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**From:** [Don Henderson](#)

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**To:** [BLM\\_HQ\\_GRSB\\_Planning](#)

**Cc:** [Don Jones](#)

**Subject:** [EXTERNAL] Nevada N-2 State Grazing Board Scoping Comments to BLM NOI to Amend LUPs Regarding Greater Sage-grouse Conservation [223.LLHQ230000.L11700000.PI0000.LXSGCO000000]

**Importance:** Normal

**Sensitivity:** None

**Attachments:**

[2022-01-28 final Scoping Comments for GRSB LUPA 22-113.1 N-2.pdf](#) 

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Ms. Deibert,

For your information and consideration, attached please find Scoping Comments from the Nevada N-2 State Grazing Board on the BLM NOI referenced above.

An original copy of this correspondence is being mailed to your office by Certified Mail with a Requested Return Receipt.

Please feel free to contact either Don Jones, Board Secretary, or myself if you have questions concerning the attached public scoping comments or if there is an interest for obtaining further information from the Nevada N-2 State Grazing Board on this matter.

Respectfully submitted,

**Don Henderson**

Certified Range Management Consultant

Senior Range Specialist/ Senior Resource Specialist



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**Nevada State Grazing Board N-2 District**  
**c/o Don Jones, Secretary**  
**P.O. Box 806**  
**Winnemucca, Nevada 89446**

January 28, 2022

Patricia Deibert, National Sage-grouse Coordinator (Acting)  
Bureau of Land Management  
440 W 200 S, Suite 500  
Salt Lake City, UT 84101

**Also submitted via Email:** \_\_\_\_\_

**RE: Nevada N-2 State Grazing Board**

Scoping Comments to the Bureau of Land Management's (BLM) Notice of Intent to Amend Land Use Plans Regarding Greater Sage-grouse Conservation and Prepare Associated Environmental Impact Statements

[223.LLHQ230000.L11700000.PI0000.LXSGCO000000]

Ms. Deibert,

The N-2 State Grazing Board (N-2 Board) is a political sub-division of the State of Nevada organized under Nevada Revised Statute 568 Grazing and Range. This Board represents the ranchers who operate on public land grazing allotments within the Winnemucca BLM District.

As such, the above-referenced document has the potential to greatly impact the future viability of ranchers operating on public land within the Winnemucca BLM District.

The N-2 Board's jurisdiction includes the area represented by the Winnemucca BLM District, which includes the entirety of Humboldt and Pershing Counties and portions of Washoe and Churchill Counties in Nevada. As locally-elected officials, the N-2 Board supports and incorporates herein, the comments, recommendations, and positions on this topic that may have been submitted by the Humboldt or Pershing County Board of Commissioners. Further, the State of Nevada has an operational Greater Sage-grouse (GRSG) conservation program and plan, known as the Nevada Sagebrush Ecosystem Program. It is the request and expectation of the N-2 Board that the Preferred Alternative resulting from any future GRSG LUPA in Nevada include and is consistent with the existing State GRSG conservation plan.

Participation by this Board in both the 2015 and 2019 Nevada & Northeast California GRSG Land Use Plan Amendments (LUPAs) and participation in the Project's virtual public meetings has resulted in the following resource priorities and concerns.

**Planning Level**

Updates to GRSG conservation and its measures, at the minimum, must be completed at the existing LUPA level because of the variability of threats, habitat potentials, and regionalized species adaptation across the west-wide range for this keystone species. After all, site potentials in the sagebrush biome and threats to GRSG populations are much different in Nevada than in Wyoming.

The N-2 Board does not support a planning area that is any larger than the current Nevada and Northeast California planning area in the current agency review. The diversity in habitats, threats to habitat and disparate state approaches to conservation make combining planning areas cumbersome and confusing. As such, the N-2 Board recommends keeping the Nevada and Northeast California Planning Area as presently identified or simplifying the planning area to only include Nevada.

**Update of Priority Sage-grouse Habitats**

Currently, the BLM and State of Nevada are not operating under the same GRSG habitat

mapping in Nevada. This creates confusion and uncertainty not only for public land ranchers but also to other businesses or industries either presently operating or having interest to operate in the State. This topic has been a major issue and concern since 2015. The 2015 BLM mapping should be discarded as it does not reflect the most recent science either now or at that earlier time. This map was based on an incomplete version of the State of Nevada map. Most notably, the BLM-adopted version does not account for existing infrastructure such as highways, communities, and other existing development. GRSG habitat mapping needs to be corrected during this LUPA along with a process that allows for mapping updates as new information becomes available.

Updates to priority or important sage-grouse habitat must be developed in close consultation with the Nevada Sagebrush Ecosystem Program, the Nevada Department of Wildlife, and include local knowledge and public consultation.

#### **ACECs are Not An Appropriate Vehicle to Bring About Sage-Grouse Conservation**

Areas of Critical Environmental Concern (ACECs) are not an acceptable way to either designate or prioritize important sage-grouse habitats or to implement updated conservation measures for sage-grouse conservation. By statute, this federal land designation prioritizes one public land use or resource above other multiple uses, thereby requiring further conservation planning for that priority resource or land use.

The known threats to sage-grouse conservation in Nevada are habitat loss and fragmentation due to accelerated wildfire occurrence. This biotic and anthropogenic affect cannot be dealt with in an effective manner by using isolated ACEC designations and the development of site-specific conservation plans, because the risks from wildfire occurrence far exceeds the boundaries for priority or important sage-grouse habitats. Sage-grouse represent a keystone and landscape species. Postage-stamp sized ACECs cannot begin to adequately address the landscape level threat posed by an accelerating wildfire cycle in sage-grouse habitats.

Rather, this habitat threat requires a complete toolbox approach, including both public land grazing and public education, to implement pre-fire suppression methods and land management practices for more effective fuels management and fire risk reduction at the landscape level. Based on existing science, the N-2 Board contends that livestock grazing has an important role to play in managing wildfire fuels and reducing the occurrence and risks from wildfire in GRSG habitat.

The N-2 Board does not support designation of special areas nor ACECs as a component of this planning process. ACEC designations are not consistent with the Board's strong support for multiple use management of BLM-managed public lands, nor the State GRSG Plan.

#### **Wildfire Management**

As previously noted, the N-2 Board believes that habitat degradation and fragmentation due to accelerating wildfire occurrence is the leading threat to GRSG conservation in Nevada. The Board further contends that livestock grazing has an important and critical role to play in managing wildfire fuels and reducing the occurrence and risks from wildfire in GRSG habitat as a pre-suppression measure.

Another important factor to allow more effective management of unplanned and unwanted wildfire occurrences in Nevada is to rapidly deploy fire suppression initial attack. While aviation fire suppression methods can be helpful, the final stage of fire control and suppression continues to be ground-based fire crews. Trained groups, like the Wildfire Support Group in the Winnemucca BLM District, are also important for providing timely initial response to isolated fire starts while the BLM fire crews are being deployed. Be it agency or local initial responders, a well-maintained system of unimproved roadways are needed to allow first responders to get onsite and put the fire ignition out before it becomes a wildfire conflagration requiring larger and expensive resource commitments.

Road maintenance on non-County, BLM-administered roadways is non-existent in the Winnemucca BLM District and road conditions are poor. The N-2 Board is hoping that the current focus on sage-grouse conservation and the priority for reducing wildfire threats will result in increased funding and agency priorities to upgrade road maintenance in the Winnemucca BLM District and elsewhere to improve initial attack response times for fire suppression on rangelands and in important GRSG habitats.

### **Sage-grouse Habitat Objectives or Management Criteria**

Based on more recent research, including peer-reviewed research summarized by NRCS (2021), many of the GRS habitat objectives included in Table 2.2, Habitat Objectives for GRS, in the 2015 LUPA/ROD have been affectively discredited over the past decade. This approach was doomed for failure from the onset based on two very important and related factors: the very early status of sage-grouse research at that time and the variability of ecological site potentials and species adaptation across the range of sage-grouse habitats in the western US. The draconian and authoritative approach adopted in Table 2.2 did little to foster a climate of partnership and collaboration for the purpose of implementing proactive and voluntary species conservation measures at the habitat level.

Besides the mis-direction that was included, a primary limitation with the previous Table 2.2 GRS habitat objectives is that they were not SMART (Specific, Measurable, Achievable, Relevant, and Trackable) per H-1601-1 – Land Use Planning Handbook. Many of the previous habitat objectives were not achievable in portions of the planning area given the variability in ecological site potentials. At the LUPA level the BLM should focus more on defining broad habitat goals or desired future habitat conditions and allow for flexibility in the development of GRS habitat objectives at the appropriate scale where the site ecological status and potential can be accurately assessed and considered.

### **Use AMPs to Bring About Improved Grazing Practices, When Needed**

A key for achieving progress under any GRS LUPA will largely depend on how the provided species conservation direction and guidance translate into on-the-ground actions that result in habitat improvement. One does not need to look hard to recognize that the approach implemented in 2015 has not been broadly successful in achieving this end.

Rather than repeating this failed process, the N-2 Board recommends a different approach where grazing permittees are encouraged and empowered to take the lead in developing either new or updated allotment management plans (AMPs) that are designed, in consultation with the BLM and other appropriate parties, to address identified and proven habitat conditions, concerns, or limitations that are directly influenced or affected by livestock grazing. This level of detailed allotment planning requires the development of site-specific resource and ranch goals and monitoring objectives.

Fortunately, a regulatory process exists that allows for the development of AMPs at 43 CFR 4120.2. Any modification of current grazing permits that are identified as being required for improved GRS habitat conditions must necessarily be addressed at the allotment or ranch level and directly involve the rancher to be effective and successful. Under this concept, the LUPA must provide incentives to encourage public land ranchers to step-up and facilitate the development of new or updated AMPs that result in refined grazing practices that benefits sage-grouse habitats and conservation. These incentives can and should include self-direction and initiative, targeted grazing to manage hazardous fire fuels, and outcome based grazing authorizations.

### **Sagebrush Focal Areas (SFAs)**

The additional access, seasonal timing and other restrictions proposed for SFAs would have additive and cumulative impacts on livestock grazing operations with minimal benefit to sage-grouse. As such, the N-2 Board requests that the concept of SFAs not be included as an alternative for consideration. If the BLM does advance this concept as an alternative, then it must analyze the direct and cumulative socioeconomic impacts that would result.

### **Socioeconomic Analysis**

Federal Land Policy and Management Act (FLPMA) and the National Environmental Protection Act (NEPA), and their implementing regulations require the BLM, to the maximum extent possible, align with and mitigate impacts to State and local government planning needs with the understanding that socioeconomic impacts are usually indirect and largely fall on rural communities. The 2019 LUPA Draft Supplemental EIS, stated that there is incomplete or unavailable information regarding the socioeconomic effects to local communities and some multiple uses such as livestock grazing. This is no longer the case as the Nevada BLM has partnered with the University of Nevada, Reno (UNR), the U.S. Forest Service and counties through the Nevada Economic Assessment Project (NEAP) to create socioeconomic baseline data collection for all counties in Nevada. NEAP data includes the economic multiplier effects for local Nevada communities that result from changes in public land grazing. The N-2 Board expects the BLM to complete a robust socioeconomic analysis, including the analysis of projected livestock grazing effects on local economies, utilizing the data compiled through NEAP.



The N-2 Board appreciates the opportunity to provide the above scoping comments as part of this process. Several of the recommendations provided in this public scoping letter are unique and innovative, like the concept of rancher-driven AMPs. If further clarification is needed regarding this public scoping letter, please feel free to contact Don Jones, N-2 Board Secretary.

We look forward to continued involvement as this planning process is vitally important to the Board and our ranching constituents. With this in mind, please retain the N-2 Board and Mr. Jones on the agency listing to receive further public announcements concerning this planning effort.

Sincerely,



Hank Dufurrena, Chairman  
N-2 State Grazing Board

CC: Jon Raby, State Director, BLM Nevada  
Alan Shepherd, Deputy State Director for Resources, Lands and Planning, BLM Nevada  
Ester McCullough, District Manager, BLM Winnemucca District  
Kelly McGowan, Program Manager, Nevada Sagebrush Ecosystem Program  
Humboldt County Board of Commissioners  
Central Committee of Nevada State Grazing Boards  
Congressional Delegation

**Referenced Information**

Natural Resources Conservation Service (NRCS). 2021. A decade of science support in the sagebrush biome. United States Department of Agriculture. Working Lands for Wildlife. Washington, D.C. 32pp. <https://doi.org/10.32747/2021.7488985>.