershed and sedimentation into the stream. Finally, the lack of law enforcement in the area promotes the opportunity to poach LCT which are easily visible while spawning in the streams.

The Tribe recommends the “Watchable Wildlife Viewing” designation be changed. Additionally, the upper Summit Lake watershed managed by BLM should be closed to vehicular traffic by the public during periods when the watershed is vulnerable to erosion or pollution (i.e., late Fall – early Summer). The Tribe respectfully recommends only foot traffic be allowed within the upper Summit Lake watershed when the watershed is closed to vehicular traffic to promote the wilderness experience, to protect spawning and rearing LCT, and to enhance and protect water quality which terminates in Summit Lake. The concept of co-management of the upper Summit Lake watershed with the Tribe via a PL 93-638 contract would be an excellent model intended by the Indian Self-Determination and Education Assistance Act.

Section 4.2.4 Water Resources (pg. 4-64) – Both ground and surface water resources in the area of the RMP are precious and should be protected from development and overuse. Additionally, protecting water resources off the Reservation is important to the future of the Reservation for the following reasons:

- Water resources on the Reservation including Summit Lake, Mahogany and Snow Creeks, One-Mile Spring, and other unnamed springs are used by Tribal members for drinking water, ceremonial purposes, and other uses.
- The headwaters of Mahogany and Snow Creeks, tributaries to Summit Lake, are located off Reservation lands, and therefore management and protection of these important resources falls to the BLM. Protection of these headwaters and maintenance of the water quality integrity are extremely high priorities for the Tribe.
- The water resources on the Reservation, which originate outside the Reservation borders, are habitat for LCT.
- The Tribe is interested in pursuing a co-management agreement to jointly administer water and fish resources within the entire Summit Lake basin or watershed. This cooperative management approach could be enhanced through cooperative agreements and contracts between the BLM and the Tribe pursuant to the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638).

Section 4.2.9 Fish and Wildlife (pg. 4-217) – Fish and wildlife are an important resource that know no jurisdictional boundaries, and use the Reservation as well as the adjacent RMP. Tribal members still rely on hunting and fishing for traditional food sources, and the preservation of fish and wildlife off the Reservation, within the RMP area, is important to the Tribe in maintaining populations on the Reservation. The Tribe supports management actions by the

T-SLPT-18

T-SLPT-18:

A Comprehensive Transportation & Travel Management Plan (CTTMP) will address these concerns after the Record of Decision for the RMP is signed. The CTTMP will be determined with full public participation and input. Road maintenance addressing flood and sediment damage, design, temporary road closures are provided in TA 1.

T-SLPT-19

T-SLPT –19

The tribe is a member of the LCT recovery team. The ISA planning document is part of the Black Rock RMP, which has already been completed.

T-SLPT

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BLM that align with the management philosophy of the Tribe and support and maintain a healthy ecologic balance between fish, wildlife, and ecosystems.

Section 4.2.11 Wild Horse and Burro (pg. 4-292) – states that the BLM will maintain current Memorandums of Understanding (MOU's) and develop additional interagency MOU's to coordinate and standardize management of Wild Horses and Burros. The Tribe has developed a Feral Horse Management Plan that should also be considered in management plans for these animals, and includes the following points:

- The Tribe's Feral Horse Management Plan establishes a zero-tolerance level for BLM wild horses that stray onto the Reservation.
- The Tribe and the BLM are working together to define management actions and responsibilities to prevent wild horses from entering the Reservation in the future.
- The Tribe seeks an MOU with the BLM to uphold this zero tolerance policy, which should be considered in future BLM management actions.
- The Tribe supports BLM's actions to keep the wild horse population at the appropriate management levels for the herd management areas within the RMP area.

Section 4.2.13 Cultural Resources (pg. 4-327) – The BLM acknowledges though the RMP that the area covered by the plan is rich in cultural resources in a variety of forms. Steps must be taken to protect cultural resources when they are discovered.

Additionally, living cultural resources found in the area covered by the RMP are incredibly valuable to Tribal members, who actively use the area to gather traditional foods and medicines and conduct ceremonies. The importance of this area to Tribal members attempting to preserve what is left of their land, heritage, and culture, cannot be overstated.

In closing, the Tribe appreciates BLM's effort to consult with the Council on a government to government basis on October 16, 2010. During this session the Tribe expressed many of the comments contained in this letter. The Tribe is hopeful our input in this process is given serious consideration, especially related to land acquisition to extend the Reservation boundary, working collaboratively with the Tribe to enhance transportation to and from the Reservation, and co-management of natural and trust resources.

Sincerely,



Warner Barlese
Chairman, Summit Lake Paiute Council

Enclosed: Council Resolution SL-01-2010
Map depicting eastern boundary of Summit Lake Paiute Tribe's traditional homeland
Map depicting land ownership status and the Summit Lake Watershed

T-SLPT-20:
Comment noted.

T-SLPT-20