

Letter S1

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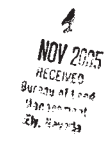
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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

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November 18, 2005

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RE: E2006-038: BLM Ely District Draft RMP/EIS

Dear Kim:

The Nevada State Land Use Planning Agency has extensively reviewed the BLM Ely District's Draft RMP/EIS (Draft). This agency enjoys a very positive working relationship with BLM and provides these comments as constructive criticisms. The update to the Ely RMP is long overdue and welcome. The BLM Ely Field Office staff is to be commended for all of the time, effort and commitment that has obviously gone into this Draft. Recognizing that this update is a monumental endeavor, wherever possible, suggested improvements to the text and solutions are included to make the comments as effective as possible.

S1-1

It is apparent that the overall management focus of the Draft is ecosystem health through adaptive management, and this concept is strongly supported. However, how this overall concept relates to components of the Draft is in question due to internal inconsistencies and discrepancies. The inconsistencies and discrepancies make it very difficult for the reader to comprehend and support the preferred alternative, or any alternative for that matter, and understand the differences between the other alternatives. It is in BLM's best interest to provide a Draft in a format that reduces questions and confusion and allows for educated comprehension, consensus and certainty. These comments are provided to help reach that end.

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S1-1

The format for the Draft RMP and EIS was developed to meet CEQ requirements for EISs, BLM Land Use Planning Handbook guidelines for RMPs, and the Ely Field Office's need to have the RMP organized by resource program. Consistency concerns were raised by a number of commenters. Chapters 2 and 4 in the Proposed RMP and Final EIS, in particular, have been revised to correct inconsistencies among resource programs.

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General Comments - Readability

It is paramount that the reader be able to understand and agree/disagree with the content of the material and the process utilized to determine the preferred alternative.

- S1-2 [
 - It is very evident that numerous writers were involved in the completion of the Draft, and this is understandable. However, it is also evident that more care is needed from the "central point of contact editor" to pull together the different written sources and ensure that there is compatibility and a big picture accuracy. Many sections were written in a semi vacuum as evidenced when their content is compared to other sections.
- S1-3 [
 - A strong concern of this agency is the lack of information provided to enable the reader to make an educated decision. The Draft has over one thousand pages of information. However, useable information is defined by this reviewer as user-friendly, concise, accurate, supported by back-up documentation and most importantly, strategically placed. Contrary to this reviewer, most readers cannot or will not read the entire document due to the lack of suitable information as defined herein. Therefore, a very well written summary is crucial to get stakeholder buy in.
- S1-4 [
 - A consistent theme throughout the Draft is a statement being made without back-up information provided for the reader to utilize to comprehend the statement and make an informed decision on support of the alternative. BLM would avoid many questions if statements were not made without supporting rationale.
- S1-5 [
 - Example, page 2.5-138: Loneliest Highway Special Recreation Management Area statement. There is absolutely no supporting documentation or rationale to explain why this statement was made. Without back-up information, the reader cannot determine support or opposition to the alternative.
- S1-6 [
 - Section One, *Summary*, should be written in a manner that enables the majority of readers to understand the alternatives and more importantly, the differences between the alternatives.
- S1-7 [
 - ❖ **Solution:** The Preferred Alternative should be located on page S-i, that is, at the very beginning of the summary discussion, and before the other alternatives. Throughout Section 2 and Section 4, the Preferred Alternative should always be located first.

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- S1-2 Comment noted. The Proposed RMP and Final EIS has been edited for clarity.
- S1-3 The format for the Draft RMP and EIS was developed to meet CEQ requirements for EISs, BLM Land Use Planning Handbook guidelines for RMPs, and the Ely Field Office's need to have the RMP organized by resource program. This has made the document difficult to understand for certain reviewers, based on the comments the Ely Field Office has received. Changes to improve clarity have been incorporated into the Proposed RMP and Final EIS; however, the major modifications requested in certain comments would not meet the requirements of regulations or the intent for the Proposed RMP and have not been incorporated. The Summary has been extensively modified to improve its effectiveness.
- S1-4 Thank you for expressing your concerns. Supporting rationale has been added throughout the document and in responses to comments to help improve understandability.
- S1-5 In response to your comment, the management actions in Section 2.4.15.1 of the Proposed RMP and Final EIS have been revised to include the Loneliest Highway special recreation management area. Please refer to this section for a description of the proposed areas and clarification of recreation management prescriptions.
- S1-6 In response to your comment, the Summary in the Proposed RMP and Final EIS has been revised to more closely follow Council on Environmental Quality regulations for content. This change resulted in a reduced length for the Summary, which should improve its effectiveness.
- S1-7 In the Proposed RMP and Final EIS, the Proposed RMP is presented first, followed by Alternatives A, B, C, and D.

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- S1-8 [❖ **Solution:** Each alternative should have a one line title that distinguishes it from the others. For example, "Accelerated Commodity Production", "Passive Management", "De-emphasis on Commodity Production", "Multiple Use Proactive Planning", etc.
- S1-9 [❖ **Solution:** The alternatives should NOT be written in large block paragraph format. The description of each alternative should include bulleted statements that clearly and concisely detail the unique characteristics of the subject alternative as well as an accurate listing of the differences between it and the other alternatives.
- S1-10 [▪ Section Two, *Alternatives*, should NOT be formatted in its current manner that includes the repetitive and confusing "same as Alternative B, or other" statements. A very good example of the confusing format of the alternatives discussions is contained in Section 4.13, *Renewable Energy*.
- S1-11 [➤ Section 4.13 is a good example of how not to describe the different alternatives. It is almost impossible for this reader to follow and understand what unique characteristics apply to each alternative as well as what the differences are. Each alternative's discussion should include succinct bullets that describe the attributes in manner that the reader can comprehend what is presented AND make a determination on support or opposition to the preferred alternative.
- S1-12 [➤ Every alternative should have its complete discussion attached, without the need for the reviewer to flip pages to another alternative to see the description because both are similar. The current format is extremely confusing, especially in the case where one is referred to another alternative and once there, is referred on to yet another.
- S1-13 [➤ Section 1.5, *Planning Criteria*, is very well written and should be a good resource for the reader to get a feel for how decisions are being made. However, this section details criteria for proposed management direction. It is difficult to understand how BLM came up with the Preferred Alternative by utilizing the criteria.
- S1-14 [❖ **Solution:** In Section 1.5, *Planning Criteria*, provide a discussion after each criterion (bulleted format, just the highlights) that includes the merits (lack thereof) of each Alternative. This exercise will give the reviewer a comfort level as to why the Preferred Alternative was chosen. This

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- S1-8 In preparing the Draft RMP and EIS, BLM discussed naming the alternatives, but decided against this format. The themes of each alternative are described in the summary paragraphs found at the beginning of each Alternative discussion (2.4, 2.5, etc) of the Proposed RMP and Final EIS.
- S1-9 The presentation of alternatives is consistent with the BLM's Land Use Planning Handbook. Please refer to Table 2.9-1 in the Proposed RMP and Final EIS where management actions for each alternative can be easily compared.
- S1-10 Cross references between alternatives were used to save space in the document. Although the Ely Field Office has changed the Proposed RMP to stand alone, single cross references between other alternatives remain.
- S1-11 In response to your comment, the text in Section 4.13 of the Proposed RMP and Final EIS has been revised to clarify the discussion of renewable energy impacts. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- S1-12 Please refer to Response to Comment S1-10.
- S1-13 The Proposed RMP is a compilation of those individual management actions from the other four alternatives, plus unique management actions, that the BLM has determined would best meet its obligations for multiple use management of the resources found within the Ely RMP planning area, given the overall objective of landscape restoration and applicable laws, regulations, and policies. The Proposed RMP was not formulated directly from the Planning Criteria.
- S1-14 The management actions that are presented in the Proposed RMP were developed through consideration of the planning criteria presented in Section 1.5 of the Draft RMP and EIS and Proposed RMP and Final EIS, public scoping comments presented in Section 1.6, BLM policy especially as presented in the Land Use Planning Handbook, and the professional judgment of the staff in the Ely Field Office. The Proposed RMP is a compilation of those individual management actions from the other four alternatives, plus unique management actions, that the BLM has determined would best meet its obligations for multiple use management of the resources found within the Ely RMP planning area, given the overall objective of landscape restoration and applicable laws, regulations, and policies.

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S1-14	exercise trends towards the successful "Choosing by Advantages" (CBA) decision-making process employed by the National Park Service. Without this exercise, it is very difficult for the reviewer to support any alternative with confidence.
S1-15	❖ Solution: Each subsection should include a brief cross reference discussion to Section 1.5, <i>Planning Criteria</i> to help the reader comprehend how the decision on the Preferred Alternative was made. It will help the reader comprehend how BLM reached the decisions contained in this section by providing measurable and consistent criteria utilized to make the decisions.
S1-16	▪ Section Four, <i>Environmental Consequences</i> , contains inconsistencies regarding how impacts are described and cross-referenced between different resources. The section is internally inconsistent between the alternatives.
S1-17	➤ For example, Section 4.18, <i>Wild Horses</i> , page 4.8-14, first paragraph, includes the following. "Four of the six areas still open to off-highway vehicles in this alternative...". There are no areas "open" to off-highway vehicles in the preferred alternative. All areas are either restricted or closed.
S1-18	➤ Another example, impacts between Alternative A and Alternative E in Section 4.14, <i>Travel Management and Off-Highway Vehicle Use</i> , are confusing and inconsistent. Alternative A proposes the status quo with no limitations on where vehicles are allowed. Alternative E proposes the prohibition of cross country travel and limitations to travel on designated roads and trails. However, page 4.14-5, Alternative E, second paragraph, lists impacts to other programs as "similar to Alternative A". The impacts to other programs are drastically different due to the prohibition of OHV use cross country.
<u>General Comments - Process</u>	
S1-19	• The summary section should include a better discussion on process. The reader is not assured of the merits of any alternative unless the process utilized to determine the alternatives is understood. For example, the "Choosing by Advantages" (CBA) process that the National Park Service employs to determine the preferred alternative is strongly supported by this agency as a valuable and defensible tool in sound decision making. The Draft does not adequately

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S1-15	The Planning Criteria provided general guidance for the Ely Field Office in developing the RMP; however, they were not used to evaluate each alternative in the process of developing the Proposed RMP. Alternative E in the Draft RMP and EIS was a compilation of those management directions that the Ely Field Office determined best met the multiple use objectives for the Ely RMP planning area. Alternative E as presented in the Draft RMP and EIS has been modified for the Proposed RMP and Final EIS to incorporate comments from a wide array of users of the planning area.
S1-16	In response to your comment, Chapter 4 in the Proposed RMP and Final EIS has been revised to remove inconsistencies.
S1-17	In response to your comment, the text in appropriate paragraphs of the Proposed RMP and Alternatives B and C in Section 4.8 of the Proposed RMP and Final EIS has been revised to clarify that the discussion refers to use of off-highway vehicle emphasis areas rather than open areas. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
S1-18	Please refer to the text in Section 4.14 of the Proposed RMP and Final EIS and note that the discussion you refer to in your comment is not regarding the impacts of travel management and off-highway vehicle use on other programs as you suggest, but rather the impacts of those other programs on travel management and off-highway vehicle use. The text is correct as written and the basic impact conclusions presented in the Draft RMP and EIS have not changed.
S1-19	A range of alternatives was presented and analyzed in the Draft RMP and EIS and Proposed RMP and Final EIS. Each alternative had a different management emphasis, based on comments received during scoping and the needs/desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes. See Section 2.2 for the considerations for development of the alternatives.

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S1-19 explain nor justify ***why the preferred alternative is preferred?*** This is a fundamental stumbling block for the reader of this DEIS/RMP. This lack of reader confidence could be addressed, in part, if the aforementioned formatting changes and clarifications were implemented.

S1-20 All sections need a clear explanation and cross-referencing of what criteria were utilized to arrive at statements and actions.

S1-21 All monitoring sections need a concise discussion on what parameters will be utilized to measure the results and success of any action. Without this, it is unclear how adaptive management practices will work.

S1-22 There is a lack of clear discussion on timing of implementation of actions and the ownership of the implementation of the actions.

General Comments - Maps

S1-23 Another way to make the Draft more reader-friendly, which makes for better informed reviewers and potentially less confusion and questions directed at BLM, is to provide all maps in a consistent format and size. The maps contained in the Draft are of different page sizes, different GIS background layers (or lacking completely), and have colors and hatching that were not chosen thoughtfully.

❖ **Solution:** All maps should have the following consistent format:

- Size should be 11x17.
- Every map should include a very detailed legend that explains accurately what the map topics represent. Many legends need expanding.
- Wherever possible for readability, all backgrounds should include GIS grey-shade topo or other consistent backgrounds (i.e. water bodies, roads, rail lines, peaks, etc.) to enable the reviewer to effectively locate listed impacts and points of discussion.
- Every community in the district should be included on all maps. Many are consistently omitted.
- Names for valleys and mountain ranges should be included on every map where practical.
- US Forest Service Lands, Native American reservations, and Great Basin National Park, should be identified on all maps where practical.
- Many maps need blow ups of certain key areas that are much too small to see on an 11x17 district-wide scale.
- Care should be practiced in choosing the most readable hatching and color combinations.
- The preferred alternative map should be placed first amongst all of the other alternatives, consistently, for each topic.

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S1-20 Please refer to Response to Comment S1-19 for a discussion of development of the management actions in the Proposed RMP.

S1-21 In response to your comment and similar comments, the discussion of adaptive management and monitoring has been revised and expanded in the Proposed RMP and Final EIS (see Section 1.7 and Section 2.4.23).

S1-22 Where appropriate, at this broad-scale level for an RMP, the timing of the implementation of actions is identified, such as the priority for watershed analysis. An implementation plan for all approved management actions will be completed after the Record of Decision. The subsequent watershed analysis will define the specific actions needed and the timing of those actions at a more site-specific level. If by "ownership" you mean identification of the responsible party, this will also be done at the more appropriate site-specific level.

S1-23 The scale (size), background, and shading on the maps were selected to show the information being presented as clearly as possible. Due to the size of the Ely RMP planning area, it is not appropriate to have all maps formatted the same.

S1-24 Please refer to Response to Comment S1-23 for a discussion of the mapping approach. Many of your suggestions were discussed and dismissed as the maps for the Draft RMP and EIS were prepared and reviewed by the Ely Field Office. Other comments that you have presented have been incorporated into the maps contained in the Proposed RMP and Final EIS.

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- S1-25 [
 - Most importantly, numerous instances exist where cross referencing of maps results in inconsistencies and discrepancies (see below for specific comments). Each map may make sense on face value, but when compared to other maps, the rationale may fall apart. This is a concern, especially when one tries to comprehend cumulative impacts and incremental effects.

Specific Comments - Maps

- S1-26 ["General Comments" listed above apply to all maps contained in the Map Volume. The most notable additional specific comments follow and are not all inclusive. It is strongly recommended that adequate and careful editing of these maps occur to ensure quality control and accuracy in a big picture, cross-referenced context.

Map 2.4-5, Visual Resources

- S1-27 [
 - What is BLM's policy on Visual Resources management? Is Map 2.4-5 a snapshot in time that only portrays existing conditions, subject to change at any time? Or does the plan represent strong preservation policies that are intended to provide assurances to the public about protection of valuable visual resources? This discussion is completely absent from the Draft and has far reaching implications on the integrity of the overall Draft. Many other potential uses can and will have direct impacts to visual resources. The Draft, as written with a lack of rationale and policy, trivializes visual resources and projects the appearance that visual resources are low priority and expendable upon application of a high priority project.

- S1-28 [
 - In fact, when asked of BLM's project manager for this Draft what the process would be for a power line through a VRM Class I/II area, the response was, *"amend the plan and downgrade the VRM Class"*. This is cause for serious concern, especially since this statement is in direct conflict with Section 1.3.2.1, "Nevada BLM Vision for the Future" on page 1.3-2. The first sentence states, ***"We envision a Nevada where there are large open spaces, providing the characteristic landscape for which the state is famous."*** BLM has the opportunity to preserve Nevada's "characteristic landscape" through strong policy statements and management directions that protect the integrity of Visual Resource Management Classes. Currently the Draft lacks any certainty or clarity on this all-encompassing, big picture topic by **avoiding a**

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- S1-25 Thank you for expressing your concerns. Where inconsistencies among maps have been discovered, they have been corrected in the Proposed RMP and Final EIS.

- S1-26 Thank you for expressing your concerns. All maps have been reviewed and modified where appropriate.

- S1-27 Please refer to section 2.4.11 in the Draft RMP/ EIS and Proposed RMP / Final EIS for a discussion of visual resource management policy. The VRM classifications shown on Map 2.4.11-1 have been incorporated into the Proposed RMP and will be used during the life of the plan to manage visual resources. Impacts to visual resources are discussed in Section 4.11.

- S1-28 Please refer to Response to Comment S1-27 for a discussion of visual resource management policy.

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- S1-28 **defendable discussion on cumulative and incremental impacts.**
- S1-29
- Multiple uses identified on other maps have a direct conflict with the visual resource management classed portrayed on this map. Two of many examples include:
 - Potential for wind development north of Hiko (west of Highway 318), west of Hiko (north of Highway 375) and south of Beaver Dam State Park on the Utah Border occur directly within a VRM Class I zone.
 - The Spring Valley proposed utility corridor (Map 2.4-22) is identified as passing directly through VRM Class II zones when overlain on this VRM map. Case in point, if a new utility line is proposed through an area with a VRM Class of I or II, then it would be expected that the line would be placed underground or mitigated in a way to maintain the integrity of the existing VRM Class. It is not appropriate for the VRM class to be amended due to the new use.
 - Other maps have cross referencing discrepancies. For example, lands identified for special recreation permits (motorcycle and truck races) are the same lands identified as having high concentrations of sensitive resources and wildlife values and springs in the Egan Crest area.
- S1-31
- S1-32
- US Forest Service Lands, reservations, and Great Basin National Park, are not identified. Some discussion beyond the listing of cooperating agencies is needed for the reader to understand the rationale for VRM class designations. For example, how is it possible that all lands surrounding Great Basin National Park are identified as VRM Class III or IV? Shouldn't there be some proactive policy that encourages a buffer zone around the park?
- S1-33
- Maps 2.4-8 through 2.8-21, Lands Available for Disposal
- These maps are a very good candidate for all comments listed in the General Comments – Maps section previously. Of utmost importance is the inclusion of a useable GIS topo background (grey shade) so that the reviewer can find relative vantage points on the ground. The current format makes these maps a challenge to interpret.

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- S1-29 Please refer to Section 4.11 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of impacts to visual resources. VRM class objectives do not prohibit other multiple uses. The type of issues raised in your comment will be considered by the Ely Field Office when project-specific plans for wind energy development are evaluated.
- S1-30 Please refer to Section 4.11 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of impacts to visual resources. VRM class objectives do not prohibit other multiple uses. Mitigation for potential visual resource impacts would be evaluated on a project-specific basis.
- S1-31 In response to your comment, the text in Section 4.15 of the Proposed RMP and Final EIS has been expanded to clarify the impacts associated with special recreation permit areas. Conflicts among resources will occur and will be addressed at the time specific projects are reviewed and implemented.
- S1-32 VRM classes were designated based on the visual characteristics of the Public lands being managed by the Ely Field Office. BLM does not designate VRM buffer zones around lands managed by other agencies.
- S1-33 In response to your comment and similar comments, numerous modifications to maps have been made to improve the clarity of presentation.

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- S1-34 [Maps 2.4-24, 2.4-25, *Potential Wind Development*
- These maps are a good example of proper use of GIS topo (grey shade) background. However, it is very important that mountain range and valley names be included to help the reviewer understand locations.
- S1-35 [Map 2.4-32, *District Transportation Map*
- All roads, where practical, should include the labeling of commonly accepted names.
- S1-36 [Map 2.5-1, *Duck Creek Basin Transportation Plan*
- This map is an excellent example of one needing a GIS topo Grey shade background and valley/canyon names. Without such a background, the information contained on the map is almost useless.
- S1-37 [Map 3.1-1, *Egan Basin Watershed Soil Units*
- It appears that information was left off of this map (soil unit numbers with key). Without this information, this map should be removed from the plan.
- S1-38 [Map 3.3-1, *Springs and Perennial Streams*
- This is a very important map and should be revised to include mountain, valley and canyon names in a multi page format so that details and locations can be understood. Of more importance, the spring names themselves should be included, either by name on the map, or by number reference keyed to the legend. Without this information, it is not clear why the map was even included.
- S1-39 [Map 3.5-6, *Risk of Cheat Grass et al*
- This map has format errors and is unreadable.

Specific Comments from the beginning of the document

Page S-i

- S1-40 [The Table of Contents, beginning on page i and ending on page xxii should be relocated prominently to the page prior to page S-i. As is, this very important section is lost in between other sections of less importance.

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- S1-34 To keep the maps as legible as possible, extra background material such as mountain range and valley names were not included on these maps so as to avoid obscuring the primary information being presented.
- S1-35 Thank you for your comment. Given the scale of the map, it is not possible to label all the roads. The intent of the map was to provide the reader with the general distribution of highways and roads within the Ely RMP planning area.
- S1-36 In response to your comment, Map 2.5.14-1 in the Proposed RMP and Final EIS has been modified to more clearly present the roads in the Duck Creek Basin.
- S1-37 This map was included to display to the reader a typical number and distribution of soil units within a watershed. The individual soil unit numbers are not relevant to the intent of the map.
- S1-38 Thank you for your comment. Given the scale of the map, it is not possible to label all the basins, ranges, and springs. The intent of the map was to provide the reader with the general distribution of springs within the Ely RMP planning area.
- S1-39 In response to your comment, Map 3.5-6 in the Proposed RMP and Final EIS has been modified to more clearly present the risk of cheatgrass invasion. New mapping became available subsequent to publication of the Draft RMP and EIS.
- S1-40 The location of the Table of Contents follows standard document organization format.

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Pages S-i through S-vi

This would be the appropriate section to include questions and answers on many of the concerns listed previously in this letter regarding process and readability.

S1-41

- What are the criteria utilized to determine the preferred alternative as well as all of the management directions?
- What defensible decision-making process did BLM employ to determine the preferred alternative?
- What is the BLM policy on maintaining the integrity of areas with high quality VRM classes?
- How will the RMP management directions and actions be monitored for success?
- What consistent measures will be employed to ensure effective monitoring?
- How and by whom will the management directions and actions be implemented?

Page S-vii:

S1-42

- The first paragraph should include a sentence that states that Chapter 2 of the Draft is the Resource Management Plan and the remainder chapters are relevant to the EIS.

Pages S-xi through S-xiii

S1-43

As mentioned previously, this is the spot for BLM to make it as simple as possible so that the reader can understand each alternative and the differences between each alternative. This is the point in the document where 99% of readers will look for information. If this section is written and formatted in as user-friendly a manner as possible, it would drastically reduce questions and concerns.

S1-44

- Each alternative should have a one line title that distinguishes it from the others. For example, "Accelerated Commodity Production", "Passive Management", "De-emphasis on Commodity Production", "Multiple Use Proactive Planning", etc.

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S1-41

The Question and Answer section is not required by CEQ regulations or BLM planning policy. It has not been retained in the Proposed RMP and Final EIS.

S1-42

In response to your comment, the text in the Introduction to the Summary of the Proposed RMP and Final EIS has been expanded to clarify where in the document the proposed plan is presented.

S1-43

In response to your comment, the Summary in the Proposed RMP and Final EIS has been revised to more closely follow Council on Environmental Quality regulations for content. This change resulted in a reduced length for the Summary, which should improve its effectiveness.

S1-44

Please refer to Response to Comment S1-8 for a discussion of titles for the alternatives.

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- S1-45 [
 - The alternatives should NOT be written in large block paragraph format. The description of each alternative must include bulleted statements that clearly and concisely detail the unique characteristics of the subject alternative as well as an accurate listing of the differences between it and the other alternatives.
- S1-46 [
 - As written, it is extremely difficult to distinguish between Alternative B and Alternative E.
- S1-47 [Page S-xvi
 - Table S-2 should include a note that clearly informs the reader that Table 4.1-1 is identical. Table 4.1-1 should have a similar note. This will reduce confusion.
- S1-48 [Page S-xxiv, *Alternative E, Renewable Energy*, fourth column
 - What is the meaning of the following sentence? *"The management direction would address issues as they arise, but would not provide the opportunity to develop management strategies for anticipated future conditions."* It is believed that the first part implies adaptive management. However, the second part needs clarification as to why there is no opportunity for management strategies for anticipated future conditions. The statement seems to be an error.
- S1-49 [Page S-xxv, *Woodland and Native Plant Products*, Alternative B
 - The discussion regarding expansion of commodities production is in direct conflict with the more detailed discussion on page 2.2-1 which states that commodities production will be constrained.
- S1-50 [Page S-xxviii, *Special Designations*
 - It is very confusing that Alternative C includes 20 new ACECs while Alternatives B and E indicate 18 new ACECs. When one reads the summary for Alternative C on page S-xii, there is no rationalization included that explains the differences. The rest of the summary description for Alternative C would lead the reader to surmise that there should be less ACECs. It is further unclear why Alternative E has less proposed ACECs, after one reads the summary and attempts to understand the Preferred Alternative's parameters.

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- S1-45 Please refer to Response to Comment S1-9 for a discussion of the format for presenting the alternatives.
- S1-46 Thank you for expressing your concerns. In the Proposed RMP and Final EIS, Alternative E has been modified to be the Proposed RMP and is presented first in all sections.
- S1-47 In response to your comment, the Summary in the Proposed RMP and Final EIS has been revised to more closely follow Council on Environmental Quality regulations for content. This change resulted in a reduced length for the Summary, which should improve its effectiveness. Table S-2 has been eliminated.
- S1-48 Table S-2 has been eliminated from the Proposed RMP and Final EIS.
- S1-49 In response to your comment, the text in Section 2.4.17 of the Proposed RMP and Final EIS has been revised to clarify the discussion of commodity production. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- S1-50 Please refer to Appendix D in the Proposed RMP and Final EIS for a discussion of why different ACECs were identified for each alternative. ACEC designation not only considers areas that contain sensitive resources but also whether those resources are in need of special management, beyond what can be provided by the management actions that would be applied across the entire Ely RMP decision area. Alternative C is more oriented toward commodity production; therefore, the BLM felt that two additional areas would require special management, and thus ACEC designation, when compared to the Proposed RMP and Alternatives B. The text has been revised to clarify this point.

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- S1-51 [Page S-xxix, *Economic and Social Conditions*
- The Draft loses credibility and substance by the lack of program specific goals for this topic. There is no explanation as to why this is lacking. The document should be amended by preferably including goals or lacking that, a concise explanation for the omission. Socioeconomic factors are very identifiable to many stakeholders.
- S1-52 [
- It is unclear why payment in lieu of taxes (PILT) payments would increase in Lincoln County, as stated under Alternative E. The alternative includes the potential disposal of over 100,000 acres of public lands. This would undoubtedly result in a reduction in that county's PILT payments. This statement needs clarification.
- S1-53 [Page S-xxx, *American Indian Issues*
- This section should be renamed to "Native American Issues" or "Tribal Issues".
- S1-54 [
- The trend towards tribal expansions will have impacts district-wide. The Draft should include a discussion on the issues surrounding tribal expansions and how changes in land status could affect other management directions.
- S1-55 [Section 1.6, *Scoping Issues*
- The Draft lacks to include "Renewable Energy" as a separate Issue. Portions are found in other locations (e.g. Geothermal in the "Minerals" section), but there is a lack of mention of wind and solar energy. Wind and solar energy development has far reaching incremental and ancillary impacts on multiple uses due to proliferation of new roads and infrastructure.
- S1-56 [
- This topic was an important aspect of the scoping process by this reviewer/commenter, and has been omitted.
- S1-57 [Section 1.8, *Relationships that are Key to the Ely District RMP/EIS*
- Section 1.8.3, *Local Government*, fails to include coordination with locally appointed Public Land Use Advisory Councils (PLUACs). It is very important that all PLUACs are consulted in regards to any proposal that affects public lands.

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- S1-51 The BLM does not make allocations for social or economic goals; however, it is required under NEPA regulations to address impacts to social and economic conditions in the EIS prepared for the Proposed RMP. Please refer to Sections 1.3.2, 3.23, 3.24, 4.23, and 4.24 in the Draft RMP and EIS and Proposed RMP and Final EIS for discussions of economic and social visions, conditions, and impacts.
- S1-52 Lincoln County's receipts of PILT have historically been capped on the basis of its low population. Projected population growth under the Proposed RMP could be expected to exceed the threshold for higher PILT payments. In response to your comment, the text in Sections 3.23.2 and 4.23 of the Proposed RMP and Final EIS has been revised. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- S1-53 Use of the term "American Indian" throughout the document was recommended by the Tribal representatives from the cooperating agencies on the Ely RMP. Please refer to Section 5.1.5 in the Draft RMP and EIS and Proposed RMP and Final EIS for a listing of the Tribes represented.
- S1-54 Thank you for your comment. The subject of this comment is beyond the scope of the Ely RMP and does not require further agency response.
- S1-55 Renewable energy was not raised during the scoping period by agencies or members of the public, thus it is not recorded in this section of the document. However, renewable energy is one of the major resource categories addressed in the Ely RMP and is discussed in Sections 2.4.13, 3.13, and 4.13 in the Proposed RMP and Final EIS.
- S1-56 Please refer to Response to Comment S1-55. Renewable Energy (Wind and Solar Energy) is addressed in Section 2.4.13, Section 3.13, and Section 4.13. Where applicable, impacts from renewable energy on other programs are addressed in "Interactions with Other Programs" in subsections of each resource program.
- S1-57 The PLUACs function in an advisory capacity to the county commissions. Since White Pine, Lincoln, and Nye Counties were all formal cooperating agencies on the preparation of the Draft RMP and EIS and Proposed RMP and Final EIS, the PLUACs had input into the planning process through the county commissions.

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Section 2.0, *Alternatives*

- S1-58 [
 - Section 2.1.2, *Intent of the Alternatives*: This section is confusing. This is the bulleted type of format that is emphasized previously in this letter as an effective way to improve readability. In this case however, the reader cannot ascertain if all bullets apply to all alternatives. Also, as written, some bullets are too vague and ambiguous. It is evident from reading the bullets that, in fact, many only apply to certain alternatives.
- S1-59 [
 - Section 2.2, *Overview of Alternatives*: This section should be rewritten in bulleted format with clear and concise statements explaining the differences of each Alternative.
- S1-60 [
 - Table 2.4-1, page 2.4-19: A better discussion on the need for fees is needed to educate the public on the necessity for fees in the preferred alternative as compared to Alternatives A and B. Fees are a controversial topic. What criteria were utilized to determine that the preferred alternative includes fees and what criteria were utilized to determine which sites warrant fees? Also, where do the revenues go from fees paid? It might be more palatable if there was a discussion included that the fees go back to the specific site where they were paid, if this is an option.
- S1-61 [
 - Table 2.4-1, page 2.4-23, *Disposal of Public Lands*: This section is confusing when one compares the text in Alternative B with the text in Alternative E. It should be clearly explained why the text "*No disposal of critical habitat for threatened and endangered species, and sensitive species*" is not included in the Preferred Alternative. Or, there should be a discussion on the rationale for allowing disposal of these sensitive lands.
- S1-62 [
 - Table 2.4-1, page 2.4-25, *Land Use Authorizations*: This section does not adequately address impacts to resources. The Preferred Alternative includes "...authorizations on a case-by-case basis". Much stronger language is needed such as that contained in Alternative B to protect the resource and proactively address cumulative and incremental impacts.
 - What consistent criteria will be utilized to determine actions on a case-by-case basis?
- S1-63 [
 - Table 2.4-1, page 2.4-25, *Wind and Solar Energy*: The Preferred Alternative includes "*Applications for renewable energy development would be accepted for areas outside the identified areas as well.*"
 - Subjective statements such as this detract from the Draft's ability to provide any form of certainty to the reader. What consistent

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- S1-58 In response to your comment, the text in Section 2.2 of the Proposed RMP and Final EIS has been revised to clarify the intent of the alternatives.
- S1-59 Please refer to Response to Comment S1-9 for a discussion of the format for presenting the alternatives.
- S1-60 The designation of fee sites is no longer included in the Proposed RMP. Fee areas are allowed under BLM policy where special management incurs costs that cannot reasonably be funded through the normal budget process. The number of fee sites that could be established during the life of the plan can not be determined at this time. The designation of fee sites may occur in the future when a project-specific plan is prepared including public input and review.
- S1-61 Please refer to Section 2.4.12.1 in the Proposed RMP and Final EIS for a discussion of criteria for disposal of lands. Designated critical habitat for federally listed threatened and endangered species would be retained unless the disposal results in acquisition of land(s) with higher quality habitat.
- S1-62 Please refer to the text in Section 2.4.12.7 of the Proposed RMP and Final EIS for a discussion of the management actions for Land Use Authorizations. Land use authorizations are made at the discretion of the BLM Authorized Officer.
- S1-63 The Proposed RMP does not designate areas for wind and solar energy development, and the text and map titles in the Proposed RMP and Final EIS have been changed to clarify this. Changes in technology may change the potential for renewable energy development and which areas are suitable. All applications will be subject to NEPA analysis and the Wind Energy Best Management Practices contained in Appendix F, Section 3.

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S1-63 criteria would be utilized to determine the suitability of these applications once accepted?

S1-64 > How will the public understand the big picture consequences of proposed management directions in this Draft if those very directions could be affected by broad ambiguous policies that allow possible unanticipated projects?

Section 2.5, Management Direction

S1-65 ■ Section 2.5.5.2, *Parameter – Aspen*, page 2.5-19:
> In the third paragraph of the Preferred Alternative, there is an error. Common treatment tools in aspen stands should NOT include grazing.

S1-66 ■ Section 2.5.5.7, *Parameter – Mojave Desert Vegetation*, page 2.5-43:
> The Preferred Alternative statement is not adequate in addressing invasive weeds.

S1-67 ■ Section 2.5.9.2, *Parameter, Cultural Resources*, Pages 2.5-86 through 2.5-99: A discussion is needed that details the criteria and parameters utilized to determine:
> The need for fees.
> The sites proposed for fees and those not, and why.
> Where the fee revenues are spent.
> What public improvements justify fees.

S1-68 ■ Section 2.5.11, *Visual Resources*:
> What is BLM's policy on Visual Resources management? Is Map 2.4-5 a snapshot in time that only portrays existing conditions, subject to change at any time? Or does the plan represent strong preservation policies that are intended to provide assurances to the public about protection of valuable visual resources? This discussion is completely absent from the Draft and has far reaching implications on the integrity of the overall Draft. Many other potential uses can and will have direct impacts to visual resources. The Draft, as written with a lack of rationale and policy, trivializes visual resources and projects the appearance that visual resources are low priority and expendable upon application of a project.

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S1-64 By its very nature, the RMP contains broad management actions that form the framework for future management decisions. It is expected that there will be many "unanticipated projects" during the life of the Ely RMP. These projects will be evaluated based on conformance with the land use plan, current BLM policy, and the analysis conducted for the appropriate NEPA document. A decision on the project will then be made by the Field Manager.

S1-65 In response to your comment, the text of Section 2.5.5.2 of the Proposed RMP and Final EIS has been revised. Aspen management may include grazing or the total lack of grazing.

S1-66 In response to this and related comments regarding Mojave Desert vegetation plus changes in vegetation conditions that have occurred since publication of the Draft RMP and EIS, the text section (2.4.5.8) addressing Mojave Desert vegetation has been substantially revised in the Proposed RMP and Final EIS. The text revisions provide clarification of proposed management actions in relation to the South Desert Complex Fires of 2005 and additional detail regarding control of invasive weeds.

S1-67 The number of fee sites that could be established during the life of the plan can not be determined at this time. Fee areas are allowed under BLM policy where special management incurs costs that cannot reasonably be funded through the normal budget process.

S1-68 Please refer to Response to Comment S1-27 for a discussion of visual resources management actions.

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- S1-69 [
 - Page 2.5-112: Alternative D includes the statement, "*Projects would be designed to minimize light pollution from artificial light.*"
 - This text should be included as a strong policy in the Preferred Alternative (where it is currently lacking).
- S1-70 [
 - There are multiple common mitigation measures currently in practice to limit light pollution. These measures should be common practice district wide.
- S1-71 [
 - Page 2.5-112, *Lands and Reality*: The paragraph that begins on the bottom of page 2.5-112 and carries over to the top of page 2.5-113 is very confusing and needs to be rewritten.
 - The paragraph should emphasize the requirement for applicants of right-of-ways to locate within existing corridors unless a public and transparent process is followed that proves an alternative is necessary. This alternative should not compromise the integrity of other aspects of the RMP, especially Visual Resource Management Classes.
- S1-72 [
 - The current paragraph is written in a manner that supports the applicant to the detriment of the general public and the multiple resource values.
- S1-73 [
 - The paragraph should emphasize the integrity of all management direction and resource values and should NOT treat a right-of-way applicant as superior to other resource needs.
- S1-74 [
 - The paragraph should better describe how the proliferation of power lines and new right-of-way corridors is being proactively addressed to limit negative impacts to the visual and other affected resources. (FLPMA Section 503)
- S1-75 [
 - Page 2.5-114, *Management Common to all Alternatives, Parameter - Retention*: An additional item #4 is suggested for this section.
 - Lands identified as open space on a local Open Space Plan (local government or joint BLM/local plan) should be retained.

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- S1-69 In response to your comment, a new best management practice based on the wording you suggested has been added to the Proposed RMP and Final EIS (see Appendix F, Section 2).
- S1-70 Please refer to Response to Comment S1-69.
- S1-71 In response to your comment, the text in Section 2.4.12, of the Proposed RMP and Final EIS has been revised to clarify the discussion of designated corridors.
- S1-72 Please refer to Response to Comment S1-71 for a discussion of designated corridors.
- S1-73 Please refer to Response to Comment S1-71 for a discussion of designated corridors.
- S1-74 Please refer to Response to Comment S1-71 for a discussion of designated corridors.
- S1-75 Please refer to Section 1.9.1 in the Proposed RMP and Final EIS for a discussion of conformance with local plans, including the White Pine County Open Space Plan. The White Pine County plan does not recommend retention of lands identified as open space.

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- S1-76 [
 - Page 2.5-114, Alternative B (Preferred Alternative section): The first sentence should be amended to include the following.
 - *"The BLM would retain public land or interest in lands that contribute to the restoration and health of the land within the District **and those lands identified by local governments as desired/suitable for open space**".*
- S1-77 [
 - Page 2.5-116, third bullet, item #1:
 - Wetlands should be retained under BLM management regardless of the "remoteness" of the resource. Most wetlands in Nevada are considered remote.
 - How is "so small" as utilized in this sentence defined and what criteria are utilized to make the determination?
- S1-78 [
 - Page 2.5-120, last paragraph under Alternative E:
 - A discussion is needed to explain for what purpose forty acres are proposed for disposal in T68 R57E, Section 25. The statement simply informs the reader of the disposal, but lacks any explanation.
- S1-79 [
 - These types of unsubstantiated statements reduce the amount of useable information that is needed by the reader to come to conclusions on the merits of an alternative. This comment is a recurring theme throughout the document.
- S1-80 [
 - Page 2.5-121, second bullet, top of page: Suggest amending the sentence to include:
 - Disposals should not occur in areas of high recreation value unless identified by local governments in an approved recreation management plan **and/or open space plan**.
- S1-81 [
 - Section 2.5.12.3, *Parameter – Acquisitions*, page 2.5-122, #3:
 - Why are acquisitions of WSAs and designated wilderness discussed here when WSAs and designated wilderness are not a part of the scope of this RMP? Does the paragraph imply in holdings within these specially designated areas?

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- S1-76 Please refer to Section 2.4.12.1 in the Proposed RMP and Final EIS for a discussion of retention. Also see response to Comment S1-75.
- S1-77 In response to your comment, this sentence has been removed as it is regulation.
- S1-78 In response to your comment, the text in Section 2.4.12.2 of the Proposed RMP and Final EIS has been revised to clarify disposal of the lands you reference.
- S1-79 Please refer to Response to Comment S1-78.
- S1-80 Please refer to Response to Comment S1-75.
- S1-81 In response to your comment, the text in Section, 2.4.12.3 of the Proposed RMP and Final EIS has been revised to clarify acquisition of inholdings within Wilderness Study Areas and designated wilderness. The management of Wilderness Study Areas and designated wilderness is within the scope of the RMP.

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| S1-82 | [| <ul style="list-style-type: none"> ▪ Section 2.5.12.4, <i>Parameter – Withdrawals</i>, page 2.5-123, #2: <ul style="list-style-type: none"> ➤ It appears that the text has omitted a significant proposed withdrawal, the Caliente to Yucca Mountain rail corridor. |
| S1-83 | [| <ul style="list-style-type: none"> ▪ Section 2.5.12.6, <i>Parameter – Communication Sites</i>, page 2.5-126, #2 and #3: <ul style="list-style-type: none"> ➤ Since BLM manages WSAs as de facto wilderness, designated wilderness AND WSAs should constitute <u>exclusion</u> areas. As currently written, WSAs would constitute avoidance areas and this is not appropriate and only leads to incremental impacts on the resource. |
| S1-84 | [| <ul style="list-style-type: none"> ▪ Section 2.5.12.6, <i>Parameter – Communication Sites</i>, page 2.5-126, #5: <ul style="list-style-type: none"> ➤ Coordination with the Department of Defense on communication towers over 100 feet should be <u>required</u>. |
| S1-85 | [| <ul style="list-style-type: none"> ▪ Section 2.5.12.7, <i>Parameter – Land Use Authorizations</i>, page 2.5-127, #1: <ul style="list-style-type: none"> ➤ Designated wilderness <u>and</u> WSAs should be exclusion areas. |
| S1-86 | [| <ul style="list-style-type: none"> ▪ Section 2.5.12.7, <i>Parameter – Land Use Authorizations</i>, page 2.5-127, #2: <ul style="list-style-type: none"> ➤ Coordination with the Department of Defense for rights-of-way equipment over 100 feet should be <u>required</u>. |
| S1-87 | [| <ul style="list-style-type: none"> ▪ Section 2.5.12.7, <i>Parameter – Land Use Authorizations</i>, page 2.5-128, <ul style="list-style-type: none"> ➤ The Alternative E discussion should include all discussion contained in Alternative B as well as the inclusion of WSAs and designated wilderness areas as exclusion areas. |
| S1-88 | [| <ul style="list-style-type: none"> <ul style="list-style-type: none"> ➤ The statement, "Where feasible, new land use authorizations would be consolidated within or located adjacent to existing authorizations" lacks a very important explanation of what exception criteria will be utilized if this scenario is NOT feasible. |
| S1-89 | [| <ul style="list-style-type: none"> <ul style="list-style-type: none"> ➤ As written, Alternative E lacks the emphasis needed to protect valuable resources and does not give the reader a sense of certainty that other resource values can be protected. |

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| S1-82 | The Caliente to Yucca Mountain rail line corridor is no longer a proposed withdrawal as it was withdrawn on December 28, 2005. |
| S1-83 | Wilderness study areas are temporary designations that are managed by the BLM in a manner so as not to impair the suitability of such areas for preservation as wilderness. According to the interim management policy for lands under wilderness review, new rights-of-way may be approved for temporary uses that satisfy the non-impairment criteria. This differentiates wilderness study areas from designated wilderness. |
| S1-84 | Please refer to Response to Comment F2-8 for a discussion of coordination with the Department of Defense on communication towers. |
| S1-85 | In response to your comment, Section 2.4.12.7 of the Proposed RMP and Final EIS has been revised to clarify the discussion of designated wilderness and Wilderness Study Areas. |
| S1-86 | Please refer to Response to Comment F2-9 for a discussion of coordination with the Department of Defense on right-of-way equipment. |
| S1-87 | Please refer to Response to Comment S1-85. |
| S1-88 | Whether consolidated with or independent of existing authorizations, all new land use authorizations are made at the discretion of the BLM Field Manager. Such decisions would be made in accordance with applicable regulations, policies, and plans. |
| S1-89 | The management actions contained in the Proposed RMP will provide for the protection of valuable resources managed by the Ely Field Office, consistent with the BLM Land Use Planning Handbook and other applicable laws, regulations, and policies. Please refer to Section 2.4 and Appendix F in the Proposed RMP and Final EIS. |

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- S1-90 [> The issuance of land use authorizations on a case-by-case basis lacks any merit unless a clear process is explained that shows how these determinations will be made in a consistent manner using defensible criteria.
- S1-91 [▪ Section 2.5.13.1, *Parameter – Wind and Solar Energy*, page 2.5-129: A discussion is needed here on the cumulative incremental impacts of these activities on the overall multiple use experience (e.g. roads, power lines, and infrastructure).
- S1-92 [> A discussion on the impacts of geothermal energy is missing from this section.
- S1-93 [> Coordination with the Department of Defense should be required.
- S1-94 [> The main paragraph of the Management Common to All Alternatives section includes the last two sentences that state *"Areas of potential renewable development have been identified based on the locations most feasible for development. However, applications for development would not necessarily be limited to those areas"*. This last sentence is cause for concern and carries over to many other sections of the Draft. Statements such as this give the appearance that all policies can be changed arbitrarily, and resources impacted based on the whim of an application that falls outside agreed upon boundaries.
- S1-95 [> What are the exception criteria utilized to determine the acceptance of applications not within the designated areas?
- S1-96 [> As written, the last sentence reduces the overall integrity of the Draft by giving the perception that all the other policies and elements are subject to change, on a case-by-case basis, depending on the receipt of an arbitrary application. There is no reader certainty and this causes distrust of the Draft.
- S1-97 [▪ Section 2.5.15.1, *Parameter – Special Recreation Management Areas*, page 2.5-138, Alternative E discussion:
> The Loneliest Highway Special Recreation Management Area is proposed to be dropped. Why? What justification? This is a consistent example of statements being made without back-up information provided for the reader to utilize to comprehend the statement and make an informed decision on support of the

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- S1-90 Applications for land use authorizations will be reviewed in the context of the regulations and the policies and plans that are in place at the time they are submitted. Please note that project-specific NEPA analysis (either an EA or EIS) would be conducted for proposed land use authorizations, as appropriate.
- S1-91 Please refer to Section 4.13 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of the impacts from the development of renewable energy. Further analysis is also included under other resource programs such as wildlife. Cumulative impacts are discussed in Section 4.28.13.
- S1-92 Please refer to Section 4.18 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of the impacts from the development of geothermal energy. Geothermal resources are managed as a leaseable mineral. Further analysis is also included under other resource programs such as wildlife.
- S1-93 Please refer to Response to Comment F2-10 for a discussion of coordination with the Department of Defense on wind energy development.
- S1-94 The Proposed RMP does not designate areas for wind and solar energy development, and the text and map titles in the Proposed RMP and Final EIS have been changed to clarify this. Changes in technology may change the potential for renewable energy development and which areas are suitable. All applications will be subject to NEPA analysis and the Wind Energy Development Program Policies and Best Management Practices published in conjunction with the Record of Decision for BLM's Final Wind Energy Development Programmatic EIS (Appendix F, Section 3, of the Ely Proposed RMP and Final EIS).
- S1-95 Please refer to Response to Comment S1-94.
- S1-96 In response to your comment, the text in Section 2.4.13 of the Proposed RMP and Final EIS has been revised to clarify the discussion of authorization of wind and solar energy projects.
- S1-97 In response to your comment, the text in Section 2.4.15.1 of the Proposed RMP and Final EIS has been revised to clarify discussion of this special recreation management area. Continuation of management is appropriate under the Proposed RMP.

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- S1-97 [alternative. BLM would avoid many questions if statements like these were not made without supporting rationale.
- S1-98 [
 - Section 2.5.22.1, *Parameter – ACECs*, page 2.5-194, Alternatives B, C and E discussions:
 - The reader is not provided any information that explains why Alternative C includes 20 new ACECs while Alternatives B and E include 18 new ACECs. A brief paragraph to support the statements would help.
- S1-99 [
 - Section 4.13, *Renewable Energy*
 - This entire section is a good example of how not to describe the different alternatives. It is almost impossible for this reader to follow and understand what unique characteristics apply to each alternative as well as what the differences are. Each alternative's discussion should include succinct bullets that describe the attributes in a manner that the reader can comprehend what is presented AND make a determination on support or opposition to the preferred alternative. **(Also refer to page 4.20-8, same readability concerns.)**
- S1-100 [
 - Section 4.23, *Economic Conditions*
 - This section lacks relevance since there is no corresponding socioeconomic goals or discussion for management direction in Section 2. This is a glaring omission in the Draft and a section should be included.
- S1-101 [
 - Section 4.28.2, *Air Quality*, page 4.28-24
 - The last section begs the question, is this really true? Are all the alternatives exactly the same?
- S1-102 [
 - Section 4.28.11, *Visual Resources*.
 - Previous comments expressing strong concern about Visual Resource Management policies apply here.
- S1-103 [
 - Section 4.28.12, *Lands and Reality*
 - The last sentence under Impacts of the Proposed Action is too weak. Co location of utility rights-of-ways is the only way to

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- S1-98 In response to your comment, the text in Section 4.22 of the Proposed RMP and Final EIS has been revised to include rationale for ACEC designations by alternative.
- S1-99 In response to your comment, the text in Section 4.13 of the Proposed RMP and Final EIS has been revised to clarify the discussion of renewable energy impacts. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- S1-100 Please refer to Response to Comment S1-51 for a discussion of socioeconomic goals and management direction.
- S1-101 In response to your comment, the text in Section 4.28.2 of the Proposed RMP and Final EIS has been revised to clarify the discussion of the difference in cumulative impacts between the Proposed RMP and Alternative D.
- S1-102 Please refer to Response to Comment S1-27 for a discussion of visual resource management policy.
- S1-103 Thank you for expressing your concerns. The co-location of utility rights-of-way is encouraged under all alternatives, except Alternative D which would allow no new rights-of-way. Please refer to Section 2.4.12 in the Proposed RMP and Final EIS.

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- S1-103 [maintain a handle on cumulative and incremental impacts to the overall resource, especially visual.
- S1-104 [
 - Section 4.28.13, *Renewable Energy*
 - Again, the last sentence under Impacts of the Proposed Action is weak and subjective. The statement does not project a confidence level to the reader.
- S1-105 [
 - What is the BLM policy for preserving the integrity of VRM Class I and II areas?
- S1-106 [
 - Can VRM Class I and II areas be degraded on a "case-by-case" basis simply due to receipt of a higher priority energy project application?
- S1-107 [
 - Existing Class I and II areas, especially the few remaining pristine valleys, need as much visual protection as possible. This is consistent with BLM's vision, is it reality?

Thank you for the opportunity to comment on the Ely District Draft RMP/EIS. If you have any questions, please feel free to contact me at 775-684-2723.

Sincerely,



Don D. Canfield III, AICP (Skip)
Senior Planner

cc: Gene A. Kolkman
BLM Ely Field Office
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- S1-104 Please refer to Response to Comment S1-94.
- S1-105 Please refer to section 2.5.11 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of visual resource management policy. The VRM classifications shown on Map 2.4-5 have been incorporated into the Proposed RMP and will be used during the life of the plan to manage visual resources. VRM management class objectives would be considered when evaluating BLM projects or private party proposals. Mitigation for potential visual resource impacts would be evaluated on a project-specific basis. VRM class objectives do not prohibit other multiple uses.
- S1-106 VRM management class objectives would be considered when evaluating BLM projects or private party proposals. Mitigation for potential visual resource impacts would be evaluated on a project-specific basis. VRM class objectives do not prohibit other multiple uses.
- S1-107 Visual resources within the Ely RMP decision area will be managed in accordance with BLM policies and guidelines, which will be considered as project-specific plans are prepared or evaluated.

Letter S2

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KENNY C. GUINN
Governor



ALLEN BIAGGI, Director

Air Pollution Control
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Facsimile 687-6396

Waste Management
Federal Facilities

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NDEP.nv.gov

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

November 23, 2005

Gene Drais, RMP Project Manager
BLM Ely Field Office
HC 33 Box 33500
Ely, NV 89301

RE: Draft Resource Management Plan:
Consideration of Public Drinking Water Sources

Dear Mr. Drais:

The Nevada Division of Environmental Protection (NDEP) has reviewed the draft Resource Management Plan / Environmental Impact Statement for the Ely District BLM Office (RMP) dated July 2005. We would like to assist with the RMP goals to restore and maintain ecologic health, and protect and prevent irreparable damage to natural systems by providing information on wells and springs in the BLM Ely District used as sources of public drinking water.

Enclosed is a map of the public drinking water sources and associated protection areas for all well and spring sources of drinking water in the BLM Ely District. This map is also provided as a pdf file on the enclosed CD ROM (Ely_Dist.pdf). Source data for the entire state is also provided on the enclosed CD as geographic information system (GIS) shape files. This data was gathered from Source Water Assessments conducted for these public water systems, and from the Wellhead Protection Plans developed by the communities of Ely, Baker, Pioche, Caliente, and Alamo located in the BLM Ely District. Please incorporate this data into the RMP to guide current and future land use adjacent to these sources to prevent chemical, physical and biological impacts. We urge the Nevada BLM and the Ely District to carefully consider, and in some cases forbid, certain land uses that occur or are planned in wellhead and spring protection areas. Where formal protection areas have not been delineated, we request that protection areas be defined by a circle with a radius of 7,000 feet around the drinking water source.

S2-1

S2-2

The value of potable sources of drinking water continues to increase in Nevada. The development of the RMP provides a great opportunity for the BLM, the State of Nevada, and public water systems to work together to protect these sources.

Responses to Letter S2

- S2-1 In response to your comment, the text in Section 2.4.3 of the Proposed RMP and Final EIS has been revised to include additional management actions for wellhead protection.
- S2-2 Thank you for your comment.

Letter S2 Continued

The data on the enclosed CD can be provided to you in a variety of forms to fit the needs of the RMP. Please contact me if I can be of further assistance with the development and implementation of the RMP, and place me on your mailing list for this project. I look forward to receiving a CD copy of the next draft of the RMP / EIS when it is completed.

Sincerely,



Nevan Kane, C.E.M
Hydrogeologist
Bureau of Water pollution Control
(775) 687-9426

cc:

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Nevada Division of Minerals
Nevada Department of Transportation
Nevada Department of Wildlife
Nevada State Historic Preservation Office
Russ Land, Groundwater Branch Supervisor, NDEP
GW Branch Reader File

Letter S3



KENNY C. GUINN
Governor

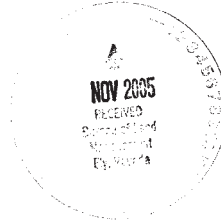
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November 18, 2005



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

RE: Comments on the Draft Resource Management Plan/Environmental Impact Statement for the Ely District

Dear Mr. Drais:

We appreciate the opportunity to review and provide comments on the subject document. There are three underlying themes that pervade this document that the Nevada Department of Wildlife has major concerns about.

Vegetation treatments will provide suitable habitat for wildlife.

S3-1

The document states that "Treated areas would result in increased herbaceous forage and cover in the short term (less than 5 years), followed by establishment of shrub vegetation in the long term (greater than 50 years)." The preferred alternative proposes to treat over 55 percent of the sagebrush vegetative community and 52 percent of the pinyon juniper vegetative community over the life of the plan (20 years). These two facts seem to indicate that the desirable vegetative state for wildlife may be anywhere from five to 50 years in development. This conversion from mature shrub communities to states where there are lesser values of cover and diversity for up to 50 years would seem to be less positive for the wildlife species which are presently dependent on these vegetative communities on public lands.

Elk are a problem and have created habitat degradation in the Ely District.

S3-2

In numerous locations noted in our specific comments, this document tries to implicate elk in particular and wildlife in general as contributors to vegetative conditions that are problematic in the Ely District. We strongly disagree with this assertion. We know of no examples where elk have influenced vegetated conditions to the degree that livestock and wild horse use have. We continue to submit that if elk or wildlife can be documented generating conditions that lead to habitat degradation, we would use any and all the management tools available to the Department to resolve the problem. No such documentation has been forthcoming to date. Small minor use issues have been resolved

Responses to Letter S3

S3-1

The commenter assumes that all proposed treatments would occur within a 20-year time span. This is incorrect, and the Draft RMP and EIS pointed out that treatments would continue over several decades, as opposed to a shorter, fixed time period. Neither the Draft RMP and EIS nor the Proposed RMP and Final EIS identify a specific time frame for treating all subject areas. Rate of treatment application would be affected by several factors, including funding availability. The Ely RMP also emphasizes that the treatments would occur within individual watersheds or portions thereof rather than as huge consolidated blocks encompassing numerous watersheds. Thus, at any given time during the treatments, the overall planning area would include a mosaic of sagebrush and pinyon-juniper communities in various states and phases including abundant untreated areas.

S3-2

In response to your comment, the text in Section 2.5.6.6 and 4.6.2 of the Proposed RMP and Final EIS has been revised to clarify the discussion of the effects of elk on habitat within the Ely RMP planning area.

Letter S3 Continued

S3-2 [on private lands to resolve complaints regarding wildlife use as they are brought to our attention but we reiterate, there have been no examples on public land for us to respond to.

S3-3 [Performance based grazing is a suitable management alternative

We are concerned that this type of management would not provide adequate monitoring to protect ecological health and would not be responsive enough to meet the management focus of the Ely District of the BLM in restoring and maintaining healthy ecological systems in the watersheds. We believe this type of management requires a high level of participation by both the permittee and the BLM field personnel tasked with ensuring actions on public land do not degrade the lands. We are unsure if this level of participation is attainable. We are concerned that putting the determination of appropriate use levels in the hands of the permittees will provide the level of management expertise to ensure that the ecological health of the vegetative communities is the ultimate goal of the grazing decisions.

We have the following specific comments on the document.

Chapter 2 –

S3-4 [2.5-7.1. Who defines what the desirable non-native species to be used in restoration are?

S3-5 [2.5-12.1. The analysis had not taken into account the impact of treatments on sagebrush obligate species and the length of time that these species will be impacted. With potentially hundreds of thousands of acres treated within the near future, we see an over emphasis on the goal of achieving an herbaceous state and not much emphasis on creating states which benefit a greater variety of wildlife species.

S3-6 [2.5-18. Alt. A. We need clarification on the issue of utilizing grazing management to benefit aspen. It is our experience that the only benefit to aspen in terms of grazing management would be to minimize or eliminate ungulate use. When we utilize grazing management as a tool, will we see more or less grazing. In a recent publication concerning aspen on BLM managed lands in the Elko District, Dr. Charles Kay cites a study by Borman et al. 1999 and states, “To reverse the decline of aspen on BLM administered lands in north-central Nevada it will be necessary to more closely manage livestock. Depending on site-specific conditions, it may be necessary to fence some aspen stands, if those clones are to survive. In other areas, season-of-use changes may be sufficient to restore aspen. Year-long or season long grazing is particularly detrimental to aspen, while early-season or dormant-season use may allow aspen to successfully regenerate. That is to say, the timing of grazing can be more important than the intensity.”

Responses to Letter S3

S3-3 Reference to Performance Based Grazing has been removed as a Parameter or a management action in the Proposed RMP. Flexibility associated with livestock grazing is allowed in the current grazing regulations at 43 CFR Part 4100 and is specifically addressed under allotment management plans. Flexibility will continue to be addressed on a site-specific basis. Allotment compliance will continue and will be prioritized based on criteria to include resource issues and operator performance capabilities.

S3-4 No reference is found in the Draft RMP and EIS to “desirable non-native species to be used in restoration” at either Section 2.5.7.1 or in the first paragraph on page 2.5-7. However, appropriate species (native and non-native) to be seeded in conjunction with vegetation treatments of a given watershed would be selected by BLM specialists and managers to meet resource objectives.

S3-5 This comment implies that NDOW believes that the sagebrush communities currently outside the desired range of conditions, as described in Section 2.4.5.6, are essential to sagebrush obligate species and more valuable to a greater variety of wildlife species than would be these same areas if treated to be within the described desired range of conditions. The Ely Field Office will continue to work with NDOW in selection of specific treatments for individual watersheds, including site-specific objectives for a range of wildlife species. It is also important to bear in mind that treatments will occur over several decades, not a few years. In response to your comment and similar comments, the impact analysis has been clarified as to the effects of vegetation treatment on wildlife.

S3-6 In response to your comment, the text of Section 2.4.5.3 of the Proposed RMP and Final EIS has been revised. Grazing management (including reduction or total elimination of grazing) is a viable management tool.

Letter S3 Continued

S3-7	2.5-19 Alt C. Document states that aspen regeneration would be protected by allowing grazing and harvest to occur outside the growing season. Can grazing be controlled to the point that this goal can be met? Is this control realistic? Is this grazing strategy consistent with the physiologic needs of aspen? Unlike grasses, non-growing season use during periods when herbaceous forage is phenologically less palatable is likely to be concentrated on shrubs and tree species. Excessive use, even outside of the growing season, can result in detrimental effects on aspen regeneration.
S3-8	2.5-31 Alt B. We question the need to treat over half the sagebrush communities within the Ely District to achieve a thriving ecological condition. Again, the amount of treatment within this vegetative type will have a direct negative impact on sagebrush obligate species. The time lag with develops between achieving a herbaceous state and regaining the shrubby state can potentially impact a myriad of wildlife species for years. Methods of treatment, goals for treatment, and species seeded will ultimately determine whether these treatments and the level of treatment prove to be problematic for wildlife.
S3-9	2.5-36. Alt C. We question the desire to treat 75% of the sagebrush community even under this commodity alternative. How can we meet goals and direction for sagebrush obligate species at this level of treatment? How can we include an alternative that sets goals which contradict goals and objectives already established., i.e. maintain elements of sage grouse guidelines?
S3-10	2.5-43. Resource use (livestock grazing) would be utilized to maintain desert vegetation. How would this be accomplished? We realistically do not think that this is possible? This comment would also pertain to Alt. E, the preferred alternative.
S3-11	2.5-46. Desired future condition for non-native seedings. We question the multiple use resource values of non native seedings. Maintenance of these seedings and their herbaceous component into the future will not benefit wildlife. These seedings are single use treatments which will directly benefit livestock resources with minimal to no benefits to most wildlife species.
S3-12	2.5-48. What vegetative species are resistant to grazing? We think that these seedings should be managed to the extent that the herbaceous component will not be lost in the long term. Are we just trying to justify the use of exotic wheat grasses? Can we emphasize management of non-native seedings to attain a functional shrub overstory while maintaining healthy understory characteristics?
S3-13	Alternatives and levels of treatment. What methods would be used to achieve this level of treatment?
S3-14	2.5-50. Mule deer and antelope populations have fluctuated due to climatic conditions also.

Responses to Letter S3

S3-7	In response to your comment, the text of Section 2.4.5.3 of the Proposed RMP and Final EIS has been revised. Grazing management (including reduction or total elimination of grazing) is a viable management tool.
S3-8	The desired range of conditions explained in Section 2.4.5 of the Proposed RMP and Final EIS addresses the composition of plant communities and their various states desired across the landscape. Sagebrush obligate species habitat needs were considered as part of this desired range. The Ely Field Office is assessing and evaluating vegetation condition through watershed analyses to determine if rangeland health standards are being achieved. Resultant implementation strategies and site-specific management actions will consider the current uses in the watershed that will help achieve land health standards. Meeting sagebrush obligate species habitat needs is part of meeting the land health standards.
S3-9	Alternative C looks at the maximum level of sagebrush treatment. While this level of treatment would not be acceptable to all users, the alternative does present a range of approaches for analysis purposes. The goals for sagebrush obligate species would still have to be met, specifically during mid-level (watershed) analyses and site-specific implementation. Alternative C would still have the directive to assure that the rangeland health standards are met.
S3-10	In response to this and related comments regarding vegetation management in the Mojave Desert and to changes in vegetation conditions that occurred as a result of the South Desert Complex Fires of 2005, Section 2.4.5.8 in the Proposed RMP and Final EIS has been substantially revised. Please see the revised text of this section describing proposed management of the Mojave ecosystem.
S3-11	Thank you for expressing your concerns regarding the value of non-native seedings for wildlife. Ely Field Office personnel have frequently observed elk using various non-native seedings.
S3-12	In response to your comment, the text of Section 2.4.5.10 under Alternative A has been revised in the Proposed RMP and Final EIS to omit the term "resistant to grazing." The commenter's suggestions regarding recommended management are more appropriately directed to alternatives other than current management (Alternative A). The Proposed RMP and Alternative B generally tend to address the objectives expressed in this comment.
S3-13	Please refer to Appendix H - Tools and Techniques in the Proposed RMP and Final EIS for discussion of the methods (tools) that could be used in the vegetation treatments.
S3-14	The text in this paragraph of Section 2.5.6 was removed. Section 3.6 acknowledges the fact that climatic conditions affect wildlife populations. The basic impact conclusions present in the Draft RMP and EIS have not changed.

Letter S3 Continued

S3-15	2.5-54. Alt. E would be a more appropriate wildlife alternative for Alt. B. Current language in Alt. B is a preservationist approach. We would recommend that discussion language provided in Alt. E. be duplicated for Alt. B.
S3-16	2.5-57. Throughout this document we continue to reference the White Pine and Lincoln elk technical review teams. It would be more appropriate to site the specific management documents. These teams are not permanent management entities that will exist forever. As a matter of BLM policy and regulation this plan needs to adopt all State plans to the maximum extent consistent with federal law.
S3-17	We have concerns with the management and development criteria as presented. We are unsure as to what process the Bureau would be employed to determine whether competition is occurring and whether competition between wildlife species falls under BLM jurisdiction.
S3-18	2.5-60. Alt A. Elk are an indigenous species. The statewide Elk Species Management Plan considers elk as indigenous. There should be no question as to elk's indigenous nature and this document should reflect this. We have attached a document that has 39 references to historic elk sightings in Nevada. Additionally, plans cannot monitor, plans only provide guidance for monitoring. This approach is contradicted on page 61.
S3-19	2.5-61. "Elk habitat management objectives would be developed to support elk, but only at the level where they naturally and historically occurred." How would the natural, preexisting population level be defined and who would define it? This is the role of the State and the process is the Elk Management sub-plans which should be adopted by the BLM land use plans.
S3-20	Under Alt. C. additional forage would be allocated to livestock. Under this commodity alternative it may make some sense to allocated forage for elk based on the significant economic gains which could be made due to increased allocation of elk permits. Rural communities make a tremendous amount of money from hunting related activities. In a fairly recent document (1994) which analyzes federal land policies and the economy of Elko County, data suggests that outdoor recreation provides twice as much income to the county as does agriculture (see attached document, Federal Land Policies and the Economy of Elko County, Final Report, Western Economic Analysis Center, 1994, Table 32, page 91. Additionally, based on a USFWS analysis of expenditures in 1991 relative to fishing, hunting, and wildlife-associated recreation, hunters alone in Nevada spent over \$65 million. During the 2005 big game seasons, 15% of all resident antelope tags, 18% of all resident deer tags, and 68% of all resident elk tags sold were associated with hunt units encompassed within the Ely BLM District. Revenue generated from big game hunting activities within the District alone is substantial and may surpass agricultural generated revenues. We will be sending a copy of that document to the BLM for your information.
S3-21	

Responses to Letter S3

S3-15	A range of alternatives was presented and analyzed in the Draft RMP and EIS and Proposed RMP and Final EIS. Each alternative had a different management emphasis, based on comments received during scoping and the needs/desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes.
S3-16	In response to your comment, the text references to the White Pine and Lincoln elk technical review teams have been modified, where practical, to cite the specific management documents.
S3-17	In response to your comment, the text in Section 2.4.6.4 of the Proposed RMP and Final EIS has been revised to clarify the discussion of big game habitat management for increased game species distribution and densities.
S3-18	In response to your comment, the text in this paragraph of Section 3.6.2 and other sections of the document have been revised to acknowledge the fact that elk is an indigenous species.
S3-19	In response to this and similar comments, the text in Chapters 2 and 4 related to elk management has been revised to clarify that habitat management for this species (under the Proposed RMP and Alternatives B and C) would be consistent with the county elk management plans. It should be noted that the BLM through its land use plans must make decisions about introductions, transplants, or reestablishments of wildlife. It is Bureau policy (1745- Introduction, Transplant, Augmentation, and Reestablishment of Fish Wildlife, and Plants) that releases must be in conformance with approved land use plans. Please note that the Elk Management sub-plans must be in conformance with the approved land use plan. BLM can not just adopt these plans. The BLM and the State will coordinate in establishing habitat, population, and desired plant community objectives. This process is covered in Supplement No. 3 of MOU between NDOW and BLM.
S3-20	A range of alternatives was presented and analyzed in the Draft RMP and EIS and Proposed RMP and Final EIS. Each alternative had a different management emphasis, based on comments received during scoping and the needs/desires of various public land users. While not all management actions would be acceptable to all users, the alternatives do contain a range of approaches for analysis purposes. Please refer to Response to Comment S3-20 for a discussion of the economic contributions of elk hunting.
S3-21	Thank you for your comment. The Ely Field Office is aware of the economic contributions of big game hunting to the local economy, devoting a separate sub-section to the subject in Section 3.23. That discussion was prepared in consultation with NDOW, relying upon information contained in the 2001 National Survey of Fishing, Hunting and Wildlife-related Expenditures, an analysis of big game license sales in 2002-2003, and information about guiding and outfitting obtained from NDOW. While the specific levels of activities may vary from year-to-year, the portrayal of activity in the draft is reasonable and appropriate. The comment requires no changes in the discussion, analysis, or conclusions.

Letter S3 Continued

S3-22	2.5-62. We reiterate that fact that elk are considered indigenous by the State of Nevada. If additional forage is created through treatment work, elk as well as other wildlife species should be provided an adequate portion of the forage allocation. The document indicates that BLM will initiate a study to determine intra-inter specific competition between species. We question whether this is BLM's role? From a scientific perspective, two years of study in such a broad category is unrealistic.
S3-23	
S3-24	Remove reference to elk technical review teams.
S3-25	We have yet to see or determine competition between ungulate wildlife species in Nevada. This preoccupation with competition pervades the document. It is our impression that the nature of this focus is anti elk and attempts to lay the ground work for less elk within the District or minimizing expansion opportunities for elk within the District.
S3-26	2.5-62. Wildlife population management is a State responsibility. The decision to augment or reestablish an indigenous wildlife population such as bighorn sheep is not a BLM decision. In addition it is the BLM wildlife program direction to cooperate with the State in the re-establishment of native species into their historically occupied habitats.
S3-27	2.5-64. What are wildlife use records? NDOW does not monitor vegetative use by wildlife on a consistent, regular basis.
S3-28	2.5-73. Again, wildlife population management is a State responsibility. The decision where desert bighorn sheep would be maintained is not a BLM call. The plan should clearly recognize these roles and responsibilities and adopt the State plans to the maximum extent consistent with federal law. To our knowledge there is nothing in our plans that conflicts with any federal law.
S3-29	2.5-73. Throughout the document, Alt. E. makes an exception to management of existing protective measures for bighorn sheep in that topographic features would prevent physical contact between bighorn and domestic sheep. We are unaware of any topographic features or physical barriers that could not be negotiated by either wild or domestic sheep. BLM needs to adopt in full the guidelines developed in cooperation with the livestock industry, several western state wildlife agencies and agricultural agencies, private and state veterinarians, BLM etc.
S3-30	2.5-74. Alt. B commits NDOW to an activity for which we may not be able to appropriate resources to.
S3-31	2.5-77. We question whether sage grouse should be the indicator for management of healthy sagebrush communities. It is apparent that sage grouse populations can be maintained in areas where existing conditions are less than desirable.

Responses to Letter S3

S3-22	In response to your comment, the text in this paragraph of Section 3.6.2 in the Proposed RMP and Final EIS and other sections of the document have been revised to acknowledge the fact that elk is an indigenous species. Text has also been revised in Section 2.4.6.4 to clarify that forage is available for but not allocated to wildlife.
S3-23	In response to your comment, the text in Section 2.4.23 of the Proposed RMP and Final EIS has been revised to clarify the discussion of the Nevada Department of Wildlife vs. BLM role in big game management, big game habitat management for increased game species distribution and densities, and the time required to study wildlife interactions and impacts.
S3-24	In response to your comment, the text in Section 2.4.6.4 of the Proposed RMP and Final EIS has been revised to remove the reference to elk technical review teams.
S3-25	The management actions presented in the Proposed RMP are not anti-elk and are not based on competition between ungulate species.
S3-26	Please refer to the Introduction to Section 2.4.6 and 2.4.23 in the Proposed RMP and Final EIS for a discussion of the Nevada Department of Wildlife's and BLM's roles in wildlife habitat and population management. Also, please refer to Response to Comment S3-19 for a discussion wildlife population management.
S3-27	In response to your comment, the text in Section 2.4.6 and 2.4.23 of the Proposed RMP and Final EIS has been revised to clarify the discussion of vegetation use by wildlife.
S3-28	Please refer to the Introduction to Section 2.6 in the Proposed RMP and Final EIS for a discussion of the Nevada Department of Wildlife's and BLM's roles in wildlife habitat and population management. Text has also been added to Section 2.4.6.4 regarding management direction for bighorn sheep. Also, please refer to Response to Comment S3-19 for a discussion wildlife population management.
S3-29	Thank you for your opinion. Sections 2.4.6.3 and Section 2.4.16 of the Proposed RMP and Final EIS have been revised to clarify that when changes to BLM grazing permits are being considered within occupied habitat for desert bighorn or Rocky Mountain bighorn sheep, domestic sheep and goats would be managed in accordance with current BLM guidelines at that time. The way the current BLM guidelines read, if a topographic feature or physical barrier would not prevent physical contact, the entire 9-mile buffer would be applied.
S3-30	Alternative B commits BLM, not NDOW, to conduct western burrowing owl surveys in cooperation with NDOW. The absence of NDOW's cooperation, if they are unavailable to commit the resources to cooperate, would be regrettable but would not affect the impact analysis for this alternative.
S3-31	In response to your comment, the text in Section 4.7.1 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of sage -grouse as an "umbrella" species. The basic impact conclusions presented in the Draft RMP and EIS have not changed.

Letter S3 Continued

S3-32	2.5-118. The document states that a 40 acres parcel would be disposed of through direct sale under Alt. B. We question the provided location and the reason for this disposal.
S3-33	2.5-119. We question the benefit to the American public of disposing of 7,800 acres to private interests to promote a horse preserve. There are public access and wildlife management issues related to this proposed disposal. Currently this allotment is utilized quite extensively by the general public. This disposal is contrary to criteria provided on 2.5-121.
S3-34	2.5-122. While most of this plan deals in broad management and generalities, the section on land disposals requires more detail. It is impossible to ascertain specific locations identified on the maps. We are unable to assess the value of these parcels to wildlife and the potential impacts of development. This plan should not obligate the disposal of any lands without a more detailed analysis of the impacts.
S3-35	2.5-127. The Department recommends that utility corridors be consolidated. Due to the significant changes since the completion of the SWIP EIS, it would be appropriate to require an updated analysis of this project. The corridor identified in the Lincoln County Conservation, Recreation, and Development Act of 2004, and the SWIP alignment should follow the eastern alignment shown on Map 2.4-22. Such a move would reduce impacts on all resources through Steptoe, Jakes and White River Valleys.
S3-36	2.5-134. The Department of Wildlife is concerned that both casual and competitive uses by OHVs in the Ely District are already hampering use of some existing roads and trails. Use of current roads for increased casual use by OHVs and for competitive events damage those roads and influence access to the public lands by the broad spectrum of the public. Dips, undulations and ruts caused by these uses must be repaired, or OHVs should be restricted to only certain roads.
S3-37	2.5-143. Alt. C. We have significant concerns relative to performance based grazing. We are unsure that performance based grazing will provide the tools necessary to promote the maintenance or enhancement of habitats on public lands in perpetuity. It still remains the BLM's responsibility to ensure that public lands are managed to restore and maintain ecological health.
S3-38	2.5-146. The Department of Wildlife does not advocate the elimination of permits for domestic sheep grazing in the Ely District. We, however, support the purchase of domestic sheep grazing privileges and conversions from sheep to cattle by willing permittees. We also support the Bureau's 9 mile buffer between wild sheep and domestic sheep.
S3-39	We do request that the section stating "except where topographical features or other barriers prevent physical contact" in Alternative E be stricken. We are

Responses to Letter S3

S3-32	In response to your comment, the text in Section 2.4.12.2 of the Proposed RMP and Final EIS has been revised to clarify the disposal of this specific parcel.
S3-33	Aliquot parts of the Haypress Allotment have been identified in the Proposed RMP for potential disposal but not specifically for a wild horse preserve. Any disposal would be in accordance with the Lincoln County Conservation, Recreation, and Development Act, would be a public process, and would be analyzed in accordance with the National Environmental Policy Act.
S3-34	The RMP would not obligate the disposal of any lands. It merely identifies where the disposal of public lands would be considered by the Ely Field Office. If and when an application to obtain lands identified for disposal is received, a more detailed analysis of the parcel(s) involved would be conducted, looking at concerns such as wildlife habitat. The appropriate NEPA review would be conducted prior to any land disposal. Please note that the land disposal maps and the legal descriptions in Appendix I of the Proposed RMP and Final EIS have been updated.
S3-35	The Proposed RMP has retained the SWIP corridor in response to public demand for energy and the Western Energy Corridor Study EIS.
S3-36	Please refer to Section 4.14 in the Proposed RMP and Final EIS for a discussion of the effects of OHV use on roads.
S3-37	Please refer to Response to Comment S3-3 for a discussion of performance based grazing.
S3-38	The Ely Field Office is not proposing to eliminate grazing permits. The management action in the Proposed RMP and Final EIS would restrict the kind of livestock that could be grazed in the buffer area when changes are considered to grazing permits within occupied bighorn sheep habitat, which is consistent with current BLM policy. Conversions from sheep grazing to cattle grazing would be decisions made by the permit holder and evaluated by the Field Office on a case-by-case basis. Forage availability, rangeland health, stocking rates, and season of use are all considered when evaluating conversion from one kind of livestock to another.
S3-39	Thank you for expressing your concerns regarding the wording regarding bighorn sheep and domestic sheep interactions. The specific wording in question has been taken directly from BLM Washington Office Instruction Memorandum No-98-140 and is being retained in the Proposed RMP and Final EIS.

Letter S3 Continued

- S3-39 [unaware of any such feature or barrier in the Ely District which could not be negotiated by either wild or domestic sheep.
- S3-40 [2.5-185. In a commodity alternative consideration should be given to allocating additional forage to wildlife, including elk, due to the economic benefit to local communities from increased tag sales within the Ely District.
- S3-41 [2.5-186. The Department of Wildlife has cooperated in fire planning in the past with mix results. Identified valuable wildlife habitat has been allowed to burn, while full fire suppression has been implemented in areas designated for "few constraints."
- Chapter 3
- S3-42 [3.5-5. Crested wheat provides little benefit to wildlife species. In addition it has the ability to dominate sites and preclude reoccupation by native species.
- S3-43 [We question the percent breakdown between states relative to nonnative seedings. It is our view that the 80% attributed to the shrubby state is misleading. We see only minimal reoccupation of old crested wheat seeding by sagebrush in many locations such as South Steptoe and Butte valleys.
- S3-44 [3.5-6. When talking about the extent of PJ woodland, does the 31% figure include both historic PJ woodland sites and areas of PJ expansion sites? Clear distinction should be made between encroaching PJ communities resulting from man's intervention and past management and True PJ woodlands. The suite of wildlife species associated with the true woodland is significant and we can ill afford additional efforts to federally list these species as result of not paying strict attention to these differences.
- S3-45 [3.5-7. 4th paragraph. Exclude last two words (and elk) and insert 'and wild ungulates.'
- S3-46 [3.6-2 Table identifying game fish resources in the District is greatly in error. NDOW provided revised information earlier. This information is not provided in this iteration. Please note the following changes.
- Bassett Lake – Remove rainbow trout and brown trout
Big Springs Creek – Remove the stream altogether – no game fish in Big Springs Creek
Comins Lake – Remove brook trout and add northern pike and largemouth bass
Hampton Creek – Remove rainbow trout
Huntington Creek – Remove rainbow trout
Snake Creek – Add Bonneville cutthroat trout
Tailings Creek – Remove rainbow trout and brown trout and add northern pike
Baker Creek – Remove rainbow x cutthroat hybrid

Responses to Letter S3

- S3-40 In response to your comment, the text in Section 2.4.6.4 of the Proposed RMP and Final EIS has been revised to clarify that while additional forage is allocated to livestock, additional forage would also be available for but not allocated to wildlife.
- S3-41 The Nevada Department of Wildlife has played a critical role in the past during fire management planning, particularly in the Ely RMP planning area. The Ely Field Office looks forward to continuing to work with NDOW as plans are revised or developed. Current fire plans allow for flexibility in management decisions of all areas during any given year. Some areas that might benefit from fire use may not be in prescription during any given year due to drought, and thus fires may be suppressed. Other areas that are in prescription may be suppressed due to lack of available resources to manage the fire. Many of the fire management polygons are large in nature. In some full suppression polygons, there may be areas where fire would be beneficial, and the Ely Field Office may manage a fire for resource benefits. Conversely, in areas that have very few constraints, there may be areas, which due to cheatgrass or other issues, the best decision would be suppression. Fire plans are developed to allow flexibility in their implementation and to ensure that site-specific evaluations, from year to year, are addressed during the management of fires.
- S3-42 Thank you for your comment. Crested wheatgrass seedings do provide a benefit to wildlife, especially elk which use these seedings yearlong. In addition, mule deer will use crested wheatgrass seeding in the spring, because crested wheatgrass is usually one of the first plants to green-up.
- S3-43 In response to your comment, the text in Section 2.4.5.10 of the Proposed RMP and Final EIS has been revised to clarify the discussion of non-native seedings. The Ely Field Office would manage for the cyclic return of sagebrush in the non-native seedings until 65 percent herbaceous state is accomplished, plus or minus 5 percent.
- S3-44 As emphasized at various locations throughout the text, the discussion of pinyon-juniper woodlands focuses on true woodland sites (as defined by soil characteristics) rather than on areas of pinyon and juniper invasion into sagebrush sites.
- S3-45 In response to your comment, the text in Section 3.5.16 of the Draft RMP/ EIS has been revised in the Proposed RMP and Final EIS to replace the word "elk" with "wild ungulates."
- S3-46 In response to your comment, Table 3.6-1 in the Proposed RMP and Final EIS has been revised in accordance with the corrections you provided.

Letter S3 Continued

S3-47	3.6-5.1. Current Management. NDOW works with BLM to provide optimal habitat for fish species.
S3-48	3.6-5.2. Mountain goats are at the present time not known to be full time residents within the Ely District.
S3-49	3.6-5.3. Elk currently occupy low elevation habitat. Rocky Mountain elk as an indigenous species were REINTRODUCED to White Pine County. Release figures for antelope represent statewide totals and are not specific to White Pine, Lincoln, and Nye counties. Crested wheat grass is not an important forage species for antelope.
S3-50	3.6-6. Bighorn sheep (not Desert Bighorn) occupied habitats in all 17 counties in Nevada. NDOW has made no releases of Desert Bighorn in the Pahrangat Range in the Ely District, although it was proposed at one time. The USFWS did release sheep from a pen at the southern tip of the range in 1991, but the purpose was for a noise disturbance study funded by the Air Force.
S3-51	3.6-7. Sightings of mountain goats on BLM administered lands in the Ely District are limited and we know of no consistent yearlong use. APHIS's interaction in management of mountain lions within the state is specific to livestock depredation or wildlife management direction from NDOW. The description for the mountain lion is weak. A more complete description is provided in NDOW's Comprehensive Mountain Lion Species Management Plan. Blacktailed jackrabbits are not a small game species. Rio Grande and Merriams subspecies have been introduced to the District. Chukar distribution includes low to upper elevations of mountain ranges within the District.
S3-52	3.6-8. Rather than listing just a few of the wildlife species which occupy the District, NDOW would have an entire wildlife species for the District. This could be provided in an appendix.
S3-53	3.6-9. Elk. No current population objectives have been established in Unit 24. Deer. Current mule deer population levels remain above historic levels. Within the Ely District mule deer have experienced recent (last 10 years) declining trends through the District. This is consistent across the West. Pronghorn currently remain well below historic levels within the Ely District. Improved habitat conditions of late are currently allowing for population increases throughout the District.
S3-54	3.6-10. NDOW currently has small game trend data. Additionally, non game trend data is available, however, limited to specific species. Current Management. First paragraph, second sentence is confusing. NDOW manages wildlife populations,

Responses to Letter S3

S3-47	In response to your comment, the text in Section 3.6.1 (Current Management) of the Proposed RMP and Final EIS has been revised to insert the words "to provide optimal habitat for fish species."
S3-48	In response to your comment, the text in Section 3.6.2 (Existing Conditions) of the Proposed RMP and Final EIS (see page 3.6-9, paragraph 2 of the Draft RMP and EIS) has been revised to clarify that mountain goats are at present not known to be full time residents within the Ely RMP planning area.
S3-49	In response to your comment, the text in this paragraph of Section 3.6.2 of the Proposed RMP and Final EIS and other sections of the document has been revised to acknowledge the fact that elk is an indigenous species. crested wheat grass is acknowledged as an important forage for antelope, however sagebrush is the primary forage source.
S3-50	In response to your comment, the text in this paragraph of Section 3.6.2 of the Proposed RMP and Final EIS has been revised to incorporate the corrections identified in your comment.
S3-51	In response to your comment, the text in these paragraphs of Section 3.6.2 in the Proposed RMP and Final EIS has been revised to incorporate your clarifications regarding mountain goats, mountain lion control by APHIS, the status of blacktailed jackrabbits, the introduction of Merriam's turkeys, and the distribution of chukars. The basic impact conclusions present in the Draft RMP and EIS have not changed.
S3-52	NEPA regulations direct federal agencies during their preparation of an EIS to reduce the "accumulation of extraneous background data" [40 CFR 1500.2(b)]. Thus, the BLM is not required to collect all potentially useful data before proceeding with the preparation of an EIS. However, where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The data that is requested in this comment is more detailed than that required to prepare an RMP/EIS for the Ely planning area.
S3-53	In response to your comment, the text in these paragraphs (Species Trends) of Section 3.6.2 of the Proposed RMP and Final EIS has been revised to incorporate some of your clarifications regarding elk population objectives, mule deer trends, and pronghorn trends.
S3-54	In response to your comment, the text in these paragraphs (Small Game and Non-game Trends and Current Management) of Section 3.6.2 in the Proposed RMP and Final EIS has been revised to clarify the discussion of small game and non-game trends and to incorporate your clarifications regarding BLM and NDOW roles relative to habitat and wildlife management, the relationships of county and statewide elk plans, and the correct citations for the bighorn sheep management plans. Also, please refer to Response to Comment S3-19 for a discussion wildlife population management.

Letter S3 Continued

S3-54	BLM manages habitat. NDOW makes recommendation to BLM relative to managing habitat for wildlife species. Need a discussion on current roles and responsibilities for the agencies. Second paragraph. Management guidelines and objectives for elk management within the District are presented, in general, in the Statewide Elk Species Management and more specifically in the White Pine County and Lincoln County Elk Management Plans. The county management plans present short and long term management actions and strategies that are designed to meet the requirements of an elk management sub plan as referenced the Statewide Elk Plan and Assembly Concurrent Resolution No. 46. Third paragraph. The document attributes three of the four habitat management plans to the Nevada Department of Wildlife. All four are BLM documents. A more recent document is available relative to management of bighorn sheep in Nevada (NDOW Bighorn Sheep Management Plan-2001).
S3-55	3.7-7. Fish. A sucker is referenced here. No specific species is noted. Need to check NDOW data base relative to recent/historic Spotted Frog distribution. Some baseline data for spring snails, at least for Steptoe Valley, may be available through the White Pine Energy Station Project. Additionally, Don Sada may have more current information on spring snails within the District.
S3-56	3.7-11. Need to check NDOW data base for information relative to bald eagle sightings. In Nevada, numerous other tree species are utilized as roosting habitat, therefore, roosting habitat is not limited to 22,000 acres of riparian habitat within the District.
S3-57	3.7-12. The current description of trend for federally petitioned species and BLM sensitive species is weak at best. Description does not mirror the mass of data available relative to sage grouse.
S3-58	Note: NDOW has recently completed the Nevada Comprehensive Wildlife Conservation Strategy. This plan has been accepted by the USFWS and Department of Interior. Recent commitments from the Secretary of Interior that these plans will be incorporated into federal land use plans should be recognized. It is our strong recommendation that this plan be integrated into this RMP.
S3-59	3.8-2. First paragraph under trends. Wild horse population approximately 2,000. Need to provide point in time for this estimate (i.e. 2004?). Second paragraph. Since 1973 horses have not been harvested but captured? Third paragraph. Has Congress not again amended the 1971 Act again to change how the BLM facilitates the sale of horse since the fall of 2004? Fourth paragraph. Has the immunocontraceptive provided horses on the Ely District been successful?
S3-60	
S3-61	3.9-5. Trends. Degradation of cultural sites is increasing not because of population increases in the State, but because more people are recreating on public lands.

Responses to Letter S3

S3-55	In response to your comment, the text in Section 3.7.2 of the Proposed RMP and Final EIS has been revised to clarify the species that are discussed. In addition, a reference has been added to direct the reader to Appendix E for a list of special status species occurrence by county.
S3-56	In response to your comment, the text in Section 3.7.3 of the Proposed RMP and Final EIS has been modified to address an array of roosting habitats.
S3-57	Thank you for your comment. The text is adequate for the intended purpose of providing a planning-level overview of sage-grouse trends.
S3-58	In response to your comment, the text at the beginning of Section 2.4.6 under "Introduction" of the Proposed RMP and Final EIS has been revised to clarify how the Ely Field Office would work with the Nevada Department of Wildlife to implement the goals, objectives, and actions outlined in the Nevada Comprehensive Wildlife Conservation Strategy.
S3-59	In response to your comment, the text in Section 3.8.2 of the Proposed RMP and Final EIS has been revised to clarify that sale authority is valid unless the authority is revoked.
S3-60	The status of immunocontraception for population control within wild horse herds within the Ely RMP decision area has not changed since the Draft RMP and EIS was released. The evaluation of effectiveness remains in the research phase.
S3-61	In response to your comment, the text in Section 3.9.2 has been revised to clarify the discussion of degradation trends.

Letter S3 Continued

- S3-62 [3.12-4. Right-of-Way. Is the ROW for the White Pine Energy Station identified in this document? The description of existing Falcon-Gondor ROW widths is in error – 160 feet? Is it not .5 mile? The description of the Southwest Intertie Project is completely in error.
- S3-63 [3.13-1. Biomass Utilization. Once a biomass industry in place, will we be able to maintain a constant supply of wood? At what point would the need to fund the biomass industry overtake the goal to restore watersheds?
- S3-64 [3.13-2. Discussion of current conditions concerning wind energy/trends/current management is not up to date.
- S3-65 [3.14-3. Discussion of current management concerning travel management and OHV use is not up to date. Discussion does not give a total picture of how the District is moving concerning travel management with or without the RMP revision (i.e. we are currently moving forward with some OHV trail designation, etc). Recommend an emphasis on cumulative effects section here specifically relative to impacts on the State of Nevada wildlife resources.
- S3-66 [3.16-4. Did not the BLM do away with suspended AUMs?
- S3-67 [3.16-7. Great Basin Area and the Mojave-Southern Great Basin Area RAC guidelines?
- S3-68 [3.16-9. Middle paragraph. #2. restoration activities that including rangeland seedings following fire
- S3-69 [3.16-10. What seedings have the Ely District developed that benefit wildlife? Are we talking about crested wheat seedings? We also disagree with the idea that 206,000+ acres of seeding have been developed to benefit other resources. The fact is that the majority of crested wheat grass seeding which have been developed in the Ely District we completed in the 1950s-1970s to provide forage for livestock.
- S3-70 [3.18-7. We are not aware of any oil or natural gas fields in central Elko County.
- S3-71 [3.20-3. Trends. Is not Nevada Division of Forestry an important entity in initial attack in the Ely District?
- S3-72 [3.20-9. Noxious weed control is large issue relative to fire rehabilitation and restoration. It is not mentioned in this discussion.
- S3-73 [3.22-5. First paragraph. There is no discussion concerning the pending White Pine County Lands Bill in this document. This legislation will have significant implications concerning wilderness, land disposal, OHV route designation, etc.

Responses to Letter S3

- S3-62 The NEPA review for the White Pine Energy Station has not been completed, and no right-of-way has been issued. The information presented for the Falcon to Gondor right-of-way is correct as written. The right-of-way is 160 feet wide, while the corridor within which it is located is 0.5 mile wide. The description of the Southwest Intertie Project has been updated in the Proposed RMP and Final EIS.
- S3-63 Please refer to Sections 2.4.17.2 and 3.17.1 in the Proposed RMP and Final EIS for discussions of fuelwood management and fuelwood supplies in the Ely RMP decision area. Also in response to your comment, the text in Section 4.13 of the Proposed RMP and Final EIS has been expanded to address the effects of vegetation treatment management actions on biomass utilization.
- S3-64 In response to your comment, the text in Section 3.13.3 of the Proposed RMP and Final EIS has been revised to reflect changes in current management direction that have occurred since the Draft RMP and EIS was released for public comment. There have been few proposals for wind energy development.
- S3-65 The description of current management for travel designations is accurate. OHV designations may only be made during the land use planning process, or through emergency closures. Section 3.14 of the Proposed RMP and Final EIS gives a full description of how the Ely Field Office is proposing to handle travel management and OHV designations in the short-term and long-term.
- S3-66 In response to your question regarding suspended AUMs, the answer is “No.” The text is correct as written that AUMs are still recognized as being in suspended use.
- S3-67 In response to your comment, the text in Section 3.16 of the Proposed RMP and Final EIS has been revised to clarify the reference to the RAC guidelines.
- S3-68 In response to your comment, the text in Section 3.16.3 of the Proposed RMP and Final EIS has been revised to incorporate the suggested wording.
- S3-69 In response to your comment, a new best management practice based on the wording you suggested has been added to the Proposed RMP and Final EIS (see Appendix F, Section 1).
- S3-70 Data for this field (Deadman Creek Field) is listed in the citation referenced in the text and also presented in the Nevada Bureau of Mines and Geology Open-file Report 2001-07 Nevada Oil and Gas Database Map. Production appears to have been limited and from a single well (Deadman Creek No. 44-13). No change was considered necessary in the text.
- S3-71 In response to your comment, the text in Section 3.20.2 of the Proposed RMP and Final EIS has been revised to expand the discussion of BLM's interagency agreements related to fire protection within the Ely RMP planning area.

Responses to Letter S3

- S3-72 In response to your comment, the text in Section 3.20.3 of the Proposed RMP and Final EIS has been revised to expand the discussion of weed control in the emergency stabilization and rehabilitation process.
- S3-73 The provisions of the White Pine County Conservation, Recreation, and Development Act have been incorporated into the Proposed RMP and Final EIS.

Letter S3 Continued

- S3-74 [3.23-3. Second paragraph. Are tourism and recreation (hunting/fishing, etc.) included in the services industry? If not, these industries are a significant economic force in White Pine and Lincoln counties.
- S3-75 [3.23-3. The information pertaining to farming and ranching has a larger discussion than other economic forces which provide substantially more income to the county economies (mining, recreation including hunting and fishing, tourism, etc.). A few years ago the State initiated economic profiles of all of the counties in Nevada. These documents provided a substantial amount of information concerning the significance of certain industries to local economies. These documents along with other readily available information should provide for a more accurate discussion in this section. As well as previously provided Department of Interior publications on the expenditures in Nevada on wildlife related recreation.
- S3-76 [3.23-9. Discussion concerning Bald Mountain needs to be expanded.
- S3-77 [3.23-10. Discussion concerning hunting and fishing is weak. More information is available and can be provided.
- S3-78 [3.23-13. Moderately high incomes in Lincoln and White Pine counties can be attributed to the large percentage of state and federal employees. Is this true?
- Chapter 4
- S3-79 [4.1-11. Bighorn Sheep and Domestic Sheep Interactions. Summary of Existing Information. The discussion concerning transference of disease from domestic sheep to bighorn sheep is not a matter of debate amongst wildlife specialists and game management agencies but between wildlife interests and the (local) livestock industry. This discussion is not complete nor up to date and does not represent the current thoughts of wildlife disease researchers in the West. The discussion concerning approach to evaluate impacts is appropriate. The above comment in red that relates to the technical team of varied interests that was charged with the development of guidelines for management of wild sheep/domestic sheep lead into the guidelines by a jointly agreed upon statement that disease between domestic and native sheep **IS A PROBLEM**. This includes representative from the national woolgrowers and the American Sheep Industry.
- S3-80 [4.1-19. Alt. B. Aquatic Species. Grazing impacts would be eliminated? Does this address the District wide issue or is the specific to the Mojave?
- S3-81 [4.4-3. Travel Management and OHV use. The level of use has a direct impact the severity of erosion.

Responses to Letter S3

- S3-74 Most tourism and recreation economic activity is included in the services and the trade sectors.
- S3-75 The scope and complexity of the Ely RMP require discussions to highlight information regarding important industries and economic activities and important trends affecting those activities as they relate to public lands management. As stated in Section 3.23, farming and ranching have traditionally played important roles in Nevada's rural economy and social fabric, are very directly affected by public lands management, and have faced challenging economic times; factors which warranted discussion. Any appearance of differential consideration of the economic contributions of specific industries based on the length of the discussion was unintended.
- S3-76 In response to your comment, the text in Section 3.23 of the Proposed RMP and Final EIS has been revised regarding the Bald Mountain Mine.
- S3-77 Please refer to Response to Comment S3-75 regarding the discussion of hunting and fishing and Response to Comment S3-21 regarding consultation with NDOW staff.
- S3-78 The statement regarding the influence of state and federal payrolls on local personal income is based on data published by the U.S. Bureau of Economic Analysis. That data shows average earnings per job of state and federal employees being considerably higher than those in most other sectors and that the aggregate state and federal payroll represents a substantial share of the total labor earnings in the local economies.
- S3-79 In response to your comment, the text in Section 4.1.4.4 of the Proposed RMP and Final EIS has been revised to clarify the discussion of bighorn sheep and domestic sheep and goat interactions. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- S3-80 In response to your comment, text related to this alternative has been revised to clarify that the elimination of grazing in approximately 3.5 million acres (see Section 2.6.16) including habitats for several special status aquatic species.
- S3-81 In response to your comment, the text in Section 4.4 of the Proposed RMP and Final EIS has been revised to include level of use related to travel management and OHV activity as one of the primary factors affecting erosion.

Letter S3 Continued

S3-82	4.5-9. Alt. A. Fish and Wildlife. Change elk herbivory on aspen to wild ungulate herbivory.
S3-83	4.5-15. Second paragraph. ".....including wildlife usage....." Does the District intend to establish wildlife vegetation use levels in wetland and riparian areas? How would the District monitor these use levels? Why is wildlife singled out in this discussion?
S3-84	4.5-16. Wild horses. Temporary reduction in numbers of horses may provide some relief from impact of herbivory prior to or directly after restoration treatments.
S3-85	4.6-1. Alt. A. "Management would be designed to sustain nonnative game fish species (primarily rainbow trout)." The statement is too broad and does not reflect the present management goals for the Department of Wildlife in the Ely District. Management goals are specific to individual waters and habitats (i.e. native range for Bonneville Cutthroat).
S3-86	4.6-11. Second to last paragraph. The discussion is incomplete because it does not document the negative aspects of fencing to wildlife resources.
S3-87	4.6-12. Why would elk and antelope benefit more from water developments than other wildlife species? We have to date not documented competition between wildlife species for available habitat resources associated with water developments. To our knowledge, this impact has not been demonstrated. In the first sentence under Water Developments change "density" to "distribution."
S3-88	4.6-13. Alt. A. Second paragraph, last sentence. Why would elk and antelope benefit more from other developments than other wildlife species? To date, we have not documented competition between wildlife species for available habitat resources associated with water developments. To our knowledge, this impact has not been demonstrated.
S3-89	4.6-18. Alt. B. Impacts from Fish and Wildlife Management Direction. ".....for both game and nongame species where no known conflicts with native species exist." What does this statement mean? We are unsure what the document is trying to say.
S3-90	The document states, "however potential wildlife conflicts would continue to result in population expansion of some wildlife species (e.g. elk and pronghorn)." This sentence makes no sense. Is there data to justify this statement? How would conflicts result in population expansion? This idea or direct statements occur throughout the document and should be removed if no justifying data exists or reworded if the idea is not presented clearly.
S3-91	4.6-19. Second paragraph. The assumption that Alt. B will, in the long term, lead to a reduction in population growth in elk is in error. The growth in elk populations

Responses to Letter S3

S3-82	In response to your comment, the text in Section 4.5 of the Proposed RMP and Final EIS has been changed to incorporate the wording you suggested.
S3-83	The text indicates that general qualitative (not quantitative) usage of the restored community by wildlife (as indicated by species presence) is simply one component in the determination of whether the treated site has achieved the desired range of conditions. The text at this location does not state or imply that usage levels by individual wildlife species would be quantitatively measured or monitored.
S3-84	In response to your comment, the text in Section 4.5 of the Proposed RMP and Final EIS has been changed to incorporate the suggestion that treatments may be timed to coincide with low points in the normal wild horse population cycle (i.e., following gathers). The basic impact conclusions presented in the Draft RMP and EIS have not changed.
S3-85	In response to your comment, the text in Section 4.6 of the Proposed RMP and Final EIS has been revised to clarify the discussion of nonnative fish management. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
S3-86	In response to your comment, the text in Section 4.6 of the Proposed RMP and Final EIS has been modified to clarify the impacts of fencing on wildlife resources. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
S3-87	In response to your comment, the text in Section 4.6 of the Proposed RMP and Final EIS has been revised to clarify the discussion of wildlife water developments. The Ely Field Office biologists consider the current distribution and availability of water sources to constitute more of a limiting factor to population growth and expansion of some wildlife species than others.
S3-88	Please refer to Response to Comment S3-87 for a discussion of competition among wildlife species.
S3-89	In response to your comment, the text in Section 4.6 of the Proposed RMP and Final EIS has been revised to clarify that habitat requirements of special status species would be a management priority over habitat management for other wildlife species.
S3-90	In response to your comment, the text in Section 4.6 of the Proposed RMP and Final EIS has been revised to clarify that continued conflicts with other resource uses would result in different types and levels of effects to various wildlife species.
S3-91	In response to your comment, the text in Section 2.4.6.3 and Section 4.6 of the Proposed RMP and Final EIS has been revised to clarify the discussion of big game habitat management for increased game species distribution and densities.

Letter S3 Continued

S3-91	will be limited by politics, not by habitat. The singling out of elk throughout the document as an issue detracts from the overall analysis for all wildlife resources. This statement is found throughout the document and needs to be corrected.
S3-92	4.6-22. Alt. C. Second paragraph. "Wildlife conflicts from localized water developments would be similar to those identified for Alt. A, except that the severity of impacts on wildlife would be greater under this alternative, resulting in increased population expansion of some wildlife species (e.g. elk) and increase competition for habitat resources (e.g., forage and cover)." We would like BLM to provide evidence that this statement is true. Again we believe that this negative fixation on elk is inappropriate. An increase in one species of wildlife does not necessarily indicate that there are negative impacts to other wildlife species. "Habitat management under this alternative would favor species such as nonnative game birds. Potential wildlife conflicts would result in increased competition for resources (e.g., forage, cover, water) between native and nonnative species." Where and how would this competition occur? We believe this assumption to be untrue.
S3-93	
S3-94	4.6-28. Alt. E. Fourth paragraph. This paragraph is poorly worded and does not make sense. Why is "where no known conflicts with native species exist" added to the sentence? Fifth paragraph. This paragraph needs some clarification. Change "beyond what natural habitat and water sources would support" and replace with "beyond what exists today." Is this what the BLM is trying to say?
S3-95	4.7-23. Special Designations. Big Springs Spinedace. The document indicates that recreational use in Condor Canyon as a result of this alternative could affect habitat for the Big Springs Spinedace. Would not this be conflict with existing and proposed BLM regulations on Special Status Species. If this is the case, is this a straw man alternative?
S3-96	4.7-25. Alt. E. Fish and Wildlife . This paragraph should also appear in Alt. A as it is a statement of current conditions.
S3-97	4.7-32. Mineral Extraction. The document discusses the displacement of more mobile species into adjacent habitats. It does not then indicate a potential reduction in population levels if the surrounding habitats are at carrying capacity. This statement should be consistent through the document in the displacement discussion.
S3-98	4.7-33. Nowhere in the document is there a discussion of the BLM's proposed management for historic mining properties on public lands with respect to the protection of bat populations. Please reference the Draft Bat Conservation Plan. This is a State plan being developed with many partners including BLM. The document should be incorporated into this plan.

Responses to Letter S3

S3-92	In response to your comment, the text in Section 4.6 of the Proposed RMP and Final EIS has been revised to eliminate the reference to elk as the example species favored by actions within this alternative.
S3-93	The Ely Field Office biologists have determined that the more open vegetation communities resulting from treatments in this alternative, with greater emphasis on the herbaceous state, would favor increased populations of some nonnative wildlife species with associated increased competition and reduced habitat availability for various native species, to the extent that such species share similar or overlapping ecological niches.
S3-94	In response to your comment, the text in Section 4.6 of the Proposed RMP and Final EIS has been revised to eliminate the reference to conflicts with native species.
S3-95	In response to your comment, the text in Section 4.7 of the Proposed RMP and Final EIS has been revised to clarify the discussion of hiking and vehicle use on existing roads and trails that could result in localized minor erosion. Sediment input to the stream or ponds is not anticipated. In addition, the management direction to be developed for the ACECs for these areas would not allow activities that could affect habitat for these species. NEPA and Section 7 compliance will be required, and impacts and mitigation will be described for the specific use areas. Appropriate mitigation and stipulations also would be included in the ACEC Management Plans.
S3-96	In response to your comment, this paragraph in Section 4.7 (Proposed RMP) of the Proposed RMP and Final EIS has been revised to be worded the same as the impact statement for Alternative B, since the management direction in these two alternatives is identical. The management direction in Alternative A is different.
S3-97	In response to your comment, the text in this paragraph of Section 4.7 (Alternative A, Impacts from other Programs) of the Proposed RMP and Final EIS has been revised to clarify the potential increase in mortality as individuals are displaced to surrounding habitats.
S3-98	In response to your comment, the management action in Section 2.4.7.1 regarding implementation of bat management actions has been expanded to reference guidance from the Revised Nevada Bat Conservation Plan (Bradley et al. 2006).

Letter S3 Continued

S3-99	4.7-39. What are the grassland dependent special status species? Is the BLM determination of this consistent with our Comprehensive Wildlife Conservation Strategy Plan?
S3-100	4.7-40. Alt. C. Vegetation Management. Are proposed vegetative treatments (scope, location) contrary to the Sage Grouse Guidelines? Would this be another example of a straw man alternative?
S3-101	4.7-43. Why is the Bat Conservation Plan not referenced in Alternative B as it is in Alternative E?
S3-102	4.7-44. Again we question whether sage grouse should be the model for healthy for sagebrush ecosystems.
S3-103	4.14-2. Travel Management and OHV Use. The document states that the areas of high wind potential tend to be located on the high ridges which would have little impact on existing transportation. We don't agree that the impact from wind development on transportation will be minimal. This is based on current wind energy development proposals submitted to the Ely District.
S3-104	4.16-12. Alt. D. The document states that " Since this decision would not be consistent with current regulation and agency policy, selection of this alternative would require Congressional approval for implementation." Would this not be a straw man alternative?
S3-105	4.19-2. Assumptions for Analysis. Under all alternatives should we not say something about the desire to conduct monitoring to see if we have achieved predetermined goals and objectives of the treatment?
S3-106	4.19-9. Impacts to other programs. We have a hard time believing that impacts related to implementation of a commodity alternative would be the same to fish and wildlife, special status species and wild horses as if an more wildlife friendly or current management alternative were to be selected. This view needs clarification. In the commodity alternative a greater portion of any watershed would be treated with project areas maintained for a longer period of time in the herbaceous state. This in itself will have a significant negative affect on wildlife resources overall.
S3-107	4.19-10. Alt. D. Impacts from Watershed Management Direction. We continue to have a problem with the premise that native communities which are in good ecological condition will, without perturbation, trend towards thresholds. We have yet to see any data that supports this assumption. Yet, this premise plays a big role in the state and transition models from which the BLM will derive guidance for restoration.

Responses to Letter S3

S3-99	In response to your comment, the text in Section 4.7 of the Proposed RMP and Final EIS has been revised to address your comment on grassland dependent species. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
S3-100	The Sage Grouse guidelines will be one of the factors considered when project-specific plans are prepared. The Ely Field Office does not consider the actions described for Alternative C in Section 4.7.3 to be contrary to these guidelines.
S3-101	In response to your comment, the text in Section 4.7 (of the Proposed RMP and Final EIS has been modified to include a reference to the Bat Conservation Plan. The basic impact conclusions presented on the Draft RMP and EIS have not changed.
S3-102	Please refer to Response to Comment S3-31 for a discussion of sage-grouse as an "umbrella" species.
S3-103	In response to your comment, the text in Section 4.14 of the Proposed RMP and Final EIS has been clarified. Wind energy projects are unlikely to have impacts to overall travel management in the Ely RMP decision area. However, additional roads supporting wind energy projects may be required, but those would be analyzed during review of project-specific proposals. Maintaining public access to public lands would be a major consideration of the Ely Field Office during the review of wind energy proposals.
S3-104	NEPA regulations require the analysis of alternatives that are beyond the authority of the lead agency (the BLM in this case) to implement. While certain management actions contained in Alternative D might require regulatory or legislative changes before they could be implemented, including them in the Proposed RMP and Final EIS provides a reasonable range of alternatives, per NEPA regulations, for impact analysis and consideration by the public and decision makers.
S3-105	In response to your comment, the text in this paragraph of Section 4.19 under Assumptions for Analysis has been revised to clarify the role of monitoring data in the application of adaptive management and continual refinement of treatment technologies. The discussion of adaptive management and monitoring has been revised and expanded in the Proposed RMP and Final EIS (see Section 1.7 and Section 2.4.23).
S3-106	The commenter is misreading the context. This is not a discussion of the impacts of watershed management on fish and wildlife, but rather the impacts of the fish and wildlife management actions on the watershed management program.
S3-107	The Ely Field Office has not made the assumption you reference and has cited literature that strongly indicates that trends toward thresholds will occur. Management decisions regarding vegetation restoration will continue to consider changes in vegetation communities suggested by the state and transition pathways.

Letter S3 Continued

S3-108	4.20-5. We remain unsure as to why, under Alt. B, a significant portion of the District would be identified for wind and/or solar generation facilities. Based on our limited experience with energy development in wildlife habitat, the two are fairly incompatible and wildlife usually loses.
S3-109	4.23-1. Impact Issues. We would submit that in rural Nevada communities, loss of recreational opportunities (including hunting and fishing), tourism, etc. would be a concern to the public and local governments.
S3-110	4.23-9. We do not agree with the premise that changing the status of the District from open to limited will reduce spending from OHV recreation. Most OHV users currently stay on existing roads and trail with generally only the OHV hunter or OHV youth making new roads.
S3-111	4.23-11. One idea which needs to be brought out is the worth of a healthy, functioning watershed or ecosystem. The document fails to bring this aspect into perspective. What benefit economically is it to all resources to have a healthy ecosystem vs. what are the costs economically to all resources to have a nonfunctioning ecosystem?
S3-112	4.23-11. Conclusion. Document states that increases in big game hunting would result in minor, long-term enhancements of the local economy. We submit that these enhancements could be significant to local economies.
S3-113	4.24-9. Last sentence on the page is incomplete.
S3-114	4.28-23 Under the heading Cumulative Impacts Conclusion, the document suggests that air resources in the District are mainly affected by mining and vegetation management/fire management. We believe that recreation use of both on and off highway vehicles contributes significant levels of constituents that effect air quality in the District. This will be even more of a concern once the proposed OHV special designated areas are developed. We believe this type of activity may create greater problems than mining activity, which is limited to relatively small geographical areas.
S3-115	4.28-30 In the second paragraph under the heading Impacts of Interrelated Projects, the document indicates the present actions affecting vegetation composition and ecological health include among others wildlife management. We are unaware of any examples where wildlife management has affected either vegetation composition or ecological health. If there is evidence or examples of this, this information needs to be provided in this document as support for this type of statement. Our agency should have been made aware of these examples when they were identified.
S3-116	4.28-34 In the first paragraph under the heading Impacts of Interrelated Projects, the document again does not complete the analysis for when animals are displaced.

Responses to Letter S3

S3-108	The Proposed RMP does not designate areas for wind and solar energy development, and the text and map titles in the Proposed RMP and Final EIS have been changed to clarify this. Changes in technology may change the potential for renewable energy development and which areas are suitable. All applications will be subject to NEPA analysis and the Wind Energy Development Program Policies and Best Management Practices published in conjunction with the Record of Decision for BLM's Final Wind Energy Development Programmatic EIS (Appendix F, Section 1 of the Ely District Proposed RMP and Final EIS).
S3-109	In response to your comment, the text in Section 4.23 of the Proposed RMP and Final EIS has been revised to clarify the discussion of potential economic concerns related to the RMP management alternatives. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
S3-110	In response to your comment, the text in Section 4.23 of the Proposed RMP and Final EIS has been revised, changing "...would temporarily" to "... could temporarily" to clarify the discussion of potential effects of Alternative B on off-highway vehicle use. The assessment reflects uncertainties associated with the timing, location, and changes in road and trail access. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
S3-111	Big game hunting is acknowledged to be important to the local economies in Section 3.23. The referenced conclusion does not diminish or denigrate the potential importance of future increases in hunting to local economies. Rather, the conclusion refers to the aggregate economic effects of Alternative B, including not only those associated with increases in big-game hunting, but also the direct, indirect, and induced effects of implementing the overall management alternative relative to the size of the underlying regional economy.
S3-112	Thank you for your comment. The entire Ely RMP is in fact an acknowledgement of the comment's underlying premise, that being the positive value of a healthy, functioning ecosystem. Also refer to pages 4.23-1 to 4.23-6 for discussions of some of the economic costs of declining ecosystem health, augmented by other information incorporated throughout the document. More detailed discussions of this subject are beyond the scope of the Ely RMP and the comment does not require further agency response.
S3-113	In response to your comment, the text in Section 4.24 of the Proposed RMP and Final EIS has been revised. The change does not affect the basic impact conclusions presented in the Draft RMP and EIS.
S3-114	It is true that recreational use of both on- and off-highway vehicles contributes air pollutants, mostly in the form of PM10. It is a matter of conjecture whether this source would exceed emissions from mining and unlikely that it would exceed emissions from vegetation treatment and fire management. Section 4.2 in the Proposed RMP and Final EIS has been expanded to discuss the effects of dust from recreational vehicle use in the Ely RMP planning area, including competitive events held under special recreation permits. Please note that no special recreation management areas emphasizing off-highway vehicle use have been identified in the Proposed RMP.

Responses to Letter S3

- S3-115 All herbivores, including wildlife species, affect vegetation communities (composition, density, production, ecological health, etc.) to one degree or another, depending on the type, intensity, and timing of herbivory. The statements in this section of the text do not assign relative levels of effect to the various factors mentioned, but simply acknowledge that such effects exist.
- S3-116 In response to your comment, the text in of Section 4.28 (Impacts of the Proposed RMP) of the Proposed RMP and Final EIS has been revised to clarify the potential increase in mortality as individuals are displaced to surrounding habitats.

Letter S3 Continued

S3-116	If the surrounding habitat is at carrying capacity, the displacement of individuals may result in the loss of some of the individuals.
S3-117	4.28-36 Under the heading Impacts of the Proposed Action(Alternative E), the last sentence in the first paragraph suggests that maintenance mitigations would be implemented where populations are at or near maximum levels. Is this what the document wants to state or should it read “minimum” levels?
S3-118	4.28-39 Again the text does not finish the displacement analysis. When surrounding habitats are at carrying capacity, individuals may be lost.
S3-119	4.28-40 In the second paragraph under the heading Impacts of the Interrelated Projects, the document again tries to implicate wildlife as a causative factor in the decline of the vegetated community and in competition with wild horses.
S3-120	4.28-61 Under the heading of Impacts of Interrelated Projects, in the first paragraph the document indicates wildlife has been a major contributor to current deteriorated conditions. We do not believe this is true. This document has not provided evidence to this fact.
S3-121	4.28-61 Under the heading of Impacts of Interrelated Projects, in the second paragraph the document indicates wildlife management has affected watershed conditions. We do not believe there is evidence that this is the case.
S3-122	4.28-63 Under the heading of Impacts of Interrelated Projects, in the first paragraph the document indicates wildlife have contributed to deteriorated conditions. We do not believe there is evidence that this is the case. This thought pervades this document and we do not believe there is scientifically verifiable data that this is the case. We have agreed in the past to respond with appropriate management if and when this type of problem is brought to our attention. To date this has not occurred.
S3-123	Appendix D, page 16. We are not in agreement with the assumptions of some of the current state and transition models. We disagree with the idea that native vegetative communities, with limited perturbations, will trend toward thresholds naturally. This view to our knowledge remains unsubstantiated.
S3-124	Appendix F, page F-1. <i>Myotis evotis</i> has the potential to occur in Lincoln and Nye Counties. <i>Myotis lucifugus</i> has the potential to occur in White Pine and Nye Counties. <i>Myotis yumanensis</i> has the potential to occur in Lincoln County. <i>Accipiter gentilis</i> has the potential to occur in Lincoln County Page F-2 <i>Ixobrychus exilis</i> has the potential to occur in White Pine County. <i>Melanerpes lewis</i> has the potential to occur in Lincoln County.

Responses to Letter S3

S3-117	In response to your comment, the text in Section 4.28.7 of the Proposed RMP and Final EIS has been revised to clarify the discussion of maintenance levels at which maintenance mitigations would be implemented. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
S3-118	In response to your comment, the text in Section 4.28 of the Proposed RMP and Final EIS has been revised to clarify the potential increase in mortality as individuals are displaced to surrounding habitats.
S3-119	Please refer to Response to Comment S3-122 for a discussion of wildlife as a contributor to current deteriorated ecological conditions.
S3-120	Please refer to Response to Comment S3-122 for a discussion of wildlife as a contributor to current deteriorated ecological conditions.
S3-121	In response to your comment, the text in Section 4.28.19 of the Proposed RMP and Final EIS has been revised to not include wildlife management as one of the other land uses that affect watershed conditions.
S3-122	In response to your comment, the text in Section 4.28.19 of the Proposed RMP and Final EIS has been revised to clarify the discussion of wildlife as a contributor to current deteriorated ecological conditions. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
S3-123	Please refer to Response to Comment S3-107.
S3-124	In response to your comment, the data in Appendix E of the Proposed RMP and Final EIS has been revised to incorporate your suggested revisions.

Letter S3 Continued

- S3-125 [Appendix J, page J-3. In the first paragraph under the heading Sagebrush, the document indicates that sagebrush is the main winter forage for sage grouse and antelope. This is also true for mule deer.
- S3-126 [Appendix J, page J-4. In the second bullet on the page the document suggests that sagebrush sites with cover in the 20-30 percent live cover are important to several migratory bird species. The text goes on to suggest that even though the herbaceous component may not be what is desired, these communities should be left intact and not treated to provide for the migratory bird species that utilize these communities. This recommendation seems to contradict the language in the vegetation and watershed sections of the RMP/EIS. Why is there this discrepancy?

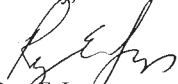
Responses to Letter S3

- S3-125 Appendix J has not been included in the Proposed RMP and Final EIS. Discussion of mule deer winter use of sagebrush is included in Section 3.6.2 (Mule Deer)
- S3-126 Under the Proposed RMP and Alternative B, approximately 1.8 million acres of sagebrush communities in the shrub state would be subject to treatment over a period of several decades. This represents approximately 60 percent of the sagebrush area in the shrub state and approximately 32 percent of the total sagebrush area. The planned treatment approach and areas involved are not viewed by the Ely Field Office as conflicting with the referenced statement in Appendix J of the Draft RMP and EIS since large tracts of such habitat would remain available at any given time.

Letter S3 Continued

If you have any questions or comments regarding this input, please contact me in Elko.

Sincerely,



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775-777-2368

RL/rl,sf

cc: Habitat Bureau
Eastern Regional Office, NDOW
Southern Regional Office, NDOW
Ely Field Office, NDOW
Tonopah Field Office, NDOW
John Hutchins, NDOW
Mike Scott, NDOW
Mike Podborny, NDOW

Letter S3 Continued

Addendum to NDOW's Comments

J. Sjöberg – 28 November 2005

- S3-127 3.7-7 Fish: State and BLM sensitive fish species which occur on public lands should be specifically identified in this section other than just a passing non-specific reference. In particular White River desert sucker, Meadow Valley Wash desert sucker, Meadow Valley Wash speckled dace and relict dace may be specifically affected and impacted by proposed actions under the various alternatives, and adequate information on life history, distribution and status is available for these fishes from BLM and NDOW files to address them more specifically in this section of the document. Although the majority of the native fish species are associated with spring and springbrook/outflow habitats, fragmentation and desiccation of perennial stream systems on public and private lands are a factor in restricting some of these fishes to only those spring habitat systems as opposed to a specific affinity for those habitats in comparison to historic distribution and occurrence. The White River desert sucker (*Catostomus clarki intermedius*) is a distinct, recognized sub-species and should not be lumped together with the Meadow Valley Wash desert sucker for purposes of this section. Given that an emphasis of the preferred alternative E is to insure implementation of management actions which would benefit and enhance sensitive aquatic species and assist in precluding future status declines and potential Federal listing, the narrative in this section is inadequate.
- S3-128 3.7-7 Aquatic invertebrates and amphibians: Amphibian habitats and distributions of those species in the planning area are associated with permanent and ephemeral wetland and seep habitats as well as specific, flowing and open water spring habitats as implied here. Limited distribution information for both northern leopard frog and southwestern toad is available from NDOW and others. Extensive location and status information on spring snail species is available from Don Sada and others.
- S3-129 3.7-7 Trends: NDOW has conducted annual or semi-annual status monitoring for Meadow Valley Wash sensitive fish species in both Clover Creek and Meadow Valley Wash below Caliente since at least 1999. This data is available.
- S3-130 4.1-11 4.1.4.5 Special Status Species – Incomplete information: It is unclear if this section references aquatic species but extensive information is available on sensitive fishes and invertebrates as referenced elsewhere in the RMP documents. The statement that detailed inventory level information on location, status and trend, etc for *any* (emphasis added) of the sensitive animal species occurring within the plan area is not available is simply not true. Space precludes detailing that availability here but adequate inventory information is available for numerous important sensitive animal species on the Ely District sufficient to direct and assist with these planning efforts, from NDOW and other sources.
- S3-131 4.7-13 Recreation; White River springfish: For this and other alternatives, effects from recreational activities at Ash Spring on springfish and springfish habitat additionally

Responses to Letter S3

- S3-127 This section refers to Appendix E in the Proposed RMP and Final EIS, which lists the special status species and identifies the types of habitat that they use. New information was added that identifies the geographical occurrence and habitat used by these special status fish species. NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions and make a reasoned choice among alternatives. Where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The data that is requested in this comment, while potentially of interest, is more detailed than that required to prepare an RMP/EIS for the Ely planning area.
- S3-128 In response to your comment, the discussions regarding aquatic invertebrates and amphibians in Section 3.7.2 of the Proposed RMP and Final EIS have been revised and expanded to clarify the general distributions and habitat relations of these species. In addition, a management action has been added to Section 2.4.7.1 for the protection of spring snails. NEPA regulations direct federal agencies during their preparation of an EIS to reduce the accumulation of extraneous background data [40 CFR 1500.2(b)]. Thus, the Ely Field Office assembled the information that was necessary to formulate management actions and make a reasoned choice among alternatives. Where data that is important in making a decision is incomplete or unavailable, this must be disclosed in the EIS [40 CFR 1502.22]. Please refer to Section 4.1.4 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Incomplete and Unavailable Information. The data that is requested in this comment, while potentially of interest, is more detailed than that required to prepare an RMP/EIS for the Ely planning area.
- S3-129 In response to your comment, Section 3.7.2 and Table 3.7-2 in the Proposed RMP and Final EIS has been modified to more clearly present the results of the most recent NDOW surveys conducted in 2003 and 2004.
- S3-130 In response to your comment, the text in Section 3.7.2 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of species populations. In addition, a statement has been added to Section 4.1.4.5 to refer the reader to that section. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- S3-131 In response to your comment, the text in Section 4.7 of the Proposed RMP and Final EIS has been expanded to include a discussion of impacts from shoreline disturbance. The basic impact conclusions presented in the Draft RMP and EIS have not changed.

Letter S3 Continued

- S3-131 include direct disturbance and harassment of the fish, and direct disturbance and alteration to aquatic habitats through modification of banks and spring sources from access and access development.
- S3-132 4.7-13 Recreation; Other Sensitive species on BLM-administered lands: Here and throughout the document, distribution for Meadow Valley Wash desert sucker and speckled dace is indicated as “Upper and Lower Meadow Valley Wash”. Distribution of these species includes extensive areas of the Clover Creek drainage in Lincoln County where there are substantial potential effects from recreation use, as well as in management of transportation corridors including maintenance of UPRR right-of-ways adjacent to occupied habitats for these species (previous section on this page).
- S3-133 4.7-17 Noxious and Invasive Weed management; Big Spring spinedace: The reference to Upper Meadow Valley Wash is presumed to describe occupied habitats within the Condor Canyon reach of this drainage. While invasive weed control may have some negative impacts from short-term sedimentation, these aquatic habitats are already severely impacted by sediment deposition as a result of inadequate restoration efforts following the 1999 fire events in the canyon and adjacent drainages which left much of the adjacent upland habitat denuded and unstable. Tamarisk in this reach represents a relatively minor cover attribute as the majority of large native structural cover which provided shade and structure was lost in that fire event and has not been replaced. Actions to control noxious vegetation and establish suitable native vegetation including a riparian cover component are critical recovery actions for Big Spring spinedace and need to be prioritized in this and all other alternatives.

Responses to Letter S3

- S3-132 In response to your comment, the text in Section 4.7 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of potential impacts to Meadow Valley Wash desert sucker and Meadow Valley Wash speckled dace in the Clover Creek drainage. The basic impact conclusions presented in the Draft RMP and EIS have not changed.
- S3-133 In response to your comment, the text in Section 4.7 of the Proposed RMP and Final EIS has been expanded to clarify the discussion of impacts from the 1999 fire in Condor Canyon. The basic impact conclusions presented in the Draft RMP and EIS have not changed.

Letter S4

KENNY C. GUINN
Governor

STATE OF NEVADA

ROBERT R. LOUX
Executive Director



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November 21, 2005

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

Re: Comments on BLM's Draft Resource Management Plan/Environmental
Impact Statement for the Ely District

Dear Mr. Drais:

The State of Nevada Agency for Nuclear Projects has reviewed the Draft
RMP/EIS for BLM's Ely District and offers the following comments:

General Comment

S4-1 [The manner in which the proposed rail spur for the U.S. Department of Energy's
high-level radioactive waste repository at Yucca Mountain is dealt with in the draft
RMP/EIS is wholly inadequate. Despite the fact that the proposed rail line transects the
Ely District, the only reference made to Yucca Mountain or the proposed rail corridor is
in the cumulative impacts section of the draft document, and there the project is treated in
a superficial manner with little or no analysis of potential impacts.

At the time the draft RMP/EIS was prepared, DOE had already formally selected the
Caliente alternative, which passes through a portion of the Ely District, as the preferred
corridor for a rail spur to Yucca Mountain. The State of Nevada and others had provided
extensive comments on the potential impacts of such a rail line in response to DOE and
BLM Federal Register Notices regarding the proposed Caliente rail corridor and the land
withdrawal associated with it. Those comments can be found at the following internet
addresses and are incorporated by reference into these comments:

Responses to Letter S4

S4-1

Analysis of the impacts of the construction and operation of the Yucca Mountain rail
spur will be conducted by the Department of Energy and presented in an EIS
prepared by that agency. The Ely Field Office has treated the rail line as an
interrelated project in the cumulative impact section (4.28) of the Draft RMP and EIS
and Proposed RMP and Final EIS at an appropriate level of detail, according to
Council on Environmental Quality Regulations and BLM NEPA guidelines. It is noted
that the Department of Energy is investigating an alternative rail spur alignment (the
Mina corridor) that would not cross the Ely RMP planning area.

Letter S4 Continued

- (1) State of Nevada Comments on the U.S. Department of Energy's Draft Environmental Assessment for the Proposed Withdrawal of Public Lands Within and Surrounding the Caliente Rail Corridor (<http://www.state.nv.us/nucwaste/news2005/pdf/nv050923doe.pdf>);
- (2) BLM's Notice of Public Meetings: Notice of Intent to Amend the Caliente Management Framework Plan, Schell Management Framework Plan, Tonopah Resource Management Plan, and the Las Vegas Resource Management Plan (<http://www.state.nv.us/nucwaste/news2004/pdf/nv040629blm.pdf>);
- (3) State of Nevada Comments on DOE's Notice of Intent to Prepare and Environmental Impact Statement for Alignment, Construction, and Operation of a Rail Line to a Geologic Repository at Yucca Mountain, Nye County, Nevada (<http://www.state.nv.us/nucwaste/news2004/pdf/nv040525ocrwm.pdf>);

- S4-2 [None of these comments or the analyses they represent are reflected in the draft RMP/EIS.
- S4-3 [The proposed Yucca Mountain rail spur should not be treated as simply another coincidental land use or incidental cumulative impact. The proposed rail corridor bisects the Ely RMP, and its very existence has the potential to cause impacts across the board. Such impacts range from serious economic disruptions, to potentially major effects on wildlife, to effects on Native American and cultural resources, to conflicts with other land uses and land users, to impacts on water resources, to sustained, long-term impacts on human health, safety and environment. As such, the Yucca Mountain rail spur should have been treated in the draft RMP/EIS as a major, stand-alone impact category. The proposed rail spur should have been thoroughly analyzed in relation to each of the major impact categories (i.e., air quality, water resources, etc.). Treating the Yucca Mountain rail corridor as simply one impact in a laundry list of cumulative impacts obscures the very real potential this project has for significant long-term impacts to the District and to BLM's ability to manage the public lands within the District.

Specific Comments

- S4-4 [4.28.2 - Air Quality: The draft RMP/EIS does not address the proposed Yucca Mountain rail spur in terms of potential impacts to air quality. The draft make blanket statements about cumulative air quality impacts, but fails to address the air quality impacts associated with large scale surface disruption associated with rail construction; the potential air quality impacts of re-suspension of radionuclides persisting in the soils from above-ground nuclear testing at the NTS in the 1950s and 1960s; and impacts to air quality of 30 or more years of railroad operations involving thousands of train movements on a daily basis.

Responses to Letter S4

- S4-2 Please refer to Response to Comment S4-1 for a discussion of the analysis of impacts from the Yucca Mountain rail spur.
- S4-3 Please refer to Response to Comment S4-1 for a discussion of the analysis of impacts from the Yucca Mountain rail spur.
- S4-4 In response to your comment, the text in Section 4.28 (Air Quality) of the Proposed RMP and Final EIS has been revised to clarify the potential for increased fugitive dust associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.

Letter S4 Continued

S4-5	4.28.3 - Water Resources: Construction, maintenance and operation of the proposed Yucca Mountain rail spur will require significant water resources. Because such a rail line represents, in effect, a 300+ mile wall that will be elevated anywhere from 2 feet to 30 feet above the surrounding terrain, it represents a potential barrier limiting access to existing water resources for ranchers, livestock, and wildlife, and it has the potential to alter water flows, water storage, and water movement within the District. The draft RMP/EIS does not specifically address how the proposed rail spur will impact water resources within the District.
S4-6	4.28.4 - Soils: The draft RMP/EIS does not specifically address potential impacts of the proposed rail spur and rail corridor on soil resources in the District. The proposed rail spur is likely to be the single largest construction project within the District, and it will unavoidable impact soils all along its length. By affecting water flows, run-off, etc., the rail spur also has the potential to impact soils at some distance from the rail line itself. Such impacts should be evaluated thoroughly in the RMP/EIS.
S4-7	4.28.5 - Vegetation: The proposed rail spur will impact vegetation during construction of the rail line, both in terms of direct impacts to land that is disturbed and indirect impacts resulting from disruptions in water flows, run-off, etc. caused by the existence of the rail spur. These impacts are not addressed in the draft RMP/EIS.
S4-8	4.28.6 - Fish and Wildlife: The proposed Yucca Mountain rail spur would bisect the Ely District, creating a 100+ mile raised barrier that would unavoidable impact wildlife. There is also the possibility that the rail line would be fenced, further exacerbating impacts on the movement of animals, affecting traditional migration routes, access to water sources, etc. None of these impacts is addressed in the draft RMP/EIS.
S4-9	4.28.7 - Special Status Species: It is possible that construction and operation of the proposed Yucca Mountain rail spur through the Ely District could have significant impacts on special status species. Such impacts need to be identified and assessed in the RMP/EIS.
S4-10	4.28.8 - Wild Horses: The RMP/EIS should specifically address how the proposed Yucca Mountain rail spur would impact current and future populations of wild horses in the District. It is difficult to imagine that a raised barrier cutting the District in two would not have significant impacts on wild horse populations, including access to water sources, foraging, migration patterns, etc.
S4-11	4.28.9 - Cultural Resources: The proposed rail spur should have been specifically evaluated with respect to impacts on historical and Native American spiritual sites/resources that would be affected by construction and ongoing operations. Instead, the Yucca rail spur is not even mentioned in this regard.
S4-12	While it is not referenced in the text of the draft RMP/EIS or identified in any of the maps contained in the Map Volume, a major land art sculpture of national and international stature is located in Garden Valley, just west of Water Gap. The project

Responses to Letter S4

S4-5	In response to your comment, the text in Section 4.28 (Water Resources) of the Proposed RMP and Final EIS has been revised to clarify the potential alterations in surface drainage patterns and accelerated erosion and sedimentation associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
S4-6	In response to your comment, the text in Section 4.28 (Soils) of the Proposed RMP and Final EIS has been revised to clarify the potential surface disturbances, loss of soil productivity, and increased erosion and sedimentation associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
S4-7	In response to your comment, the text in Section 4.28 (Vegetation) of the Proposed RMP and Final EIS has been revised to clarify the potential surface disturbances and loss of vegetation associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
S4-8	In response to your comment, the text in Section 4.28 (Wildlife) of the Proposed RMP and Final EIS has been revised to clarify the potential surface disturbances, loss of habitat, habitat fragmentation, and creation of wildlife migration barriers associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
S4-9	In response to your comment, the text in Section 4.28 (Special Status Species) of the Proposed RMP and Final EIS describes the potential surface disturbances, loss of habitat, and habitat fragmentation associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
S4-10	In response to your comment, the text in Section 4.28 (Wild Horses) of the Proposed RMP and Final EIS has been revised to clarify the potential surface disturbances, loss of vegetation, and creation of migration barriers associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
S4-11	In response to your comment, the text in Section 4.28 (Cultural) of the Proposed RMP and Final EIS describes the types of impacts associated with potential surface disturbing activities such as those listed as reasonably foreseeable future actions, including additional rights-of-way, in Table 4.28-1. Also please see Response to Comment S4-1.
S4-12	The Ely Field Office does not manage resources on private land. The Proposed RMP does not propose the Garden Valley special recreation management area for scenic qualities. However, the Garden Valley area continues to be identified for visual resource management Class II and Class III objectives. Impacts to the scenic qualities of Garden Valley from the proposed Yucca Mountain rail line would be analyzed and mitigation would be considered in the Department of Energy EIS.

Letter S4 Continued

- S4-12 [entitled “City” is one of the largest outdoor sculpture projects in the world, and has been several decades in the making. The location for the project was chosen specifically for its isolation and its topographical, visual, and environmental characteristics. The proposed Yucca Mountain rail line would, if constructed in its current proposed location, have significant negative and unmitigable impacts on this unique, one-of-a-kind cultural resource. The RMP/EIS should thoroughly examine such impacts and address how BLM proposes to manage competing interests and land uses within the Ely District so as to protect this unique resource.
- S4-13 [4.28.10 - Paleontology: Railroad construction will unavoidably have impacts on paleontological resources comparable to or greater than those attendant to mining and other surface and subsurface disturbing activities. However, the Yucca Mountain rail spur is not even mentioned in this section.
- S4-14 [4.28.11 - Visual Resources: This section references transmission lines, utility rights of way, cross country vehicle use, and other activities as presenting cumulative visual impacts, but does not even mention the implications of what is likely the largest single visual impact proposed for the District – 100+ miles of the proposed Yucca rail line.
- S4-15 [4.28.12 – Lands and Realty: The proposed Caliente rail corridor could have major impacts on land, especially private and developable lands within the District by virtue of the radiological uses to which the line would be put. Studies by the State of Nevada and DOE and a major court case in New Mexico (Komis v. the City of Santa Fe) have demonstrated that property along highways and rail lines used for shipments of spent nuclear fuel and high-level radioactive waste can experience significant reductions in value. Such impacts must be assessed and appropriate mitigation measures developed. Likewise, the impacts to existing land holders/land users along a rail line that cuts the district in half and segments property, lands, and realty need to be thoroughly assessed.
- S4-16 [4.28.13 – Renewable Energy: The draft RMP/EIS does not contain enough information to determine if the proposed Yucca rail spur will conflict with existing or future wind, solar, or geothermal energy development in the district. If, as the draft states, “interrelated power plants, water development, and residential development projects could impact renewal energy development” in the District, it is logical to assume that there could be significant impacts from something as extensive and intrusive as construction and operation of a rail line that runs the length of the entire District.
- S4-17 [4.28.14 – Travel Management and Off-Highway Vehicle Use: A rail line that represents a raised barrier for the entire length of the District is bound to impact roads, trails, and off-road activities/resources in a significant way. Yet the rail line is not mentioned in this regard.
- S4-18 [4.28.15 – Recreation: See comment for 4.28.14 above.
- S4-19 [4.28.16 – Livestock Grazing: The draft notes that various “interrelated projects would reduce the area available for grazing” in the District. In the case of the Yucca Mountain

Responses to Letter S4

- S4-13 In response to your comment, the text in Section 4.28.10 of the Proposed RMP and Final EIS has been revised to clarify the potential loss of paleontological resources associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
- S4-14 Please refer to Section 4.28 Impacts of the Interrelated Projects of the Proposed RMP and Final EIS where the proposed development of the Department of Energy rail line is specifically mentioned as one of the reasonably foreseeable future actions potentially contributing to cumulative impacts to visual resources. Also please see Response to Comment S4-1.
- S4-15 Please refer to Response to Comment S4-1. Analysis of the potential development of private land is beyond the scope of the Ely RMP.
- S4-16 In response to your comment, the text in Section 4.28 (Renewable Energy) of the Proposed RMP and Final EIS has been revised to clarify the interaction between the reasonably foreseeable future actions, including the rail spur, and renewable energy development. Also please see Response to Comment S4-1.
- S4-17 In response to your comment, the text in Section 4.28 (Transportation) of the Proposed RMP and Final EIS has been revised to clarify the potential impact of the proposed rail line on travel management and off-highway vehicle use. Also please see Response to Comment S4-1.
- S4-18 Please refer to Response to Comment S4-17.
- S4-19 In response to your comment, the text in Section 4.28 (Livestock and Range Management) of the Proposed RMP and Final EIS has been revised to clarify the potential surface disturbances, loss of vegetation, and creation of movement barriers associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.

Letter S4 Continued

- S4-19 rail line, impacts could be far more significant, because the rail spur would unavoidably alter grazing patterns, cutting livestock off from traditional forage areas, separating them from water sources, and otherwise act as a wall or fence running the entire length of the District. These impacts must be thoroughly assessed in the RMP/EIS.
- S4-20 4.28.17 – Woodland and Native Plant Products: This section makes no mention of the proposed Yucca rail spur, even though construction, maintenance and operations of such a rail line would likely have impacts on woodlands and native plants.
- S4-21 4.28.18 – Geology and Mineral Extraction: Same comment as for 4.28.17 above.
- S4-22 4.28.19 – Watershed Management: The existence of a raised barrier such as the proposed rail spur bisecting the District could have significant impacts on watersheds by altering natural drainage areas, water flows, etc.
- S4-23 4.28.20 – Fire Management: No mention is made of potential impacts of the proposed rail spur in this section. Possible issues here include the potential for increased fire hazards in remote areas due to rail line construction, maintenance, and operations; the effect of the physical characteristics of the rail line on fire response planning, access to fire events, etc. In addition, the RMP/EIS should look at rail line's effects on vegetation (i.e., by altering water flows, etc.) and whether such effects increase fire risks.
- S4-24 4.28.21 – Noxious and Invasive Weed Management: A massive construction project of the type required to construct a rail line the length of the District would appear to pose significant risks/opportunities for the disruption of native flora and the introduction noxious and invasive weed species. Likewise, the operation of the line, with hundreds of trains back and forth over the rail corridor each year for 30 or more years – something that would be entirely new to the remote areas in the District that currently see little in the way of human activity and disruption – would seem to provide prime opportunities for the transport of non-native seeds into the area.
- S4-25 4.28.22 – Special Designations: The RMP/EIS should contain information and maps showing ACECs and their relationship to the proposed Yucca Mountain rail line.
- S4-26 4.28.23 – Economic Conditions: The draft RMP/EIS is seriously deficient in its overall treatment of impacts on economic conditions in general and of the economic impacts of the proposed Yucca Mountain rail spur in particular. While noting that “a decision to proceed with the Yucca Mountain Nuclear Repository could increase demand for land disposal, water development, and recreation and commodity use on the District,” the draft document completely ignore the potential for major and sustained economic impacts resulting from the construction and operations of the proposed rail spur. While there could be some positive economic impacts associated with construction activities occurring within the District, State research has convincingly demonstrated that the existence of a rail line designated as a corridor for shipment of spent nuclear fuel and high-level waste could have significant negative consequences throughout the District and even the State. Stigmatizing effects from accidents or incidents could be devastating

Responses to Letter S4

- S4-20 In response to your comment, the text in Section 4.28 (Forestry and Woodlands) of the Proposed RMP and Final EIS has been revised to clarify the potential surface disturbances and loss of woodlands associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
- S4-21 In response to your comment, the text in Section 4.28 (Geology and Minerals) of the Proposed RMP and Final EIS has been revised to clarify the potential contribution of the proposed Department of Energy rail line and other interrelated projects to increased local demand for sand, gravel, and ballast rock. Also please see Response to Comment S4-1.
- S4-22 In response to your comment, the text in Section 4.28 (Water Resources) of the Proposed RMP and Final EIS has been revised to clarify the potential alterations in surface drainage patterns and accelerated erosion and sedimentation associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
- S4-23 In response to your comment, the text in Section 4.28 (Fire Management) of the Proposed RMP and Final EIS has been revised to clarify the potential for increased fire ignition sources associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
- S4-24 In response to your comment, the text in Section 4.28 (Cumulative) of the Proposed RMP and Final EIS has been revised to clarify the potential for increased weed seed introduction and dispersal mechanisms associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.
- S4-25 In response to your comment, the text in Section 4.28 (Special Designations) of the Proposed RMP and Final EIS has been revised to clarify the potential contribution of the proposed Department of Energy rail line to cumulative impacts affecting desert tortoise habitat in the existing ACECs. Also please see Response to Comment S4-1.
- S4-26 In response to your comment, the text in Section 4.28 (Social and Economic Resources) of the Proposed RMP and Final EIS has been revised to clarify the potential negative as well as positive impacts to economic and social conditions associated with the reasonably foreseeable future actions, including the rail spur. Also please see Response to Comment S4-1.

Letter S4 Continued

- S4-26 | economically, and the simple existence of such a rail line could impact property values, depress other economic activities, etc. Such potential impacts should be addressed in the RMP/EIS.
- S4-27 | 4.28.24 – Social Conditions: See comments for 4.28.23 above.
- S4-28 | 4.28.25 – American Indian Issues: See comments on Cultural Resources (4.28.9) above.
- S4-29 | 4.28.27 – Health and Safety: A major potential health impact associated with the construction (and to a lesser degree the operation) of the proposed Caliente rail spur is the potential for increased radiological exposures due to re-suspension of radionuclides from nuclear tests in the 1950s and 1960s. Many long-lived radioisotopes created by the tests were widely disbursed as fallout over large areas of central and eastern Nevada and Utah. Over the years, these radionuclides were covered over by soils and vegetation and/or migrated deeper underground. However, new surface disturbing activities, as required for rail construction, have the potential to uncover these radionuclides and re-suspend them as dust, which can be inhaled by workers or people in the vicinity of the construction work or re-introduced into the food chain. Given the extensive nature of the proposed rail construction project, the potential for health effects (both radiological and non-radiological) from construction activities should be assessed in the RMP/EIS. In addition, potential health and safety impacts associated with radiological shipment incidents and accidents along the rail corridor should be assessed.
- S4-30 | Table 4.28.3 – The Yucca Mountain rail spur should have been addressed in this table as a discrete impact area since the project has the potential to be one of the single greatest impact generators within the District over the long term. As such, it needs to be carefully and thoroughly addressed within the context of the entire RMP/EIS, not dismissed as a minor contributor with respect to cumulative impacts.
- S4-31 | Cooperating Agencies: Given the considerable importance of U.S. Department of Energy activities in general to BLM's Ely District management plans, especially the potentially major and pervasive impacts of DOE's proposed Yucca Mountain rail line, BLM should have included DOE as a cooperating agency in preparing the draft RMP/EIS. The fact that DOE is not a cooperating agency is indicative of BLM's failure to acknowledge the importance of the proposed rail corridor to the entire array of BLM resource management responsibilities within the District.

Additional Information: For the record, I am providing you with internet links to two additional documents that address issues pertinent to the proposed Yucca Mountain rail spur, its impacts, and implications for the RMP and EIS. Those documents are incorporated by reference into these comments:

- (1) "Railroading Nevada," a journal article in the October 25, 2005 issue of *Nuclear Engineering International*, by Robert Halstead and Dr. Fred Dilger (http://www.state.nv.us/nucwaste/news2005/pdf/nei05oct_caliente.pdf)

Responses to Letter S4

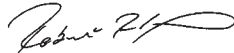
- S4-27 | Please refer to Response to Comment S4-26.
- S4-28 | Please refer to Response to Comment S4-11.
- S4-29 | Please refer to Response to Comment S4-1. Analysis of the potential health effects from the construction and operation of the rail spur is beyond the scope of the Ely RMP.
- S4-30 | Please refer to Response to Comment S4-1 for a discussion of the analysis of impacts from the Yucca Mountain rail spur.
- S4-31 | Please refer to Section 5.1.5 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of Cooperating Agencies. As indicated, the Department of Energy was invited to be a cooperating agency on the Ely RMP but declined.

Letter S4 Continued

- (2) "State of Nevada Views on the Proposed Caliente Rail Corridor," a presentation to the U.S. Nuclear Waste Technical Review Board on February 10, 2005.
(<http://www.state.nv.us/nucwaste/news2005/pdf/nv050210halstead.pdf>)

Should you have questions regarding these comments or if you would like to discuss these matters further, please do not hesitate to contact me or Mr. Joe Strolin, the Agency for Nuclear Projects' Planning Division Administrator at 775-687-3744.

Sincerely,



Robert R. Loux
Executive Director

RRL/cs

cc Nevada State Clearinghouse
Affected Local Governments and Tribes Representatives
Marta Adams, Deputy Attorney General

Letter S5

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

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

- S5-1 [Comments on the BLM RMP/EIS will follow table 2.4-1 in section 2.4 Summary of Management Direction by Alternative. As a whole, the majority of actions for resource management are agreed with. There are some areas for suggested changes and in need of clarity which are listed below:
- S5-2 [Under the VEGETATION:
Parameter – Pinyon-juniper Woodland
Alternative C or a combination between B and C would be preferred.
In the first row alternative B could use rewording to “...achieve a variety of phases capable of recuperating after disturbance and provide essential wildlife”. This avoids saying resistant which is not achievable and simplifies the statement to the goal outcome. The terms resilient and resistant need to be defined in the glossary and then used appropriately.
- S5-3 [Second row – Where are we going with 77% of the woodland – what is the treatment and how can this much be treated? Commercial uses (mentioned in Alt C) could help drive treatment of 77% of the woodland.
- S5-4 [Parameter – Aspen
We agree with the choice of alternative B. It is recommended to add ‘more’ in front of “resistant to disturbance” because it will never be totally resistant. The terms resilient and resistant need to be defined in the glossary.
- S5-5 [Parameter – High Elevation Conifer Species
We agree with alternative C but wonder why the same didn’t apply for pinyon-juniper woodland.
- S5-6 [Parameter – Salt Desert Shrub
We agree with proposed action.
- S5-7 [Parameter – Sagebrush
We agree with the choice of alternative B. Two questions come up: “How can such a large area be treated? And what kind of impact will the treatment activity have on current livestock operations. Flexibility for management of livestock and grazing allotments will be required.
- S5-8 [Parameter – Mountain Mahogany
We agree with proposed action.
- S5-9 [Parameter – Mojave Desert Vegetation
More work will be required on fire prevention and rehabilitation.

Responses to Letter S5

- S5-1 Comment noted.
- S5-2 In response to your comment, the text related to Alternative B in Table 2.9-1 has been revised to incorporate the wording you suggest. Please refer to the Glossary in the Draft RMP and EIS and Proposed RMP and Final EIS for definitions of resilient and resistant.
- S5-3 The 77 percent of existing woodland would be treated to achieve the desired future conditions presented in the Proposed RMP for pinyon and / or juniper. Treatments would utilize all tools available, individually or in combination. Please see Appendix H in the Proposed RMP and Final EIS for a listing of Tools and Techniques.
- S5-4 Section 2.6.5.2 of the Proposed RMP and Final EIS has been revised to incorporate the wording you suggest. Please refer to the Glossary in the Draft RMP and EIS and Proposed RMP and Final EIS for definitions of resilient and resistant.
- S5-5 The management direction in Alternative C has been incorporated into the Proposed RMP. Pinyon and /or juniper communities as a whole are generally more accessible, whereas most of the High Elevation Conifer areas are not.
- S5-6 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-7 The management direction in Alternative B has been incorporated into the Proposed RMP. The vegetation treatment would be implemented over a long period of time, as determined appropriate through watershed analyses. Areas of treatment would require exclusion of livestock per BLM policy; however, there would be a balance of treatment acres among watersheds and allotments to lessen the effect on current livestock operations.
- S5-8 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-9 Fire prevention and rehabilitation are important components of the Proposed RMP.

Letter S5 Continued

- S5-10 [Parameter – Riparian/Wetlands
Hydrologic function should be first consideration and then plant community structure and composition.
- S5-11 [Parameter – Nonnative Seedlings
We agree with proposed action.
- S5-12 [FISH and WILDLIFE
We agree with proposed action.
- S5-13 [TERRESTRIAL WILDLIFE
We agree with proposed action.
- S5-14 [SPECIAL STATUS SPECIES
We agree with proposed action. Under Parameter – Great Basin, sage grouse row 4, what is the definition of occupied source habitat and occupied isolated habitats?
- S5-15 [WILD HORSES
We agree with proposed action.
- S5-16 [CULTURAL RESOURCES
We agree with proposed action.
- S5-17 [VISUAL RESOURCES
We agree with proposed action.
- S5-18 [LANDS AND REALTY
Parameter – Disposal of public lands
What was the basis on how the locations were decided? Did it consider impact on economics, lifestyle, etc.? Is the land meant for farming, residential, industry? More thought and effort needs to go into the selection of lands for disposal.
Other parameters - We agree with proposed action.
- S5-19 [RENEWABLE ENERGY
We agree with proposed action.
- S5-20 [TRAVEL MANAGEMENT AND OFF-HIGHWAY VEHICLE USE
Parameter – Off highway Vehicles
The “0 acres – open to cross county off-highway vehicle use” is too restrictive and does not appear to allow access for emergency, research, and ranchers to service needs or retrieve cattle.
- S5-21 [RECREATION
The question of who will mitigate damages to roads caused by events and under what conditions will events be cancelled (e.g. drought) is left unanswered.

Responses to Letter S5

- S5-10 Hydrologic function is tied to plant community structure and composition, and the two are not separable and would be considered together on a watershed basis. Riparian/wetlands are part of a watershed system and would exhibit ecological site integrity.
- S5-11 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-12 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-13 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-14 In response to your comment, the Glossary in the Proposed RMP and Final EIS has been updated to include clarification of the terms identified in Table 2.9-1.
- S5-15 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-16 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-17 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-18 The lands proposed for disposal were selected in coordination with county officials. The counties held public meetings to get input on where the Ely Field Office should dispose of public lands and then provided their choice of lands to be available for disposal that would best meet the county's future needs. The proposed lands are concentrated around the communities in the planning area to provide for community expansion for residential, commercial, and public purpose uses.
- S5-19 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-20 In response to your comment, the text in Section 2.5.14.2 of the Proposed RMP and Final EIS has been revised to clarify the discussion of Off Highway Vehicle Designations. Please refer to Section 2.5.14.1 in the transportation plan in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of emergency motorized vehicle access.
- S5-21 Thank you for expressing your concern. Special Recreation Permits for off-highway vehicle events are issued following site-specific environmental analysis and may contain special stipulations, such as a requirement to notify other permittees or a requirement to rehabilitate damaged roads in a timely manner.

Letter S5 Continued

- S5-22 [LIVESTOCK GRAZING
Parameter – Lands Available for Livestock Grazing
We agree with proposed action.
- S5-23 [Parameter – Permit administration
We support alternative E in achieving greater flexibility from administration on adjusting grazing according to the plant population response to grazing and the year's climate.
- S5-24 [Parameter – Kind of Livestock
We agree with proposed action.
- S5-25 [Parameter – Livestock Management in Bighorn Sheep Ranges
We agree with proposed action.
- S5-26 [Parameter – Non-use Relinquished Permits
We agree with proposed action.
- S5-27 [Parameter – Temporary Nonrenewable
What is "temporary non-renewable grazing"?
- S5-28 [Parameter – Water Hauling
We agree with proposed action.
- S5-29 [WOODLAND AND NATIVE PLANT PRODUCTS
Parameter – Fuelwood collection
It is not clear whether this is live or dead trees. This section should be linked to vegetation management plan and treatment of woodlands.
- S5-30 [Parameter – Pinyon Pine Nut Harvesting
We agree with proposed action.
- S5-31 [Parameter - Christmas Tree Harvest
We agree with proposed action.
- S5-32 [Parameter – Post and Pole Harvesting
We agree with proposed action.
- S5-33 [Parameter – Seed Collection
Collection permission should remain on a case-by-case basis. It is important to prevent over-harvesting.
- S5-34 [Parameter – Cactus and Yucca Collection
We agree with proposed action.
- S5-35 [Parameter – Other Vegetation Product Collection

Responses to Letter S5

- S5-22 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-23 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-24 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-25 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-26 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-27 Please refer to Section 2.5.16.2 in the Draft RMP and EIS and Proposed RMP and Final EIS for an explanation of "temporary non-renewable" grazing. This explanation has been repeated in Section 2.5.16.6 of the Proposed RMP and Final EIS.
- S5-28 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-29 In response to your comment, the text in Section 2.5.17.2 of the Proposed RMP and Final EIS has been revised to clarify the discussion that fuelwood collection would include both live and dead trees.
- S5-30 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-31 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-32 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-33 In response to your comment, the Proposed RMP in Section 2.5.17.6 of the Proposed RMP and Final EIS has been changed to allow commercial use on a case-by-case basis. Please refer to Section 2.4.17.6 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of how BLM would prevent over-harvesting.
- S5-34 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-35 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.

Letter S5 Continued

- S5-35 [We agree with proposed action.
- S5-36 [GEOLOGY AND MINERAL EXTRACTION
We agree with proposed action.
- S5-37 [WATERSHED MANAGEMENT
We agree with proposed action.
- S5-38 [FIRE MANAGEMENT
We agree with proposed action.
- S5-39 [INVASIVE AND NONNATIVE PLANT SPECIES, INCLUDING NOXIOUS WEEDS
We agree with proposed action.
- S5-40 [SPECIAL DESIGNATIONS
Parameter - Areas of Critical Environmental Concern
How do these affect livestock grazing?
- S5-41 [Parameter – Back Country Byways
We agree with proposed action.
- S5-42 [Parameter – Designated Wilderness (Section 2.5.22.3) is missing from table 2.4-1
We agree with proposed action.
- S5-43 [Parameters - Wilderness Study Areas
Table 2.4-1 references the wrong Section (2.5.22.3 instead of 2.5.22.4)
It is unclear what management will happen in Wilderness Study Areas. What are wilderness characteristics?
- S5-44 [Parameters - Other special designations
Table 2.4-1 references the wrong Section (2.5.22.4 instead of 2.5.22.5)
We agree with proposed action.

Responses to Letter S5

- S5-36 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-37 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-38 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-39 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-40 Please refer to Section 4.16 in the Draft RMP and EIS and Proposed RMP and Final EIS for a discussion of the acreage that would be lost to livestock grazing with the designation of ACECs under each alternative.
- S5-41 The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-42 Since the management related to wilderness is common to all alternatives, a parameter related to this topic is not needed in Table 2.9-1. The table heading has been corrected in the Proposed RMP and Final EIS to eliminate this erroneous reference to Section 2.5.22.3. The management direction in Alternative E has been incorporated into the Proposed RMP presented in this document.
- S5-43 Section references have been eliminated from Table 2.9-1. Please see Section 2.5.22.4 for discussion of the management for Wilderness Study Areas and to Section 2.5.22.5 for the management of Other Special Designations. Wilderness characteristics are defined by wilderness regulations. (Please also see Section 1.6.2.1 for further discussion of these areas).
- S5-44 Please refer to Response to Comment F1-43.

Letter S6

KENNY C. GUINN
Governor

STATE OF NEVADA



DON HENDERSON
Director

DEPARTMENT OF AGRICULTURE

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Carson City, Nevada 89703
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December 12, 2005

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

Dear Mr. Drais

The following comments are submitted by the Nevada Department of Agriculture (Department) in response to the solicitation for public response to the Draft Resource Management Plan/ Environmental Impact Statement (DRMP) for the Ely BLM District. The Department would like to take this opportunity to thank Mr. Gene Kolkman for his vision and sustained efforts in developing this DRMP with a new and unique watershed approach. It is both scientifically and gistically reasonable to use this approach for general planning, administration, and management.

Nonetheless, any new management approach, especially on this large scale, is fraught with unknowns, incomplete data, and interdisciplinary conflicts and biases. Having served on the Eastern Nevada Landscape Coalitions Science Review Team and being privy to several preliminary drafts in addition to the final draft, it is apparent that BLM is struggling with both understanding and communicating this complex management concept. In particular, the interdisciplinary conflicts and biases have been an obstacle in producing an unbiased Resource Management Plan (RMP) based on sound science. Though much improved over the preliminary drafts, the Final DRMP still contains many of these biases. Throughout the document, livestock grazing is often the only multiple use that is scrutinized for determination as a causal factor in not meeting resource or watershed objectives or standards. This is unfair to the livestock industry and is the potential "Achilles Heel" of this RMP in the implementation phase. It would be unfortunate to have this ecologically sound approach not achieve its true potential because of myopic analysis, implementation, and management of livestock only to achieve watershed health. Ecological functions have very complex interactions that are often subtle over time but have significant implications and consequences at some future time. This necessitates objective observation, evaluation, and management to avoid potentially disastrous.

In general overview of the DRMP I would like to make the following additional observations and comments:

- Because of the huge scope of the document in physical geographic coverage, variety of natural systems and ecological concepts, management and administration, and conformance to NEPA requirements the document is large and cumbersome. Therefore, the DRMP is difficult to follow and understand, and contains internally conflicting statements, subsequently making it easy to misunderstand and or misinterpret.
- It seems watershed analysis is the underpinning of the "ecological systems approach to management". The phases of watershed analysis are defined in Appendix C, however, description of the phases of analysis do not adequately convey what watershed analysis is or how it is to be accomplished with decreasing federal budgets.

Responses to Letter S6

- S6-1 Thank you for expressing your concerns. While statements of opinion (including agreement or opposition) do not require specific responses or text revisions under the NEPA regulations, they have been considered by the Ely Field Office and Nevada State Office and documented in the administrative record associated with the Ely RMP.
- S6-2 In response to your comment and similar comments, the text in several locations in the Proposed RMP and Final EIS has been revised to discuss the array of potential causal factors potentially associated with failure to meet Resource Advisory Council Standards and Guidelines.
- S6-3 In response to your comment, the text in several locations throughout the Proposed RMP and Final EIS has been revised to clarify that watershed assessments and monitoring programs will examine a wide array of potential causal factors in not meeting objectives and standards, rather than emphasizing livestock grazing as the primary factor.
- S6-4 In response to your comment and similar comments, the discussion of adaptive management and monitoring incorporating these aspects has been revised and expanded in the Proposed RMP and Final EIS (see Section 1.7 and Section 2.4.23).
- S6-5 The format for the Draft RMP and EIS was developed to meet CEQ requirements for EISs, BLM Land Use Planning Handbook guidelines for RMPs, and the Ely Field Office's need to have the RMP organized by resource program. Consistency concerns were raised by a number of commenters. Chapters 2 and 4 in the Proposed RMP and Final EIS, in particular, have been revised to correct inconsistencies among resource programs.
- S6-6 Thank you for your comment. The approach to watershed analysis is addressed in the Draft RMP and EIS and Proposed RMP and Final EIS at a level of detail that BLM considers appropriate for the land use planning process. A variety of editorial revisions have been made to the Proposed RMP and Final EIS to better explain the relationships between watershed analysis, the monitoring program, and adaptive management.

Letter S6 Continued

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- S6-7
- Adaptive Management is crucial to effective implementation of this plan. The best data and information we have, or ever will have, will never be complete or adequate to provide us perfect knowledge or understanding. Thus, understanding what adaptive management is and how to use it gives us the ability to work with imperfect knowledge and manage effectively. It is often referenced in the DRMP but the only definition of this process is provided in the glossary and is very cursory. It is my hope that the Final RMP and Record of Decision will include a much more definitive explanation of the process. I suggest contacting Ron Wiley, Team Lead for the National Riparian Service team at the Prineville BLM District office¹. Ron has been working with adaptive management and refining its definition and use for many years, and is currently working with USFWS to define adaptive management for use with T&E species and define how to apply this concept in regards to the regulatory framework established for the Endangered Species Act.
- S6-8
- Monitoring is a critical component of the DRMP and adaptive management. Monitoring for implementation effectiveness of a project as a component of the plan down to monitoring a use such as grazing at the allotment level is critical to understanding what is being done, if anything, where we are at the current point in time, and where we are going and how to get there. Given the ever decreasing federal budgets for natural resource management and the historical deficiency of land management agencies to fund monitoring, The DRMP should identify use of University, NRCS, ARS, state agencies and other qualified private industry consultants and the ability to contract and compensate these entities to accomplish necessary monitoring.
- S6-9
- S6-10
- Effectiveness monitoring on large landscape vegetation projects as implied in the DRMP is crucial to understanding the impact and value of the project and management of the project post treatment. Objective third party contractors should be employed to perform landscape scale photographic point and appropriate quantitative monitoring on a five year basis. Additionally, maintenance of existing exclosures and identification and implementation of new exclosures should be instituted to provide comparison reference areas to aid in evaluation of qualitative and quantitative monitoring data. Existing exclosures have contributed invaluable information to aid understanding of ecological functions and determination of causal factors, and have been the basis for many research papers for UNR Masters and PhD. theses.
- S6-11
- S6-12
- The Nevada Rangeland Monitoring Handbook update team has been working with the State office of the BLM to define and incorporate cooperative monitoring between the permittees and BLM as agreed to in the BLM/PLC MOU on cooperative monitoring. Use of cooperative monitoring with permittees for collection of annual data will free up BLM personnel for trend monitoring. The Nevada Rangeland Monitoring Handbook was developed to provide consistency and suggest appropriate methods and definitions for agency and permittee monitoring of livestock grazing. The update of the Handbook will provide definition of monitoring for such topics as riparian area monitoring, competitive species grazing and producer monitoring. This Monitoring Handbook and update should be recognized in the DRMP as an accepted document and recommended for monitoring livestock grazing.

Comments addressing specific issues in the DRMP area as follows:

- S6-13
- 1) Pg 2.4-9 Table 2.4-1, Alt. E Great Basin Big Game Habitat: Habitat should be managed for resiliency and healthy animal populations, not just to provide more animals for hunting.

¹ See attachment derived from Ron Wiley's power point presentation on adaptive management.

Responses to Letter S6

- S6-7 Please refer to Response to Comment S6-4.
- S6-8 In response to your comment, the text in Sections 1.7 and 2.4.23 of the Proposed RMP and Final EIS has been revised to clarify the discussion of adaptive management and monitoring.
- S6-9 The Ely Field Office works on landscape management and monitoring in partnership with the Eastern Nevada Landscape Coalition, which includes University professors, federal and non-federal agency specialists, and nation-wide environmental groups.
- S6-10 Please refer to Response to Comment S4-4.
- S6-11 In response to your comment, exclosures have been added to the Research Tools section of Appendix H (Tools and Techniques) in the Proposed RMP and Final EIS.
- S6-12 In response to your comment and similar comments, the discussion of adaptive management and monitoring incorporating these aspects has been revised and expanded in the Proposed RMP and Final EIS (see Section 1.7 and Section 2.4.23). The Nevada Rangeland Monitoring Handbook has been included as a reference in this section.
- S6-13 The Ely Field Office agrees with your comment. The management actions in the Proposed RMP are intended to result in healthy wildlife communities, not just increased numbers of game species.

Letter S6 Continued

Responses to Letter S6

S6-14	Page 3 of 5	Table 2.4-1, Alt. A and E. Rocky Mountain Bighorn Sheep. The document says that Rocky Mtn. Bighorns would be maintained only on Mts. Grafton and Moriah. The population in the Snake Range (Great Basin NP) also needs to be considered in relation to domestic sheep grazing. Just because the Bighorns aren't on BLM land doesn't mean that they should be ignored
	2) Pg 2.4-10	
S6-15	3) Pg. 2.5-3	The Nevada Department of Environmental Protection (NDEP) is the regulatory authority for Nevada water quality and the association between water quality and quantity affecting the regulatory status of each stream or water source. Water Quality standards enacted through the Nevada Administrative Code (NAC) should be the basis for determining maintenance of chemical and physical integrity associated with water quality. Further, BLM and NDEP signed a Memorandum of Understanding for Water Quality Management Activities within the state of Nevada. This MOU should guide and be referenced regarding BLM's goal for water in any District and any RMP in the state of Nevada. This MOU identifies 1) the goals and objectives defined by Congress in the Clean Water Act, as amended (P.L. 100-4, 1987), to restore and maintain the chemical, physical and biological integrity of the Nation's waters and to attain water quality which provides for the protection and propagation of fish and wildlife and provides for recreation in and on the waters of the State of Nevada, 2) to respond to the goals and policies of the State of Nevada as defined in the Nevada Water Pollution Control Statutes Chapter 445A.300 through 445A.730 and, 3) to identify the responsibilities and activities to be performed by each agency in carrying out water quality and non point source pollution control programs as related to activities on BLM lands.
S6-16	4) Pg 2.5-19	Alternatives B and C briefly cover protection of aspen regeneration from grazing. Alternative C mentions protecting aspen by limiting grazing to periods outside the grazing season. Alternative B only mentions protection methods with no examples given. For both alternatives, protection from grazing should be limited to areas where site potential allows for regeneration to occur, and should be considered on a site-by-site basis. AUM reductions and allotment closures should not be utilized as protection measures unless other measures have been tried unsuccessfully, and it is clearly a problem with overstocking. Also, limiting grazing to periods outside the growing season (Alternative C) may completely eliminate livestock grazing in more alpine areas where the growing season begins once the snow melts and ends when the snow flies again. During winters with heavy snow packs, livestock grazing would be completely eliminated. Elimination of livestock grazing may not be necessary for protecting or managing for aspen regeneration. Site by site (not District wide) analysis of livestock grazing prescriptions, livestock management practices, and any protection measures should occur and be written into the individual allotment management plans.
S6-17	5) Pg. 2.5-45	The preferred alternative should include mention of adaptive management and recognition of site specific management based on goals and objectives specific to the site and not left open for supposition that that is the case.
S6-18	6) Pg. 2.5-52	Use of the Rangeland Health Standard worksheets does not provide adequate information to determine if livestock is a causal factor for non-attainment of standards. "Interpreting and measuring Indicators of Rangeland Health has some major limitations for use as set forth in this document. In the front of each version of Interpreting Indicators of Rangeland Health there is a page titled <i>Intended Applications</i> which delineates what this method is and is not to be used for.
S6-19		
S6-20		
S6-21		

S6-14	In response to your comment, the text in Table 2.9-1 and in Section 2.4.6.4 of the Proposed RMP and Final EIS has been revised to include the entire Snake Range.
S6-15	The Memorandum of Understanding between NDEP and BLM is already discussed in Section 1.8.2 and Section 2.4.3, and additional references to it and the Clean Water Act have been made in Section 4.3.
S6-16	Please refer to the Response to Comment S6-15.
S6-17	In response to your comment, the text in Section 2.4.5.3 of the Proposed RMP and Final EIS has been revised to clarify that the protection methods for encouraging aspen regeneration would be applied on a site-specific basis.
S6-18	Evaluation of livestock grazing use relative to achievement of the standards and guidelines for rangeland health is a continual and on-going process. Grazing use will be evaluated during the term permit renewal process, during watershed analysis, and during grazing use monitoring, all of which will occur. Evaluations will be allotment-specific, and if it is determined that grazing is a causal factor for not meeting standards for rangeland health, appropriate adjustments to grazing practices will be made to address the specific problem. This could include elimination of livestock grazing to promote aspen regeneration.
S6-19	Please refer to Response to Comment S6-4.
S6-20	In response to your comment and similar comments, the text related to the Proposed RMP in Section 2.4.16 and Section 2.5.16 has been revised to delete this reference to Rangeland Health Standards Assessments. The discussion of adaptive management and monitoring incorporating these aspects has been revised and expanded in the Proposed RMP and Final EIS (see Section 1.7 and Section 2.4.23).
S6-21	Please refer to Response to Comment S6-20.

Letter S6 Continued

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Additionally, accurate assessments using this method are **highly** dependent upon identifying the proper ecological site and local technical people personnel with in-depth ecological, soils, climatological and management experience in order to derive accurate useful information to prioritize resource management and personnel.

*The approach is **NOT** to be used to:*

- Identify the cause(s) of resource problems.
- Make grazing and other management decisions.
- Monitor land or determine trend.
- Independently generate national or regional assessments of rangeland health.

7) Pg 4.1-11, section 4.1.4.4

Bighorn sheep and domestic sheep interactions. The 4th point "approach to evaluate impacts" relate that the science about bighorn/domestic sheep is unclear, it conflicts somewhat with the information on page 2.5-146. This document needs a clear planning direction on bighorn sheep and domestic sheep conflict that does not prohibit their interaction. There is no science that documents Big horn sheep contracting Pasturella Hemolytica from domestic sheep in the wild, only questionable studies done in captivity. A programmatic document should allow for future adaptive management and change of direction without the development of a completely new planning document of the size and scope of the RMP/EIS.

8) Pg 4.16-4

Using livestock for watershed, fire, and weed management is proactive watershed management. This document should encourage active adaptive management, rather than being restrictive.

The Department remains concerned that other inconsistencies as pointed out in our previous comments to preliminary drafts remain in the document. We also support the comments provided by the Eastern Nevada Landscape Coalition Science review team, which we are a participant.

Thank you,

Gary McCuin

Gary McCuin
Rangeland specialist

Responses to Letter S6

S6-22 In response to your comment, the text in Section 4.1.4.4 of the Proposed RMP and Final EIS has been revised to clarify the discussion of interactions among bighorn sheep and domestic sheep and goats. The basic impact conclusions presented in the Draft RMP and EIS have not changed.

S6-23 Please refer to Sections 4.19, 4.20, and 4.21 in the Proposed RMP and Final EIS for discussions of livestock grazing as a tool in the management of watersheds, fire, and weeds, respectively.

S6-24 Please refer to Response to Comment S6-5 for a discussion of the format of and inconsistencies in the Draft RMP and EIS.