



U.S. Department of the Interior  
Bureau of Land Management  
Black Rock Field Office

June 2019

# Burning Man Event Special Recreation Permit

## Final Environmental Impact Statement-Volume 2



## **MISSION STATEMENT**

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

---

## APPENDICES

---

- A EIS Figures
- B Special Recreation Permit and Stipulation Information
- C Impact Analysis Methodology
- D Detailed Cumulative Assessment
- E Mitigation and Monitoring
- F Visual Assessment of Historic Properties Forms
- G Key Observation Point Photos for Visual Resources and Cultural Resources
- H Glossary and Index
- I References
- J List of Preparers
- K Content Analysis Report

This page intentionally left blank.

---

# Final EIS Appendices

Appendices B, F, and G have not changed from the Draft EIS and are available on the BLM ePlanning website, <https://go.usa.gov/xnBTu>.

This page intentionally left blank.

---

# Appendix A

## Figures

This page intentionally left blank.

# Appendix A. Figures

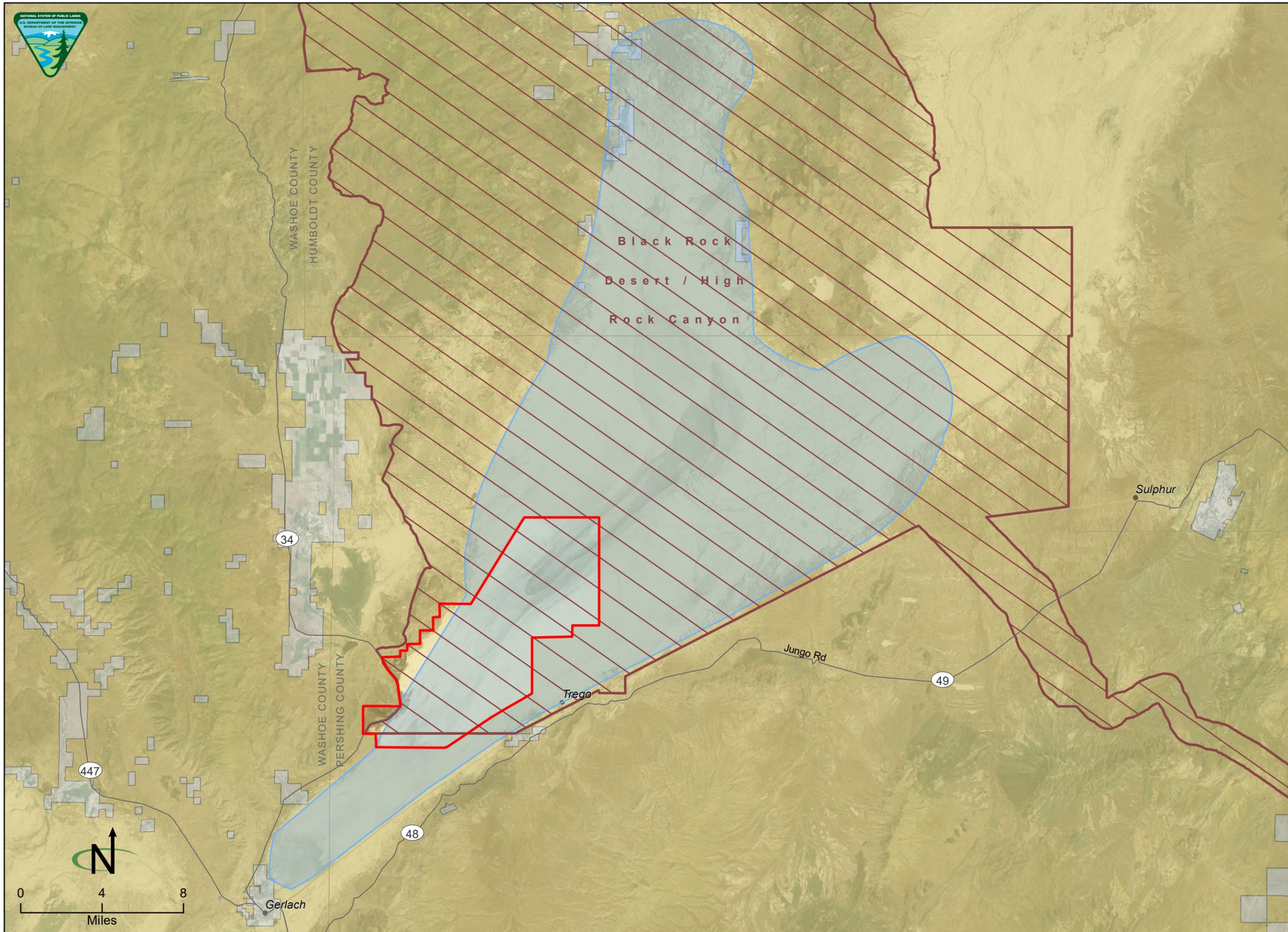
---

## FIGURES LIST

---

- 1-1 Black Rock Desert Playa
- 2-1 Comparison of Alternatives
- 2-2 Event Locations by Alternative
- 2-3 Representative City Infrastructure
- 3-1 Biological Resources
- 3-2 Vegetation Types
- 3-3 Cultural and Native American Religious Concerns
- 3-4 Air Quality, Climate, and Public Health and Safety
- 3-5 Wastes, Hazardous or Solid
- 3-6 Noise
- 3-7 Ecological Site Descriptions
- 3-8 Visual Resources
- 3-9 Water Resources
- 3-10 Economics, Environmental Justice, and Social Values
- 3-11 Special Designations
- 3-12 Recreation
- 3-13 Transportation and Traffic

This page intentionally left blank.



**Figure 1-1  
Black Rock Desert Playa**

- Alternatives analysis area
- National Conservation Area
- Playa
- Bureau of Land Management
- Private (includes county and city)

**PURPOSE OF AND NEED FOR FEDERAL ACTION**

The purpose of the federal government (BLM) action is to respond to a request for an SRP under 43 Code of Federal Regulations (CFR), Part 2930 to conduct the Event on the Black Rock Playa annually for 10 years on public lands administered by the BLM Winnemucca District.

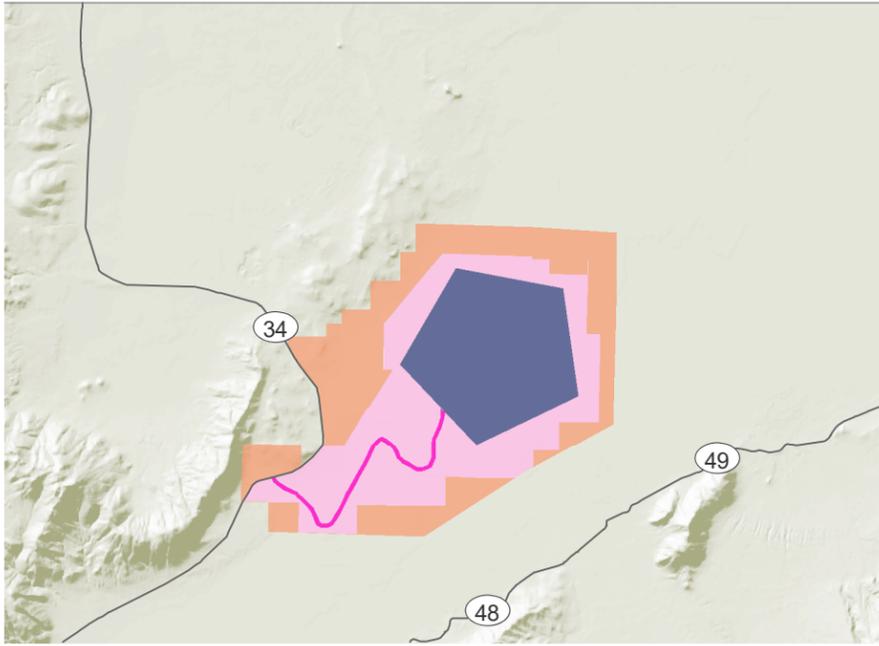
The need for action is established by the BLM's responsibility under the Federal Land Policy and Management Act of 1976 (FLPMA) (Section 103(c)), which requires public lands to be managed on the basis of multiple use and to take any action necessary to prevent unnecessary or undue degradation of lands, while providing for public health and safety (Section 302(b and c)). In addition, the need for action is established by the Federal Lands Recreation Enhancement Act (REA), which authorizes the BLM to issue SRPs for group activities and recreation events.

Source: BLM GIS 2017  
January 2019  
Bureau of Land Management  
Humboldt River Field Office, NV  
No warranty is made by the BLM as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.



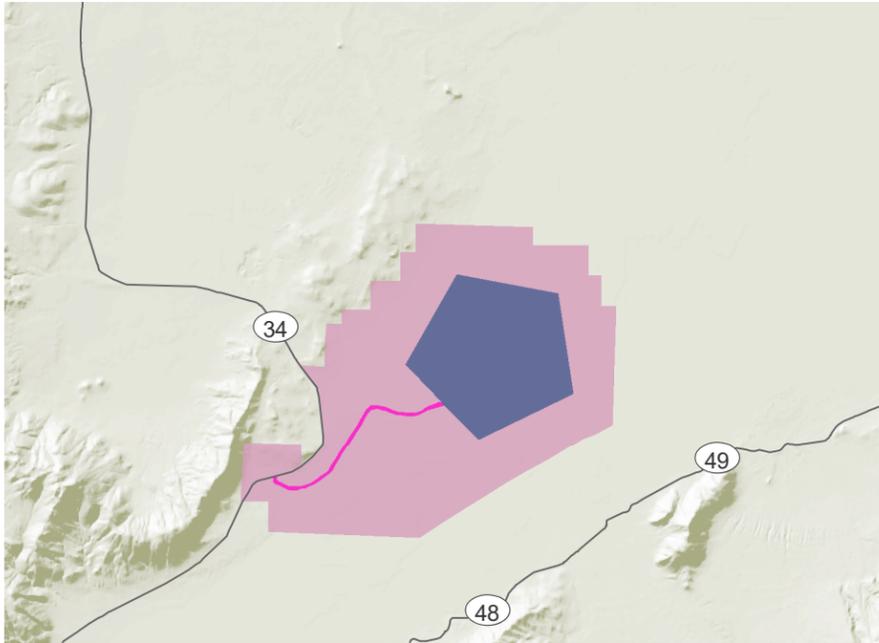


## Figure 2-1 Comparison of Alternatives



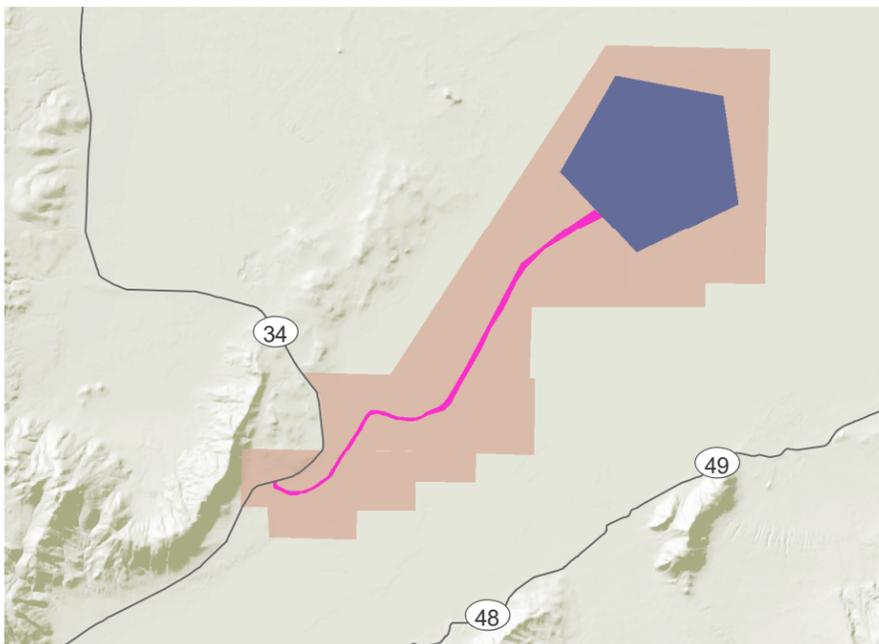
### Alternative A (Proposed Action): 14,820 acres

- Closure area, phase 1: 5,440 acres
- Closure area, phase 2, including a 490-acre proposed addition in the northeast corner of phase 2: 5,240 acres
- Event area: 3,900 acres
- Event entrance road (Gate Road): 240 acres



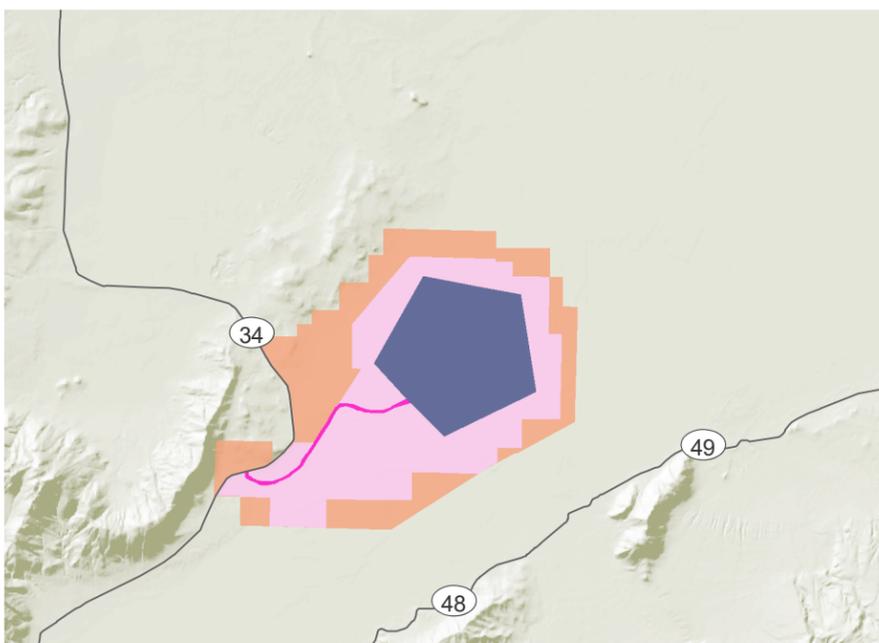
### Alternative B (Reduced Population Alternative): 14,150 acres

- Closure area: the same as Alternative 2 in the Burning Man EA, 10,590 acres
- Event area: 3,410 acres
- Event entrance road (Gate Road): 140 acres



### Alternative C (Alternate Site Alternative): 18,940 acres

- Closure area: 14,620 acres
- Event area: 3,900 acres
- Event entrance road (Gate Road): 420 acres

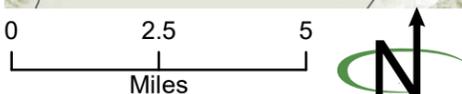


### Alternative D (No Change, same as 2018 event): 14,330 acres

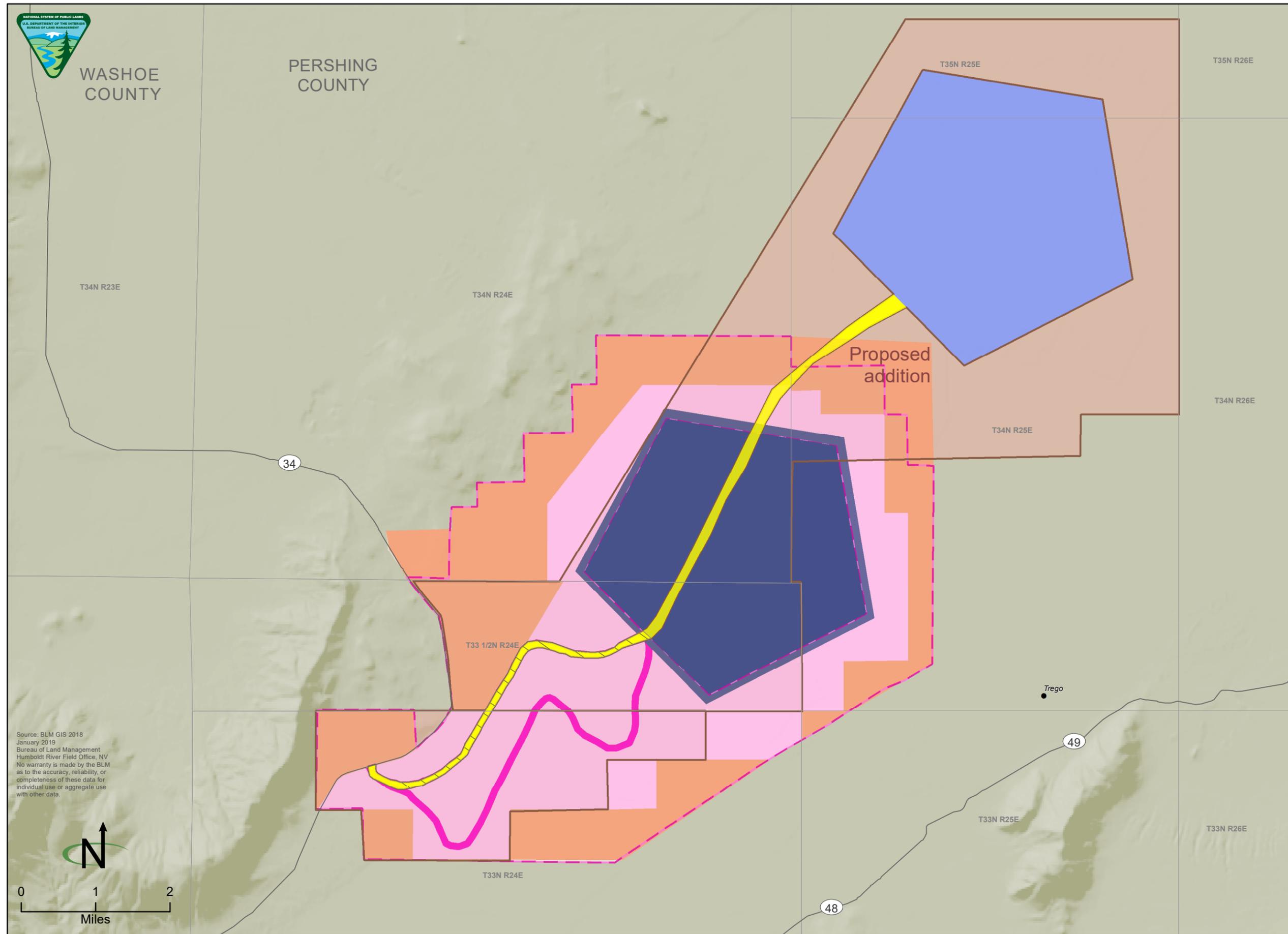
- Closure area, phase 1: 6,010 acres
- Closure area, phase 2: 4,760 acres
- Event area: 3,410 acres
- Event entrance road (Gate Road): 140 acres

### Alternative E (No Permit)

The BLM would not issue a Burning Man Event SRP. Due to the historic nature of the event and the commitment from event participants, a no event alternative would likely result in an unauthorized gathering of thousands of people.



Source: BLM GIS 2018, May 2019  
Bureau of Land Management  
Humboldt River Field Office, NV  
No warranty is made by the BLM as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.



**Figure 2-2  
Event Locations by  
Alternative**

**Alternative A (Proposed Action)**

- Closure area, phase 1
- Closure area, phase 2, including a 490-acre proposed addition in the northeast corner of phase 2
- Event area, expanded
- Event entrance road (Gate Road)

**Alternative B**

- Closure area: the same as Alternative 2 in the Burning Man EA
- Event area
- Event entrance road (Gate Road)

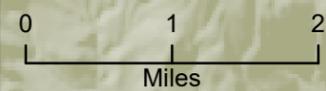
**Alternative C**

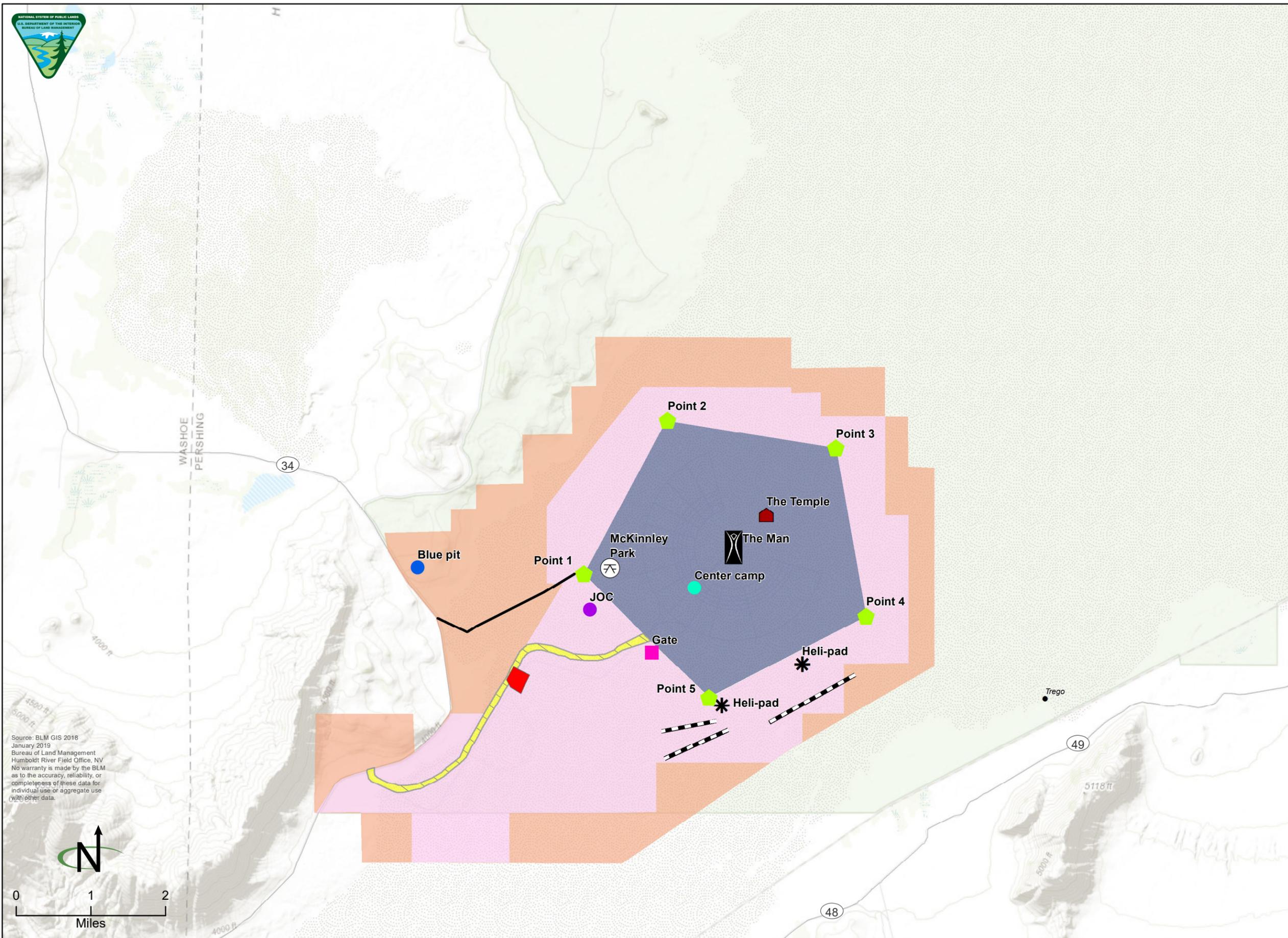
- Closure area
- Event area
- Event entrance road (Gate Road)

**Alternative D (2018 event)**

- Closure area, phase 1
- Closure area, phase 2
- Event area
- Event entrance road (Gate Road)

Source: BLM GIS 2018  
January 2019  
Bureau of Land Management  
Humboldt River Field Office, NV  
No warranty is made by the BLM as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.



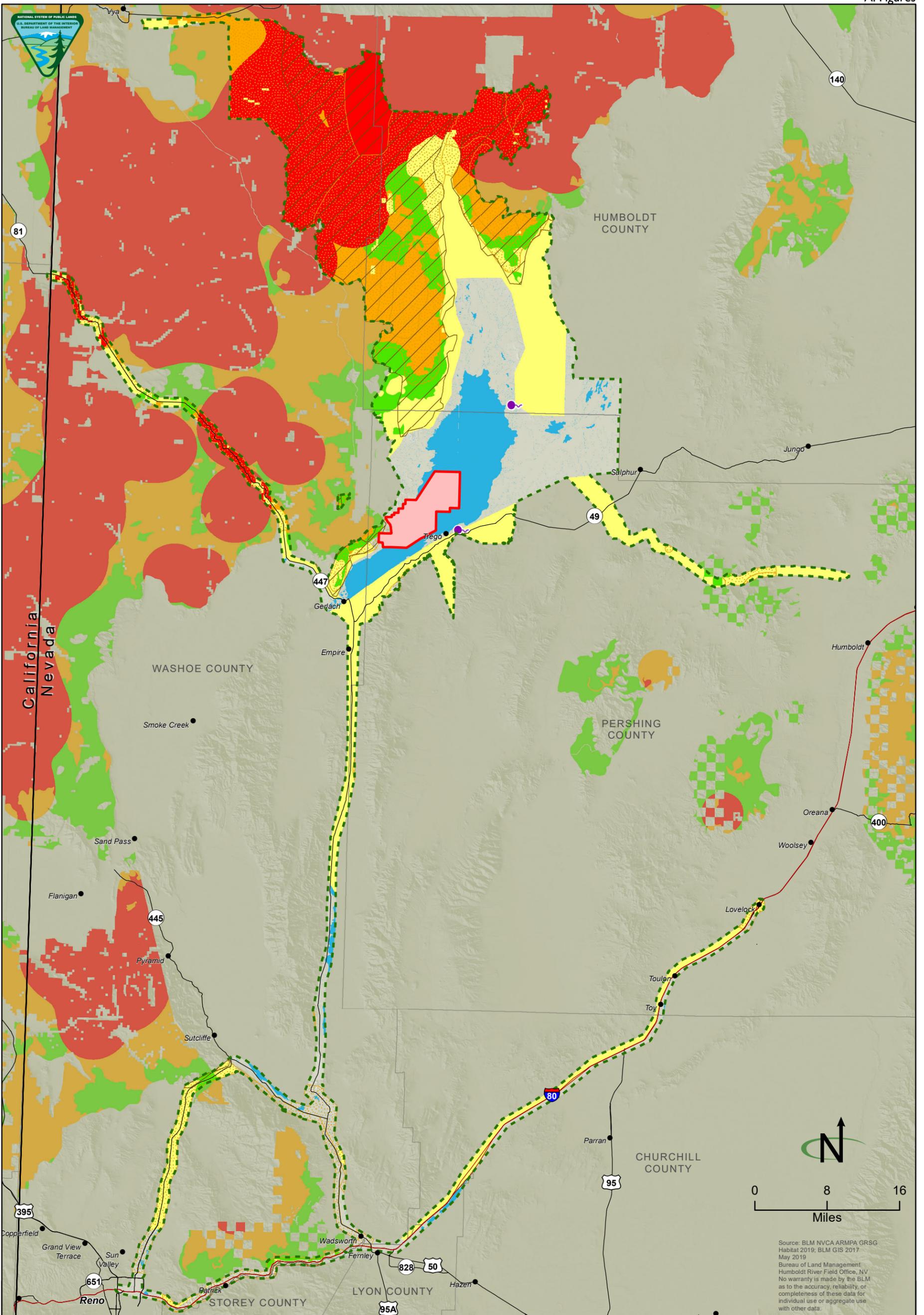


**Figure 2-3  
City Infrastructure  
from the 2018 Event**

- Based on 2018 Event
- Closure area, phase 1
  - Closure area, phase 2
  - Event area
  - Event entrance road (Gate Road)
- Facilities
- Blue pit
  - Center camp
  - Gate
  - ✱ Heli pad
  - Joint Operations Center (JOC)
  - ⊕ McKinnley Park
  - Pentagon points
  - The Man
  - The Temple
  - Airstrip
  - 12 Mile road
  - Staging area

Source: BLM GIS 2018  
January 2019  
Bureau of Land Management  
Humboldt River Field Office, NV  
No warranty is made by the BLM  
as to the accuracy, reliability, or  
completeness of these data for  
individual use or aggregate use  
(with other data).

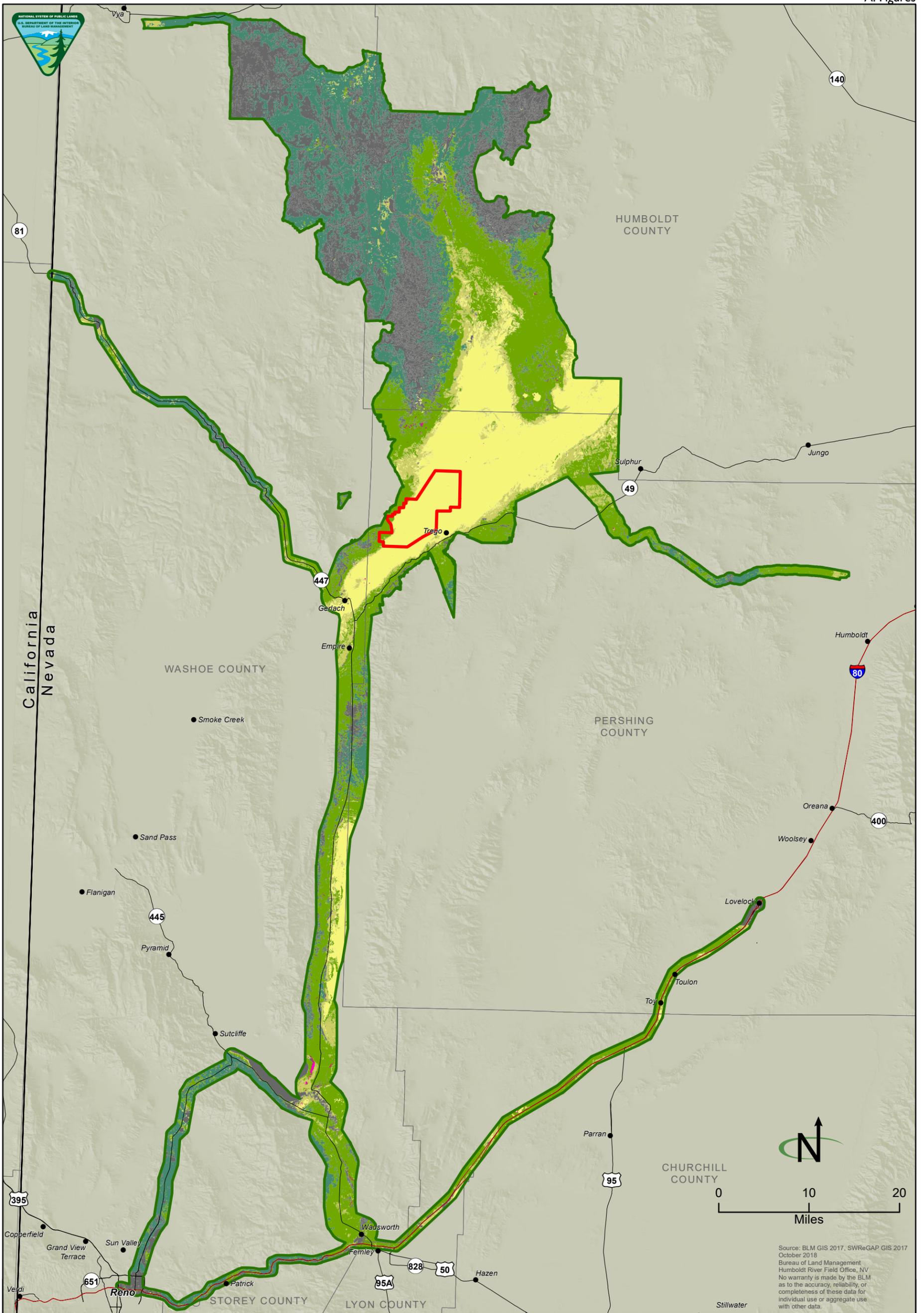




**Figure 3-1  
Biological Resources**

- Biological resources assessment area
- Alternatives analysis area
- Hot spring
- Bighorn sheep range
- Mule deer range
- Pronghorn range
- Wetland
- Sage Grouse Habitat
- PHMA
- GHMA
- OHMA

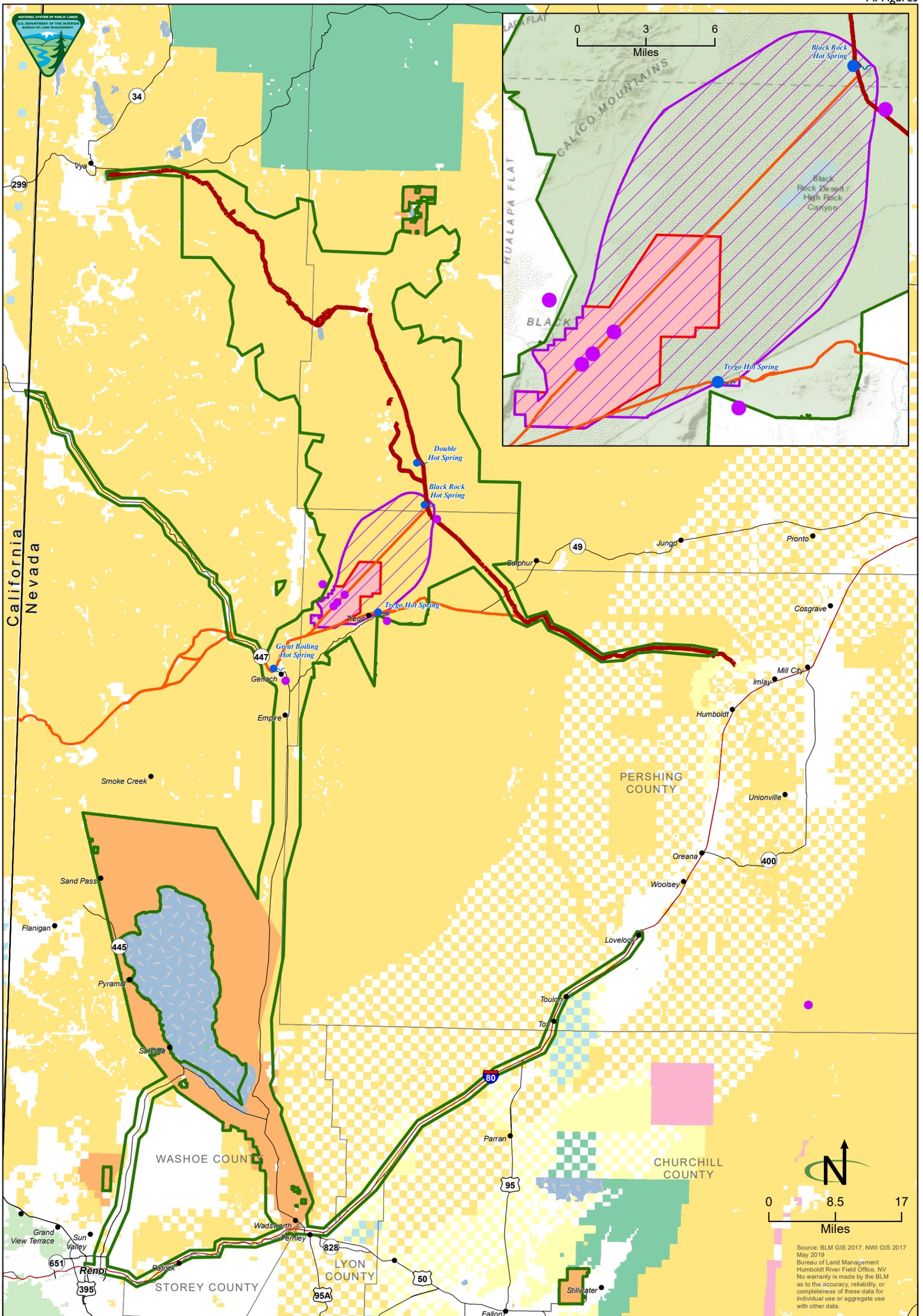




**Figure 3-2**  
**Vegetation Types**

-  Biological resources assessment area
-  Alternatives analysis area
-  Inter-Mountain Basins Mixed Salt Desert Scrub
-  Inter-Mountain Basins Big Sagebrush Shrubland
-  Inter-Mountain Basins Playa
-  Inter-Mountain Basins Greasewood Flat
-  Inter-Mountain Basins Active and Stabilized Dune
-  Other





**Figure 3-3**  
**Cultural, Paleontological, and Native American Religious Concerns**

Native American religious concerns assessment area  
 Alternatives assessment area

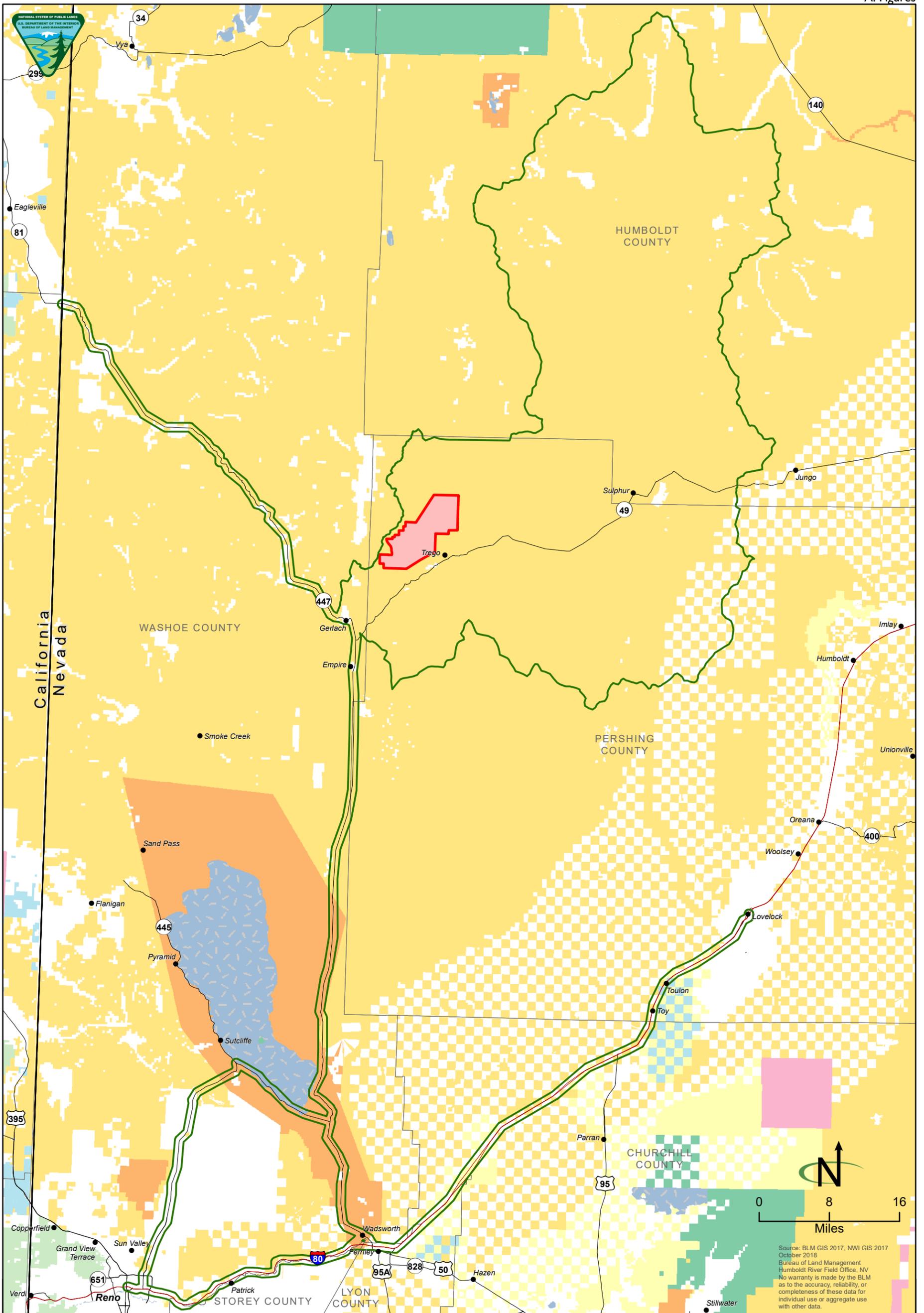
Indirect assessment area  
 Cultural KOP  
 Hot spring

Nobles Trail  
 Applegate Trail  
 Bureau of Land Management  
 Private (includes county and city)  
 Bureau of Indian Affairs  
 Bureau of Reclamation

Fish and Wildlife Service  
 Water  
 Department of Defense  
 Forest Service  
 State or regional



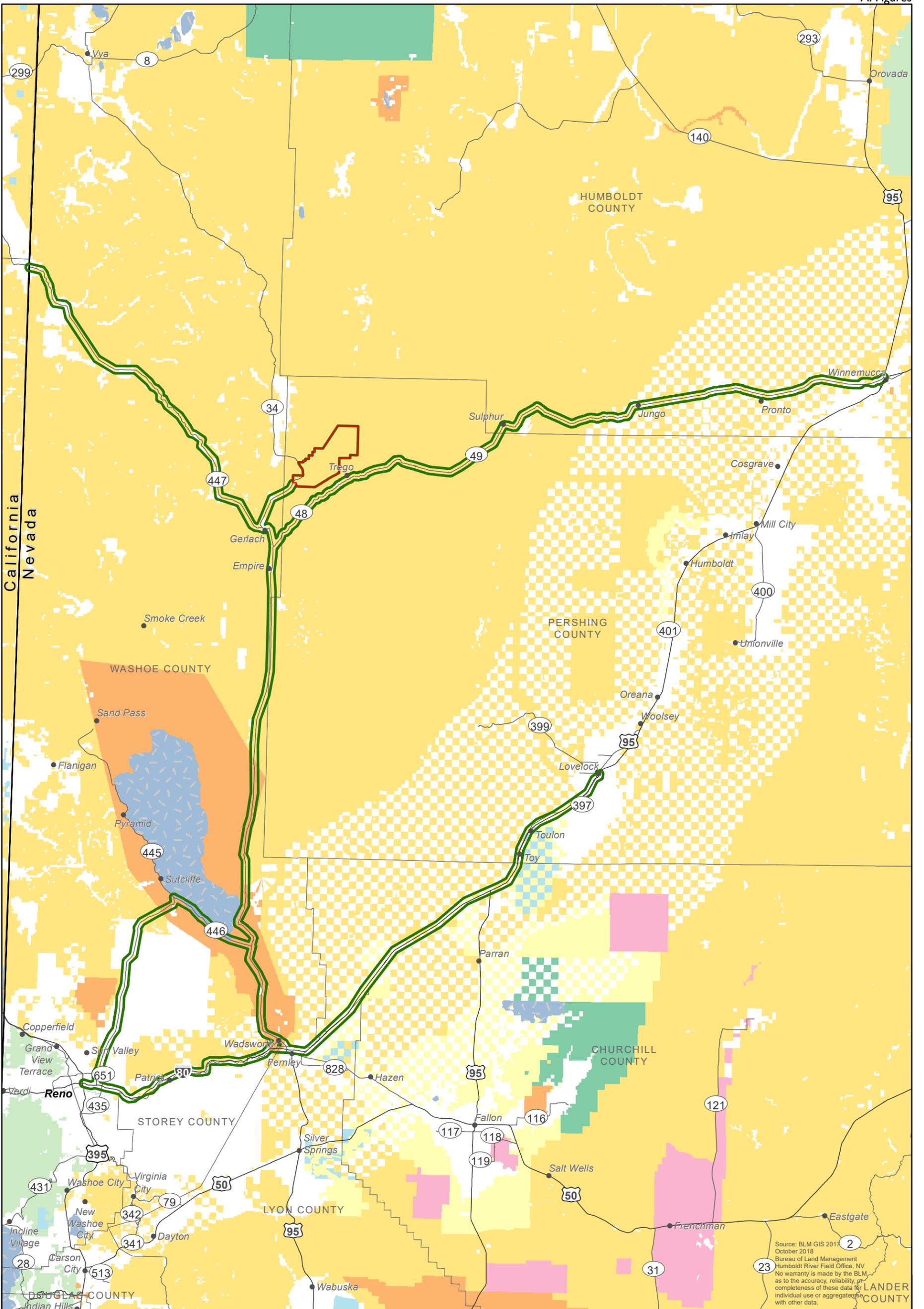
Source: BLM GIS 2017, NWI GIS 2017  
 May 2019  
 Bureau of Land Management  
 Humboldt River Field Office, NV  
 No warranty is made by the BLM  
 as to the accuracy, reliability, or  
 completeness of these data for  
 individual use or aggregate use  
 with other data.



**Figure 3-4**  
**Air Quality, Climate, and Public Health and Safety**

- |  |                                    |                       |
|--|------------------------------------|-----------------------|
| Air quality, climate, and public health and safety assessment area | Private (includes county and city) | Water                 |
| Alternatives analysis area   | Bureau of Indian Affairs           | Department of Defense |
| Bureau of Land Management  | Bureau of Reclamation              | Forest Service        |
|  | Fish and Wildlife Service          | State or regional     |

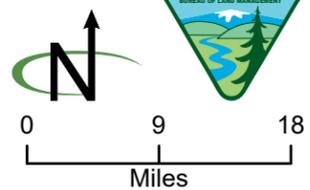


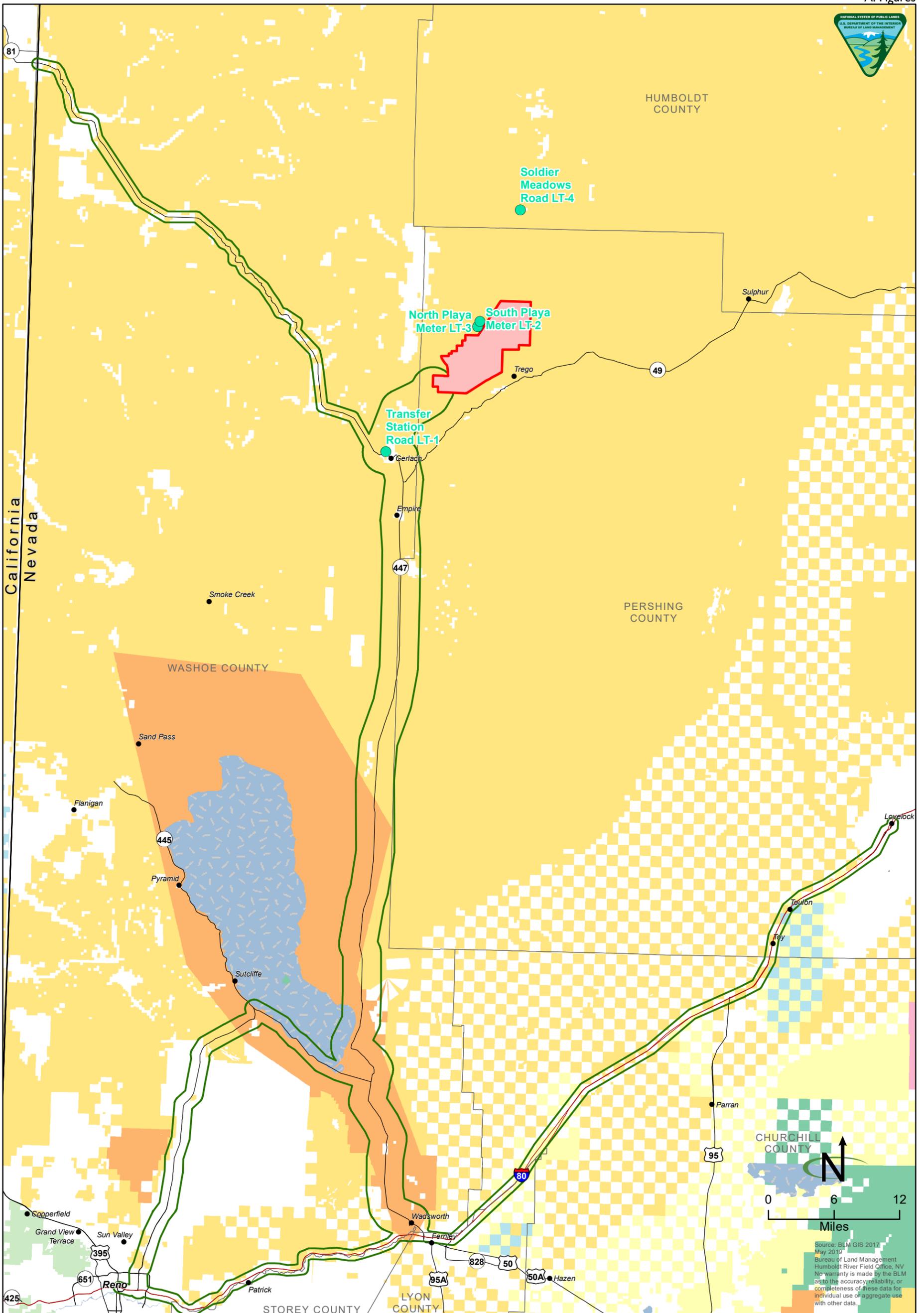


Source: BLM GIS 2017  
 October 2018  
 Bureau of Land Management  
 Humboldt River Field Office, NV  
 No warranty is made by the BLM  
 as to the accuracy, reliability, or  
 completeness of these data for  
 individual use or aggregation  
 with other data.

**Figure 3-5  
 Wastes, Hazardous or Solid**

- |  |                                    |                       |
|--|------------------------------------|-----------------------|
| Wastes, hazardous or solid assessment area | Private (includes county and city) | Water                 |
| Alternatives analysis area                 | Bureau of Indian Affairs           | Department of Defense |
| Bureau of Land Management                  | Bureau of Reclamation              | Forest Service        |
|  | Fish and Wildlife Service          | State or regional     |

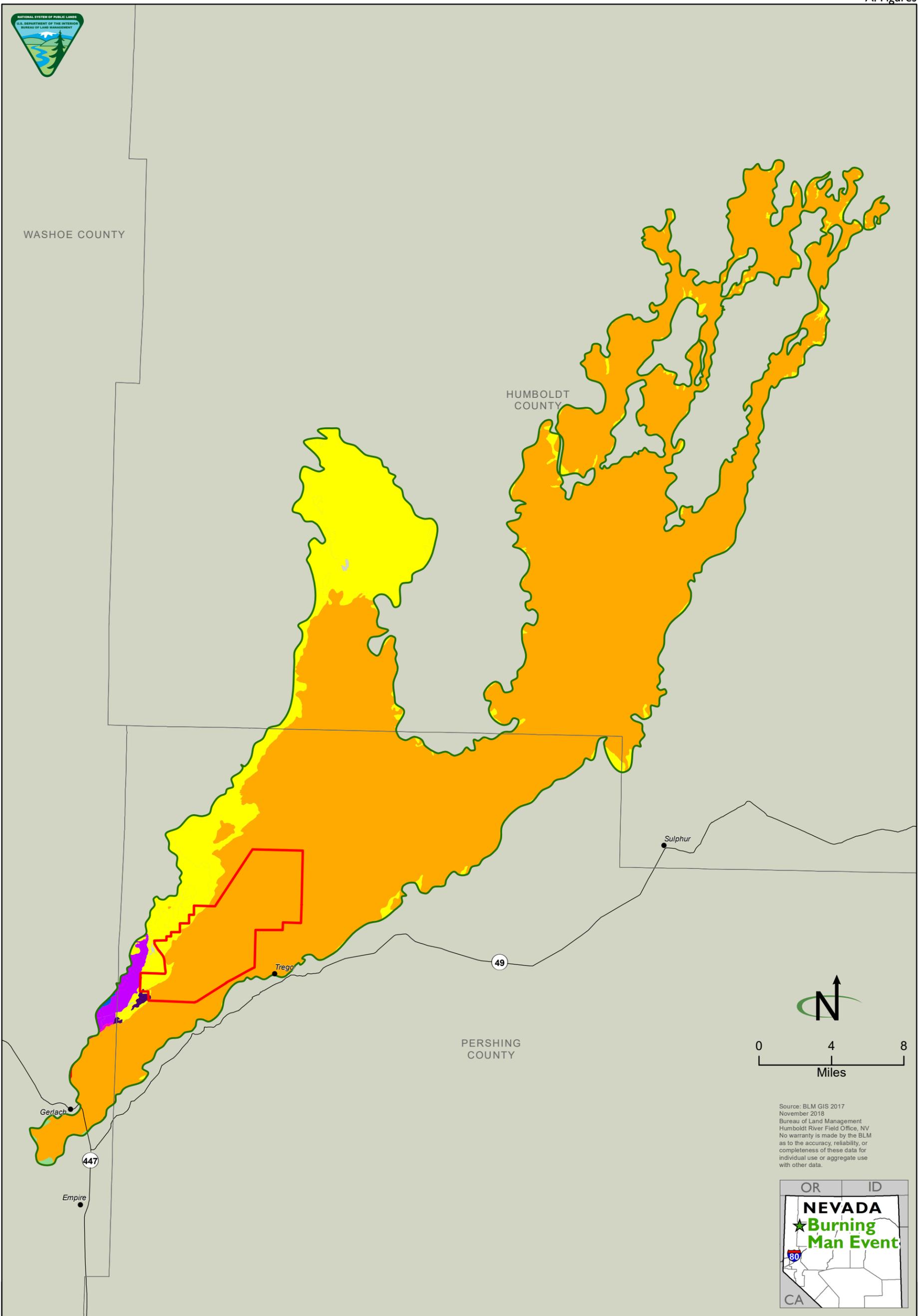




**Figure 3-6  
Noise**

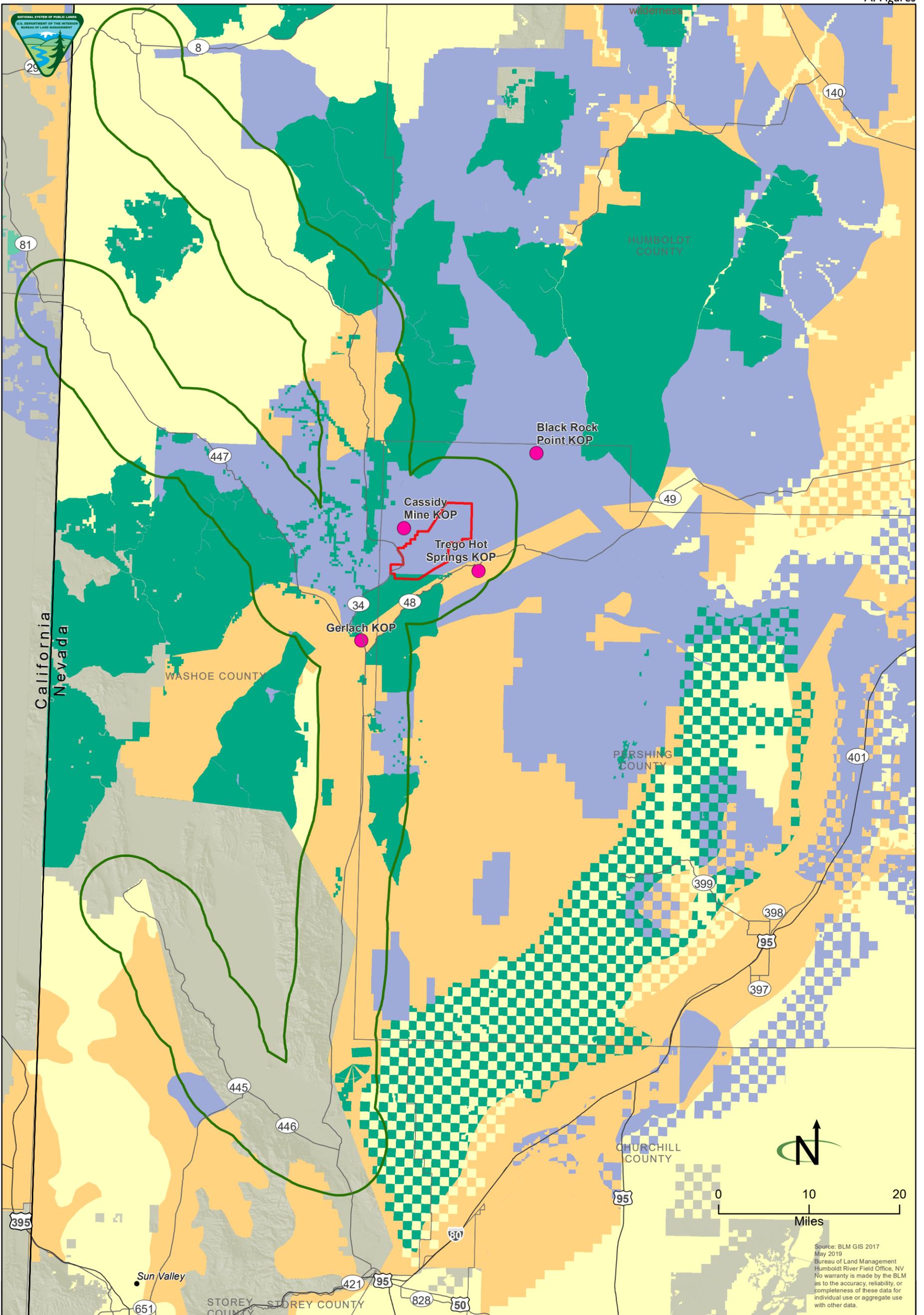
- |                                      |                                    |                       |
|--------------------------------------|------------------------------------|-----------------------|
| Noise assessment area                | Private (includes county and city) | Water                 |
| Alternatives analysis area           | Bureau of Indian Affairs           | Department of Defense |
| Long-term (LT) noise monitoring site | Bureau of Reclamation              | Forest Service        |
| Bureau of Land Management            | Fish and Wildlife Service          | State or regional     |





**Figure 3-7**  
**Ecological Site Descriptions**

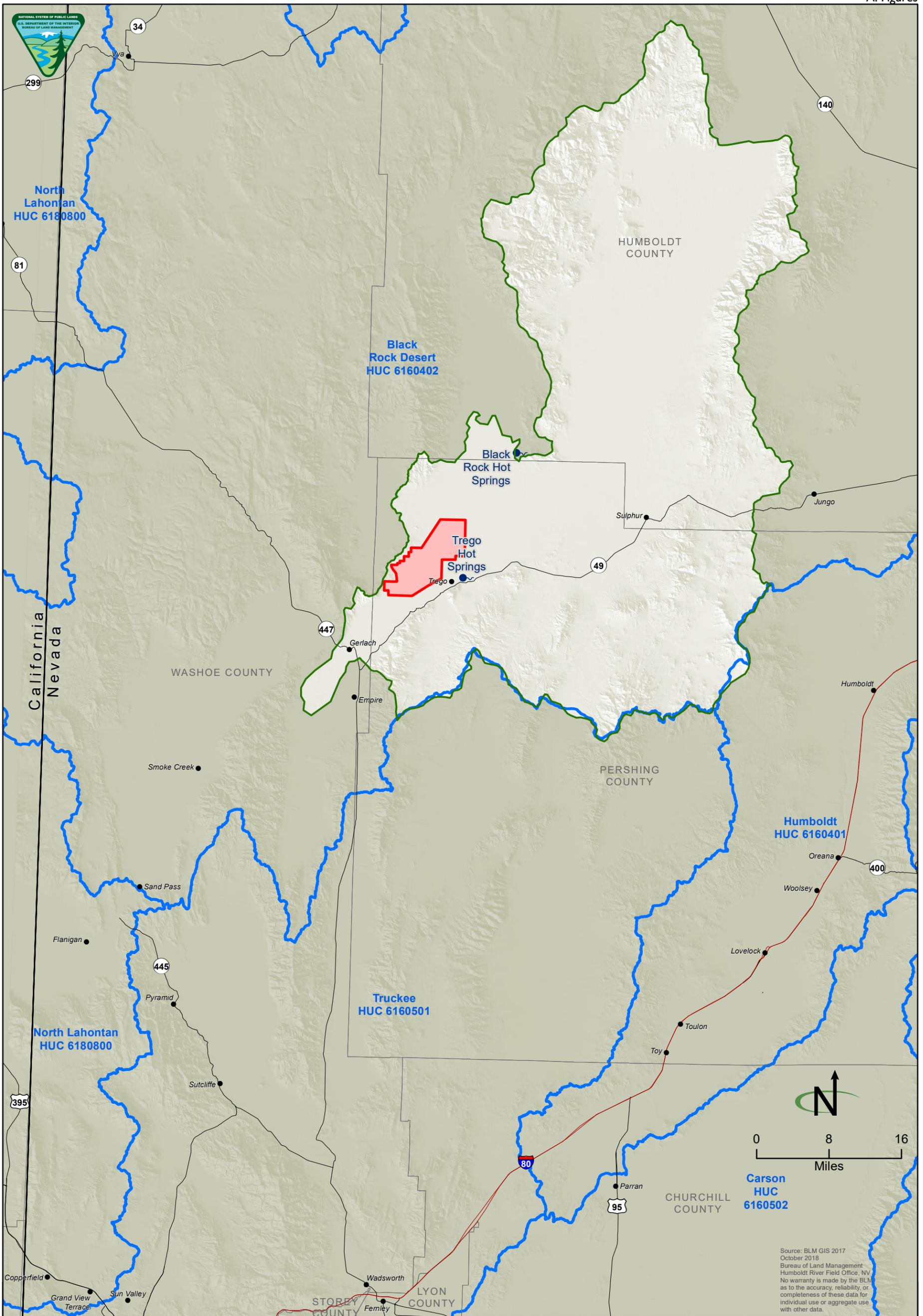
- |                            |                       |                       |                         |
|----------------------------|-----------------------|-----------------------|-------------------------|
| Soils assessment area      | Indian ricegrass      | Inland saltgrass      | Other perennial grasses |
| Alternatives analysis area | Thurber's needlegrass | Iodinebush            | Shadscale               |
|                            | Basin big sagebrush   | Other perennial forbs |                         |



**Figure 3-8**  
**Visual Resources**

- Visual resources assessment area
- Alternatives analysis area
- Key observation point (KOP)
- Visual resource management**
- VRM Class I
- VRM Class II
- VRM Class III
- VRM Class IV or no data



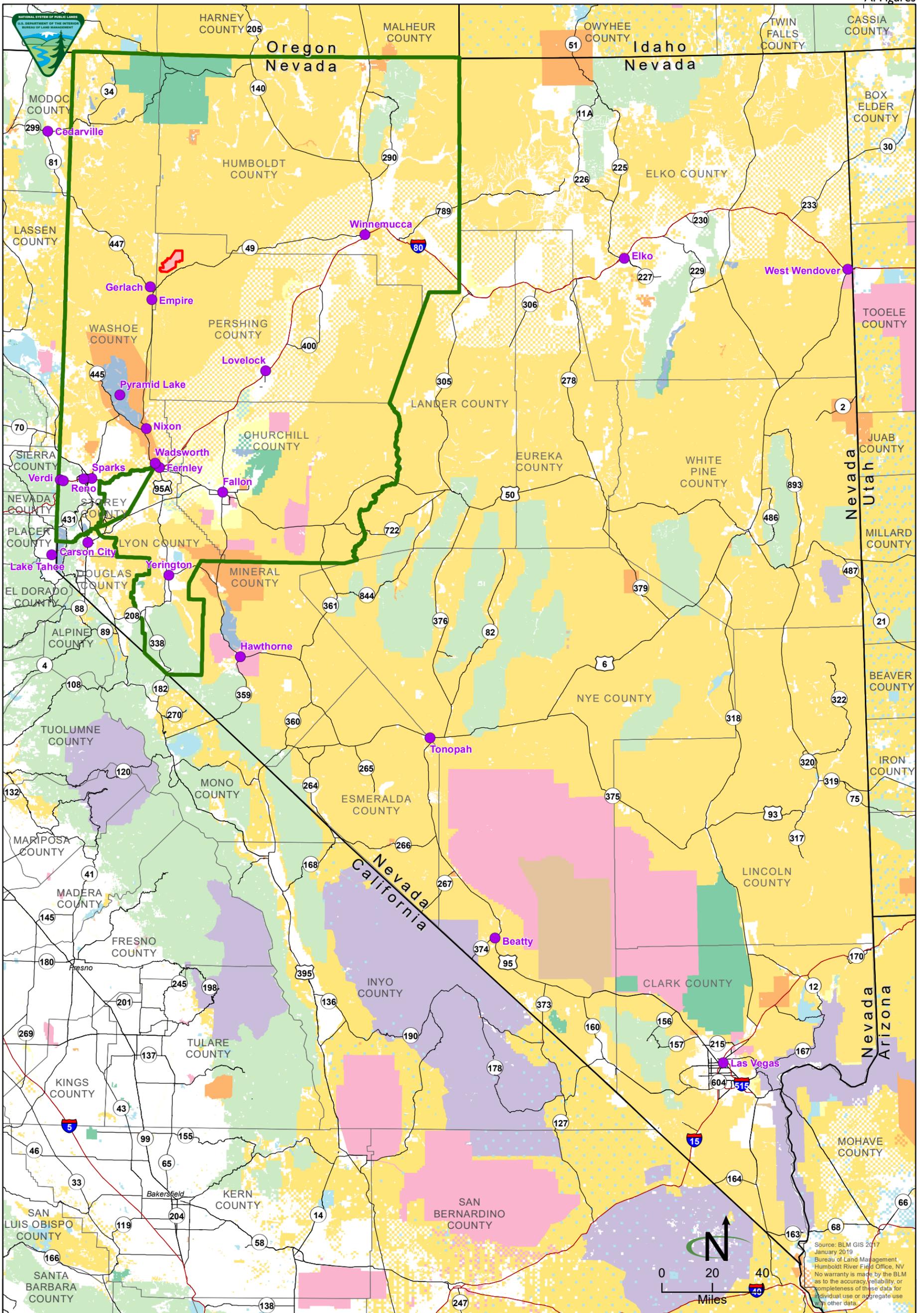


**Figure 3-9**  
**Water Resources**

- ▭ Water resources assessment area
- ▭ Alternatives analysis area
- 🌊 Hydrologic unit code (HUC) level 6
- Hot spring



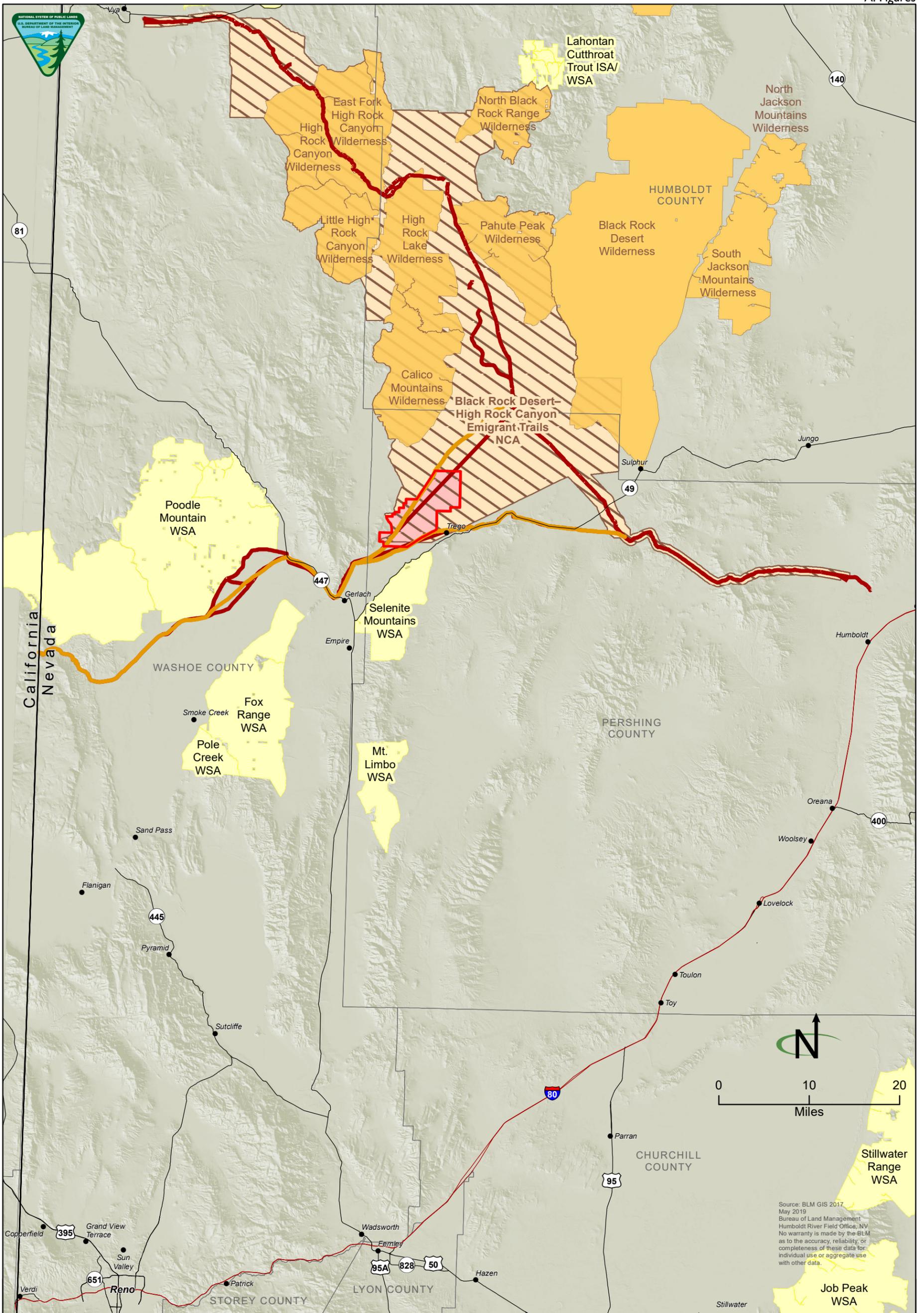
Source: BLM GIS 2017  
October 2018  
Bureau of Land Management  
Humboldt River Field Office, NV  
No warranty is made by the BLM  
as to the accuracy, reliability, or  
completeness of these data for  
individual use or aggregate use  
with other data.



**Figure 3-10**  
**Economics, Environmental Justice, and Social Values**

- |   |                                    |                           |                   |
|---|------------------------------------|---------------------------|-------------------|
| Economics, environmental justice, and social values assessment area | Participant stop                   | Bureau of Reclamation     | Forest Service    |
| Alternatives analysis area  | Bureau of Land Management          | Fish and Wildlife Service | State or regional |
|   | Private (includes county and city) | Water                     |                   |
|   | Bureau of Indian Affairs           | Department of Defense     |                   |



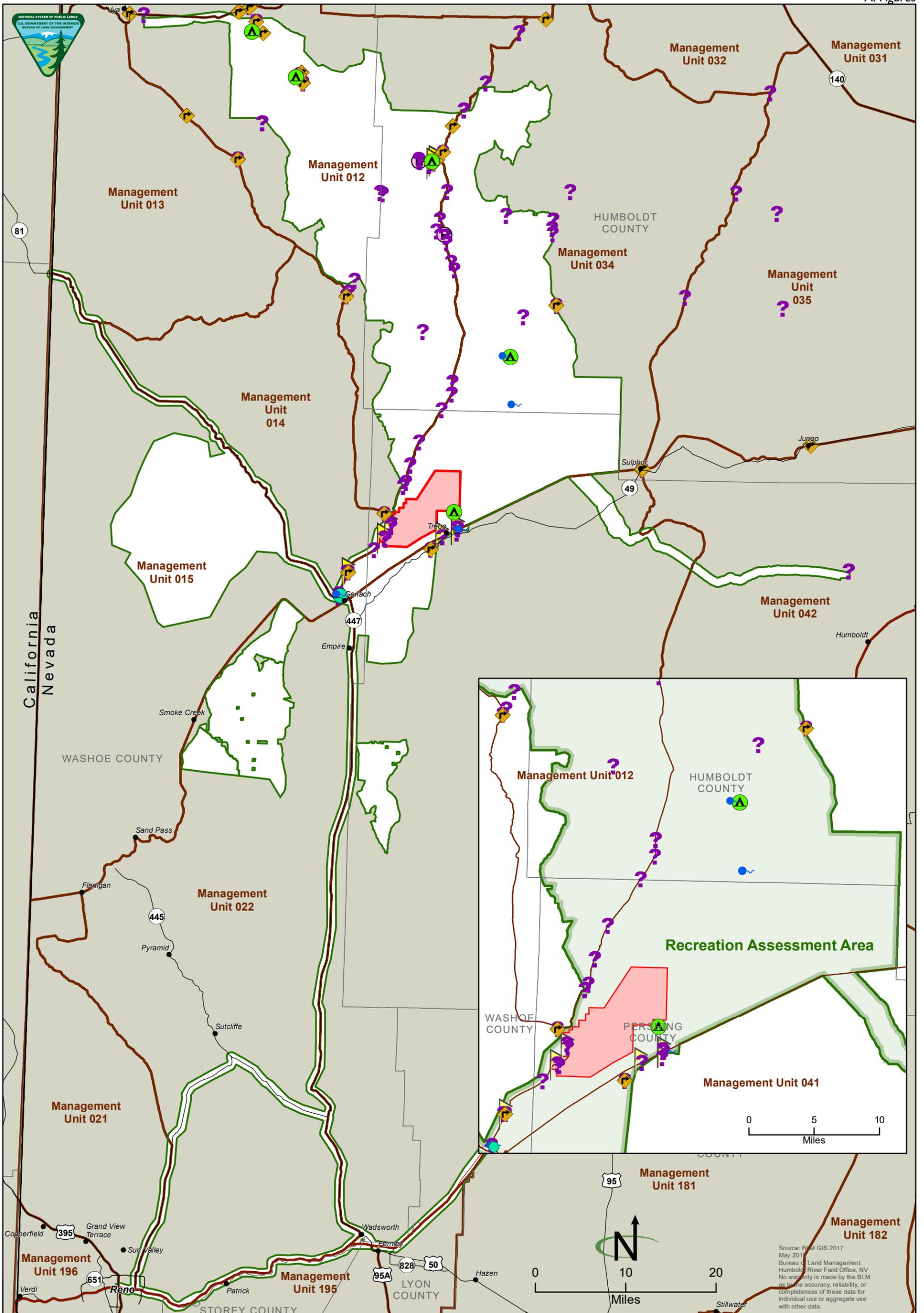


**Figure 3-11  
Special Designations**

- Wilderness, WSAs, and NCA assessment area
- Alternatives analysis area
- National Conservation Area
- Wilderness area
- Wilderness study area
- National Historic Trails
- Applegate Trail
- Nobles Trail

Source: BLM GIS 2017  
May 2019  
Bureau of Land Management  
Humboldt River Field Office, NV  
No warranty is made by the BLM  
as to the accuracy, reliability, or  
completeness of these data for  
individual use or aggregate use  
with other data.



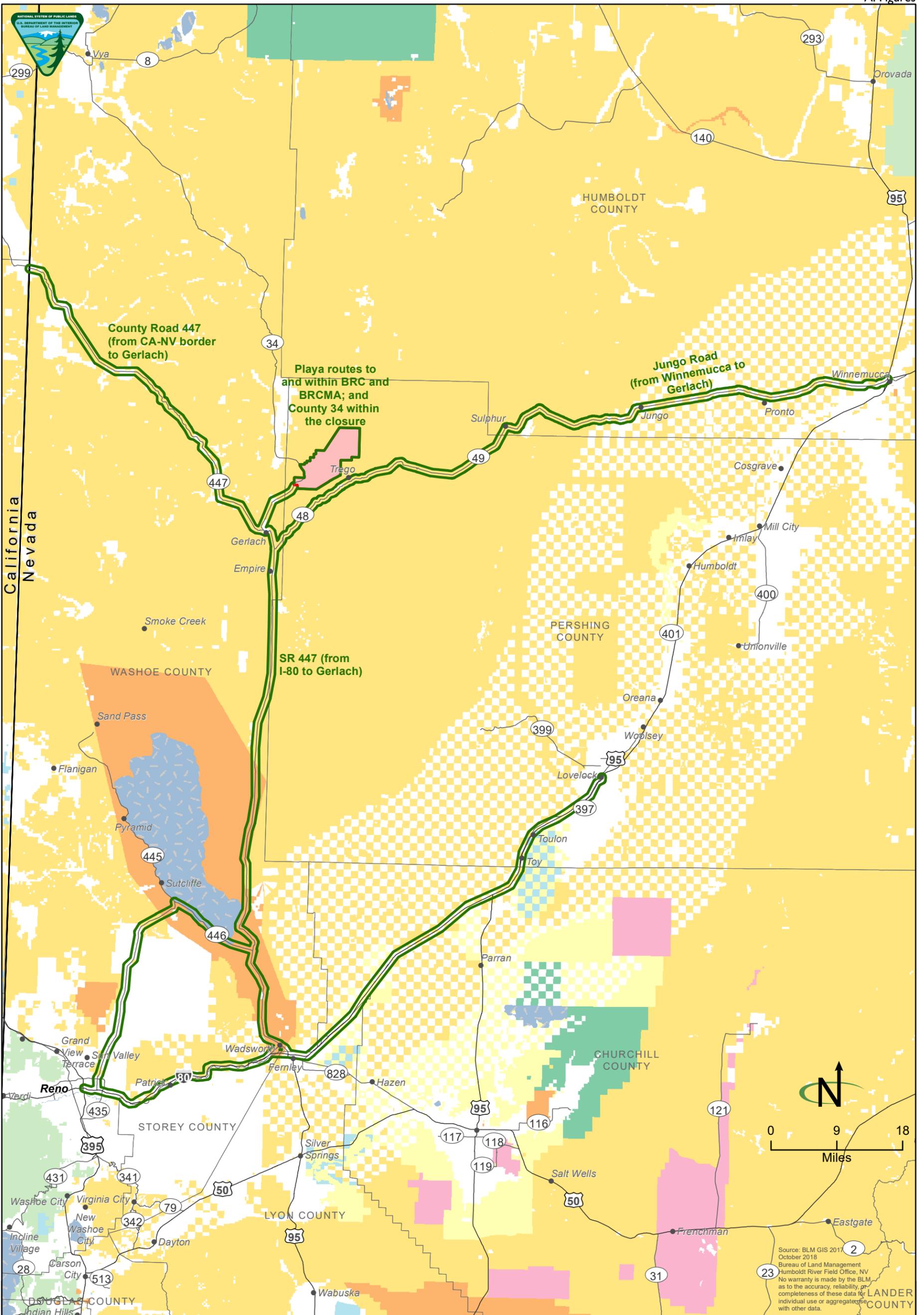


**Figure 3-12**  
**Recreation**

- |                            |                               |                    |              |
|----------------------------|-------------------------------|--------------------|--------------|
| Recreation assessment area | Transfer Station              | Directional sign   | Safety sign  |
| Alternatives analysis area | Hot spring                    | Informational sign | Register box |
| NDOW Management Units      | Campground or recreation site |                    |              |



Source: BLM GIS 2017  
May 2011  
Bureau of Land Management  
Humboldt River Field Office, NV  
No warranty is made by the BLM  
as to the accuracy, reliability, or  
completeness of these data for  
individual use or aggregate use  
with other data.



**Figure 3-13**  
**Transportation and Traffic**

- |  |                                    |                       |
|--|------------------------------------|-----------------------|
| Transportation and traffic assessment area | Private (includes county and city) | Water                 |
| Alternatives analysis area                 | Bureau of Indian Affairs           | Department of Defense |
| Bureau of Land Management                  | Bureau of Reclamation              | Forest Service        |
| Fish and Wildlife Service                  | State or regional                  |                       |

Source: BLM GIS 2017  
 October 2018  
 Bureau of Land Management  
 Humboldt River Field Office, NV  
 No warranty is made by the BLM  
 as to the accuracy, reliability, or  
 completeness of these data for  
 individual use or aggregation  
 with other data.



This page intentionally left blank.

---

# Appendix C

## Impacts Analysis Methodology

This page intentionally left blank.

# TABLE OF CONTENTS

Chapter Page

<b>APPENDIX C. IMPACTS ANALYSIS METHODOLOGY .....</b>		<b>C-1</b>
C.1	Introduction .....	C-1
C.2	Direct and Indirect Impacts.....	C-1
C.3	Resource Assessment Areas, Types of Impacts, Indicators, and Assumptions .....	C-2
C.3.1	Biological Resources .....	C-2
C.3.2	Cultural Resources.....	C-8
C.3.3	Health and Safety .....	C-11
C.3.4	Physical Resources.....	C-13
C.3.5	Social Values and Economics.....	C-19
C.3.6	Special Designations .....	C-23
C.3.7	Visitor Uses.....	C-25

## TABLES

Page

C-1	Impact Analysis Methods for Migratory Birds .....	C-2
C-2	Impact Analysis Methods for Special Status Species.....	C-3
C-3	Impact Analysis Methods for Threatened and Endangered Species .....	C-5
C-4	Impact Analysis Methods for Vegetation .....	C-5
C-5	Impact Analysis Methods for Wetlands and Riparian Areas .....	C-6
C-6	Impact Analysis Methods for Wildlife.....	C-8
C-7	Impact Analysis Methods for Cultural Resources.....	C-9
C-8	Impact Analysis Methods for Native American Religious Concerns.....	C-10
C-9	Impact Analysis Methods for Paleontology.....	C-11
C-10	Impact Analysis Methods for Public Health and Safety.....	C-12
C-11	Impact Analysis Methods for Wastes, Hazardous and Solid .....	C-13
C-12	Impact Analysis Methods for Air Quality.....	C-14
C-13	Impact Analysis Methods for Noise .....	C-15
C-14	Impact Analysis Methods for Soils (Playa Sediments) .....	C-16
C-15	Impact Analysis Methods for Visual Resources (including Night Skies) .....	C-17
C-16	Impact Analysis Methods for Water Resources.....	C-18
C-17	Impact Analysis Methods for Economics .....	C-19
C-18	Impact Analysis Methods for Environmental Justice .....	C-22
C-19	Impact Analysis Methods for Social Values.....	C-22
C-20	Impact Analysis Methods for National Conservation Areas .....	C-23
C-21	Impact Analysis Methods for Wilderness Areas .....	C-24
C-22	Impact Analysis Methods for Wilderness Study Areas.....	C-25
C-23	Impact Analysis Methods for Recreation .....	C-26
C-24	Impact Analysis Methods for Transportation and Traffic .....	C-27

This page intentionally left blank.

# Appendix C. Impacts Analysis Methodology

## C.1 INTRODUCTION

For organizational purposes, **Chapter 3** was divided into sections by supplemental authorities (**Table 3-1**) and additional affected resources (**Table 3-2**). Though they are described and analyzed in discrete sections, these subjects are dynamic and interrelated. A change in one resource can have cascading or synergistic impacts on other resources. As a result, there was some overlap among the resource sections in **Chapter 3**, and the impacts described in one section may depend on the analysis from another section. During the writing process, resource specialists shared data and discussed interrelated aspects of the analyses to better capture the interrelated nature of environmental resources.

A description of direct and indirect impacts methodology is provided in **Section C.2**. The analysis methods, including a description of the Assessment Areas, types of impacts, indicators, and assumptions, used for each resource analysis are detailed below under **Section C.3**. Assessment Areas represent the locations where direct, indirect, or cumulative impacts could occur under the alternatives. Assessment Area maps are in **Appendix A**. The information contained in this appendix provides the context for the resource analysis by topic area presented in **Chapter 3**.

## C.2 DIRECT AND INDIRECT IMPACTS

Direct and indirect impacts are considered in **Chapter 3**, consistent with direction provided in 40 CFR 1502.16. **Appendix D** evaluates potential cumulative effects.

**Direct Effects**—Effects that are caused by the proposed action and occur at the same time and place (40 CFR 1508.8).

**Indirect Effects**—Effects that are caused by the proposed action and are later in time or farther removed in distance but are still reasonably foreseeable. Indirect effects “may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems” (40 CFR 1508.8).

**Cumulative Effects**—Effects on the environment that result from implementing any one of the alternatives, in combination with other actions outside the scope of this EIS, either in the Closure Area or within the Assessment Area.

Effects are quantified where possible using GIS and other applications; in the absence of quantitative data, best professional judgment prevailed. Impacts are sometimes described using ranges of potential impacts or in qualitative terms. Actions may have either adverse or beneficial effects, or both, on a particular resource. The standard definitions for terms used in the effects analysis are as follows, unless otherwise stated:

**Context**—Describes the area or location (site-specific, local, program area-wide, or regional) in which the impact would occur. Site-specific impacts would occur at the location of the action, local impacts would occur in the general vicinity of the Assessment Area, Assessment Area-wide impacts would affect

most or all of the Assessment Area, and regional impacts would extend beyond the Assessment Area boundaries.

**Duration**—Describes the length of time an effect would occur, either short term or long term. Short term is anticipated to begin and end within the first 5 years after the action is implemented. Long term lasts beyond 5 years to the end of or beyond the 10-year SRP time frame.

**Intensity**—Impacts are discussed using quantitative data where possible.

**C.3 RESOURCE ASSESSMENT AREAS, TYPES OF IMPACTS, INDICATORS, AND ASSUMPTIONS**

**C.3.1 Biological Resources**

**Migratory Birds**

*Analysis Methods*

The analysis for migratory birds is based on a review of the Wildlife Effects Synthesis in the Biological Resources Baseline Report (EMPSi 2018a, EMPSi 2019a), Burning Man Noise Baseline and Modeling Reports (Salter 2018), Burning Man Air Quality Reports (Strohm 2018a-c), Night Sky Analysis (Craine and Craine 2018), BLM Post-Event Inspection (BLM 2015a), GIS data (BLM GIS 2018), and other relevant scientific literature. **Table C-1** summarizes the Assessment Areas, types of impacts on migratory birds, indicators, and the assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes potential locations where human presence and traffic, light, noise, and dust associated with human activity on the playa and surrounding areas, combined with the actions in **Table D-1**, could foreseeably affect migratory birds.

**Table C-1  
Impact Analysis Methods for Migratory Birds**

<b>Assessment Area</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Playa and points of interest (hot springs) in Black Rock Desert–High Rock Canyon Emigrant Trails NCA, access roads, and travel routes (with a distance of 0.5 miles on each side of the route)</li> <li>• Cumulative Impacts: Playa, adjacent mounds, and points of interest (hot springs) in the NCA, access roads, and travel routes (with a distance of 0.5 miles on each side of the route)</li> <li>• <b>Figure 3-1</b>, Biological Resources, in <b>Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Migratory birds displacement or avoidance of areas due to noise from human presence, traffic, and Event activities</li> <li>• Migratory birds displacement, adverse health effects, and avoidance of areas due to emissions and dust</li> <li>• Migratory birds displacement, disorientation, and avoidance of areas due to light effects and light pollution from Event activities</li> <li>• Degradation and ground disturbance to stopover habitat and potential feeding grounds on the playa surface from Event traffic and activities</li> <li>• Migratory birds displacement, impact injury, and avoidance of areas due to Event-associated structures, motor vehicles, and aircraft</li> <li>• Migratory birds avoidance of areas and degradation of habitat used by migratory birds due to human waste, fuel, and garbage</li> <li>• Migratory birds disturbance or injury due to human presence and potential harassment</li> </ul>

**Table C-1 (continued)  
Impact Analysis Methods for Migratory Birds**

<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Changes to migratory bird habitat and stopover sites</li> <li>• Potential for migratory bird displacement</li> <li>• Potential for migratory bird injury</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Increased recreational hot spring use would increase the potential for impacts on migratory birds associated with hot springs.</li> <li>• Existing BLM and Nevada Revised Statute restrictions regarding camping in the vicinity of hot springs would be followed.</li> <li>• Within the Closure Area, Event participants would be limited to the Event entrance road and Event area.</li> <li>• The playa provides critical food and water for migratory birds during periods of inundation.</li> <li>• The availability of resources and suitable habitat would vary seasonally and yearly.</li> <li>• Climate change is expected to alter precipitation, evaporation, and inundation cycles.</li> <li>• The magnitude and intensity of impacts would correspond to the number of Event participants.</li> <li>• Ingress and egress to the Closure Area would be limited to designated locations.</li> <li>• Vehicle density would be limited to 1,000 vehicles per hour on CR 34 during Exodus.</li> <li>• BRC would conduct post-Event highway trash cleanup.</li> <li>• All environmental protection measures would be implemented, including maintenance of the trash fence and post-Event trash cleanup.</li> </ul>

**Special Status Species**

*Analysis Methods*

The analysis for special status species is based on a review of the Burning Man Noise Baseline and Modeling Reports (Salter 2018), results of coordination with the NDOW and (Nevada Natural Heritage Program) NNHP, BLM GIS data (BLM GIS 2018), the Wildlife Effects Synthesis in the Biological Resources Baseline Report (~~EMPSi 2018a~~EMPSi 2019a), and other relevant scientific literature. The Wildlife Effects Synthesis includes a list of numerous relevant scientific literature articles that were reviewed during its preparation and that were used in this analysis.

**Table C-2** summarizes the Assessment Areas, types of impacts on special status species, indicators, and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes potential locations where human presence and traffic, light, noise, and dust associated with human activity on the playa and surrounding areas, combined with the actions in **Table D-1**, could foreseeably affect special status species.

**Table C-2  
Impact Analysis Methods for Special Status Species**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Playa and points of interest (hot springs) in Black Rock Desert–High Rock Canyon Emigrant Trails NCA, access roads, and travel routes (with a distance of 0.5 miles on each side of the route)</li> <li>• Cumulative Impacts: Playa, adjacent mounds, and points of interest (hot springs) in the NCA, access roads, and travel routes (with a distance of 0.5 miles on each side of the route)</li> <li>• <b>Figure 3-1</b>, Biological Resources, in <b>Appendix A</b></li> </ul>
-------------------------	---

**Table C-2 (continued)**  
**Impact Analysis Methods for Special Status Species**

<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Impacts discussed in <b>Section 3.3.1</b> also apply to avian special status species.</li> <li>• Anthropogenic light sources can alter wildlife foraging and breeding behavior, and some high-intensity lights can cause wildlife injury.</li> <li>• Anthropogenic noise can alter wildlife foraging and breeding behavior. Noise can render habitat unsuitable.</li> <li>• Air pollution can cause adverse physiological effects in wildlife species and alter behavior.</li> <li>• Vehicles and traffic can affect special status wildlife in a number of ways, including injury from collision, habitat degradation along routes from weed spread and fugitive dust deposition, and habitat degradation off routes from cross-country travel (e.g., crushing vegetation, weed spread, soil disturbance, and burrow collapse).</li> <li>• Trash and pollution from human activities can elevate predation on wildlife species by attracting predators. Wildlife can be injured by ingesting trash or becoming entangled in it.</li> <li>• Human presence can disturb wildlife, causing habitat avoidance and other adverse effects.</li> <li>• Temporary structures may attract wildlife use, increasing the potential for adverse effects, as described above.</li> <li>• <del>Depending on impact intensity, any of the impacts described above could result in the increased likelihood of, or need to, list BLM sensitive species under the Endangered Species Act.</del></li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Changes in the acres of suitable or occupied habitat</li> <li>• Changes in the potential for direct disturbance to, or injury of, individuals</li> <li>• Changes in the amount of recreational hot spring use</li> <li>• Changes in the likelihood of, or need to, list BLM sensitive species under the Endangered Species Act</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Assumptions discussed in <b>Section 3.3.1</b> also apply to avian special status species.</li> <li>• Increased recreational hot spring use would increase the potential for impacts on special status species associated with hot springs.</li> <li>• Existing BLM and Nevada Revised Statute restrictions regarding camping in the vicinity of hot springs would be followed.</li> <li>• All BLM management, regardless of alternative, would be in conformance with BLM’s policy under Manual 6840, Special Status Species Management. This is to ensure that the actions that the BLM authorizes would further the conservation and recovery of federally listed species and conservation of BLM sensitive species.</li> <li>• Within the Closure Area, Event participants would be limited to the Event entrance road and Event area.</li> <li>• The availability of resources and suitable habitat would vary seasonally and yearly.</li> <li>• The magnitude and intensity of impacts would correspond to the number of participants.</li> </ul>

**Threatened and Endangered Species**

*Analysis Methods*

The analysis for threatened and endangered species is based on the Wildlife Effects Synthesis in the Biological Resources Baseline Report (EMPSi 2018a, EMPSi 2019a), GIS data (BLM GIS 2018), BLM Post-Event Inspection (BLM 2015a), and other relevant scientific literature. **Table C-3** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes potential locations

**Table C-3  
Impact Analysis Methods for Threatened and Endangered Species**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Playa and points of interest (hot springs) in Black Rock Desert–High Rock Canyon Emigrant Trails NCA, access roads, and travel routes (with a distance of 0.5 miles on each side of the route)</li> <li>• Cumulative Impacts: Playa, adjacent mounds, and points of interest (hot springs) in the NCA, access roads, and travel routes (with a distance of 0.5 miles on each side of the route)</li> <li>• <b>Figure 3-1, Biological Resources, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Threatened and endangered species displacement from or avoidance of habitat due to noise from traffic and Event activities</li> <li>• Threatened and endangered species displacement from or avoidance of habitat due to emissions and dust from Event activities</li> <li>• Injury to threatened and endangered species displacement from or avoidance of habitat degradation, or injury, caused by pollution runoff from Event-associated traffic</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Changes to habitat used by threatened or endangered species</li> <li>• Displacement of threatened and endangered species</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Vehicles would be limited to existing, designated routes in the Closure Area.</li> <li>• Habitat disturbance could result in displacement of threatened and endangered species.</li> </ul>

where human presence and Event-associated traffic, light, noise, and dust associated with human activity on the playa and surrounding areas, combined with the actions in **Table D-1**, could foreseeably affect threatened and endangered species.

**Vegetation (Including Invasive, Nonnative Species)**

*Analysis Methods*

The analysis for vegetation is based on a review of existing vegetation communities in the Assessment Area (SWReGAP GIS 2005), a review of noxious weeds and nonnative, invasive species documented in the Assessment Area (BLM 2009, 2012a, 2015b; CISEH 2017), and a review of relevant scientific literature. The analysis for invasive, nonnative species assesses the risk that the alternatives would spread noxious weeds. **Table C-4** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes potential locations where human activity on the playa and surrounding areas, combined with the actions in **Table D-1**, could foreseeably affect vegetation.

**Table C-4  
Impact Analysis Methods for Vegetation**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Playa, adjacent mounds, and points of interest (hot springs) in the NCA, access roads, and travel routes (with a distance of 0.5 miles on each side of the route)</li> <li>• Cumulative Impacts: Playa, adjacent mounds, and points of interest (hot springs) in the NCA, access roads, and travel routes (with a distance of 0.5 miles on each side of the route)</li> <li>• <b>Figure 3-2, Vegetation Types, in Appendix A</b></li> </ul>
-------------------------	---

**Table C-4 (continued)**  
**Impact Analysis Methods for Vegetation**

<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Event participants may contribute to noxious weed and invasive, nonnative species establishment and spread, particularly along vehicle travel routes.</li> <li>• Increases in the amount of noxious weeds and invasive, nonnative species can decrease the quantity and quality of native vegetation communities.</li> <li>• Event participant vehicles may cause fire starts when they pull over to the road shoulder.</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Changes in the amount or quality of general vegetation</li> <li>• Changes in the potential for noxious weed and invasive, nonnative species establishment and spread</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• The Event area is devoid of vegetation, including noxious weeds and invasive, nonnative species, so no impacts on vegetation would occur in the Event area.</li> <li>• Vehicles would be limited to existing, designated routes in the Closure Area.</li> <li>• Noxious weeds and invasive, nonnative species would continue to be introduced and spread in the Assessment Area as a result of ongoing vehicle traffic, recreation, wildlife and livestock grazing and movements, and other surface-disturbing activities.</li> <li>• Noxious weeds and invasive, nonnative species would also continue to be introduced and spread as a result of natural processes, such as wind, flowing water, and wildfire.</li> <li>• Noxious weeds and invasive, nonnative species would continue to be controlled in coordination with the appropriate county weed and pest control districts and adjacent property owners, as applicable.</li> <li>• Activities that disturb soils could cause or exacerbate soil erosion, loss, or compaction, which could affect the ability of soils to support native vegetation. This could indirectly facilitate noxious weed and invasive, nonnative species infestation.</li> <li>• Within the Closure Area, Event participants would be limited to the Event entrance road and Event area.</li> <li>• Impact intensity would generally be commensurate with the number of Event participants; intensity would likely increase with the number of Event participants.</li> </ul>

### **Wetlands and Riparian Areas**

#### *Analysis Methods*

The analysis for wetlands and riparian areas is based on a review of wetlands and riparian areas in the Assessment Area (SWReGAP GIS 2005; USFWS GIS 2017), anticipated hot spring recreational use by Event participants, BLM GIS data (BLM GIS 2018), and other relevant scientific literature. **Table C-5** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes known riparian areas in the NCA where human presence, combined with the actions in **Table D-1**, could foreseeably affect those areas.

**Table C-5**  
**Impact Analysis Methods for Wetlands and Riparian Areas**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road and identified hot springs and wetlands in the NCA</li> <li>• Indirect Impacts: Identified hot springs and wetlands in the NCA</li> <li>• Cumulative Impacts: Identified hot springs and wetlands in the NCA</li> <li>• <b>Figure 3-1</b>, Biological Resources, in <b>Appendix A</b></li> </ul>
-------------------------	---

**Table C-5 (continued)  
Impact Analysis Methods for Wetlands and Riparian Areas**

<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Recreational hot spring use would result in the potential for localized wetland and riparian vegetation trampling in and around these features.</li> <li>• Recreational hot spring use would increase the potential for noxious weed and nonnative, invasive species to become established at these features, or for existing infestations to grow in size, decreasing the quantity or quality of wetland and riparian vegetation that grow there.</li> <li>• Event participants would use hot springs in the Event vicinity before and after the Event. This would increase the use level at these features, increasing the potential for impacts on wetland and riparian vegetation.</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Changes in the amount or quality of wetlands and riparian areas</li> <li>• Changes in hydrological conditions supporting wetlands and riparian areas</li> <li>• Changes in the amount of recreational hot spring use</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• The amount of recreational hot spring use would be proportional to the total number of Event participants. Hot springs that are relatively easy to access would experience the greatest amount of relative recreational use by Event participants.</li> <li>• Recreational hot spring use may be increased outside of the Event period, as Burning Man Event participants return to the area for other recreational opportunities.</li> <li>• Increased recreational hot spring use would increase the potential for impacts on riparian vegetation associated with hot springs. Recreational hot spring use would not affect the hydrological conditions that support riparian vegetation.</li> <li>• Existing BLM and NRS restrictions regarding camping in the vicinity of hot springs would be followed.</li> <li>• The Black Rock Playa is classified as a lake in the National Wetlands Inventory; in years when the playa ponds, it would be completely dry before the Event occurs.</li> <li>• Within the Closure Area, Event participants would be limited to the Event entrance road and Event area.</li> </ul>

**Wildlife**

*Analysis Methods*

The analysis for wildlife is based on the Wildlife Effects Synthesis in the Biological Resources Baseline Report (EMPSi 2018a, EMPSi 2019a), Burning Man Noise Baseline and Modeling Reports (Salter 2018), Burning Man Air Quality Reports (Strohm 2018a-c), Night Sky Analysis (Craine and Craine 2018), BLM Post-Event Inspection (BLM 2015a), GIS data (BLM GIS 2018), and other relevant scientific literature. **Table C-6** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes potential locations where human presence and traffic, light, noise, and dust associated with human activity on the playa and surrounding areas, combined with the actions in **Table D-I**, could foreseeably displace or injure wildlife.

**Table C-6**  
**Impact Analysis Methods for Wildlife**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Playa and points of interest (hot springs) in the Black Rock Desert–High Rock Canyon Emigrant Trails NCA, access roads, and travel routes (with a distance of 0.5 miles on each side of the route)</li> <li>• Cumulative Impacts: Playa, adjacent mounds, and points of interest (hot springs) in the NCA, access roads, and travel routes (with a distance of 0.5 miles on each side of the route)</li> <li>• <b>Figure 3-1, Biological Resources, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Wildlife displacement or avoidance of areas from noise due to human presence, traffic, and Event activities</li> <li>• Wildlife displacement or avoidance of areas due to emissions and dust</li> <li>• Wildlife displacement or avoidance of areas due to light effects and light pollution from Event activities</li> <li>• Wildlife displacement, injury, or avoidance of areas due to Event-associated structures, motor vehicles, and aircraft</li> <li>• Wildlife habitat degradation and avoidance of areas due to human waste, fuel, and garbage</li> <li>• Wildlife disturbance or injury due to human presence and potential harassment</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Changes to the quality and amount of habitat used by wildlife</li> <li>• Potential for displacement of wildlife from Event-associated disturbances</li> <li>• Potential for wildlife injury from Event-associated disturbances</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• The playa provides critical food and habitat for wildlife, particularly during periods of inundation.</li> <li>• Areas surrounding the playa provide critical food and habitat for wildlife species year-round.</li> <li>• The availability of resources for wildlife may vary seasonally and from year to year.</li> <li>• Greenhouse gases would alter precipitation, evaporation, and inundation cycles.</li> </ul>

### C.3.2 Cultural Resources

#### **Cultural (Including National Historic Trails)**

##### *Analysis Methods*

The cultural resources analysis is based on a Class I inventory (records review and literature search) of five cultural resources Assessment Areas that was conducted in December 2017. Assessment Areas where impacts are possible are the Closure Area, including the Event access road, the playa due to increased visitation, at adjacent dunes, and at the springs (each with the record search extending 1 mile around the location) within the NCA. **Table C-7** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes potential locations where surface disturbance from human activity or limits on access, combined with the actions in **Table D-1**, could cumulatively affect cultural resources (including National Historic Trails).

**Table C-7**  
**Impact Analysis Methods for Cultural Resources**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Playa; adjacent mounds; points of interest (hot springs) in the NCA, access roads, and travel routes (with 0.5-mile buffer); and the Nobles Trail</li> <li>• Cumulative Impacts: Playa; adjacent mounds; points of interest (hot springs) in the NCA, access roads, and travel routes (with 0.5-mile buffer); the Nobles Trail; and Applegate Trail</li> <li>• <b>Figure 3-3</b>, Cultural, Paleontological, and Native American Religious Concerns, in <b>Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Impacts on cultural sites from any new ground or setting disturbance associated with the Event footprint, including roads, parking, closure, airstrip, or staging areas</li> <li>• Impacts from direct disturbance to, or alterations to setting on, cultural resources and uses associated with hot springs</li> <li>• Impacts on the public's ability to access and experience NHTs from the Closure Order, Event activities, noise, lights, traffic, crowded conditions, and Event-associated displacement</li> <li>• Direct disturbance impacts on the portion of the Nobles Trail within the Closure Area</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Physical destruction, ground disturbance, or damage to all or part of cultural resources that are or may be eligible for listing on the NRHP</li> <li>• Introduced visual, atmospheric, or audible elements that diminish the integrity of a historic property's significant historic features or the setting of the NHTs</li> <li>• Reduced opportunities to access historic trails to experience the historic setting, feeling, and association</li> <li>• Increased access to, or activity in, areas where cultural resources are present or anticipated, thereby increasing the risk of vandalism or unauthorized collection</li> <li>• Reduced availability of cultural resources for appropriate uses, including access to Native American spiritual sites or traditional use areas</li> <li>• Disturbance of any human remains, including those interred outside of formal cemeteries</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• This analysis provides a broad overview of estimated potential effects, based on available information.</li> <li>• Cultural resource inventories and consultations appropriate to the scale and level of disturbance will occur in advance of permit approval, and the results will be used to determine the need for avoidance or other mitigation.</li> <li>• A Class III cultural resource survey is not necessary for the Event alternatives, except Alternative C due to the geologic nature of the playa included in the Closure Area and the previous disturbance.</li> <li>• Large events could increase visitation and access to off-site resources.</li> <li>• BLM-permitted undertakings would be subject to cultural resources review and compliance with Section 106 of the NHPA in accordance with the National Programmatic Agreement between the Advisory Council on Historic Preservation and the BLM, the Nevada State Protocol Agreement, and guidelines in the BLM 8100 Manual and Handbook before site-specific permits are authorized.</li> <li>• The term "historic properties" refers to cultural resources that are archaeological sites, districts, or TCPs that have known or suspected significance under the NRHP, also termed "historic properties," as defined in 36 CFR 63 and TCPs as defined in NRHP Bulletin 38.</li> <li>• Other significant cultural resources include important historic or traditional places, landscapes, or resources with significance to Native American tribes and other cultural groups, according to regulations and guidance discussed in BLM Manuals and Handbooks 8100 and 1780.</li> </ul>

## Native American Religious Concerns

### Analysis Methods

The Native American religious concerns analysis is based on the BLM's past and ongoing consultation with potentially affected tribes and a confidential literature and archival review conducted in 2018. **Table C-8**

**Table C-8**  
**Impact Analysis Methods for Native American Religious Concerns**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Black Rock Playa, Pyramid Lake Paiute Reservation, Summit Lake Reservation, Fallon and Reno-Sparks Reservations, travel routes to Event via Summit Lake Reservation and via Pyramid Lake</li> <li>• Indirect Impacts: Black Rock Playa, Pyramid Lake Paiute Reservation, Summit Lake Reservation, Fallon and Reno-Sparks Reservations, travel routes to Event via Summit Lake Reservation and via Pyramid Lake</li> <li>• Cumulative Impacts: Black Rock Playa, Pyramid Lake Paiute Reservation, Summit Lake Reservation, Fallon and Reno-Sparks Reservations, and travel routes to the Event via Summit Lake Reservation and via Pyramid Lake</li> <li>• <b>Figure 3-3</b>, Cultural, Paleontological, and Native American Religious Concerns, in <b>Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Impacts from changes in access, setting, privacy, or interference with Native American religious or cultural practices resulting from the Closure Order, Event activities, noise, lights, traffic, crowded conditions, and displacement</li> <li>• Impacts on the aspects of integrity of feeling or association and setting of cultural resources, sacred sites, Native American TCPs, or landscape features</li> <li>• Direct disturbance of cultural sites, topographic features, or hot springs</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• The extent, duration, and location(s) of activities that may be incompatible with maintaining the physical integrity and/or setting, feeling, or association of sensitive cultural resources, including springs and other culturally important sites and traditional-use areas</li> <li>• Changes in access to traditional-use areas or culturally important locations</li> <li>• Loss or visual interference of topographical features and other important landscape elements that may define an area of traditional use or cultural importance</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Native Americans have indicated concerns about impacts on cultural resources, religious practices, and important natural resources that may occur because of federal permit actions.</li> <li>• Large events could increase visitation and access to springs and off-site areas that are important to tribal users.</li> <li>• There may be areas of importance to contemporary Native Americans that are not readily identifiable outside of those communities; potential impacts are difficult to determine or quantify because aspects of tribal interest in the Assessment Area may not be specified or mapped.</li> <li>• Further site-specific research and consultation may be needed to determine whether treaty-based rights or other federal-tribal agreements are applicable and could be affected.</li> <li>• The BLM's ongoing and future consultation would be conducted according to guidance set forth in BLM Manual and Handbook 1780 and relevant authorities to identify and address potential concerns.</li> <li>• The impacts and the severity of impacts depends on the perspective and context of the affected tribe(s); in other words, individual tribes would have to consider whether impacts may occur based on what is culturally or spiritually important to them and communicate that to the BLM.</li> </ul>

summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes tribal reservations and primary travel routes to those reservations where high levels of human activity associated with the Event, combined with the actions in **Table D-I**, could disturb, displace, interfere with, or change the level of access to important Native American religious or cultural resources.

**Paleontology**

*Analysis Methods*

The paleontology analysis is based on referencing the PFYC mapping and locality information that the BLM maintains. The Assessment Area is the Closure Area and adjacent playa margins. **Table C-9** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes potential locations where human activity associated with the alternatives, combined with the actions in **Table D-I**, could physically damage paleontological resources.

**Table C-9  
Impact Analysis Methods for Paleontology**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Playa, adjacent mounds, points of interest (hot springs) in the NCA, access roads, travel routes (with 0.5-mile buffer), and the Nobles Trail</li> <li>• Cumulative Impacts: Playa, adjacent mounds, points of interest (hot springs) in the NCA, access roads, and travel routes (with 0.5-mile buffer), the Nobles Trail, and Applegate Trail</li> <li>• <b>Figure 3-3</b>, Cultural, Paleontological, and Native American Religious Concerns, in <b>Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Physical damage to, destruction of, vandalism of, or unauthorized collection of fossils</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Potential for physical damage or destruction of fossils or exposures of fossil-bearing rock units</li> <li>• Increased access or activity where fossils may be present, increasing the risk of vandalism, unauthorized collection, or inadvertent damage or loss</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Occurrences of paleontological resources are closely tied to the geologic units (e.g., formations, members, or beds) that contain them. The probability for finding paleontological resources can be broadly predicted from the geologic units present at or near the surface. Most of the Closure Area in the playa is a very low potential area.</li> <li>• The need for a paleontological inventory will be determined based on criteria set forth in BLM Instruction Memorandum 2016-124 using PFYC mapping, geologic characteristics, and previous study data from known localities.</li> <li>• Large events could increase visitation and access to springs and off-site fossil localities.</li> </ul>

**C.3.3 Health and Safety**

**Public Health and Safety (Including Law Enforcement)**

*Analysis Methods*

The public health and safety analysis is based on BLM literary review of Department of Homeland Security Protective Measures for the US Outdoor Venues Industry (2011); Burning Man Event After Action Reports; Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, National Crime Victimization Survey (2011); and internal BLM statistics. A detailed literature review list and

statistics are located in the BLM Public Health and Safety **Baseline** at the Burning Man Event Report (BLM 20198b).

Factors derived from indicators and assumptions are the alternatives and Proposed Action effects on public health and safety relative to the existence of aircraft activity, civil disobedience, disease vectors, emergency response, law enforcement, evacuation, explosives, fire safety, flooding, human health concerns, hygiene and food safety, respiratory concerns, structure collapse, and terrorism. **Table C-10** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. In addition to the Closure Area and travel routes, the cumulative impacts Assessment Area includes the air basin. Activity on the playa associated with the alternatives, combined with the actions in **Table D-1**, could affect public health and safety, including respiratory concerns from poor air quality.

**Table C-10**  
**Impact Analysis Methods for Public Health and Safety**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Closure Area, travel routes (with 0.5-mile buffer), and air basin</li> <li>• Cumulative Impacts: Closure Area, travel routes (with 0.5-mile buffer), and air basin</li> <li>• <b>Figure 3-4, Air Quality, Climate, and Public Health and Safety, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Changes to public health and safety on BLM-administered lands</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Change in air quality-affected public and employee safety</li> <li>• Proximity, capacity, and response time of nearby fire, medical, and police services</li> <li>• Change in public health and safety factors (aircraft activity, civil disobedience, disease vectors, emergency response, law enforcement, evacuation, explosives, fire safety, flooding, human health concerns, hygiene and food safety, respiratory concerns, structure collapse, and terrorism)</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Alternative C (alternate site location) could increase user conflicts due to the proximity to wilderness and 12-Mile Playa highway.</li> <li>• Under Alternative E (no permit/action), participants may still congregate in unauthorized groups, and a closure order temporarily closing the playa to overnight use may be necessary.</li> <li>• The Event proponent could apply for an increase in vehicle passes if roads are improved; numbers are unspecified.</li> <li>• Event growth from the existing environment could surpass the capacity of Gerlach to provide adequate housing and laundry facilities to government staff assigned to administer the SRP.</li> <li>• Size, loading, and implementation of art would not create undue public health and safety concerns.</li> </ul>

**Waste, Hazardous or Solid**

*Analysis Methods*

The wastes, hazardous and solid, analysis is based on BRC’s event SRP regulations and stipulations, the Hazardous Materials Incidence Response Plan, Fuel Safety Brochure, and other relevant literature. **Table C-11** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes the primary locations where activity associated with the alternatives, combined with the actions in **Table D-1**, could result in hydrocarbons, wastewater, solid waste, or other hazardous materials being released into the environment.

**Table C-11  
Impact Analysis Methods for Wastes, Hazardous and Solid**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area and travel routes (with 0.5-mile buffer)</li> <li>• Indirect Impacts: Closure Area and travel routes (with 0.5-mile buffer)</li> <li>• Cumulative Impacts: Closure Area and travel routes (with 0.5-mile buffer)</li> <li>• <b>Figure 3-5, Wastes, Hazardous or Solid, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Solid waste releases can attract vermin, cause a fire, harm or kill wildlife, contaminate soil or water, or be a public health concern from contact with sharp or contaminated waste.</li> <li>• Hydrocarbon releases can contaminate soil or water. With respect to contaminated soil, it can be a public health concern if fugitive dust contaminated with oil is inhaled.</li> <li>• Wastewater releases can attract insects, harm or kill wildlife, contaminate soil or water, or be a public health concern from contact.</li> <li>• Hazardous materials releases can cause a fire or explosion, harm or kill wildlife, contaminate soil or water, or be a public health concern from contact or inhalation.</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Creation of a hazard to the public or the environment through the transport, use, or disposal of hazardous or solid wastes</li> <li>• Creation of a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous or solid wastes into the environment</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• “Solid waste” is any discarded or abandoned materials. For this analysis, solid waste is restricted to garbage, trash, and litter.</li> <li>• “Hazardous waste” is a solid waste with properties that make it dangerous or capable of having a harmful effect on human health or the environment. Hazardous waste is generated from many sources, ranging from automotive or generator engines to batteries, and may come in many forms, including liquid, solid, gas, and sludge.</li> <li>• Larger participant numbers are likely to generate larger waste quantities.</li> </ul>

**C.3.4 Physical Resources**

**Air**

*Analysis Methods*

The air quality analysis is based on data included in the Revised Baseline Technical Report–Air Resources (Strohm 2018a), the atmospheric dispersion modeling protocol (Strohm 2018b), the AERMOD Modeling Report to Assess Ambient Air Quality Impacts (Strohm 2018c), and a stand-alone Air Quality Technical Support Document that details the results of atmospheric dispersion modeling completed for the EIS (Strohm 2018c). These documents are available online on the BLM e-Planning website at: <https://go.usa.gov/xnBTu>.

**Table C-12** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. For air quality impacts, these roughly break down into emissions-generating processes, the resulting emissions, and the dispersion of the generated emissions beyond the boundaries of the Event site and Closure Area.

**Table C-12  
Impact Analysis Methods for Air Quality**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Air basin (Black Rock Desert Hydrographic Basin) and travel routes (with 0.5-mile buffer)</li> <li>• Indirect Impacts: Air basin (Black Rock Desert Hydrographic Basin) and travel routes (with 0.5-mile buffer)</li> <li>• Cumulative Impacts: Air basin (Black Rock Desert Hydrographic Basin) and travel routes (with 0.5-mile buffer)</li> <li>• <b>Figure 3-4, Air Quality, Climate, and Public Health and Safety, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• An increase in fugitive dust and criteria air pollutant emissions from vehicle travel and participant activity on the playa during the Event dates and during preparation and cleanup</li> <li>• Increased greenhouse gas emissions from generator use, vehicle travel to and from the Event, and miscellaneous combustion during the Event</li> <li>• An increase in HAPs created by combustion emissions (all sources including vehicle, generator, and art installation).</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Concentrations of atmospheric particulates (PM<sub>10</sub> and PM<sub>2.5</sub>) recorded at playa air monitoring sites present in the Assessment Area during the data collection period (August 15, 2017 to September 6, 2017)</li> <li>• Concentrations of atmospheric particulates (PM<sub>10</sub>, and PM<sub>2.5</sub>) recorded at nearby air monitoring sites</li> <li>• An increase in air pollution during Event days (August 27, 2017 to September 4, 2017) compared with non-Event days</li> <li>• Calculated emissions of criteria air pollutants (carbon monoxide, lead, sulfur dioxide, nitrogen dioxide, volatile organic compounds, PM<sub>10</sub>, and PM<sub>2.5</sub>) present in the Assessment Area</li> <li>• Concentration of metals collected in the Assessment Area during the data collection period</li> <li>• Calculated levels of greenhouse gas emissions resulting from Event activities in the Assessment Area</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• The majority of the Class I areas within 180 miles of the Event site are upwind of the Event site and are therefore unlikely to be affected by the Event.</li> <li>• The one Class I area that is downwind from the Event site is Jarbidge Wilderness in Elko County, Nevada, approximately 180 miles from the Event site; Event activities are unlikely to affect this site.</li> <li>• The two stationary sources of air pollutants within 30 miles of the Event site are minor sources of emissions and are expected to have minimal impacts on the Assessment Area.</li> <li>• Data collected in 2017 for the Baseline Technical Report (Strohm 2018a) are representative of the typical conditions in the Assessment Area; this enables a model that utilizes these data to generate outputs that accurately depict potential impacts of the Event on air quality in the future.</li> </ul>

The impact Assessment Area is defined as the airshed in which the Burning Man Event takes place and the location where primary atmospheric emissions impacts occur. The airshed is bounded by the Granite Range to the west, the Jackson Mountains to the east, the Trinity Range to the south, and the Black Rock Range to the north. The Event site occurs in the Black Rock Desert and is surrounded on all sides by peaks between 500 and 2,000 feet above the playa floor, resulting in entrapment of the majority of Event emissions. The cumulative impacts Assessment Area is the air basin because activity on the playa associated with the alternatives, combined with the actions in **Table D-1**, would cumulatively contribute to air quality conditions in the basin.

Air quality specialists from Trinity Consultants collected ambient data on atmospheric particulate concentrations and metal concentrations in 2017 to create a baseline understanding of air quality in the Assessment Area (see the Revised Baseline Technical Report–Air Resources [Strohm 2018a]). The specialists used this information collected to generate a detailed dispersion modeling evaluation for criteria pollutants for each of the defined action alternatives. The model protocol used to define the atmospheric dispersion modeling is available in the Revised AERMOD Modeling Protocol to Assess Ambient Air Quality Impacts (Strohm 2018b).

The analysis quantified emissions rates for hourly and Event-long emissions-generating processes for all significant on-site emission sources. The dispersion modeling then used these emissions rates to assess the Event’s short- and long-term emissions impacts on air quality. The purpose of the dispersion modeling was to determine whether emissions from the Proposed Action would cause NAAQS exceedances. Model outputs are available in the Air Quality Technical Support Document (Strohm 2018c).

**Noise**

*Analysis Methods*

The analysis for noise is based on a noise impact assessment generated from information collected during the 2017 Burning Man Event Closure Order period (Salter 2018) and other relevant literature. **Table C-13** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. In addition to the Closure Area, the cumulative impacts Assessment Area includes travel routes and areas directly adjacent to the Closure Order boundary. These are areas where noise associated with proposed activities under the alternatives, combined with the actions in **Table D-I**, could cumulatively affect ambient sound levels.

**Table C-13  
Impact Analysis Methods for Noise**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Direct line of sight to the Closure Area and travel routes (with 0.5-mile buffer)</li> <li>• Indirect Impacts: Direct line of sight to the Closure Area and travel routes (with 0.5-mile buffer)</li> <li>• Cumulative Impacts: Direct line of sight to the Closure Area and travel routes (with 0.5-mile buffer)</li> <li>• <b>Figure 3-6, Noise, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Hearing discomfort or damage</li> <li>• Disturbance to daily activities, such as work or sleep</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• A permanent increase in ambient sound levels in the Assessment Area above levels existing without the action</li> <li>• A temporary or periodic increase in ambient sound levels in the Assessment Area above levels existing without the action</li> </ul>

**Table C-13 (continued)  
Impact Analysis Methods for Noise**

<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Because noise attenuates with distance, receptors located further from a noise source are less affected by that noise than those located closer to the noise source.</li> <li>• Depending on the decibel level of the noise source, other ambient noise sources, and topography, at a certain distance it becomes impossible for the human ear to differentiate a specific noise source from the ambient noise conditions.</li> <li>• Individuals react differently to changes in ambient noise levels and to various types of sound; therefore, the perceived level of impact varies by receptor. Noise levels that meet maximum permissible noise levels may still be perceived as an impact on noise for some sensitive receptors. For this analysis, the assumption is that all sensitive receptors react the same to changes in noise levels.</li> <li>• Sustained noise is more disruptive than short-duration noise events of the same decibel level. Similarly, people react less favorably to frequent noise events compared with infrequent noise of the same decibel level.</li> <li>• Noise that occurs at night is viewed as more disruptive than daytime noise, mostly because the actual and expected ambient sound levels are lower at night.</li> </ul>
--------------------	---

**Soils (Playa Sediments)**

*Analysis Methods*

The analysis for soils (playa sediments) is based on the Air Baseline Report, NASA poster on playa deformation, GIS data, and other relevant scientific literature. Including soil units overlapped by the Closure Order as the Assessment Areas allows each of those units to be analyzed for direct, indirect, and cumulative impacts. **Table C-14** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative.

**Table C-14  
Impact Analysis Methods for Soils (Playa Sediments)**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Soil units that intersect the Closure Area, including the Event access road</li> <li>• Indirect Impacts: Soil units that intersect the Closure Area, including the Event access road</li> <li>• Cumulative Impacts: Soil units that intersect the Closure Area, including the Event access road</li> <li>• <b>Figure 3-7, Ecological Site Descriptions, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Erosion and loss of biological surface crust from surface disturbance</li> <li>• Playa deformation from Event activities</li> <li>• Dune formation</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Acres of BLM-administered land protected from or open to surface-disturbing activities</li> <li>• Amount of surface disturbance that would occur in the Closure Area</li> <li>• Amount of wind erosion and loss of playa material and subsequent intermittent dune deposition</li> </ul>

**Table C-14 (continued)**  
**Impact Analysis Methods for Soils (Playa Sediments)**

<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Design measures, such as limiting excavation of pits and holes, dust suppression, and other mitigation measures, would be implemented in order to protect playa sediments.</li> <li>• The Event would occur during the period when the playa is most likely to be subject to wind erosion.</li> <li>• The intensity and volume of use would disturb and loosen sediments, where the surface crust is disturbed, due to motorized vehicles, walking, biking, art cars traveling between art pieces, and other movement inside the closure boundary fence.</li> <li>• As populations increase, the percentage of crust broken would also increase.</li> <li>• The quantity of wind erosion and subsequent intermittent dune deposition associated with the playa varies depending upon surface moisture and the amount of strong winds that occur.</li> <li>• Air quality is correlated with playa deformation.</li> </ul>
--------------------	---

**Visual Resources (Including Night Skies)**

*Analysis Methods*

The analysis for visual resources (including night skies) is based on a site visit to conduct a visual resource contrast rating using BLM Form 8400-4, Visual Contrast Rating Worksheet, according to BLM Handbook H-8431-1, Visual Resource Contrast Rating (BLM 1986b); night sky report; and other relevant literature. Including the viewshed and key observation points as the Assessment Areas allows for the analysis of direct, indirect, and cumulative impacts at defined locations. **Table C-15** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative.

**Table C-15**  
**Impact Analysis Methods for Visual Resources (including Night Skies)**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Viewshed and key observation points</li> <li>• Indirect Impacts: Viewshed and key observation points</li> <li>• Cumulative Impacts: Viewshed and key observation points</li> <li>• <b>Figure 3-8, Visual Resources, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Changes to the form, line, color, and texture of land/water, vegetation, or structures</li> <li>• Changes to nighttime light levels due to artificial light</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Conformance to VRM class objectives</li> <li>• Changes to dark skies</li> </ul>

**Table C-15 (continued)  
Impact Analysis Methods for Visual Resources (including Night Skies)**

<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Visual resources in the area will become more sensitive to visual change; in other words, they will increase in value over time.</li> <li>• Visual resources will become increasingly important to residents of and visitors to the area.</li> <li>• Residents and visitors to the area are sensitive to changes in visual quality and to the overall scenic quality of the area that contributes to living conditions and the visitor experience.</li> <li>• Activities that cause the most contrast and are the most noticeable to the viewer will have the greatest impact on scenic quality.</li> <li>• As the number of acres of disturbance increases, the amount of impacts on visual resources also increases.</li> <li>• The severity of a visual impact depends on a variety of factors, including the size of an activity (such as the area disturbed), the location, physical size, and design of structures and travel ways, and the overall visibility of disturbed areas and structures.</li> <li>• The more protection that is associated with the management of other resources and special designations, the greater the benefit to the visual resources of the surrounding viewsheds.</li> <li>• Best management practices and project design, avoidance, or mitigation can reduce but not entirely prevent impacts on visual resources.</li> <li>• Due to the slow rate of recovery of vegetation and surface conditions, all impacts on visual resources from surface disturbances will be long term.</li> <li>• Impacts on dark skies from artificial light sources will only occur during the use of the artificial light sources.</li> </ul>
--------------------	---

**Water Resources**

*Analysis Methods*

The water resources analysis is based on State Engineer’s reports, GIS data, and other relevant scientific literature. **Table C-16** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes known surface water bodies in the NCA where human presence, combined with the actions in **Table D-1**, could foreseeably affect those water resources.

**Table C-16  
Impact Analysis Methods for Water Resources**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Surface water: Black Rock Playa, Fly Ranch, springs of interest</li> <li>• Groundwater: Black Rock Desert Hydrographic Basin</li> <li>• Indirect Impacts: Surface water: Black Rock Playa, Fly Ranch, springs of interest</li> <li>• Groundwater: Black Rock Desert Hydrographic Basin</li> <li>• Cumulative Impacts: Surface water: Black Rock Playa, Fly Ranch, springs of interest</li> <li>• Groundwater: Black Rock Desert Hydrographic Basin</li> <li>• <b>Figure 3-9, Water Resources, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Surface water contamination from Event activities</li> <li>• Groundwater contamination from Event activities</li> </ul>

**Table C-16 (continued)**  
**Impact Analysis Methods for Water Resources**

<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>Quantity of hazardous materials applied on the playa surface (e.g., oil leaks and wastewater)</li> <li>The inability to meet state and federal water quality standards for surface water and groundwater</li> <li>Changes in water quality that have detrimental effects on wildlife or special status species</li> <li>Alteration of the physical characteristics of springs and groundwater aquifers that affect the use and sustainability of these resources</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>With the exception of those roads that the BLM authorizes in advance, dust palliatives would not be used to control fugitive dust, and water without additives would be used for fugitive dust control within the Assessment Area.</li> <li>The estimated quantity of oil dripped onto the playa is directly proportional to the population size of the Event.</li> <li>No local groundwater resources would be pumped to meet water supply requirements associated with the Event.</li> <li>The water table associated with the playa changes on a seasonal basis related to the amount of surface runoff and precipitation.</li> <li>Groundwater is actively discharged to the atmosphere due to evaporation and capillary forces.</li> <li>Potential increased human visitation to hot springs by Event participants before or after the Event may cause impacts from human use.</li> </ul>

### C.3.5 Social Values and Economics

#### Economics

##### *Analysis Methods*

The analysis for economics is based on participant data as reported in the 2017 BRC Census (BRC 2017c), operational expenditures from the 2017 Event as provided by BRC (BRC 2017b), information provided by local community representatives and other stakeholders in interviews, and other relevant literature. Full details of the methodology used and impacts on environmental justice are provided in the Assessment of Economics, Social Values, and Environmental Justice (EMPSi 2018b, EMPSi 2019b). **Table C-17** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative.

**Table C-17**  
**Impact Analysis Methods for Economics**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>Direct Impacts: Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe Counties</li> <li>Indirect Impacts: Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe Counties</li> <li>Cumulative Impacts: Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe Counties</li> <li><b>Figure 3-10, Economics, Environmental Justice, and Social Values, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>An increase or decrease in economic activity in the Assessment Area attributable to the Event</li> <li>An increase or decrease in community service demand (at the Event and as a result of the Event)</li> <li>Cost (increase or decrease) to and capacity of public agencies to meet demands for services</li> <li>Federal, state, county, and/or local tax revenue increase or decrease</li> </ul>

**Table C-17 (continued)**  
**Impact Analysis Methods for Economics**

<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Changes to the direct level of local spending by participants, and indirect and induced spending, jobs, and economic output generated by these expenditures in the socioeconomic Assessment Area and Nevada</li> <li>• Changes to the direct level of operational expenditures made to hold the Event, and indirect and induced spending, jobs, and economic output generated by these expenditures in the socioeconomic Assessment Area and Nevada</li> <li>• Changes to direct employment levels supported by Event operations</li> <li>• Change to the cost and/or availability of community services as a result of the Event</li> <li>• Change to the revenue collected by local, county, state, and/or federal agencies as a result of taxes collected due to Event activity</li> <li>• Change to regional economic indicators, such as employment and income, based on Event expenditures</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Based on BRC census data from 2017, total Event spending was a median of \$1,500. Spending in Nevada was approximately \$666.60 per Event attendee. Based on the reported stops at Nevada communities, it is estimated that approximately \$576.66, or 86.5 percent of spending, occurred within the six-county Assessment Area.</li> <li>• The same participant spending estimates are utilized for Event participants, BRC volunteers, and BRC staff. Total spending in the Assessment Area by BRC staff and volunteers may be substantially higher depending on the length of stay, location of lodging, and other factors. Those data were not available; therefore, for the purpose of this analysis, it is assumed their spending associated with participation in the Event is similar to other participants.</li> <li>• Participant spending is assumed to scale with permitted participant levels (i.e., each additional participant will be assumed to spend \$576.66 in the local region).</li> <li>• For BRC operational expenditures where the specific location of spending was not provided, the analysis will assume 50 percent of spending occurs within the six-county Assessment Area.</li> <li>• The tax analysis model assumes food, fun, and survival are all retail purchases subject to a sales tax. An average sales tax was taken from the six counties in the Assessment Area.</li> <li>• The tax analysis model assumes each participant only lodged once in the Assessment Area with a lodging tax of 13 percent and a \$2 surcharge per room.</li> <li>• The tax analysis model takes the average Nevada gas price for August 2017 and September 2017 to calculate the average gallons purchased per participant. The average gallons purchased is used to determine the county fuel tax (\$0.1535 per gallon) contribution for the Assessment Area.</li> </ul>

#### *Event Economic Contributions*

This assessment utilizes the economic contribution approach. This analysis does not distinguish between money brought into the area from nonlocal visitors and local resident spending; however, based on the fact that less than 5 percent of total participants reside in Nevada, it is likely that much of the spending represents that from nonlocal visitors.

To calculate the economic contribution of the Event, an input-output model, IMPLAN, was used to calculate the increases in jobs, incomes, and output statewide that happen as money from BRC operational expenditures and Event participants are spent in Nevada's economy. The IMPLAN model provides estimates of the effects of the expenditures on income and employment that follow from direct, indirect, and induced impacts, as discussed in detail in *The Assessment of Economics, Social Values, and Environmental Justice (EMPSi 2018b, EMPSi 2019b)*. Taken together, these combined

economic effects (direct + indirect + induced) describe the Event's total contribution to the economy based on spending in the Assessment Area. Effects are described in terms of output, income, and jobs.

It should be noted that economic modeling examines the effects of Event economic activity in two regions: the six-county Assessment Area and the state of Nevada as a whole. As discussed in the Affected Environment section, this local and state spending represents only one portion of the spending and economic contributions from the Event and should not be considered a comprehensive representation of all economic contributions. Broader economic impacts from the Event occur throughout the region and are discussed on a qualitative basis as appropriate.

Inputs to the model for direct operational spending in the Assessment Area and Nevada include Nevada-based nonlabor expenditure data provided by BRC, including goods and services spending on the Event, social contributions, and property-related costs. The amount also excludes monetary transfers to government agencies in the form of taxes, permit fees, and payment for services. These transfer payments are discussed under the Fiscal Analysis section.

#### *Fiscal Analysis and Demand and Capacity of Community Services*

Information on the source of revenue and demands and costs of services with the potential to be affected by the Event are discussed in the Affected Environment.

The effects analysis provides a qualitative assessment of the impacts on local government revenues associated with the Event based on permitted levels of participants under each alternative and discusses the BLM-associated SRP permit fees. The effects analysis provides a qualitative assessment of the impacts on local government revenues associated with the SRP permit fees. To determine tax contributions from participant spending, the level of participant-reported spending was examined in coordination with local tax rates for sales, lodging, and gas taxes to define an approximate tax contribution per participant in the Assessment Area. Tax contributions from nonlabor operational expenditures were analyzed based on estimated vendor costs provided by BRC and special event taxes collected. Details are provided in The Assessment of Economics, Social Values, and Environmental Justice (~~EMPSi 2018b~~EMPSi 2019b). The total tax contribution was then based on the total number of participants by alternatives to estimate Assessment Area tax contributions.

### ***Environmental Justice***

#### *Analysis Methods*

The analysis for environmental justice is based on US Census Bureau population and ethnicity and racial data, and other relevant literature. Full details of the methodology used and impacts on environmental justice are provided in the Assessment of Economics, Social Values, and Environmental Justice (~~EMPSi 2018b~~EMPSi 2019b). **Table C-18** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative.

**Table C-18**  
**Impact Analysis Methods for Environmental Justice**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe Counties</li> <li>• Indirect Impacts: Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe Counties</li> <li>• Cumulative Impacts: Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe Counties</li> <li>• <b>Figure 3-10</b>, Economics, Environmental Justice, and Social Values, in <b>Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Impacts would result from how the varying alternatives would affect resources important to local communities and populations that have been identified for further environmental justice consideration, such as air quality, soils and playa resources, transportation and traffic, public health and safety, and visual resources. Specific impacts on these resources are discussed in relevant resource sections. The potential for adverse and disproportionate effects on identified minority and/or low-income populations is discussed in this section.</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Changes in access to resource and resource uses, which could potentially limit the ability for traditional, subsistence, cultural, or economic use, thereby affecting the social and economic well-being of environmental justice populations</li> <li>• Changes to the level of surface-disturbing or disruptive activities allowed under each alternative, which could affect the social and economic well-being of environmental justice populations, including the potential human health and safety concerns</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• No unique assumptions have been identified for the environmental justice analysis.</li> </ul>

**Social Values**

*Socioeconomic Assessment Area Demographic Conditions*

Analysis Methods

The analysis for social values is based on information provided by BRC, socioeconomic interviews with local community representatives and stakeholders, and other relevant literature. Full details of the methodology used and impacts on social values are provided in the Assessment of Economics, Social Values, and Environmental Justice (EMPSi 2018b, EMPSi 2019b). **Table C-19** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative.

**Table C-19**  
**Impact Analysis Methods for Social Values**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe Counties</li> <li>• Indirect Impacts: Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe Counties</li> <li>• Cumulative Impacts: Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe Counties</li> <li>• <b>Figure 3-10</b>, Economics, Environmental Justice, and Social Values in <b>Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Impacts on temporary or permanent population changes, interaction of participants with communities, or other event management that alters the real or perceived impacts of the Event on local communities' social values</li> <li>• Impacts on other land uses (i.e., recreation) that affect residents' quality of life</li> <li>• Impacts on Event size or management that alters perception of the Event for Event attendees</li> <li>• Impacts on resources on the playa that provide nonmarket values for local residents and/or Event attendees</li> </ul>

**Table C-19 (continued)**  
**Impact Analysis Methods for Social Values**

<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Change to the social setting or values for area communities are a result of Event activities</li> <li>• Change to the social setting or values for Event participants, including the adherence to the 10 principles of Burning Man</li> <li>• Changes to nonmarket values, including but not limited to air quality, visual setting, and noise, as a result of Event activities</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• No specific assumptions have been identified for social values.</li> </ul>

### C.3.6 Special Designations

#### **National Conservation Areas**

##### *Analysis Methods*

The analysis for national conservation areas is based on a review of the alternatives for the Event summarized in **Chapter 2**; the Resource Management Plan for Black Rock Desert–High Rock Canyon Emigrant Trails NCA and Associated Wilderness, and other Contiguous Lands in Nevada (BLM 2004c); Recreation Management Information System data (BLM RMIS 2017a), the Revised Baseline Technical Report–Air Resources (Strohm 2018a), the artificial light at night assessment (Craine and Craine 2018), the noise impact assessment (Salter 2018), the traffic analysis (Solaegui Engineers 2018), GIS data (BLM GIS 2018), and other relevant scientific literature. **Table C-20** summarizes the Assessment Areas, types of impacts, indicators, and assumptions for determining the nature and types of impact under each alternative.

**Table C-20**  
**Impact Analysis Methods for National Conservation Areas**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Playa, adjacent mounds, points of interest in the NCA (with 0.5-mile buffer), access roads, Selenite Mountains WSA and Poodle Mountain WSA, High Rock Canyon and Soldier Meadows ACECs, and travel routes (with 0.5-mile buffer)</li> <li>• Cumulative Impacts: Playa, adjacent mounds, points of interest in the NCA (with 0.5-mile buffer), access roads, Selenite Mountains WSA and Poodle Mountain WSA, High Rock Canyon and Soldier Meadows ACECs, and travel routes (with 0.5-mile buffer)</li> <li>• <b>Figure 3-11</b>, Special Designations, in <b>Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Impacts would result from how the varying alternatives would affect resources within the NCA, such as air quality, soils and playa resources, cultural resources (including NHTs), recreation, transportation and traffic, visual resources, and wildlife.</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Management actions that allow uses and activities within the NCA that diminish or enhance the historical, cultural, scenic, scientific, biological, educational, and recreational values and resources associated with the Applegate-Lassen and Nobles Trails corridors</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Where multiple special designations overlap, the BLM must comply with all applicable statutes. In order to do so, the more protective management requirements apply. For example, where designated wilderness overlaps with the NCA, no motorized vehicles or equipment may be used in the area of overlap unless they are the minimum necessary to administer the area under the Wilderness Act.</li> <li>• Multiple uses may be allowed in the NCA to the extent they are consistent with the applicable designating authority, other applicable laws, and the applicable land use plan.</li> <li>• The NCA would continue to be available for a variety of recreational opportunities, consistent with the purposes for which the NCA was designated.</li> </ul>

**Wilderness**

*Analysis Methods*

The analysis for wilderness areas is based on the Black Rock Desert–High Rock Canyon RMP (BLM 2004c), Recreation Management Information System data (BLM RMIS 2017a), the Revised Baseline Technical Report–Air Resources (Strohm 2018a), the artificial light at night assessment (Craine and Craine 2018), the noise impact assessment (Salter 2018), the traffic analysis (Solaegui Engineers 2018), GIS data (BLM GIS 2018), and other relevant scientific literature. **Table C-21** summarizes the types of impacts on wilderness areas and indicators and assumptions for determining the nature and types of impact under each alternative.

**Table C-21  
Impact Analysis Methods for Wilderness Areas**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Playa, adjacent mounds, points of interest in the NCA (with 0.5-mile buffer), access roads, Selenite Mountains WSA and Poodle Mountain WSA, High Rock Canyon and Soldier Meadows ACECs, and travel routes (with 0.5-mile buffer)</li> <li>• Cumulative Impacts: Playa, adjacent mounds, points of interest in the NCA (with 0.5-mile buffer), access roads, Selenite Mountains WSA and Poodle Mountain WSA, High Rock Canyon and Soldier Meadows ACECs, and travel routes (with 0.5-mile buffer)</li> <li>• <b>Figure 3-11</b>, Special Designations, in <b>Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Those that either diminish or enhance the values and resources for which the wilderness area was designated</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Changes in untrammeled areas or apparent naturalness resulting from actions in the range of alternatives</li> <li>• Impacts on opportunities for solitude or primitive and unconfined recreation, as measured by the amount and type of visitor use</li> <li>• The severity of disturbances or changes in unique and supplemental values or cultural resources</li> <li>• Changes in traffic levels on routes leading to wilderness areas and flight paths of aircraft above wilderness areas</li> <li>• Changes in air quality that could degrade a visitor’s scenic experience while in wilderness areas</li> <li>• The amount of noise from Event-related activities that could be heard in wilderness areas</li> <li>• The levels, duration, and intensity of light affecting wildlife and primitive recreation activities</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Wilderness areas would continue to be managed according to BLM Manual 6340, Management of Designated Wilderness Areas (BLM 2012c).</li> </ul>

**Wilderness Study Areas**

*Analysis Methods*

The WSAs analysis is based on the Black Rock Desert–High Rock Canyon RMP (BLM 2004c), the Nevada BLM Statewide Wilderness Report (BLM 1991), Recreation Management Information System data (BLM RMIS 2017a), the Revised Baseline Technical Report–Air Resources (Strohm 2018a), the artificial light at night assessment (Craine and Craine 2018), the noise impact assessment (Salter 2018), the traffic analysis (Solaegui Engineers 2018), GIS data (BLM GIS 2018), and other relevant scientific literature. **Table C-22** summarizes the types of impacts on WSAs and indicators and assumptions for determining the nature and types of impact under each alternative.

**Table C-22  
Impact Analysis Methods for Wilderness Study Areas**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road</li> <li>• Indirect Impacts: Playa, adjacent mounds, points of interest in the NCA (with 0.5-mile buffer), access roads, Selenite Mountains WSA and Poodle Mountain WSA, High Rock Canyon and Soldier Meadows ACECs, and travel routes (with 0.5-mile buffer)</li> <li>• Cumulative Impacts: Playa, adjacent mounds, points of interest in the NCA (with 0.5-mile buffer), access roads, Selenite Mountains WSA and Poodle Mountain WSA, High Rock Canyon and Soldier Meadows ACECs, and travel routes (with 0.5-mile buffer)</li> <li>• <b>Figure 3-11</b>, Special Designations, in <b>Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Impacts on WSAs are those that either diminish or enhance the values and resources for which the WSA was designated.</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Changes in the inventoried wilderness characteristics (naturally appearing, opportunities for solitude or primitive and unconfined recreation, and unique or supplemental values) within the WSAs resulting from actions in the range of alternatives</li> <li>• Impacts on opportunities for solitude or primitive and unconfined recreation, as measured by the amount and type of visitor use</li> <li>• The severity of disturbances or changes in unique and supplemental values or cultural resources</li> <li>• The amount of noise from Event-related activities that could be heard in WSAs</li> <li>• The levels, duration, and intensity of light affecting wildlife and primitive recreation activities</li> <li>• Changes in traffic levels on routes leading to wilderness areas and flight paths of aircraft above WSAs</li> <li>• Changes in air quality that could degrade a visitor’s scenic experience while in WSAs</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• The WSAs in the Assessment Area would continue to be managed according to BLM Manual 6330, Management of Wilderness Study Areas (BLM 2012b [Manual 6330]), until Congress either designates or releases all or portions of the WSAs from further consideration.</li> <li>• Managing the WSAs according to BLM policy would protect their wilderness characteristics in a manner that would not “impair the suitability of WSAs for preservation as wilderness” (FLPMA Section 603[c]). This is the “non-impairment standard.”</li> </ul>

**C.3.7 Visitor Uses**

**Recreation**

*Analysis Methods*

The recreation analysis is based on information in the Burning Man 2012–2016 SRP EA (BLM 2012a), GIS data, and relevant scientific literature. **Table C-23** summarizes the types of impacts on recreation and indicators and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes potential locations where recreation, traffic, noise, light, and air quality conditions associated with the Event, combined with the actions in **Table D-1**, could foreseeably affect the recreation setting and associated experiences, or displace visitors.

**Table C-23**  
**Impact Analysis Methods for Recreation**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Closure Area, including the Event access road, playa, adjacent mounds, and points of interest within the NCA (with 0.5-mile-radius buffer)</li> <li>• Indirect Impacts: Selenite Mountains WSA and Poodle Mountains WSA; High Rock Canyon and Soldier Meadows ACEC; and a 0.5-mile buffer around SR 447 between Gerlach and Wadsworth, CR 34 from Gerlach to Soldier Meadows Road, and Jungo Road from Gerlach to approximately the Hycroft Mine</li> <li>• Cumulative Impacts: Selenite Mountains WSA and Poodle Mountains WSA; High Rock Canyon and Soldier Meadows ACEC; and a 0.5-mile buffer around SR 447 between Gerlach and Wadsworth, CR 34 from Gerlach to Soldier Meadows Road, and Jungo Road from Gerlach to approximately the Hycroft Mine</li> <li>• <b>Figure 3-12, Recreation, in Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Change in the quality of the recreation setting or experience due to a change in the quality of recreation amenities or the physical, social, and operational settings that contribute to positive recreation outcomes</li> <li>• Change in the number, type, or ability to access recreational opportunities</li> <li>• Physical displacement of visitors from designated sites and areas that provide for dispersed recreational use</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• Extent of the Closure Order boundary</li> <li>• Maximum population of the Event</li> <li>• Number and location of annual visitors to the Assessment Area</li> <li>• Number and type of recreational opportunities, including SRPs</li> <li>• Total acres of physical disturbance to the playa surface associated with the Event site and Gate Road</li> <li>• Traffic congestion affecting access</li> <li>• Noise</li> <li>• Air Quality</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• The number of persons on the playa would be equivalent to the maximum population.</li> <li>• Access to the Event would be through established routes (<b>Figure 3-13, Transportation and Traffic, in Appendix A</b>); there would be no new routes created.</li> <li>• The Event would increase visitation to the Assessment Area.</li> <li>• The playa would continue to be popular for other permitted users.</li> <li>• The Closure Order would preclude other recreation users from accessing the closed area for any purpose other than participating in the Event.</li> </ul>

### ***Transportation and Traffic***

#### *Analysis Methods*

The transportation and traffic analysis is based on observed and recorded conditions during the 2017 Burning Man Event, GIS data, and BRC operations data. **Table C-24** summarizes the types of impacts on transportation and traffic and indicators and assumptions for determining the nature and types of impact under each alternative. The cumulative impacts Assessment Area includes potential travel routes leading to and from the playa where congestion associated with the Event, combined with the actions in **Table D-I**, could foreseeably affect levels of access and travel times on those routes.

**Table C-24**  
**Impact Analysis Methods for Transportation and Traffic**

<b>Assessment Areas</b>	<ul style="list-style-type: none"> <li>• Direct Impacts: Playa routes to and within the Closure Area, including SR 447 (from Interstate 80 to Gerlach), SR 447 (from the California-Nevada border to Gerlach), CR 34 in the Closure Area, and Jungo Road (from Winnemucca to Gerlach), BRCMA, and flight paths</li> <li>• Indirect Impacts: Playa routes to and within the Closure Area, including SR 447 (from Interstate 80 to Gerlach), SR 447 (from the California-Nevada border to Gerlach), CR 34 in the Closure Area, and Jungo Road (from Winnemucca to Gerlach), BRCMA, and flight paths</li> <li>• Cumulative Impacts: Playa routes to and within the Closure Area, including SR 447 (from Interstate 80 to Gerlach), SR 447 (from the California-Nevada border to Gerlach), CR 34 in the Closure Area, and Jungo Road (from Winnemucca to Gerlach), BRCMA, and flight paths</li> <li>• <b>Figure 3-13</b>, Transportation and Traffic, in <b>Appendix A</b></li> </ul>
<b>Types of Impact</b>	<ul style="list-style-type: none"> <li>• Change in the level of access to the playa for Event participants during the Closure Order period</li> <li>• Change in the level of access to the playa and surrounding recreation areas for non-Event populations during the Closure Order period</li> <li>• Increase or decrease in the amount of traffic and congestion during the Closure Order period on major roadways near the Event</li> </ul>
<b>Impact Indicators</b>	<ul style="list-style-type: none"> <li>• The total population of the Event</li> <li>• Total number of people on the playa during build week and after the Event</li> <li>• The number of vehicle passes issued for the Event</li> <li>• LOS for major roadways used to access the Event</li> <li>• The number of attendees arriving by Burner Express Bus</li> <li>• The number of attendees arriving by Burner Express Air</li> <li>• The number or type of vehicle access points for Event populations to the Event site</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Within the Closure Order boundary, access is restricted to Event participants, volunteers, vendors, and government personnel.</li> <li>• There is a direct relationship between the Event population size and the number of private vehicles entering and leaving the Event, subject to vehicle pass limits.</li> <li>• BRC and the BLM would discourage private vehicle access to the Event via Jungo Road, Soldier Meadows Road, and other unpaved roadways.</li> <li>• The number of theme camps influences the number and timing of participant arrivals, particularly during build week.</li> </ul>

This page intentionally left blank.

---

# Appendix D

## Detailed Cumulative Assessment

This page intentionally left blank.

# Appendix D. Detailed Cumulative Assessment

## D.I CUMULATIVE IMPACTS: PAST, PRESENT, AND REASONABLY FORESEEABLE FUTURE ACTIONS IN THE ASSESSMENT AREA

Cumulative impacts are effects on the environment that result from implementing any one of the alternatives, in combination with other actions outside the scope of this EIS, either in the Closure Area or within the Assessment Area. CEQ regulations (CEQ 1997) require a cumulative impact analysis because environmental conditions result from many different factors that act together. The total effect of any single action cannot be determined by considering it in isolation; it must be determined by considering the likely result of that action in conjunction with many other actions.

Evaluating potential impacts includes considering incremental impacts that could occur from the alternatives, as well as impacts from past, present, and reasonably foreseeable future actions. **Table D-I** identifies past, present, and reasonably foreseeable future actions used in the cumulative analysis for the supplemental authorities and other affected resources.

**Table D-1  
Past, Present, and Reasonably Foreseeable Future Actions in the Burning Man Assessment Areas**

<b>Action/Project Name; Agency ID</b>	<b>Location (Nevada)</b>	<b>Ownership/ Applicant</b>	<b>Status</b>	<b>Acres/ Length</b>	<b>Project Description</b>	<b>Resource(s) Affected</b>
<b>Recreation</b>						
Black Rock Desert–High Rock Canyon Emigrant Trails NCA Recreation	Black Rock Desert–High Rock Canyon Emigrant Trails NCA	Various	Ongoing	Various	Activities within the NCA that have required an SRP include: <ul style="list-style-type: none"> <li>• Burning Man Event</li> <li>• Hunting outfitters and guides</li> <li>• Jeep tours (4-wheel drive) that charge participants</li> <li>• Equestrian tours and wagon train rides</li> <li>• Cattle drives that charge individuals to ride along</li> <li>• Filming or photography for profit, even if associated with recreational use</li> <li>• Unique activities, such as rocket launching and land sailing</li> <li>• World land speed record events</li> <li>• Amateur altitude record rocket launches</li> <li>• Large scout campout</li> <li>• Fraternity activity</li> <li>• Large family reunion</li> <li>• OHV race</li> <li>• Horse endurance rides</li> <li>• Mountain bike races</li> <li>• Fourth of July</li> <li>• Weddings</li> </ul>	Air Quality ACECs Cultural Resources Environmental Justice Invasive, Nonnative Species Migratory Birds Native American Religious Concerns Public Health and Safety Threatened and Endangered Species Waste Water Quality Wilderness Wilderness Study Areas
Granite Creek Ranch – Recreational Cabins	16 miles north of Gerlach on CR 34	Granite Creek Partners, LLC	Hearing Date 12/2011	1.5 acres	Construction of five permanent cabins under the classification of a destination resort	Air Quality Economics Environmental Justice Public Health and Safety Recreation Social Values

<b>Action/Project Name; Agency ID</b>	<b>Location (Nevada)</b>	<b>Ownership/ Applicant</b>	<b>Status</b>	<b>Acres/ Length</b>	<b>Project Description</b>	<b>Resource(s) Affected</b>
Black Rock Station Outdoor Visitor Kiosk	Gerlach	Black Rock City, LLC	Categorical Exclusion signed 2/5/2018	Adjacent to the BLM's Black Rock Station in Gerlach	Includes interactive, topographic map, walkway, shade structure, and picnic table; ADA compliant	Recreation Social Values Traffic
<b>Communications, Energy, and Minerals</b>						
San Emidio Geothermal Plant Expansion	San Emidio Desert	Ormat Technologies, Inc.	Exploration Decision Record 8/10/2014 Installation Well Decision Record 1/10/2018	21.5 acres	The BLM Black Rock Field Office issued a decision in 2014 to allow a proposal by US Geothermal Nevada for the San Emidio Geothermal Exploration and Development project. Ormat Technologies, Inc. proposed the installation of one new production well in 2018.	Air Quality Economics Environmental Justice Social Values
New York Canyon Geothermal Utilization and Interconnect Project	25 miles east southeast of Lovelock	Ormat Technologies, Inc.	Exploration Decision Record 10/14/2010 Utilization and Interconnect Decision Record 6/03/2013	81.8 acres	The exploration project includes drilling up to 15 exploration wells, 1 temporary water well, and the construction of on-lease access roads and well pads, surface pipelines, and associated ancillary facilities for the purpose of geothermal exploration. Also authorized under the decision record is FLPMA ROW NVN-88195 to provide lease-to-lease roadway and pipeline access. Proposed development included a 70-megawatt utility-grade geothermal power plant, 45 production and injection wells, pipelines, and a 230-kilovolt transmission line in Churchill and Pershing Counties.	Economics Environmental Justice Social Values
Blue Mountain Geothermal Development Project	Blue Mountain, 25 miles west of Winnemucca	Nevada Geothermal Power Company	Decision Record 12/18/2007 Ongoing	35 acres	The project included development of a geothermal power plant, a geothermal well field, and a 20-mile 120-kilovolt transmission line in Humboldt and Pershing Counties.	Air Quality Economics Environmental Justice Social Values

<b>Action/Project Name; Agency ID</b>	<b>Location (Nevada)</b>	<b>Ownership/ Applicant</b>	<b>Status</b>	<b>Acres/ Length</b>	<b>Project Description</b>	<b>Resource(s) Affected</b>
Sandman Exploration Project	North of Interstate 80, 7.5 miles west of Winnemucca	Newmont Mining Corporation	Decision Record 4/30/2010	441 acres	The decision record added 441 acres of exploration activities to Newmont Mining Corporation's existing 58.8 acres of notice-level disturbance.	Air Quality Economics Environmental Justice Social Values
Pyramid Lake Energy Project Geothermal Assessment	Pyramid Lake Paiute Reservation, 40 miles north of Reno	PLPT	Drilled seven gradient wells and one slim hole well, initiated target resource testing, and performed scoping for EA by January 2016	125,000 surface acres (Pyramid Lake)	The Pyramid Lake Energy Project is to identify geothermal resources, preserve cultural and spiritual sites, and provide tribal economic opportunities in the Pyramid Lake Paiute Reservation.	Air Quality Economics Environmental Justice Native American Religious Concerns Social Values
Salt Wells Energy Projects	15 miles east of Fallon	BLM	Record of Decision September 2011	24,152 acres	Three separate geothermal energy and transmission projects proposed by Sierra Pacific Power Company, Ormat Technologies, Inc., and Vulcan Power Company; Sierra Pacific Power Company proposed building two switching stations, one 230-kilovolt transmission line, two 60-kilovolt electric line folds, and one substation. Ormat Technologies, Inc. proposed developing the Carson Lake Binary Power Plant and Substation, the Macari Switching Station, a 230-kilovolt transmission line between the Carson Lake Substation and the Macari Switching Station, and an electric line fold for the Sierra Pacific Power Company 230-kilovolt transmission line. Vulcan proposed developing up to four power plants and associated substations at five possible locations for a maximum production of 120 megawatts.	Economics Social Values

Action/Project Name; Agency ID	Location (Nevada)	Ownership/ Applicant	Status	Acres/ Length	Project Description	Resource(s) Affected
ROW – Telephone and Telegraph	33N, 24E, parts of Sec. 5 and 8	Nevada Bell	Authorized	126.15 acres	Fiber optic facilities	All
Free Use Permit	0340N 0240E 033	BLM	Authorized	4.999 acres	Sand and gravel	Public Health and Safety Recreation Transportation
Shamrock Communications Facility	22 miles northeast of Fernley, north of Interstate 80	Shamrock Communications, Inc.	Decision Record 3/11/2012	93.18 acres	Communications facility, including a transmitter building, tower and beacon, and electrical distribution line	Air Quality Economics Environmental Justice Noise Social Values Transportation
Hycroft Mine	55 miles west of Winnemucca, on the western flank of the Kamma Mountains	Hycroft Resources and Development, Inc.	Most recent Decision Record 3/30/2013  EIS in progress for subsequent mine expansion	14,909 acres	Hycroft Resources and Development, Inc. is authorized to disturb 6,144 acres, permitted in 2013. The mine submitted proposed changes to the plan of operations, including expanding the plan boundary to the east, extending mining activities, increasing the rate of process water pumping, constructing and operating storage and leach facilities, expanding and dewatering the existing Brimstone pit, expanding the South Waste Rock Facility, modifying land use, expanding roads, creating storm water diversion, and constructing a solar installation after closure.	Air Quality Cultural Resources Economics Environmental Justice Public Health and Safety Social Values Soils Transportation Visual Resources Water Quality
Mineral Materials Free Use Permit Renewals; Community Pit Designations and Expansions Projects	Throughout Pershing and Washoe Counties	Pershing and Washoe Counties' Road Departments	Pershing County Decision Record 12/19/2012  Washoe County Decision Record 6/27/2018	Pershing County: 490 acres  Washoe County: 160.5 acres	Pershing County: Proposed renewing 29 free use permits to Pershing County Road Department and designating 10 of these sites as community pits  Washoe County: Proposed authorizing seven free use permits in northern Washoe County and establishing six community pits at existing gravel pit sites	Air Quality Economics Environmental Justice Social Values

Action/Project Name; Agency ID	Location (Nevada)	Ownership/ Applicant	Status	Acres/ Length	Project Description	Resource(s) Affected
Open Market Aggregate Facility	North of Interstate 80 along SR 427 in Wadsworth	Wade/Logan, LLC	Approved Hearing Date 10/6/2011	129 acres	Aggregate facility (sand removal and screening operation); outside sales to commercial trucks only	Air Quality Economics Environmental Justice Noise Social Values Transportation
<b>Transportation</b>						
Road ROW	Township 33 North, Range 24 East, portions of Section 5	Washoe County	Authorized	163.640 acres	Roads	All
Interstate 80 from West Lovelock Viaduct to 1.61 miles west of Torey Pines	Interstate 80 PE 16.96 to 26.18	Nevada Department of Transportation	Under construction	9 miles	Pavement rehabilitation: 1.5-inch cold mill; 2-inch plant mix bituminous surface with open grade	Transportation
SR 447 Bypass in Wadsworth	Wadsworth	Nevada Department of Transportation	Pending; EA completed in 2017	3 miles	A proposed 3-mile long road west of Wadsworth that would bypass the town's downtown area. The bypass would be redesignated as SR 447.	Transportation
Interstate 580 Freeway Extension	Interstate 580 between US Highway 395 and SR 431	Nevada Department of Transportation	Construction completed	8.5 miles	<ul style="list-style-type: none"> <li>8.5 miles of new 6-lane controlled access freeway</li> <li>Completed Mt. Rose Interchange (SR 431) and construct a new interchange at Bowers Mansion Road (SR 429)</li> <li>Constructed Kelly Canyon Road (frontage road) and Parker Ranch Road to maintain local access at south end of project</li> <li>Completed ten water quality basins for treating storm water runoff</li> </ul>	Economics Environmental Justice Social Values

Action/Project Name; Agency ID	Location (Nevada)	Ownership/Applicant	Status	Acres/Length	Project Description	Resource(s) Affected
SR 445 Pyramid Highway Improvements	Sparks	Nevada Department of Transportation	Environmental clearance 2010–2013; project pending	Estimated 9.6 miles	<ul style="list-style-type: none"> <li>• Calle de la Plata to La Posada – transition from 4-lane arterial to 6-lane freeway</li> <li>• La Posada to Sparks Boulevard – Develop Pyramid alignment into 6-lane freeway with frontage roads</li> <li>• Continue 6-lane freeway from Sparks Boulevard to Disc Drive, either on the Pyramid alignment with frontage roads or on a separate alignment to the west</li> <li>• Extend 6-lane freeway through Sun Valley to US Highway 395</li> <li>• Widen and improve Pyramid highway from Disc Drive to Queen Way</li> <li>• Widen and extend Disc Drive to Vista Boulevard</li> </ul>	Air Quality Economics Environmental Justice Noise Social Values Transportation
USA Parkway Extension SR-439	Between Interstate 80 west of Fernley and US Highway 50 near Silver Springs	Nevada Department of Transportation	Construction completed	18-mile roadway extension	The roadway extends USA Parkway by 12 miles to reach US Highway 50 at Silver Springs; the final product is an 18-mile, 4-lane SR 439	Economics Environmental Justice Public Health and Safety Social Values Transportation
US Highway 50 Roy's Road to Silver Springs Widening (associated with US Parkway Extension)	From Roy's Road to US Highway 50A/US Highway 95A in Silver Springs	Nevada Department of Transportation	Scheduled for construction in 2018	9.54 miles	Expand US Highway 50 from 2 to 4 lanes and improve drainage	Transportation
Pyramid Highway/US 395 Connector – Package I	From Queen Way to Golden View Drive	Nevada Department of Transportation	Proposed in 2018	2.4 miles	Widen Pyramid Highway from 4 to 6 lanes	Transportation

<b>Action/Project Name; Agency ID</b>	<b>Location (Nevada)</b>	<b>Ownership/ Applicant</b>	<b>Status</b>	<b>Acres/ Length</b>	<b>Project Description</b>	<b>Resource(s) Affected</b>
SouthEast Connector (Veterans Parkway)	From South Meadows Parkway to Clean Water Way in Reno/Sparks	Nevada Department of Transportation	Construction completed	4.5 miles	Constructed 4-lane roadway connecting south Reno to Sparks	Transportation
<b>Land Use and Resource Management Plans</b>						
Winnemucca District Office Resource Management Plan	Winnemucca District	BLM	Decision Record 5/21/2015 Plan Maintenance Change 1 signed 9/7/2016	All Winnemucca District-administered lands outside the Black Rock Desert-High Rock Canyon Emigrant Trails NCA	RMP for the 8,448,130 acres of federally owned lands within the jurisdiction	All
Wilderness Management Plan	Black Rock Desert	BLM	Decision Record 12/21/2012	Black Rock Desert-High Rock Canyon Emigrant Trails NCA	Wilderness Management Plan for ten wilderness areas associated with the Black Rock Desert-High Rock Canyon Emigrant Trails NCA	Invasive, Nonnative Species Migratory Birds Recreation Threatened and Endangered Species Vegetation Visual Resources Wilderness Wilderness Study Areas
Vegetation Management Plan	Winnemucca District	BLM	Decision Record 11/03/2017	Winnemucca District-wide	Winnemucca District-wide vegetation management plan	ACECs Invasive, Nonnative Species Migratory Birds Threatened and Endangered Species Vegetation Wilderness Wilderness Study Areas

<b>Action/Project Name; Agency ID</b>	<b>Location (Nevada)</b>	<b>Ownership/ Applicant</b>	<b>Status</b>	<b>Acres/ Length</b>	<b>Project Description</b>	<b>Resource(s) Affected</b>
Black Rock City Station Plan	88 Jackson Lane	Black Rock City, LLC	Property purchased in 2016; application submitted to Washoe County for zone change; hearing on 4/6/2016	200 acres	A specific plan for the Burning Man work ranch located within the Hualapai Valley	Air Quality Economics Environmental Justice Noise Public Health and Safety Social Values Transportation Visual Resources
<b>Land Transfers and Designations</b>						
Wilderness Designation	Township 33 North, Range 24 East, portions of Sections 8-11	BLM	Authorized	797,100 acres	Wilderness designation	Wilderness
Pine Forest Range Recreation Enhancement Act	Blue Lakes, Alder Creek Wilderness Study Areas	Humboldt County; BLM	Designated in December 2014	26,000 acres	Designated 26,000 acres within the Blue Lakes and Alder Creek Wilderness Study Areas as the Pine Forest Range Wilderness Area; released 1,000 acres of existing wilderness study area land	Recreation Special Designations
Lyon County Economic Development and Conservation Act	Yerington	City of Yerington; Lyon County	Wilderness designated in December 2014	58,000 acres	Allowed the City of Yerington to develop 10,000 acres of BLM-administered land surrounding Pumpkin Hollow project site for industrial, recreational, and infrastructure purposes; 48,000 acres in Lyon County were designated as the Wovoka Wilderness Area	Economics Recreation Social Values
<b>Other</b>						
Climate change	All	N/A	Ongoing	N/A	Factors associated with climate change include increased temperatures, more intense precipitation events, earlier snowmelt, and increased wildfire potential (IPCC 2018).	All

Action/Project Name; Agency ID	Location (Nevada)	Ownership/ Applicant	Status	Acres/ Length	Project Description	Resource(s) Affected
Wildfire	Gerlach and Northern Nevada	Various	Ongoing	94,783 acres	<p>The Tohakum 2 Wildfire reached 94,221 acres and affected traffic on SR 447 for Burning Man Event attendees in August and September 2017. In the summer 2017, the Twin Buttes fire burned 562 acres.</p> <p>There has been an increasing trend of wildfires in northern Nevada, and warming temperatures and drying conditions increase this risk, potentially affecting transportation and public health and safety.</p>	All
Grazing	Black Rock Desert–High Rock Canyon Emigrant Trails NCA	Allotment permittees	Ongoing	3,131 acres	Three grazing allotments are within the cultural resources Assessment Area. The Buffalo Hills allotment overlaps with the Closure Area (3,131 acres).	Cultural Resources Soils Vegetation
Smoke Creek Complex Wild Horse and Burro Gather	Fox Lake and Buffalo Hills Herd Management Areas	BLM	Decision Record 4/18/2018	434,353 acres	The gather, treatment, and removal of wild horses within and adjacent to the Fox Lake and Buffalo Hills herd management area. The BLM has determined that approximately 613 excess wild horses need to be removed for compliance with the Wild Free Roaming Horses and Burros Act of 1971.	Transportation
Water Sources and Riparian Enhancement Projects	Twin Peaks Grazing Allotment	BLM	Decision Record 5/18/2018	0	Enhance six spring and riparian resources within the Twin Peaks grazing allotment; projects include Horse Corral Springs, Porcupine Spring, Spur Spring, Byers Spring, Sage Hen Spring, and Wilcox Spring.	Water Resources Wetlands and Riparian Areas

<b>Action/Project Name; Agency ID</b>	<b>Location (Nevada)</b>	<b>Ownership/ Applicant</b>	<b>Status</b>	<b>Acres/ Length</b>	<b>Project Description</b>	<b>Resource(s) Affected</b>
Virginia Mountains Vegetation Treatment Project	North of Reno, West of Pyramid Lake	BLM	Decision Record 2/14/2017	22,388 acres	Implement vegetation treatments in strategically located treatment units based on vegetation condition and management objectives. Proposed treatments include mechanical mastication of trees and brush, mechanical thinning/removal of trees, hand thinning of trees, application of herbicide, application of prescribed fire (pile burning), and seeding.	Vegetation
Pyramid Lake Wetland Program	Pyramid Lake Paiute Reservation	PLPT	Ongoing	477,000 acres	The PLPT Wetland Program continues its goal toward protecting and restoring wetland resources for their economic, cultural, environmental, and human health benefits. The Wetland Program will use the products of this work to continue to enhance protection of wetland resources within the Pyramid Lake Paiute Reservation boundaries by continuing to develop the monitoring and assessment, regulatory, and restoration and protection elements of the program.	Native American Religious Concerns Wetlands and Riparian Areas
Nonpoint Source Management Plan	Pyramid Lake Paiute Reservation	PLPT	Ongoing	477,000 acres	The goal of the PLPT Nonpoint Source Program is to protect water quality that is required to maintain and restore aquatic life, wildlife, human health, and riparian habitat. This includes the protection of water quality required for ceremonial, cultural, and traditional uses of the Kooyooe Tukada (Paiute people) within the Pyramid Lake Paiute Tribe Indian Reservation.	Native American Religious Concerns Water Resources
Water Quality Control Plan	Pyramid Lake Paiute Reservation	PLPT	Ongoing	477,000 acres	The PLPT continues its active role in regional dialogue on related water quality and water quantity issues.	Public Health and Safety Soils Water Resources

## D.2 BIOLOGICAL RESOURCES

### D.2.1 Migratory Birds

The Assessment Area for cumulative effects is the same as the Assessment Area for indirect effects (see **Appendix A** and **Table C-1** in **Appendix C**). Past, present, and reasonably foreseeable future actions have affected, and will continue to affect, migratory birds in the Assessment Area. Actions include various recreation, transportation and communication rights-of-way, geothermal and minerals development, wildlife habitat improvement projects, wildfire suppression and fuels reduction treatments, livestock grazing, land use planning, and the effects of climate change. Reasonably foreseeable future actions are in **Table D-1**.

The types of impacts on migratory birds from past, present, and reasonably foreseeable future actions are wide-ranging. Recreational uses, such as motorized activities within the NCA, have affected migratory birds through habitat avoidance and disturbance. Motorized vehicle use increases the incidence of mortality from collisions, the spread of noxious weeds, and noise above ambient levels, which may disturb migratory birds. Development, including for rights-of-way, energy, and minerals, has caused habitat loss and fragmentation. These types of activities are expected to increase in the future as populations in northern Nevada increase.

Past, present, and reasonably foreseeable future actions have also resulted in habitat improvements for migratory birds. Vegetation and wildlife management plans have increased the availability of high-quality habitat for birds. Additionally, the wilderness management plan for the Black Rock Desert may have positive impacts on migratory bird habitat by limiting the amount of human disturbance. Protection and conservation of nearby important bird areas, the High Rock Resource Area, and the Sheldon National Wildlife Refuge (National Audubon Society 2017) will continue to provide high-priority habitat for migratory birds.

Climate change will contribute to impacts on migratory birds across all alternatives. Warming temperatures can alter birds' temporal activities such as migration, breeding, and reproduction (Walther 2002). For instance, delays in spring migration may increase competition for nesting sites or result in desynchronization of migration and food availability. Additionally, due to climate change, wildfires are becoming more frequent and intense (IPCC 2018). There is an increasing trend of wildfire in northern Nevada, and large fires such as the Tohakum 2 and Twin Buttes fires of 2017 have contributed to habitat loss and/or alterations for migratory bird species. Warming temperatures and drier climates will increase the probability of habitat-removing wildfires, thus negatively affecting migratory birds.

All alternatives analyzed in this document have the potential to contribute to cumulative impacts on migratory birds in the Assessment Area, but they would do so to varying degrees. Alternatives incorporating an increase in the Event size (Alternative A and Alternative C) would likely see relatively greater contributions to cumulative impacts than alternatives that reduce the Event size (Alternative B), and to a lesser extent, keep the Event at its current size (Alternative D).

However, the differences in contribution to cumulative effects between these alternatives would be minor. This is because all Event alternatives would incorporate the same protective measures to reduce impacts on migratory birds. These measures include dust abatement, trash pickup post-Event, discouraging recreational hot spring use, ALAN reduction, and pollution prevention, as described in **Chapter 2**, the 2018 SRP stipulations (**Appendix B**), and **Appendix E**.

Further, incrementally increasing the Event size (i.e., from 80,000 to 100,000 bodies on playa) would likely result in some additional impacts, compared with maintaining the Event size limit at 80,000 bodies on the playa. The relative contribution from the extra 20,000 bodies on the playa, however, would likely be minor compared with the level of impacts from the 80,000 population Event.

Under Alternative E, it is likely that an unpermitted, informal gathering would still occur on the playa due to the historic nature of the Burning Man Event. The types of cumulative impacts on migratory birds described under Alternative A (Proposed Action) would likely still occur, but the cumulative impact would likely decrease compared with other alternatives because of BLM management strategies and protection measures that would be applied. Over the long term, the cumulative impact would decrease as word of the Event closure spreads, and cumulative impacts would be more like those that occur during non-Event time periods.

### D.2.2 Special Status Species

The Assessment Area for cumulative effects is the same as the Assessment Area for indirect effects (see **Appendix A** and **Table C-2** in **Appendix C**). Past, present, and reasonably foreseeable future actions have affected, and will continue to affect, special status species in the Assessment Area. They include recreation in the NCA (e.g., motor vehicle tours, OHV races, hunting, and other motorized and nonmotorized recreation), transportation and communication rights-of-way, geothermal and minerals development, wildlife habitat improvement projects, wildfire suppression and fuels reduction treatments, livestock grazing, land use planning, and the effects of climate change. Reasonably foreseeable future actions are summarized in **Table D-1**, as well as in Table 5-2 of the Burning Man 2012–2016 SRP EA (BLM 2012).

The types of impacts on special status species from past, present, and reasonably foreseeable future actions are wide-ranging. Recreation in the NCA has affected special status species by increasing human-wildlife encounters, resulting in disturbance and habitat avoidance. Motorized recreation has increased incidence of vehicle strike, spread weeds that alter habitat conditions, and generated noise that can disturb individuals or cause habitat avoidance. Development, including for rights-of-way, energy, and minerals, has caused habitat loss and fragmentation, and vehicle strike on Assessment Area roads is a past and ongoing source of injury or mortality. Livestock grazing, and wild horses and burros, have altered habitat conditions in rangelands, especially in springs, where these animals congregate for shade and succulent forage during the warm season. Wildfires alter large swaths of habitat; the effects of wildfires are exacerbated by widespread infestation of nonnative annual grasses, and drier and warmer conditions created by climate change (IPCC 2018).

Past, present, and reasonably foreseeable future actions have also resulted in habitat improvements for special status species. Habitat improvement projects, including vegetation treatments, restoration, and fencing riparian areas, have increased habitat quality in both rangelands and riparian areas. Wildfire fuels reduction projects may affect special status species in the short term but improve habitat conditions in the long term and lessen the chances of catastrophic wildfire. Comprehensive resource planning has formalized resource protection measures, resulting in fewer impacts from development projects.

All alternatives analyzed in this document have the potential to contribute to cumulative impacts on special status species in the Assessment Area, but they would do so to varying degrees. Alternatives incorporating an increase in the Event size (Alternative A and Alternative C) would likely see relatively

greater contributions to cumulative impacts than alternatives that reduce the Event size (Alternative B), and to a lesser extent, keep the Event at its current size (Alternative D).

However, the differences in the contribution to the cumulative effects between these alternatives would be minor. This is because all Event alternatives would incorporate the same protective measures to reduce impacts on the environment, including on special status species. These measures include traffic controls, dust abatement, trash pickup after the Event, and discouraging recreational hot spring use. All Event alternatives would incorporate 2018 SRP stipulations (**Appendix B**) and mitigation measures (**Appendix E**), which would further reduce impacts on special status species.

Further, incrementally increasing the Event size (i.e., from 80,000 to 100,000 bodies on the playa) would likely result in some additional impacts, compared with maintaining the Event size limit at 80,000 bodies on the playa; however, the relative contribution from the extra 20,000 bodies on the playa would likely be minor compared with the level of impacts from the 80,000 population Event.

Under Alternative E, it is likely that an unpermitted, informal gathering would still occur on the playa due to the historic nature of the Burning Man Event. The types of cumulative impacts on special status species described under Alternative A (Proposed Action) would likely still occur, but the cumulative impact would likely decrease compared with other alternatives because of BLM management strategies and protection measures that would be applied. Over the long term, the cumulative impact would decrease as word of the Event closure spreads, and cumulative impacts would be more like those that occur during non-Event time periods.

### D.2.3 Threatened and Endangered Species

The Assessment Area for cumulative effects is the same as the Assessment Area for indirect effects (see **Appendix A** and **Table C-3** in **Appendix C**). Past, present, and reasonably foreseeable future actions have affected, and will continue to affect, threatened and endangered species in the Assessment Area. Impacts include dams and water diversions; nonnative species; urban, commercial, agricultural, and other development; minerals exploration and development; wildfire; and the effects of climate change. Reasonably foreseeable future actions are summarized in **Table D-1**, as well as in Table 5-2 of the Burning Man 2012–2016 SRP EA (BLM 2012).

Dams and water diversions are primary threats to listed fish species in the Assessment Area, causing physical barriers that prevent spawning migration, increases in low water conditions, and habitat alterations. Storage and diversion in the Truckee River watershed have reduced flows in the lower Truckee River and inflow to Pyramid Lake, causing habitat alteration and fragmentation, water temperature increases, sediment aggradation, salinity increase (in Pyramid Lake), spawning habitat and habitat complexity and diversity reduction, and microhabitat loss. Population centers in the Assessment Area are anticipated to continue to grow, and corresponding water storage and diversions could increase. Altered habitat has favored nonnative fish species, which compete with listed fish for resources, increase predation, and alter genetics through hybridization.

Roads and ROWs have led to impacts on water quality, primarily through sedimentation and pollutant inputs to streams via stormwater runoff. Accidents or spills could contribute additional pollutants to waterways supporting listed fish.

Climate change may affect habitat for listed fish in the Assessment Area, though impacts from climate change are not completely understood. Spring systems in Nevada are supplied mainly through aquifers, which are fed by snowmelt and precipitation in the mountains (Abele 2011). Climate change could affect habitat by reducing suitable habitat, changing distributions, and altering food webs and water quality, including temperatures. Additional effects of climate change may include severity and frequency of droughts, floods, and wildfires and changes in the timing of snowmelt and peak flows (Isaak et al. 2012; Haak et al. 2010; Rieman and Isaak 2010; Wenger et al. 2011). Wildland fire can destroy riparian habitat and degrade water quality; this may be exacerbated by climate change.

All alternatives analyzed as part of this EIS have a low ~~the~~ potential to contribute to the cumulative impacts on threatened and endangered species within the Assessment Area. This would come about particularly from traffic increases on travel routes near the lower Truckee River, and associated increased potential for water quality impacts in listed fish habitat. Such impacts may be reduced with the construction of the SR 447 bypass in Wadsworth, which would move the road farther from the Truckee River. Alternatives that increase the Event attendance would contribute to cumulative impacts at a greater degree than those that reduce or maintain the Event size; however, the contribution to cumulative impacts is likely to be minor under all Event alternatives, given the potential for traffic-related impacts outside the Event period.

#### **D.2.4 Vegetation (Including Invasive, Nonnative Species)**

The Assessment Area for cumulative effects is the same as the Assessment Area for indirect effects (see **Appendix A** and **Table C-4** in **Appendix C**). Past, present, and reasonably foreseeable future actions have affected, and will continue to affect, vegetation and weeds in the Assessment Area. They include recreation in the NCA (e.g., motor vehicle tours, OHV races, and other motorized and nonmotorized recreation), transportation and communication rights-of-way, geothermal and minerals development, wildlife habitat improvement projects, wildfire suppression and fuels reduction treatments, livestock grazing, land use planning, and the effects of climate change. Reasonably foreseeable future actions are summarized in **Table D-1**, as well as in Table 5-2 of the Burning Man 2012–2016 SRP EA (BLM 2012).

The types of impacts on vegetation from past, present, and reasonably foreseeable future actions are wide-ranging. Recreation in the NCA, both motorized and nonmotorized, has affected vegetation by spreading weeds along routes and trails. Motorized recreation has directly removed vegetation from unauthorized off-road use, while spreading weeds into these areas that degrade vegetation quality. Development, including for rights-of-way, energy, and minerals, has directly removed vegetation and contributed to weed spread. Linear rights-of-way have dispersed weeds across large distances. Livestock grazing, and wild horses and burros, have altered the vegetation quality through selective grazing; these animals also spread weeds on their fur and hooves, and via their digestive tract.

Wildfires have altered large swaths of vegetation. Nonnative, annual species such as cheatgrass worsen the impacts from wildfire by increasing fire frequency, intensity, and extent. The altered fire regimes favor cheatgrass and other annual grass regeneration over native shrubs and perennial grasses, facilitating steppe vegetation conversion to annual grasslands. The effects of climate change are expected to make these impacts worse.

Impacts on vegetation have also occurred from vegetation and weed management activities. Federal, state, and local governments will continue to monitor and treat noxious weed populations in their

jurisdiction. Habitat improvement projects, including vegetation treatments and restoration, and wildfire Emergency Stabilization and Restoration treatments, have restored or increased vegetation quality where conducted. Wildfire fuels reduction projects remove vegetation in the short term but protect vegetation quality in the long term by lessening the chances of catastrophic wildfire. Comprehensive resource planning has formalized resource protection measures, resulting in fewer impacts on vegetation from development projects.

All alternatives analyzed in this document have the potential to contribute to cumulative impacts on vegetation in the Assessment Area, but they would do so to varying degrees. Alternatives incorporating an increase in the Event size (Alternative A and Alternative C) would likely see relatively greater contributions to cumulative impacts than alternatives that reduce the Event size (Alternative B), and to a lesser extent, keep the Event at its current size (Alternative D).

However, the differences in the contribution to the cumulative effects between the Event alternatives would be minor. This is because all Event alternatives would incorporate the same protective measures to reduce impacts on the environment, including enforcing designated routes to prevent off-road vehicle use in the Closure Area. Further, incrementally increasing the Event size (i.e., from 80,000 to 100,000 bodies on the playa) would likely result in some additional impacts, compared with maintaining the Event size limit at 80,000 bodies on the playa; however, the relative contribution from the extra 20,000 bodies on the playa would likely be minor compared with the level of impacts from the 80,000 population Event. All Event alternatives would incorporate 2018 SRP stipulations (**Appendix B**) and mitigation measures (**Appendix E**), which would further reduce impacts on vegetation.

Under Alternative E, it is likely that an unpermitted, informal gathering would still occur on the playa due to the historic nature of the Burning Man Event. The types of cumulative impacts on vegetation described under Alternative A (Proposed Action) would likely still occur, but the cumulative impact would likely decrease compared with other alternatives because of BLM management strategies and protection measures that would be applied. Over the long term, the cumulative impact would decrease as word of the Event closure spreads, and cumulative impacts would be more like those that occur during non-Event time periods.

### **D.2.5 Wetlands and Riparian Areas**

The Assessment Area for cumulative effects is the same as the Assessment Area for indirect effects (see **Appendix A** and **Table C-5** in **Appendix C**). Past, present, and reasonably foreseeable future actions have affected, and will continue to affect, riparian areas and wetlands in the Assessment Area. They include recreation in the NCA (e.g., camping and recreational spring use), geothermal development, livestock grazing and wild horse and burro management, transportation rights-of-way and other development, wildlife habitat improvement projects, land use planning, and the effects of climate change. Reasonably foreseeable future actions are summarized in **Table D-1**, as well as in Table 5-2 of the Burning Man 2012–2016 SRP EA (BLM 2012).

Past, present, and reasonably foreseeable future impacts on wetlands and riparian areas have occurred from recreation in the NCA, as well as on surrounding BLM-administered lands. There are developed and informal campsites at several area hot springs. Informal spring modifications include small-scale impoundments to create soaking “tubs,” wooden benches and “docks” extending into soaking pools, and informal pathways along pools and spring brooks. These activities have removed some riparian

vegetation at these locations. Though the intensity of these impacts is generally low, such impacts are widespread and affect many hot springs in the Assessment Area.

As discussed in **Chapter 3**, Section 3.3.4, Vegetation, both motorized and nonmotorized recreation has spread weeds along roadways and trails in the Assessment Area. This impact has also affected riparian areas, which are highly invisible, especially when disturbed by other activities like recreation, livestock grazing, wild horse and burro use, and channel modifications as discussed above. Saltcedar (*Tamarix* spp.), Canada thistle (*Cirsium arvense*), knapweeds (*Centaurea* spp.), and perennial pepperweed (*Lepidium latifolium*) are the most common weeds affecting western wetlands (Sada et al. 2001; Abele 2011); all of these species are present in the Assessment Area.

Hydrological modifications, including surface water diversions, channel modifications, and dams or impoundments (e.g., Mud Meadows Reservoir in Soldier Meadows), have affected riparian areas and wetlands in the Assessment Area. These features have been installed for a variety of reasons, including to supply agricultural water and to support livestock grazing operations. These modifications have created functional changes in riparian systems at springs by decreasing or diverting water volume and altering soil moisture and removing riparian vegetation due to drying or inundation. Geothermal developments have, in cases, reduced groundwater availability that supports riparian and wetland vegetation at springs. This has occurred at the Jersey Valley Geothermal Plant in Pershing County. Other types of development, including for transportation rights-of-ways and mineral extraction, have also affected riparian areas and wetlands from vegetation removal and weed spread.

Domestic livestock and wild horses and burros tend to congregate in riparian areas for water and succulent vegetation. Spring use by these animals has been linked to increased invasive plant cover, erosion, and sediment loads in spring systems (Sada et al. 2001; Abele 2011). As a result, where these animals are not excluded from these systems, the quantity and quality of riparian vegetation has been reduced.

Impacts on wetlands and riparian areas have occurred and will occur from restoration activities and resource planning. For example, the Water Sources and Riparian Enhancement projects in the BLM Twin Peaks livestock grazing allotment will conduct restoration at riparian areas degraded by historic livestock grazing. The Winnemucca District RMP and Vegetation Management Plan, as well as the PLPT Pyramid Lake Wetland Program, Nonpoint Source Management Plan, and Water Quality Control Plan, have formalized resource protection measures and guided restoration projects that protect and enhance wetlands and riparian areas.

Finally, climate change may affect wetlands and riparian areas in the Assessment Area, though impacts from climate change are not known with certainty. Spring systems in Nevada are supplied mainly through aquifers, which are fed by snowmelt and precipitation in the mountains (Abele 2011). Groundwater recharge is spatially and temporally variable and can be affected by air temperature and precipitation, among other factors (Flint et al. 2004). Climate change is expected to alter temperature and precipitation (IPCC 2018). This may affect groundwater recharge or discharge and thus alter water quantity in springs habitat. Reduced flows and warmer water temperatures may favor nonnative riparian vegetation that has higher drought and salt tolerance, such as tamarisk (*Tamarix* spp.; Stromberg et al. 2013; Glenn and Nagler 2005).

All alternatives analyzed have the potential to contribute to cumulative impacts on wetlands and riparian areas in the Assessment Area, but they would do so to varying degrees. Alternatives incorporating an increase in the Event size (Alternative A and Alternative C) would likely see relatively greater contributions to cumulative impacts than alternatives that reduce the Event size (Alternative B), and to a lesser extent, keep the Event at its current size (Alternative D).

However, the differences in the contribution to the cumulative effects between the Event alternatives would be minor. This is because all Event alternatives would incorporate the same protective measures to reduce impacts on wetlands and riparian areas from recreational use during the Event, such as discouraging hot spring use by Event participants. All Event alternatives would also incorporate 2018 SRP stipulations (**Appendix B**) and mitigation measures (**Appendix E**), which would further reduce impacts on wetlands and riparian areas. Further, incrementally increasing the Event size (i.e., from 80,000 to 100,000 bodies on the playa) would likely result in some additional impacts, compared with maintaining the Event size limit at 80,000 bodies on the playa; however, the relative contribution from the extra 20,000 bodies on the playa would likely be minor compared with the level of impacts from the 80,000 population Event.

Under Alternative E, it is likely that an unpermitted, informal gathering would still occur on the playa due to the historic nature of the Burning Man Event. The types of cumulative impacts on wetlands, riparian areas, and hot springs described under Alternative A (Proposed Action) would likely still occur, but the cumulative impacts would likely decrease compared with other alternatives because of BLM management strategies and protection measures that would be applied. Over the long term, the cumulative impacts would decrease as word of the Event closure spreads, and cumulative impacts would be more like those that occur during non-Event time periods.

### D.2.6 Wildlife

The Assessment Area for cumulative effects is the same as the Assessment Area for indirect effects (see **Appendix A** and **Table C-6** in **Appendix C**). Past, present, and reasonably foreseeable future actions have affected, and will continue to affect, wildlife in the Assessment Area. Impacts include various recreation, transportation and communication rights-of-way, geothermal and minerals development, wildlife habitat improvement projects, wildfire suppression and fuels reduction treatments, livestock grazing, land use planning, and the effects of climate change. Reasonably foreseeable future actions are summarized in **Table D-1** and the 2012 EA (BLM 2012).

The types of impacts on wildlife from past, present, and reasonably foreseeable future actions are wide-ranging. Recreational uses, such as motorized activities within the NCA, have affected wildlife through habitat alteration, avoidance, and disturbance. Motorized vehicle use increases the incidence of mortality from collisions, the spread of noxious weeds, and noise above ambient levels, which may disrupt wildlife communities. Development, including for rights-of-way, energy, and minerals, has caused habitat loss and fragmentation.

Past, present, and reasonably foreseeable future actions have also resulted in habitat improvements for wildlife. Vegetation and wildlife management plans have increased the availability of high-quality habitat. Additionally, the wilderness management plan for the Black Rock Desert may have positive impacts on habitat by limiting the amount of human disturbance.

Climate change will contribute to impacts on wildlife across all alternatives. Warming climates can alter the temporal activities of wildlife, such as migration, breeding, and reproduction (Walther 2002). Additionally, due to climate change, wildfires are likely to become more frequent and intense (IPCC 2018). There is an increasing trend of wildfire in northern Nevada, and large wildfires such as the Tohakum 2 and Twin Buttes fires of 2017 have led to habitat loss and alterations. Warming temperatures and drier climates will increase the probability of habitat-removing wildfires, thus negatively affecting wildlife.

All alternatives analyzed in this document have the potential to contribute to cumulative impacts on wildlife in the Assessment Area, but they would do so to varying degrees. Alternatives incorporating an increase in Event size (Alternative A and Alternative C) would likely see relatively greater contributions to cumulative impacts than alternatives that reduce the Event size (Alternative B), and to a lesser extent, keep the Event at its current size (Alternative D).

However, the differences in contribution to cumulative effects between these alternatives would be minor. This is because all Event alternatives would incorporate the same protective measures to reduce impacts on wildlife. These measures include dust abatement, trash pickup post-Event, discouraging recreational hot spring use, ALAN reduction, and pollution prevention, as described in **Chapter 2**, the 2018 SRP stipulations (**Appendix B**), and **Appendix E**. Further, incrementally increasing the Event size (i.e., from 80,000 to 100,000 bodies on the playa) would likely result in some additional impacts, compared with maintaining the Event size limit at 80,000 bodies on the playa; however, the relative contribution from the extra 20,000 bodies on the playa would likely be minor compared with the level of impacts from the 80,000 population Event. For Alternative E, see the special status species cumulative analysis.

### **D.3 CULTURAL RESOURCES**

#### **D.3.1 Cultural (Including NHTs)**

The Assessment Area for cumulative effects is the same as the Assessment Area for indirect effects (see **Appendix A** and **Table C-7** in **Appendix C**). Past, present, and reasonably foreseeable future actions have affected, and may continue to affect, cultural resources. The reasonably foreseeable future actions and BLM-authorized actions may affect historic properties, other cultural resources, and the NHTs through the loss or disturbance of resources that are not protected, changes in setting, pressure from incremental and/or repeated uses, changes in access, and vandalism. Within and around the Assessment Area there are prior and actively occurring impacts on cultural resources as a result of erosion and weathering. The potential for impacts from extreme weather events and wildfire will likely increase with climate change (IPCC 2018).

NCA recreation, such as motor vehicle tours, OHV races, and other motorized and nonmotorized recreation, may have the potential for affecting cultural resources. BLM-authorized actions and those of other federal agencies that could affect cultural resources within the direct impact Assessment Area would be subject to project and compliance review. Other reasonably foreseeable activities described in **Table D-1** include transportation and communication rights-of-way, geothermal and minerals development, wildfire suppression and fuels reduction treatments, and livestock grazing. These have affected cultural resources in the past and may contribute to future cultural resources impacts.

All of the alternatives have the potential to contribute to cumulative effects on historic properties and the NHTs. Although no physical traces of the trails or trail artifacts have been found, ongoing and repeated surface disturbance along trail routes, playa margins, and other access point, and vehicle use have the potential for causing adverse effects on historic properties. Likewise, the potential for unauthorized collection, vandalism, and inadvertent damage to archaeological sites, trail segments, and hot springs from the large populations of participants may occur. Temporary, annual closures; Event activities; lights; traffic; crowded conditions; and displacement adversely affect access to, and the visual and historic setting and feeling of, NHTs.

With the implementation of industry BMPs and proposed mitigation measures, and the development and implementation of a memorandum of agreement with the Nevada SHPO, the potential contribution to cumulative effects of each of the alternatives would be minimized. The differences between the alternatives would be minor. Alternatives A and C would increase the Event size and possibly increase the potential for cumulative impacts more than Alternative D, which would not change the size of the Event, and Alternative B, which would reduce it. Alternative E would reduce the potential for cumulative impacts in the long term, as the large Event would not occur.

### **D.3.2 Native American Religious Concerns**

The Assessment Area for cumulative effects is the same as the Assessment Area for direct and indirect effects (see **Appendix A** and **Table C-8** in **Appendix C**). Past, present, and reasonably foreseeable future actions have likely affected, and may continue to affect, Native American religious concerns; however, no sacred sites have been identified within the playa, but cultural sites and traditional use areas are known to be associated with springs, sites located on playa margins, and reservation lands on the playa. Native American concerns include access, traditional uses, artifact looting, vandalism, changes to the setting, litter, and damage to reservation roads.

The reasonably foreseeable future actions that have the potential for affecting Native American religious concerns include NCA recreation, geothermal and other energy projects, mining, transportation projects, and land use planning. BLM-authorized actions and those of other federal agencies that could cause impacts within the Assessment Area would be subject to compliance review and tribal consultation review. Impacts could result from actions in jurisdictions or areas where consideration of the impacts may not occur. Most of the reasonably foreseeable activities would be outside the direct impact Assessment Area.

All of the alternatives have the potential to contribute to cumulative effects on Native American concerns regarding access, traditional uses, artifact looting, vandalism, changes to the setting, litter, and damage to reservation roads. With the implementation of BMPs and the proposed mitigation measures, each of the alternatives' potential contribution to cumulative effects would be minimized. The differences between the alternatives would be minor. Alternatives A and C would increase the Event size and possibly increase the potential for cumulative impacts more than Alternative D, which would not change the size of the Event, and Alternative B, which would reduce it. Alternative E would reduce the potential for cumulative impacts in the long term, as the large Event would not occur.

### **D.3.3 Paleontology**

The Assessment Area for cumulative effects is the same as the Assessment Area for indirect effects (see **Appendix A** and **Table C-9** in **Appendix C**). Past, present, and reasonably foreseeable future actions

may have affected or could affect paleontological resources in the Assessment Area. The types of impacts on paleontological resources that may have occurred include destruction, collection, or damage without the benefit of scientific study or interpretation. Within the Assessment Area, reasonably foreseeable future actions could include impacts from excavations and ground disturbance from recreation, transportation and energy facilities, erosion, and increased human access. BLM-authorized actions and those of other federal agencies that could cause impacts within the direct impact Assessment Area would be subject to compliance review. Impacts could result from actions in jurisdictions or areas where consideration of the impacts may not occur.

All of the alternatives have some potential to contribute to cumulative effects on fossils and fossil localities. The potential for impacts would be limited to increased human activity at springs, PFYC Class 3 areas, and off-site fossil localities; impacts could lead to damage, unauthorized collecting, or loss. Exclusion would reduce the potential for surface disturbance impacts in sensitive areas. Exposed fossils can be damaged incrementally by natural processes, exacerbated by concentrating human use and activity.

With the implementation of best management practices and the proposed mitigation measures, each of the alternatives' potential contribution to cumulative effects would be minimized. The differences between the alternatives would be minor. Alternatives A and C would increase the Event size and possibly increase the potential for cumulative impacts more than Alternative D, which would not change the size of the Event, and Alternative B, which would reduce it. Alternative E would reduce the potential for cumulative impacts in the long term, as the large Event would not occur.

## **D.4 HEALTH AND SAFETY**

### **D.4.1 Public Health and Safety (Including Law Enforcement)**

Reasonably foreseeable future actions that could cumulatively affect public health and safety in the Assessment Area (see **Appendix A** and **Table C-10** in **Appendix C**) include the Granite Creek Ranch recreational cabins, the Fly Ranch development, the Hycroft Mine expansion, and the Black Rock Station development.

The Hycroft Mine expansion project is the most significant of known potential cumulative impacts on all resources, specifically air quality and traffic. Cumulative air quality modeling for both Hycroft and the Event reveals that the impacts from Hycroft on the Event are minor (Strohm 2018c). The BLM's analysis in the pending Hycroft Mine expansion EIS will have expanded discussions of that project's direct, indirect, and cumulative impacts related to air quality and traffic. Increased Hycroft traffic, likely in the form of employee transport via bus, will increase traffic concerns for Event participants traveling along Jungo Road.

The Event alternatives would contribute to cumulative health-related impacts associated with playa dust during the Main Event, build week, pre-Event, and post-Event (see Public Health and Safety at the Burning Man Event; BLM 2019b). Proposed Mitigation Measures AQ-1, AQ-2, and AQ-3; Monitoring Measure AQ-1, and subsequent adaptive management strategies (**Appendix E**) would reduce the potential for public health and safety impacts from PM<sub>2.5</sub> and PM<sub>10</sub>. These impacts, however, would remain even after mitigation.

The cumulative impacts of the Event alternatives on public health and safety would also include straining the resources of local communities and partner agencies. This continuous resource strain could become unsustainable and prevent the agencies from meeting other priorities, public safety operations, and public interests. Refer to **Sections 3.5**, Health and Safety and **3.7**, Social Values and Economics for further discussion. Proposed Mitigation Measure PHS-5, Monitoring Measure PHS-4, and subsequent adaptive management strategies (**Appendix E**) would reduce the potential for public health and safety impacts on surrounding communities from the Event.

Under all alternatives, all BLM-administered lands would continue to be managed in a manner that would minimize waste release; however, when combined with past, present, and reasonably foreseeable future actions, the Event alternatives would contribute to cumulative impacts on hazardous and solid wastes. Depending on the location and scale of the actions, including transport, use, or disposal, the Event alternatives could create a hazard to the public or the environment. Proposed Mitigation Measures WHS-1 through WHS-8, PHS-9, SOIL-1, and NCA-1; Monitoring Measures PHS-4, WHS-1 through WHS-6, WAT-1, and NAT-1; and subsequent adaptive management strategies (**Appendix E**) would reduce the potential for public health and safety impacts from hazardous and solid waste.

#### ***Cumulative Impacts Specific to Alternative A (Proposed Action)***

The impacts from each of the actions listed in **Table D-1**, above, would increase incrementally from the affected environment. Please refer to the BLM Burning Man Event Public Health and Safety Baseline Report to reference the existing environmental impacts for the public health and safety indicators and the assumptions related to Alternative A (Proposed Action).

#### ***Cumulative Impacts Specific to Alternative B***

Aircraft activity, disease vectors, explosives, evacuation, fire safety, hygiene and food safety, structure collapse, and terrorism may decrease in concern with a decreased population due to reduced exposure for each impact. Reducing the Event population allows for success in mitigations with the assumption that the proponent's mitigation programs retain the level of integrity and participation historically implemented.

Emergency response, flooding, human health concerns, and respiratory concerns remain concerns for a reduced population. Law enforcement resources are better positioned to provide for public health and safety and reduce illegal substance incidents and sexual assaults by nearly 40 percent (BLM 2019b8b). The potential for civil unrest may decrease with a reduced population as law enforcement resources and the proponent's staff would be better poised to address an issue before momentum is gained. The potential for civil unrest may also increase due to the lack of available tickets for participants.

The Reduced Population Alternative would contribute to cumulative impacts associated with playa dust during the Closure Order, though less impactful than described in the affected environment.

Alternative B would allow the BLM to provide adequate law enforcement Event staffing while maintaining a reasonable law enforcement presence across the BLM nationwide. Impacts from each of the actions listed in **Table D-1**, above, would be lessened under Alternative B.

### **Cumulative Impacts Specific to Alternative C**

The impacts of each of the actions listed in **Table D-I**, above, would be increased incrementally from the affected environment as the population of the Event increases, as discussed in the Alternative A (Proposed Action) discussion.

### **Cumulative Impacts Specific to Alternative D**

Concerns for public health and safety, including but not limited to illegal substance activity, sexual assaults, terrorism, mass casualty incidents, respiratory impacts, and adequate staffing of emergency response resources, at the Event would remain as captured in the baseline report.

### **Cumulative Impacts Specific to Alternative E**

The potential for sustained unauthorized gatherings with the No Permit/Event Alternative is low, and the risk of civil unrest and all other referenced public health and safety impacts would likely dissipate over time.

#### **D.4.2 Waste, Hazardous or Solid**

The cumulative impacts analysis Assessment Area for wastes encompasses areas within 0.5 miles of the Closure Area, CR 34, and SRs 445, 446, and 447 (see **Appendix A** and **Table C-11** in **Appendix C**). **Table D-I** lists the past, present, and reasonably foreseeable future actions and the area associated with the actions. Wastes at the Event site would be influenced by activities on BLM-administered land, because the BLM administers the NCA where the Event would occur. Wastes beyond the Event site would be influenced by activities on mostly private, state, county, and other lands.

Past, present, and reasonably foreseeable future actions that have affected or can affect wastes in the cumulative impacts analysis Assessment Area involve recreation; communications, energy, and minerals projects; transportation; and land management plans. These actions involve opportunities for wastes to be released, intentionally and unintentionally. Depending on the location and scale of the actions, the wastes can create a hazard to the public or the environment through the transport, use, or disposal of hazardous or solid wastes, or through reasonably foreseeable upset and accident conditions involving the release of hazardous or solid wastes into the environment. For the most part, the actions do not involve large numbers of people in specified areas, but rather smaller groups in numerous areas, which can influence the dispersal of wastes. It is likely that only a few of the actions would promote waste minimization.

Under all alternatives, all BLM-administered lands would continue to be managed in a manner that would minimize the release of wastes. When combined with past, present, and reasonably foreseeable future actions, the Event alternatives could contribute to cumulative impacts on wastes from the release of solid waste in the form of litter. Proposed Mitigation Measures WHS-1 through WHS-8, PHS-9, SOIL-1, and NCA-1; Monitoring Measures PHS-4, WHS-1 through WHS-6, WAT-1, and NAT-1; and subsequent adaptive management strategies (**Appendix E**) would reduce the potential for public health and safety impacts from hazardous and solid waste.

The cumulative impacts would increase as the Event participant numbers increase. Alternative E would have similar cumulative impacts, but to a lesser extent because there would eventually be no permit/Event. The cumulative impacts, however, are highly influenced by the likelihood of litter associated with past, present, and reasonably foreseeable future actions, which is unknown.

## D.5 PHYSICAL RESOURCES

### D.5.1 Air

The Assessment Area for cumulative effects is the same as the Assessment Area for direct and indirect effects (see **Appendix A** and **Table C-12** in **Appendix C**). This Assessment Area is appropriate because pollutants of concern from the Event are limited to particulate emissions, which have a localized rather than a regional impact on air quality. Past and present actions in the Assessment Area have not had a significant effect on air quality in the Assessment Area; as described in **Section 3.6.1**, air quality in the Assessment Area is in attainment with all national ambient air quality standards.

NCA recreation that would continue to release pollutants into the atmosphere include rocket launches, jeep tours, and OHV races. The construction of five Granite Creek Ranch recreational cabins would increase vehicle travel in the area to a small degree, contributing a small amount of additional tailpipe-related emissions. These activities all produce temporary and intermittent pollutant emissions, including producing fugitive dust.

Energy, communication, and mining projects, such as the San Emidio Geothermal Plant expansion, Blue Mountain Geothermal Development Project, Sandman Exploration Project, Pyramid Lake Energy Project geothermal assessment, Shamrock Communications Facility, Hycroft Mine, minerals materials free use permit renewals, community pit designations and expansions projects, and the Open Market Aggregate Facility, would have short-term emissions during construction and long-term emissions from operations, particularly from mining and minerals facilities. Construction and operation of these reasonably foreseeable future projects would be subject to permit conditions, including fugitive dust control during surface disturbance and emissions limits on equipment and processes, such as drill rigs, generators, and crushing operations.

Road ROWs, the SR 445 Pyramid Highway improvements, and other road construction projects would have temporary impacts during infrastructure construction and long-term emissions associated with traffic on these roadways.

Surface-disturbing activities from the Event would cause localized impacts by entraining particulate matter in the air at levels above the 24-hour national ambient air quality standards for PM<sub>2.5</sub> and PM<sub>10</sub>. The maximum impacts would be temporary, occurring during the time of the Event. Limited ongoing impacts are possible during periods of high winds until the playa experiences a wetting event. Because these impacts are localized, particulate emissions caused by the Event would not combine with other past, present, or reasonably foreseeable future sources of particulate matter in the Assessment Area to produce a cumulative effect on air quality.

In order to accurately assess the cumulative impacts on air quality, the BLM requested that quantitative AERMOD modeling be produced that incorporates detailed model sources for the Hycroft Mining Corporation's Hycroft Mine (based on their current EIS) and that total cumulative modeling impacts be disclosed as part of the Burning Man EIS. The Hycroft Mine represents the most significant source of cumulative emissions impacts in the cumulative effects Assessment Area. As a result, it was the only source selected for inclusion in the quantitative assessment of emissions dispersion impacts. Due to the parameters in the Black Rock Desert–High Rock Canyon Emigrant Trails National Conservation Area Act of 2000, all other emissions sources previously described occur on a limited or intermittent basis or

produce a limited emissions signature within the cumulative effects Assessment Area; they are unlikely to significantly contribute to cumulative emissions impacts.

In May 2018, Hycroft performed cumulative impacts modeling for its Phase II Expansion EIS. The cumulative modeling included all permitted sources within 31.1 miles (50 kilometers) of the Hycroft Mine. All Hycroft sources described in Hycroft's analysis were included in the Burning Man cumulative effects evaluation.

The BLM provided the final Hycroft cumulative modeling files. The Hycroft dispersion model sources and relevant model components were directly incorporated into the Burning Man cumulative modeling files. The AERMOD dispersion model was then executed to assess the cumulative impacts from the Hycroft Mine and the Burning Man ambient impacts. Only direct Hycroft model sources were included in the cumulative impacts analysis. All other "cumulative" model sources from the Hycroft modeling analysis exist outside the Event air resource impact Assessment Area and were, therefore, not included in the Event cumulative modeling analysis.

**Table D-2**, below, presents the maximum modeled concentration and the total combined impact, including the ambient background concentrations (provided by NDEP). The cumulative modeled impacts for each action alternative indicate that the NAAQS could be exceeded for atmospheric particulates (PM<sub>10</sub> and PM<sub>2.5</sub>) for the short term (24-hour) standards. The NAAQS for nitrogen oxides, Sulphur dioxide, and carbon monoxide, as well as the annual NAAQS standards for PM<sub>10</sub> and PM<sub>2.5</sub>, are unlikely to be exceeded as a result of the Event emissions, although these impacts also rise and fall with population and vehicle passes. The direct emissions impacts from the Event dominate the NAAQS compliance in the analysis, and maximum impacts in the cumulative modeling continue to occur at the SRP Closure Area Boundary.

The cumulative modeling indicates modeled emissions impacts that considerably exceed the NAAQS standards for the atmospheric particulate species (PM<sub>10</sub> and PM<sub>2.5</sub>). The influence of the Hycroft sources do not significantly influence the maximum concentrations, but they do increase the modeled impacts, particularly in the region immediately surrounding their facility.

Cumulative modeled NAAQS compliance and noncompliance are non-bolded for compliance and bolded for noncompliance in **Table D-2**, below. All impacts listed were assessed at modeling receptors along the SRP Closure Area Boundary, and the inclusion of the Hycroft sources increased impacts less than 2.5 micrograms per cubic meter for all pollutants, with most averaging standards being affected less than 0.1 microgram per cubic meter. Ambient concentration impacts for the nitrogen oxide NAAQS decreased as part of the cumulative analysis because of the introduction of refined modeling methods that were not included in the direct impact modeling. The cumulative modeling did not change the compliance or noncompliance with the NAAQS for any pollutant or averaging period.

Given the dispersed nature of past, present, and reasonably foreseeable future actions in the Assessment Area; air quality conditions that are in attainment of national ambient air quality standards; and the temporary nature of the Event, past, present, and reasonably foreseeable future projects would not have a long-term cumulative impact on air quality.

**Table D-2**  
**AERMOD Cumulative Maximum Model Impacts at Event Closure Area Boundary\***

Pollutant/ Time Average	Alternative A (Proposed Action)		Alternative B (Reduced Population)		Alternative D (No Population Change)		
	Modeled Impact	Total Impacts (Including Background)	Modeled Impact (micrograms per cubic meter)	Total Impacts (Including Background; micrograms per cubic meter)	Modeled Impact (micrograms per cubic meter)	Total Impacts (Including Background; micrograms per cubic meter)	NAAQS (micrograms per cubic meter)
PM <sub>10</sub> 24-Hour	<b>1,581.97 **</b>	<b>1,592.17 **</b>	<b>790.99 **</b>	<b>801.19 **</b>	<b>1,532.24 **</b>	<b>1,542.44 **</b>	150
PM <sub>2.5</sub> 24-Hour	<b>126.97 **</b>	<b>134.97 **</b>	<b>63.62 **</b>	<b>71.62 **</b>	<b>122.93 **</b>	<b>130.93 **</b>	35
PM <sub>2.5</sub> Annual	8.45	10.8	4.23	6.53	7.37	9.67	12
Nitrogen dioxide 1-Hour	58.84	58.84	29.42	29.42	57.26	57.26	188
Nitrogen dioxide Annual	0.14	0.14	0.07	0.07	0.14	0.14	100
Sulfur dioxide 1-Hour	1.31	1.31	0.66	0.66	1.27	1.27	196
Sulfur dioxide 3-Hour	0.72	0.72	0.36	0.36	0.7	0.7	1,300
Carbon monoxide 8- Hour	178.87	178.87	89.44	89.44	173.12	173.12	10,000
Carbon monoxide 1- Hour	540.68	540.68	270.34	270.34	523.30	523.30	40,000

Source: Strohm 2018c

Text that is **bold** and marked with a double asterisk \*\* indicates concentrations above NAAQS

\*Explicit modeled impacts were calculated for Alternative A (Proposed Action) and Alternatives B and D. Although fugitive dust may increase along Gate Road, emissions for Alternative C would be consistent with Alternative A (Proposed Action), as the activity rates would be maintained, and the setback to the Closure Area would be consistent. The assessment of dispersion for Alternative E (No Permit/Event) could not be assessed, as the potential ad-hoc gathering location and activity rates cannot be explicitly identified. The impacts associated with Alternative D would represent a likely worst-case first year of Alternative E (No Permit/Event). For more information, see the AERMOD Modeling Report to Assess Ambient Air Quality Impacts, found on the BLM ePlanning website at <https://go.usa.gov/xnBTu>.

### D.5.2 Noise

The cumulative impacts analysis Assessment Area for noise encompasses areas that have a direct line of sight within 0.5 miles of the Closure Area and traffic routes CR 34, and SR 445, 446, and 447 (see **Appendix A** and **Table C-13** in **Appendix C**). **Table D-I** lists the past, present, and reasonably foreseeable future actions and the area associated with the actions. Noise at the Event site would be influenced by activities on BLM-administered land, because the BLM administers the NCA where the Event would occur. Noise beyond the Event site would be influenced by activities on mostly private, state, county, and other lands.

Past, present, and reasonably foreseeable future actions that have affected or can affect noise in the cumulative impacts analysis Assessment Area involve recreation; communications, energy, and minerals projects; transportation; land management plans; and land transfers and designations. These actions involve opportunities for the generation of sounds. Depending on the location and scale of the actions, the sounds can create a permanent increase in ambient sound levels, or a temporary or periodic increase in ambient sound levels. Some of these actions involve high-intensity sounds from energy, minerals, and transportation projects. Others involve temporary or less noticeable sounds from certain

recreation activities and resource conservation. It is likely that only a few of the actions would promote minimizing the generation of sounds.

Under all alternatives, all BLM-administered lands would continue to be managed in a manner that would minimize the generation of sound. When combined with past, present, and reasonably foreseeable future actions, the Event alternatives could contribute to cumulative impacts on a temporary or periodic increase in ambient sound levels from traffic. The cumulative impacts would increase as the Event participant numbers increase. Alternative E would have similar cumulative impacts, but to a lesser extent because there would eventually be no Event. The cumulative impacts, however, are highly influenced by sound levels associated with past, present, and reasonably foreseeable future actions, which are unknown.

### **D.5.3 Soils (Playa Sediments)**

The Assessment Area for cumulative effects is the same as the Assessment Area for direct and indirect effects (see **Appendix A** and **Table C-14** in **Appendix C**). Past, present, and reasonably foreseeable future actions have affected, and will continue to affect, soils and playa sediments in the Assessment Area. They include recreation in the NCA (e.g., motor vehicle tours, OHV races, and other motorized and nonmotorized recreation), transportation and communication rights-of-way, geothermal and minerals development, wildlife habitat improvement projects, wildfire suppression and fuels reduction treatments, livestock grazing, land use planning, and the effects of climate change. Reasonably foreseeable future actions are summarized in **Table D-1**, as well as in Table 5-2 of the Burning Man 2012–2016 SRP EA (BLM 2012).

An annual Event would result in a contribution to continuing wind erosion of disturbed and loosened sediment on the surface of the playa at the Event's location. This would be added to the estimated 18,000 acres already believed to be disturbed on an annual basis and would increase the total area of disturbed and loosened surface sediments that are likely to contribute to erosion, dune formation, and dust storms on the playa from all human uses (BLM 2006). This would lead to an increased potential for erosion and dust storms associated with the Event. The actual amount of wind erosion in these areas would vary based on climate, but the increase in soil eroded would be expected to be proportionate to the increase in area disturbed. This increased potential would be short term, as rains that generally occur in September or October would promote the formation of a surface crust on the playa, which would decrease the ability of winds to move dust.

The types of impacts on playa sediments from past, present, and reasonably foreseeable future actions are wide-ranging. Recreation in the NCA, both motorized and nonmotorized, has affected playa materials by breaking the surface crust and creating wind erosion and subsequent dune formation. Previous observations and studies indicate that within the Black Rock City area, winds are removing between 5 millimeters to less than 1 centimeter (0.2 inches to less than 0.4 inches) of surface material from the site during the Event (BLM 2006; Adams and Sada 2010). This number would potentially increase with an increased population and size.

It is unknown to what extent, if any, the surface sediments are replaced over time by wind-driven sediment from other areas of the playa or by waterborne sediments carried by runoff into the site from other parts of the playa and nearby hills and terraces. The continuing annual use of the Black Rock Desert and playa area by varied recreational and other activities, including participants at permitted

events, would lead to increased surface disturbance of the playa over time. This would also increase the potential for wind erosion, playa deformation, and additional formation of intermittent dunes. The degree to which dune formation would occur is unknown. Monitoring Measure SOIL-2 (**Appendix E**) would provide ongoing data to inform any necessary BLM adaptive management actions.

Continued and future geothermal development on and adjacent to the playa would be expected to disturb soils. Disturbance to soils adjacent to the playa would be expected to occur from continued and expanded mining activities in the hills and mountains adjacent to the playa. These activities would loosen soils in these areas, potentially contributing to sediment deposition on the playa from runoff and wind. These permitted projects would also be expected to have environmental mitigation measures in place to prevent or reduce erosion at and adjacent to the mines.

All alternatives analyzed in this document have the potential to contribute to cumulative impacts on playa sediments in the Assessment Area, but at varying degrees. Alternatives incorporating an increase in the Event size (Alternative A and Alternative C) would likely see relatively greater contributions to cumulative impacts than alternatives that reduce the Event size (Alternative B), and to a lesser extent, keep the Event at its current size (Alternative D). However, all Event alternatives could incorporate the same mitigation and monitoring measures to reduce impacts on the playa, as described in **Appendix E**. Further, incrementally increasing the Event size (i.e., from 80,000 to 100,000 bodies on the playa) would likely result in some additional impacts, compared with maintaining the Event size limit at 80,000 bodies on the playa; however, the relative contribution from the extra 20,000 bodies on the playa would likely be minor compared with the level of impacts from the 80,000 participant Event.

Under Alternative E, it is likely that an unpermitted, informal gathering would still occur on the playa due to the historic nature of the Burning Man Event. The types of cumulative impacts on soils described under Alternative A (Proposed Action) would likely still occur, but the cumulative impact would likely decrease compared with other alternatives because of BLM management strategies and protection measures that would be applied. Over the long term, the cumulative impact would decrease as word of the Event closure spreads, and cumulative impacts would be more like those that occur during non-Event time periods.

#### **D.5.4 Visual Resources (Including Night Skies)**

The cumulative impacts analysis Assessment Area for visual resources, including night skies, encompasses the viewshed and key observation points (see **Appendix A** and **Table C-15** in **Appendix C**). **Table D-1** lists the past, present, and reasonably foreseeable future actions and the area associated with the actions. Visual resources at the Event site would be influenced by activities on BLM-administered land, because the BLM administers the NCA where the Event would occur. Visual resources beyond the Event site would be influenced by activities on mostly private, state, county, and other lands.

Past, present, and reasonably foreseeable future actions that have affected or can affect visual resources in the cumulative impacts analysis Assessment Area involve recreation; communications, energy, and minerals projects; transportation; land management plans; land transfers and designations; wildfire; and water management. These actions alter the characteristic landscape by changing vegetation and landforms and introducing artificial elements into the natural landscape. Depending on the location and scale of the actions, the characteristic landscape of an area can be degraded. Some of these involve

highly noticeable changes to the characteristic landscape from energy, minerals, and transportation projects. Others involve temporary or less noticeable changes to the characteristic environment from certain recreation activities and resource conservation.

Under all alternatives, all BLM-administered lands would continue to be managed in a manner that would maintain the characteristic landscape. When combined with past, present, and reasonably foreseeable future actions, the Event alternatives could contribute to cumulative impacts on visual resources from the release of solid waste in the form of litter. The cumulative impacts would increase as the Event participant numbers increase. Proposed Mitigation Measures WHS-1, WHS-5, PHS-9, SOIL-1, and NCA-1 (**Appendix E**) would reduce the potential for cumulative impacts on visual resources from solid waste. Alternative E would have similar cumulative impacts, but to a lesser extent because there would eventually be no Event. The cumulative impacts, however, are highly influenced by the likelihood of litter associated with past, present, and reasonably foreseeable future actions, which is unknown.

Under all alternatives, all BLM-administered lands would continue to be managed in a manner that would minimize the generation of permanent light sources. When combined with past, present, and reasonably foreseeable future actions, the Event alternatives would contribute to temporary cumulative impacts on night sky conditions from ALAN levels from Event activities. Alternatives that integrate an increase in Event attendance and Closure Area would contribute to cumulative impacts at a greater degree than those that reduce or maintain the Event size. Required design features and other environmental protection measures incorporated as part of the activities in **Table D-1** would reduce the potential for cumulative impacts from ALAN. Proposed mitigation and monitoring measures in **Appendix E** (Mitigation Measures VIS-1 and VIS-2 and Monitoring Measures VIS-1 through VIS-3) would reduce, but not eliminate, cumulative impacts from ALAN. Alternative E would have potentially greater cumulative impacts in the short term, but to lesser extent over the long term because there would eventually be no Event.

### D.5.5 Water Resources

The Assessment Area for cumulative effects is the same as the Assessment Area for direct and indirect effects (see **Appendix A** and **Table C-16** in **Appendix C**). Past, present, and reasonably foreseeable future actions have affected, and will continue to affect, water quality in the Assessment Area. They include recreation in the NCA (e.g., camping and recreational spring use), geothermal development, livestock grazing and wild horse and burro management, transportation rights-of-way and other development, wildlife habitat improvement projects, land use planning, and the effects of climate change. Reasonably foreseeable future actions are summarized in **Table D-1**, as well as in Table 5-2 of the Burning Man 2012–2016 SRP EA (BLM 2012).

Past, present, and reasonably foreseeable future impacts on water quality have occurred from recreation in the NCA and from impacts from surrounding BLM-administered lands. There are developed and informal campsites at several area hot springs. Informal spring modifications include small-scale impoundments to create soaking “tubs,” wooden benches and “docks” extending into soaking pools, and informal pathways along pools and spring brooks. These activities have affected water quality at these locations. Though the intensity of these impacts is generally low, such impacts are widespread and affect many hot springs in the Assessment Area.

Hydrological modifications, including surface water diversions, channel modifications, and dams or impoundments (e.g., Mud Meadows Reservoir in Soldier Meadows), have affected water resources in the Assessment Area. These features have been installed for a variety of reasons, including to supply agricultural water and to support livestock grazing operations. These modifications have created functional changes at springs by decreasing or diverting water.

Geothermal developments have, in cases, reduced groundwater availability. This has occurred at the Jersey Valley Geothermal Plant in Pershing County. Other types of development, including for transportation rights-of-ways and mineral extraction, have also affected water quality from construction activities that result in erosion or groundwater contamination.

Domestic livestock and wild horses and burros tend to congregate in riparian areas for water and succulent vegetation. Spring use by these animals has been linked to sediment loads in spring systems (Sada et al. 2001; Abele 2011). As a result, where these animals are not excluded from these systems, the quantity and quality of water resources has been reduced.

Impacts on water quality have occurred and will occur from restoration activities and resource planning. For example, the Water Sources and Riparian Enhancement projects in the BLM Twin Peaks livestock grazing allotment will conduct restoration at riparian areas degraded by historic livestock grazing. The Winnemucca District RMP and Vegetation Management Plan, as well as the PLPT Pyramid Lake Wetland Program, Nonpoint Source Management Plan, and Water Quality Control Plan, have formalized resource protection measures and guided restoration projects that protect and enhance water quality.

Climate change may affect water resources in the Assessment Area, though impacts from climate change are not known with certainty. Spring systems in Nevada are supplied mainly through aquifers, which are fed by snowmelt and precipitation in the mountains (Abele 2011). Groundwater recharge is spatially and temporally variable and can be affected by air temperature and precipitation, among other factors (Flint et al. 2004). Climate change is expected to alter temperature and precipitation (IPCC 2018). This may affect groundwater recharge or discharge and thus alter water quantity in springs habitat.

All alternatives analyzed have the potential to contribute to cumulative impacts on water quality in the Assessment Area, but they would do so to varying degrees. Alternatives incorporating an increase in the Event size (Alternative A and Alternative C) would likely see relatively greater contributions to cumulative impacts than alternatives that reduce the Event size (Alternative B), and to a lesser extent, keep the Event at its current size (Alternative D). All Event alternatives, however, would incorporate the same monitoring measures, as described in **Appendix E** to quantify, monitor and mitigate impacts on water quality and to potentially create future actions through adaptive management to reduce those impacts. Further, incrementally increasing the Event size (i.e., from 80,000 to 100,000 bodies on the playa) would likely result in some additional impacts, compared with maintaining the Event size limit at 80,000 bodies on the playa; however, the relative contribution from the extra 20,000 bodies on the playa would likely be minor compared with the level of impacts from the 80,000 participant Event.

Cumulative impacts under Alternative E would be as identified under Soils.

## D.6 SOCIAL VALUES AND ECONOMICS

### D.6.1 Economics

Past, present, and reasonably foreseeable future actions in the Assessment Area (see **Appendix A** and **Table C-17** in **Appendix C**) that affect similar sectors of the economy as Alternative A (Proposed Action) include recreation in the NCA; communication, mineral, and energy development projects; and roadway infrastructure projects, which are listed in **Table D-1**. They also include regional tourism events, such as Hot August Nights in Reno and Rib Fest. These activities have direct impacts on local economies and have indirect impacts on the sustainability of economic activity in the region so that other activities continue to function and be served.

Under all Event alternatives, the Event would continue to contribute to local economic contributions, supporting related industries. Depending on the timing of the proposed construction and development activities in relation to the Event, there is the potential for additional strains on community services, including but not limited to traffic control and law enforcement, and emergency medical response. Due to the short-term nature of the Event, strains on services would be temporary and short term if they occurred. Proposed Mitigation Measure PHS-5, Monitoring Measure PHS-4, and subsequent adaptive management strategies (**Appendix E**) would reduce the potential for public services impacts on surrounding communities from the Event.

The potential for a strain on services would be greatest under Alternative A (Proposed Action) due to the highest level of services demanded under this alternative. The Event occurs at a time frame when other tourist activities are occurring in the area, including Rib Fest and Hot August Nights. While the tourist infrastructure supports the current Event size, increased demand under Alternative A (Proposed Action) and Alternative C may result in an increased potential for hotels in the area to be booked to capacity and an increase in room rates. Under other alternatives, impacts would be similar (Alternative D) or reduced (Alternative B).

Under the no permit/action alternative (Alternative E), if an unpermitted event occurred, it would contribute some of the same economic contributions as Alternative A (Proposed Action) to the cumulative impact Assessment Area. Because the event would be expected to have fewer participants than Alternative A (Proposed Action) in the long term, the incremental contribution would be reduced compared with Alternative A (Proposed Action).

### D.6.2 Environmental Justice

Past and present actions in the Assessment Area (see **Appendix A** and **Table C-18** in **Appendix C**) that have affected identified low-income and minority populations include past Events and other recreation in the NCA. It is unlikely that dispersed recreation would result in effects that would disproportionately affect these populations. Reasonably foreseeable future actions that could affect identified low-income and minority populations include communication, energy, and minerals projects as defined in **Table D-1**. Depending on the timing of construction and development of projects, there is the potential for impacts on traffic in these communities. Similarly, transportation projects from **Table D-1** could contribute to traffic congestion in area roadways and may further affect area traffic. In the long term, projects could reduce congestion in certain areas once they are completed.

The Events would contribute to cumulative effects on identified minority and low-income populations primarily due to an increase in waste and traffic. It is anticipated that proposed development activities

would include mitigation to ensure that the effects of these actions would be minimized. It is unlikely that these actions would combine with the Events to result in disproportionate cumulative effects on minority populations and cause environmental justice impacts.

If a large, informal gathering occurred at the playa in the absence of a formal SRP under Alternative E (No Permit/Event Alternative), then contributions to cumulative environmental justice effects would need to be offset by BLM management and enforcement.

### **D.6.3 Social Values**

Past and present actions in the Assessment Area (see **Appendix A** and **Table C-19** in **Appendix C**) that have affected local communities, the attendee social setting, and nonmarket values include past Events and other recreation in the NCA. Reasonably foreseeable future actions that could affect the social setting and nonmarket values include communication, energy, minerals, and transportation projects, as defined in **Table D-1**.

The Events would contribute to cumulative effects due to a potential for increased traffic, noise, and waste resulting in short-term disruptions to the community setting. Depending on the timing of construction and development of projects, there is the potential for Burning Man-related impacts on traffic and construction activities to result in greater impacts on the local social setting. In addition, development projects have the potential to result in additive impacts on the natural setting on the playa, resulting in a decreased value of nonmarket services provided.

Mitigation measures and best management practices employed in projects would support decreased levels of impacts. Impacts under all Event alternatives would be limited to the Closure Order period, with the peak contribution to cumulative impacts in the weeks surrounding the Event. The potential for contributions to cumulative impacts would be greatest under Alternative A (Proposed Action), due to the increased level of impacts from increased bodies on the playa under this alternative. For Alternative A (Proposed Action) and the other Event alternatives, proposed mitigation and monitoring measures (**Appendix E**) and subsequent adaptive management strategies would reduce the potential for impacts on social values, such as public service impacts on surrounding communities, from the Event.

If a large, informal gathering occurred at the playa in the absence of a formal SRP under Alternative E, then contributions to cumulative effects would need to be offset by BLM management and enforcement.

## **D.7 SPECIAL DESIGNATIONS**

### **D.7.1 National Conservation Areas**

The Black Rock Desert-High Rock Canyon Emigrant Trails NCA was established to conserve, protect, and enhance the historic, cultural, paleontological, scenic, scientific, biological, educational, wildlife, riparian, wilderness, endangered species, and recreational values and resources associated with the Applegate-Lassen and Nobles Trails corridors. For an analysis of cumulative impacts from the Event on these values, refer to the other resources described under sections **D.2.3**, Threatened and Endangered Species; **D.2.5**, Wetlands and Riparian Areas; **D.2.6**, Wildlife; **D.3.1**, Cultural (Including National Historic Trails); **D.3.3**, Paleontology; **D.5.4**, Visual Resources (Including Night Skies); **D.6**, Social Values and Economics; and **D.7.2**, Wilderness.

### D.7.2 Wilderness

Overall, wilderness in the Assessment Area (see **Appendix A** and **Table C-21** in **Appendix C**) has maintained a high degree of naturalness since their designation in the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000. There have been no large-scale or incompatible land uses with long-lasting or irreversible impacts on naturalness in the wilderness areas. Past and present actions that could affect wilderness areas include dispersed recreation in the NCA, the BLM's Winnemucca District Vegetation Management Plan, and the BLM's Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Wilderness Management Plan.

As the population of cities and communities near the Event grows, the demand for recreation-related opportunities will also grow. Foreseeable future actions include more people seeking recreational activities, which will affect the ability for visitors to find solitude throughout the wilderness areas. Motorized and mechanized transport is prohibited in all wilderness areas, but the risk of unauthorized use will continue to rise with more people visiting the vicinity to attend the Event.

Alternative A (Proposed Action) would contribute to cumulative effects on wilderness areas related to increased numbers of visitors outside of the Event who are introduced to the area by the Event. The Winnemucca District Vegetation Management Plan is intended to address wildfire and invasive plant management. Vegetation management activities would serve to improve ecosystem composition, structure, and diversity, which would improve the overall apparent naturalness of the area. In the short term, however, apparent naturalness could be affected due to an increase in human presence applying any treatments. BLM's Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Wilderness Management Plan emphasizes the need to maintain and enhance wilderness qualities in the areas.

The cumulative effects of the 50,000-person maximum population and the 80,000-person maximum population alternatives would be similar to Alternative A (Proposed Action). The incremental contribution of a smaller event to cumulative effects would be reduced compared with Alternative A (Proposed Action).

BLM regulations would remain in effect even if the event were not officially permitted and stipulated as in Alternative E. If a substitute event occurred on lands not managed by the BLM, impacts on wilderness would depend on the proximity of any wilderness areas to a substitute event.

### D.7.3 Wilderness Study Areas

In addition to Alternative A (Proposed Action), other past and present actions in the Assessment Area (see **Appendix A** and **Table C-22** in **Appendix C**) that could affect WSAs include dispersed recreation in the NCA and the BLM's Winnemucca District Vegetation Management Plan.

As the population of cities and communities near the Event grows, the demand for recreation-related opportunities will also grow. Foreseeable future actions include more people seeking recreational activities, which will affect the ability for visitors to find solitude throughout the WSAs.

Alternative A (Proposed Action) would contribute to cumulative effects on WSAs related to increased numbers of visitors outside of the Event who are introduced to the area by the Event. The Winnemucca District Vegetation Management Plan is intended to address wildfire and invasive plant management.

Vegetation management activities would serve to improve ecosystem composition, structure, and diversity, which would improve the overall apparent naturalness of the area. In the short term, however, apparent naturalness could be affected due to an increase in human presence applying any treatments.

The cumulative effects of the 50,000-person maximum and the 80,000-person maximum alternatives would be similar to Alternative A (Proposed Action). The incremental contribution of a smaller event to cumulative effects would be reduced compared with Alternative A (Proposed Action). This incremental contribution would be minimal and would not combine with dispersed recreation to create cumulative impacts.

Cumulative impacts under Alternative E are the same as discussed under Wilderness.

## **D.8 VISITOR USES**

### **D.8.1 Recreation**

Cumulative impacts on recreation opportunities for Event and non-Event visitors would be from actions and circumstances within and outside the BLM's ability to manage. These impacts would enhance or diminish the quality of the recreational setting or experience, change the type or accessibility of recreation, or cause physical displacement of visitors. Past, present, and reasonably foreseeable future actions listed in **Table D-I** with the potential to cumulatively affect recreation in the Assessment Area (see **Appendix A** and **Table C-23** in **Appendix C**) are past Events, previous wilderness designations, previous and proposed transportation infrastructure improvements, climate change, and wildfire.

Past Events would cumulatively affect recreation by establishing an expectation among Event and non-Event visitors that there would be a Burning Man Event. This expectation likely deters some non-Event visitors from visiting the playa during the Event. Alternative A (Proposed Action) and Alternatives C and D could maintain and increase the desire among non-Event visitors to avoid the Assessment Area during the Closure Order period. Monitoring Measures REC-2, REC-3, and REC-5 (**Appendix E**) would provide ongoing data to inform any necessary BLM adaptive management actions.

A smaller Event under Alternative B may result in slightly more non-Event visitors recreating in the Assessment Area during the Event. For Event attendees, Alternative A (Proposed Action) and Alternatives C and D would align with existing expectations, although a larger Event under Alternatives A and C may be less desirable for some previous Event attendees. Alternatives B and E would be inconsistent with Event participant expectations.

The wilderness management plan for the Black Rock Desert has designated ten wilderness areas associated with the Black Rock Desert-High Rock Canyon Emigrant Trails NCA. These areas support nonmotorized dispersed forms of recreation in a remote setting. Activity, dust, and lights from the Event alternatives, particularly Alternative A (Proposed Action) and Alternative C, would cumulatively affect recreation opportunities in wilderness areas by conflicting with visitors' expectations and opportunities for solitude.

Proposed transportation improvements would maintain or increase visitor access to the Assessment Area. Highway maintenance projects support the free flow of traffic to and from the Event; however, combined with increasing traffic along Interstate 80 associated with the Tahoe-Reno Industrial Center, congestion may lead to decreased access, especially with larger Event populations under Alternative A

(Proposed Action) and Alternative C. Over time, roadway surface deterioration on CR 34 from Event and non-Event traffic may outpace Washoe County's ability to adequately maintain the roadway surface. Deteriorated surface conditions could produce unsafe travel conditions for some vehicles, resulting in an overall decrease in the level of access in the Assessment Area. Additional funding from BRC to Washoe County for maintaining CR 34 would reduce the potential for cumulative impacts on recreation access from roadway deterioration. Under Alternatives B and E, there would be less traffic and less potential for cumulative effects on roadways and access.

Increasing temperatures and extreme weather events associated with climate change (IPCC 2018) would cumulatively affect the quality of Event- and non-Event-related recreation in the Assessment Area. Hotter temperatures could eliminate the viability of some activities during the summer months. Extreme precipitation events would inundate the playa and temporarily displace recreation activities, including the Burning Man Event.

The increasing threat of larger, more intense wildfires would cumulatively affect the quality of recreation because of reduced air quality from smoke. Fires could also temporarily or permanently displace non-Event visitors from portions of the Assessment Area. Wildfire could prevent Event visitors from entering or leaving the Event. Wildfire smoke would contribute to poor air quality for Event visitors. Combined with high levels of airborne playa materials, particularly under Alternative A (Proposed Action) and Alternatives C and D, wildfire smoke would cumulatively decrease the quality of the Event experience. Smoke combined with dust would preclude recreation opportunities for Event and non-Event visitors with respiratory issues, including children and the elderly.

### **D.8.2 Transportation and Traffic**

Cumulative impacts on traffic and transportation would be the result of past, present, and reasonably foreseeable future actions, such as increasing residential and commercial development with associated new or existing roadway infrastructure, and the increasing popularity of the NCA for recreation. The potential for wildfire and other environmental factors during the Closure Order period could also cumulatively change the level of traffic in the Assessment Area (see **Appendix A** and **Table C-24** in **Appendix C**).

The playa at Black Rock Desert is a popular location for dispersed recreation in Nevada, including hunting, camping, off-road and off-highway vehicle usage, rocketeering, and other outdoor activities. Gerlach serves as the main point of entry to the playa, and SR 447 serves as the main connector to the region's population centers. As the populations of Reno and Fernley grow, in part because of employment demand at the Tahoe-Reno Industrial Center, traffic volume on SR 447 and connected roadways, such as Interstate 80, is likely to increase.

All alternatives are likely to result in increased traffic conditions in urban centers. During the peak arrival and departure periods for the Event, Reno, Fernley, and other urban centers near the Event are likely to have higher traffic volumes and longer commute times for urban dwellers. Higher traffic densities can increase the potential for vehicle collisions and moving violations. Increased usage of SR 447 and its connected roadways is likely to result in accelerated degradation over time. Mitigation Measures ECON-1 and PHS-8, Monitoring Measure PHS-4 (**Appendix E**), adaptive management strategies, and SRP stipulations (**Appendix B**) would reduce the potential for cumulative impacts on roadway conditions.

Environmental factors could also affect the transportation conditions surrounding the alternatives. In the summer of 2017, the Tohakum 2 wildfire burned 94,221 acres, and the Twin Buttes fire burned 562 acres. Both wildfires affected traffic for Event attendees. Higher temperatures and drier conditions increase the potential for wildfires in the region, with associated impacts on transportation.

The timing and management of infrastructure expansion and development could affect transportation conditions during the Event period. SR 445 at Pyramid Highway is undergoing improvements to widen and expand its roadways. Highway/US 395 Connector – Package I is a proposed development in 2018 to widen Pyramid Highway from four lanes to six lanes. SR 447 is also proposed to be rerouted near Wadsworth. Construction during the Closure Order period could result in increased congestion for Event participants, non-Event populations, and urban commuters in the Reno area. Upon completion, these improvements would improve roadway capacity and functionality, and reduce the potential for congestion associated with the Event.

Cumulative impacts would be greatest under Alternative A (Proposed Action) and Alternative C because of the proposed Event population of 100,000 and associated traffic volumes from Event participants, vendors, staff, and volunteers. In comparison to those alternatives, impacts would be less under Alternatives B and D. Cumulative impacts under Alternative E would occur in the short term but would be expected to diminish over time.

---

# Appendix E

## Mitigation and Monitoring

This page intentionally left blank.

# Appendix E. Mitigation and Monitoring

## E.1 MITIGATION MEASURES

All federal actions undertaken as a result of Alternatives A–D are subject to approval by the BLM prior to implementation. Mitigation measures attached to the approved SRP, in conjunction with SRP stipulations and any environmental protection measures agreed to by the proponent, would ensure the protection of environmental resources and public health and safety. Implementation of recommended proposed mitigation measures would prevent the unnecessary and undue degradation of public lands and reduce the impacts on public health and safety and the environment to acceptable levels.

Because of the complex nature of the Burning Man Event, the BLM would employ an adaptive management approach to some mitigation measures. As the first step in this process, the BLM would work with BRC to develop an initial mitigation approach. Subsequent monitoring, as described in **Table E-2**, below, would provide the BLM with the necessary information to determine the effectiveness of the initial mitigation approach. If monitoring results demonstrate that the initial mitigation approach effectively prevents the unnecessary and undue degradation of public lands and protects public health and safety, then no additional mitigation would be required. If monitoring results demonstrate that the initial mitigation approach does not reduce effects to acceptable levels, then the BLM would apply the proposed mitigation measures listed in **Table E-1**, below.

In **Table E-1**, adaptive management would only apply to mitigation measures shown with an asterisk (\*); all other mitigation measures would be required as stated. As discussed in **Chapters 2 and 3** and outlined in **Appendix B**, SRP stipulations are applied to the SRP each year and would be applied for each annual Event as appropriate for each ensuing over the course of the 10-year authorization. Mitigation measures that the BLM adopts would be implemented as stipulations in the SRP. Stipulations could be added or removed for each annual Event in response to new monitoring data.

The BLM developed the proposed mitigation measures in **Table E-1** for this EIS based on public comments and the BLM's internal review of the Proposed Action and alternatives analysis in this EIS. **Table E-1** lists proposed mitigation measures by resource area for the Burning Man SRP EIS. Implementation of the proposed mitigation measures would be at the discretion of the BLM Authorized Officer and may not apply to all Event alternatives. The BLM audit team would be present during the Event to ensure all applicable SRP stipulations are being implemented. Also, see **Chapter 3**, which further analyzes proposed mitigation measures relative to the potential impacts of the proposed alternatives for each resource and use.

**Table E-1  
Proposed Mitigation Measures**

<b>Resource Area</b>	<b>Mitigation Measure Number</b>	<b>Mitigation Measure</b>
Migratory Birds, Wildlife, Special Status Species, and Threatened and Endangered Species	SPEC-1	See Air Quality, below, for proposed particulate matter reduction measures.
	SPEC-2	Require BRC to reduce the amount of light pollution by banning the use of high-energy lasers and search lights being pointed straight up, and requiring shields on sources of light at night where feasible.
	SPEC-3	BRC must educate and discourage participants from disturbing, harassing, feeding, or watering wildlife.
	SPEC-4	BRC must educate and encourage participants to report wildlife if found at the Event.
	SPEC-5	BRC will notify the BLM Authorized Officer and nearest USFWS Law Enforcement office (916-414-6660) within 24 hours, if the operator discovers a dead or injured raptor species in the Closure Area. If BRC is unable to contact the USFWS Law Enforcement office, BRC must contact the nearest USFWS Ecological Services office (775-861-6300) and/or NDOW office (775-688-1506 Reno Office or 775-623-6565 Winnemucca Office). A copy of the notification must be sent to the BLM.
	SPEC-6	Review and ensure conformance with the required design features listed in the Nevada and Northeastern California Greater Sage Grouse Approved RMP Amendment (September 2015 or latest amendment).
Vegetation	VEG-1	BRC will provide noxious weed and fire education safety information to participants. <i>Corresponding monitoring measure: PHS-5</i>
Wetlands and Riparian Areas	WET-1	BRC must follow ascertain with the USACE requirements, including the acquisition of a Clean Water Act Section 404 permit, Nationwide Permit 33, and/or Nationwide Permit 18 is needed. The proponent must obtain those any applicable USACE permits and provide copies to the BLM at least 30 calendar days before the start of the Closure Order. <i>Corresponding monitoring measure: PHS-5</i>
Cultural Resources (Including NHTs)	CULT-1	BRC must educate participants of the Nobles Trail, such as through the production and dissemination of pamphlets at the Event that show trail maps on the front and trail facts on the reverse to be distributed at the Event. <i>Corresponding monitoring measure: PHS-5</i>
	CULT-2	BRC will coordinate with the BLM to ensure that the staging area is at least 200 feet from the playa edge buffer zone. This must be done 30 days before the Closure Order goes into effect. This is intended to protect potential undiscovered cultural and paleontological resources that may be found in this area. <i>Corresponding monitoring measure: CULT-1</i>
	CULT-3	Through the website, social media, and other means approved by the BLM, BRC will inform staff volunteers, vendors and contractors, and Event participants that collection, excavation, or vandalism of historical/archeological artifacts or sites is illegal. <i>Corresponding monitoring measure: CULT-1</i>

Resource Area	Mitigation Measure Number	Mitigation Measure
Cultural Resources (Including NHTs) (continued)	CULT-4	Should BRC discover an archeological resource, it must stop all activities in the discovery vicinity, notify the BLM Authorized Officer, and protect the site until Event completion or until notified otherwise by the BLM Authorized Officer. <i>Corresponding monitoring measure: CULT-1</i>
	CULT-5	In response to concerns from Native American tribes and tribal members, commercial or individual disposal of human remains at the Event is forbidden.
Native American Religious Concerns	NAT-1	Through consultation with the PLPT, BRC will educate participants via its website, social media, and other means approved by the BLM, on issues of concern to the PLPT.
	<del>NAT-2</del>	<del>To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place.</del>
Paleontology	PAL-1	See Cultural Resources, above. <i>Corresponding monitoring measure: CULT-1</i>
Public Health and Safety	PHS-1	At all portals of entry into the Event, beginning approximately 14 days before Labor Day, BLM BRC will be required to contract a BLM approved, independent, contract third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, banned or illegal contraband or significant concerns directly to law enforcement as violations are observed so that law enforcement can respond. Third-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event. <i>Corresponding monitoring measure: PHS-1</i>
	PHS-2	The BLM will contract a sexual assault response team beginning 7 days prior to Labor Day through the Tuesday following Labor Day to better facilitate investigations and prosecutions of sexual assaults on public lands. BRC will compensate the government for this expense through cost recovery. <i>Corresponding monitoring measure: PHS-6</i>
	PHS-3*	BRC will be required to implement physical perimeter barriers and controls (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. <i>Corresponding monitoring measure: PHS-2</i>
	PHS-4*	BRC will facilitate all structures over 10 feet tall that are designed for lodging space unless expressly manufactured for this purpose (e.g., motorhomes, RVs, and tents) to be inspected by qualified BRC staff prior to occupancy, and provide a report to the BLM. Nevada-certified building inspectors may be used if monitoring determines BRC operational protections are insufficient. <del>to be inspected by qualified and Nevada-certified building inspectors prior to occupancy.</del> <i>Corresponding monitoring measure: PHS-3</i>

Resource Area	Mitigation Measure Number	Mitigation Measure
Public Health and Safety <i>(continued)</i>	PHS-5*	During the Closure Order, BRC will minimize disruptions of services to the PLPT and local communities for art installation arrivals and departures. Theme camp materials and art exhibits must receive prior authorization from the BLM to traverse BLM-administered public lands outside the closure area. <i>Corresponding monitoring measure: PHS-4</i>
	PHS-6	Beginning 21 days before Labor Day until 7 days after Labor Day <del>During pre- and post-Event time frames within the Closure Order,</del> BRC will <del>contract</del> provide a licensed ambulance service for emergency services. <i>Corresponding monitoring measure: PHS-4</i>
	PHS-7	BRC, through the Black Rock Rangers or other appropriate group, must maintain speed limits on all motorized vehicles inside the city, except for law enforcement and emergency vehicles that are responding to an emergency. <i>Corresponding monitoring measure: PHS-7</i>
	PHS-8	Due to concerns of the NDOT and other cooperators, BRC will improve its communication with the relevant state and county agencies as needed.
	PHS-9	To address the written concerns and comments from the NDOT and other cooperating agencies, as part of its annual Plan of Operations, BRC will include its highway traffic monitoring locations and develop a trash collection plan for the roadways. This information, plus the Evacuation Plan and Emergency Response Plan, will be shared with the NDOT and other interested cooperators before the Event. <i>Corresponding monitoring measures: NAT-1, WHS-1, WHS-2, WHS-3, WHS-5, WHS-6, and TRAN-1</i>
Waste, Hazardous or Solid	WHS-1*	To reduce litter and trash in the PLPT Reservation, along SR 447, and other routes accessing the playa, the proponent as part of its annual Plan of Operations must develop a trash collection plan for the major egress routes from the Event. The plan should explicitly list proponent commitments on when and how often the trash will be collected, and if a team of volunteers or staff will inspect loads upon exit. The trash plan will detail any arrangements with disposal facilities and sites. If monitoring by the BLM, PLPT, or NDOT indicates that the trash situation on Exodus is not ameliorated, then the proponent must develop an alternative plan that is acceptable to BLM. If that amelioration plan is not adequate, then the BLM may require the BRC place a sufficient number of manned dumpsters in the City and along Gate Road before its intersection with CR 34 in the following year. The dumpsters would need to be placed by 12:01 a.m. on the Friday before Labor Day and be kept in place until Exodus is completed. To prevent overflow, BRC would staff the dumpsters and maintain them the entire time they are in place. These steps are intended to reduce adverse impacts in the PLPT Reservation, along SR 447, and in nearby urban areas in surrounding counties. <i>Corresponding monitoring measures: NAT-1, PHS-5, WHS-1, WHS-2, WHS-3, WHS-5, and WHS-6</i>
	WHS-2	BRC will be required to continue its public outreach efforts involving leaking vehicles via its website and other means approved by the BLM. <i>Corresponding monitoring measures: PHS-5 and WHS-4</i>

Resource Area	Mitigation Measure Number	Mitigation Measure	
Waste, Hazardous or Solid ( <i>continued</i> )	WHS-3	BRC will encourage vehicle operators to inspect and repair their vehicles before arriving at the Event. <i>Corresponding monitoring measures: PHS-5 and WHS-4</i>	
	WHS-4	BRC will require all participants and staff on the playa to clean up and dispose of all fluids and materials by the appropriate means. The BLM will monitor disposals. <i>Corresponding monitoring measures: PHS-5, WAT-1, and WHS-4</i>	
	WHS-5	BRC will educate participants on safe hauling methods, such as how to properly tie down materials and safe trailer hauling. <i>Corresponding monitoring measures: NAT-1, PHS-5, and WHS-6</i>	
	WHS-6	The proponent will educate participants, vendors and contractors, and staff and volunteers on all wastewater (e.g., grey and black) management from motor homes, campers, and service trucks. <i>Corresponding monitoring measures: PHS-5, WAT-1, and WHS-5</i>	
	WHS-7	BRC will increase its environmental compliance teams commensurate with the population size; teams will begin operating during build week and continue through Exodus. <i>Corresponding monitoring measure: PHS-5</i>	
	WHS-8	To prevent unnecessary and undue degradation and to address instances of noncompliance during past events, for BRC's fuel storage facilities, BRC will create a spill prevention control and containment plan in accordance with 40 CFR 112, or if determined impracticable, a written plan in accordance with 40 CFR 109 that includes a written commitment of manpower, and equipment and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful or considered as a hazardous waste. <i>Corresponding monitoring measures: PHS-5 and WHS-6</i>	
	Air Quality	<del>AQ-1</del>	<del>BRC must develop solutions to reduce dust events that are twice the NAAQS for PM<sub>2.5</sub> and PM<sub>10</sub>.</del>
		<del>AQ-2</del>	<del>BRC, through the Black Rock Rangers or other appropriate group, must maintain speed limits on all motorized vehicles inside the city, except for law enforcement and emergency vehicles.</del>
AQ-1*		To reduce Event participant, employee, and contractor exposure to dust generated from vehicle traffic on Gate Road, BRC should consider rerouting Gate Road to an area north of Black Rock City. Given general wind directions, this has the potential to reduce the amount of PM <sub>2.5</sub> and PM <sub>10</sub> reaching the city. <i>Corresponding monitoring measure: AQ-1</i>	
AQ-2		To reduce Event participant exposure to dust events, BRC must provide written notice to participants, staff and volunteers, and vendors and contractors of air quality health risks prior to the Event and upon arrival. <i>Corresponding monitoring measure: AQ-1</i>	
AQ-3		To reduce employee and contractor exposure to dust events, the BLM will provide employees and contractors N95 respirators or other equipment to protect against air quality health risks; costs will be recouped through costs recovery. <i>Corresponding monitoring measure: AQ-1</i>	
Noise		<del>NOISE-1</del> No recommended mitigation measures	

Resource Area	Mitigation Measure Number	Mitigation Measure
Soils	SOIL-1	BRC must clean the playa such that less than 10 percent of all post-Event inspection points have less than 1 square foot per acre of debris/litter. <i>Corresponding monitoring measures: PHS-5, WHS-1, WHS-2, WHS-3, and WHS-5</i>
	SOIL-2	BRC must require burn barrels for campfires, which would be elevated at least 40 inches to prevent burn scarring. <i>Corresponding monitoring measure: SOIL-1</i>
	SOIL-3*	BRC will restore the playa contours by the end of the Closure Order. <i>Corresponding monitoring measures: SOIL-2 and SOIL-3</i>
Visual Resources	<del>VIS-1</del>	<del>See dumpster requirement under Native American Religious Concerns, above.</del>
	VIS-1*	<del>See lighting mitigations under Wildlife, above.</del> The monitoring measures of the Artificial Light at Night Assessment (Craine and Craine 2017) will be implemented. Data from the 2015 through 2020 event will be analyzed to see if the radiance level of 21,000 Wsr <sup>-1</sup> in a single night and an average of 0.27 Wsr <sup>-1</sup> per person at peak population is exceeded. If it is exceeded, the BLM in consultation with subject matter experts will set an appropriate threshold. If not exceeded, the threshold level will be set at 21,000 Wsr <sup>-1</sup> in a single night and an average of 0.27 Wsr <sup>-1</sup> per person at peak population. Annual monitoring will continue after 2020, and if the threshold is exceeded, the proponent in the following year, will develop a lighting plan with measures to reduce the amount of artificial light at night. <i>Corresponding monitoring measures: VIS-1 and VIS-3</i>
	VIS-2	BRC and the BLM must implement shielding interventions on mast-mounted work lights. <i>Corresponding monitoring measure: VIS-2</i>
<del>Water Resources</del>	<del>WTR-1</del>	<del>No recommended mitigation measures</del>
Economics	ECON-1	BRC will negotiate with In coordination with Washoe County, BRC will provide cost recovery for the maintenance of CR 34, and with NDOT for SR 447 associated with Event traffic.
	<del>ECON-2</del>	<del>Refer to mitigation measures reported in other resource and resource use sections.</del>
<del>Environmental Justice</del>	<del>EJ-1</del>	<del>Refer to mitigation measures reported in other resource and resource use sections.</del>
<del>Social Values</del>	<del>SV-1</del>	<del>Refer to mitigation measures reported in other resource and resource use sections.</del>
National Conservation Areas	NCA-1	BRC must post a reclamation bond sufficient to remove large art installations and theme camp materials left behind after Exodus. This bond is intended to remove the risk of unnecessary or undue degradation to the NCA and defray the costs to taxpayers. <i>Corresponding monitoring measures: NCA-1, PHS-4, Rec-2, Rec-3, and Rec-5</i>
	NCA-2	To ensure easy transit across the playa during the Event, the BLM will provide permittees with car passes to permittees not associated with the Event for easy transit across the playa. <i>Corresponding monitoring measure: TRAN-1</i>

Resource Area	Mitigation Measure Number	Mitigation Measure
Wilderness and Wilderness Study Areas	WILD-1/ WSA-1	BRC will inform all pilots of flight restrictions associated with wilderness and wilderness study areas.
<del>Wilderness Study Areas</del>	<del>WSA-1</del>	<del>See Wilderness requirements, above.</del>
Recreation	REC-1	Vendor and film permit applications associated with the Event must be submitted 194 calendar days before Labor Day. The costs of BLM employee labor will be recouped via cost recovery from BRC. <i>Corresponding monitoring measures: PHS-5 and REC-4</i>
	REC-2	The proponent will submit to the BLM and Pershing County its Final Operating Plan for each year's Event at least 45 calendar days before the first Closure Order begins for that year's Event. <i>Corresponding monitoring measures: PHS-5</i>
Transportation and Traffic	TRAN-1	BRC will issue no more than 35,000 vehicle passes. This number includes all participants, BRC staff and volunteers, and BRC contractors. The intent of this measure is to minimize traffic impacts on the surrounding roads and communities. <i>Corresponding monitoring measure: TRAN-1</i>
	TRAN-2	BRC will contract with a third-party ticketing agency to report directly to the BLM the number of vehicles entering the Closure Area under a vehicle pass. <i>Corresponding monitoring measure: TRAN-1</i>
	TRAN-3	The BRC, in coordination with NDOT Aviation and consistent with the National Fire Protection Association's standards for aircraft rescue and fire-fighting services at airports, shall provide airport rescue and firefighting capability and training for airport personal and volunteers at the BRCMA. The training shall ensure the readiness of airport rescue and firefighting equipment and personnel during commercial operations. This includes the placement of fire extinguishing equipment on the aircraft starting, loading, and egress areas. <i>Corresponding monitoring measure: TRAN-2</i>
	TRAN-4	The BRC, in coordination with NDOT Aviation, shall provide hard surfaces, such as mats, at all helicopter landing areas.

\*Indicates that the BLM will use an adaptive management approach. Based on monitoring results, the mitigation could be adjusted.

**E.2 RECOMMENDED MONITORING**

In conjunction with any approved SRP, BRC and the BLM, as applicable, would commit to the recommended monitoring in **Table E-2**. The purposes of monitoring would be to evaluate the effectiveness of the proposed mitigation measures in **Table E-1**, above; provide the necessary data to inform potential adaptive management strategies that would identify and prevent subsequent impacts from the Burning Man Event; and provide new information regarding potential impacts that may warrant future adaptive management and changes to the Burning Man Event SRP stipulations. As part of the adaptive management process, the BLM audit team would report on the effectiveness of BRC's operating plan, including any environmental protection measures, and SRP stipulations; the audit team would suggest changes as needed based on the monitoring results. If BRC monitoring requirements are not met, increased BLM staffing would be required, and the costs of BLM employee labor would be recouped via cost recovery from BRC.

**Table E-2  
Recommended Monitoring**

<b>Resource Area</b>	<b>Monitoring Measure Number</b>	<b>Recommended Monitoring</b>
Migratory Birds, Wildlife, Special Status Species, and Threatened and Endangered Species	SPEC-1	BRC will monitor trash fence effectiveness during the Closure Order.
	SPEC-2	BRC will monitor the Closure Area for loose debris during the Closure Order.
	SPEC-3	The BLM or BLM approved contractor will monitor dust aerosols during the Closure Order. The costs of BLM employee and contractor labor will be recouped via cost recovery from the proponent.
	SPEC-4	See Wetlands and Riparian Areas for recommended hot springs monitoring.
Wetlands and Riparian Areas	WET-1	The BLM will monitor participant use of hot springs during the Closure Order.
Cultural (Including NHTs)	CULT-1	See Wetlands and Riparian Areas for recommended hot springs monitoring.
	CULT-1	If a prehistoric cultural resource is discovered within the Closure Area, the BLM will notify the PLPT Tribal Historic Preservation Officer and comply with The Native American Graves Protection and Repatriation Act as applicable.
Native American Religious Concerns	NAT-1	See Waste, Hazardous or Solid for recommended solid waste monitoring.
	NAT-1	The BLM will consult with the Pyramid Lake Paiute Tribe on litter and road damage within the reservation associated with the Event.
	NAT-3	See Wetlands and Riparian Areas for recommended hot springs monitoring.
Paleontology	PAL-1	See Wetlands and Riparian Areas for recommended hot springs monitoring.
Public Health and Safety	PHS-1	The BLM will monitor illegal substance activity for the full duration of the Closure Order using contracted resources if necessary. The costs of BLM employee and contracted labor will be recouped via cost recovery from the proponent.
	PHS-2	The BLM will monitor the effectiveness of perimeter barriers and controls (e.g., Jersey Barriers or K-rail fencing) from the time of installation until removed.
	PHS-3	The BLM will monitor the effectiveness of building inspections by documenting incidents of structure collapse or other structure-related incidents resulting in injury.
	PHS-4	The BLM will monitor disruption of services in Gerlach via public complaints, Washoe County government personnel, federal government personnel, and other feedback.
	PHS-5	The BLM will monitor effectiveness of BRC's and the BLM's environmental and vending compliance programs.
	PHS-6	The BLM will monitor, through Pershing County reporting, crimes against people and missing juveniles at the Event site during the Closure Order.
	PHS-7	BLM law enforcement and BRC will monitor speed limits within the Closure Area during the Closure Order.

Resource Area	Monitoring Measure Number	Recommended Monitoring
Waste, Hazardous or Solid	WHS-1	BRC will monitor trash fence effectiveness the Event perimeter for debris during the Closure Order.
	WHS-2	BRC will monitor the Closure Area for loose debris during the Closure Order.
	WHS-3	The BLM will review the effectiveness of the proponent's trash collection plan, and if required, the dumpsters, in reducing litter in and around the Event site, SR 447, and the PLPT Reservation.
	WHS-4	In order to quantify and assess how much oil is deposited on the playa during the Event, the proponent must fund a third party to conduct an oil drip survey during the first year of the permit and midway through the permit. The sampling will be completed during the playa restoration period following the Event, and the results of the survey will be submitted by January 1 of the following year. The oil drip survey will include a scientifically valid methodology for sampling collection, verifiable results, discussion regarding the results, as well as actions to reduce the amount of hydrocarbon waste (i.e., oil) if it is shown to be increasing at the playa. The study design (methodology) will be coordinated with the BLM Hazardous Materials Specialist and approved by the BLM Authorized Officer prior to implementation. The BLM Authorized Officer will approve personnel conducting the study prior to study implementation. The proponent will be responsible for the costs associated with the monitoring program and any potential operational changes that may be necessary (as determined by the BLM) as indicated by the research results.
	WHS-5	BRC will monitor solid waste disposal. The BLM will audit the effectiveness, as necessary.
	WHS-6	Post-Event, the BLM, in cooperation with the NDOT and PLPT, will audit assess the effectiveness of roadside cleanup by BRC along SRs 445, 446, and 447 and CR 34.
Air Quality	AQ-1	The BLM or BLM-approved contractor will monitor dust aerosols during the Closure Order. The costs of BLM employee and contractor labor will be recouped via cost recovery from the proponent.
Noise	<del>NOISE-1</del>	<del>There is no recommended monitoring for noise at this time.</del>
Soils	SOIL-1	BRC will monitor fire pits in the Closure Area during the Closure Order.
	SOIL-2	The BLM will continue to monitor erosion of the playa.
	SOIL-3	The BLM will develop a monitoring plan for brachiopods in and outside the Closure Area. The BLM will fund for monitoring.
Visual Resources	VIS-1	To understand the effectiveness of VIS-1 and VIS-2 mitigations, plus any proponent environmental protection measures, the BLM will implement the monitoring measures of the Artificial Light at Night Assessment (Craine and Craine 2017). The costs of BLM employee and contractor labor will be recouped via cost recovery from the proponent.
	<del>VIS-2</del>	<del>See Air Quality for recommended dust monitoring.</del>
	VIS-2	BRC will monitor mast-mounted lights in the Closure Area during the Closure Order.
	VIS-3	The BLM will monitor to ensure high-energy lasers and large lights (e.g., spotlights) are not used during the Event.

Resource Area	Monitoring Measure Number	Recommended Monitoring
Water Resources	WTR-1	The BLM and BRC will monitor all wastewater spills in the Closure Area during the Closure Order, and the BLM will audit BRC on the effectiveness of its program.
	<del>WTR-2</del>	<del>See Wastes, Hazardous or Solid for recommended oil drip monitoring.</del>
	<del>WTR-3</del>	<del>See Wetlands and Riparian Areas for recommended hot springs monitoring.</del>
<del>Economics</del>	<del>ECON-1</del>	<del>Refer to monitoring measures identified in other resource and resource use sections.</del>
<del>Environmental Justice</del>	<del>EJ-1</del>	<del>Refer to monitoring measures identified in other resource and resource use sections.</del>
<del>Social Values</del>	<del>SV-1</del>	<del>Refer to monitoring measures identified in other resource and resource use sections.</del>
National Conservation Areas	NCA-1	The BLM will monitor and assess recreation use studies every 5 years within the National Conservation Area.
	<del>NCA-2</del>	<del>No additional monitoring is recommended outside of the monitoring identified in SRP stipulations.</del>
<del>Wilderness</del>	<del>WILD-1</del>	<del>No monitoring is recommended at this time.</del>
<del>Wilderness Study Areas</del>	<del>WSA-1</del>	<del>No monitoring is recommended at this time.</del>
Recreation	REC-1	The BLM will work with BRC to develop an independent, third-party population monitoring system for the Event. The purpose will be to ensure that the total number of attendees visiting the playa during the Closure Order is equal to or less than the maximum permitted population.
	<del>REC-2</del>	<del>See Soils for recommended erosion monitoring.</del>
	REC-2	The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved.
	REC-3	Through post-Event inspections, the BLM will assess the magnitude, distribution, and subsequent impacts on recreation of all debris generated by the Event.
	<del>REC-5</del>	<del>See Visual Resources recommended mitigation for light at night.</del>
	REC-4	The BLM will monitor vendor SRPs associated with the Event for the processing time and authorization schedule.
	REC-5	The BLM will monitor and assess recreation use studies every 5 years within the National Conservation Area.
Transportation and Traffic	TRAN-1	The BLM will install traffic counters at 12-Mile and Gate Road 14 days before Labor Day, and they will remain in operation until 7 days after Labor Day. The costs of the equipment and BLM employee labor will be recouped via cost recovery from the proponent.
	TRAN-2	The BLM, in coordination with NDOT Aviation, will monitor pilot training, qualification, and operational permission in advance of operating at 88NV to ensure the airport is a safe environment for users.

---

# Appendix H

## Glossary and Index

This page intentionally left blank.

# Appendix H. Glossary and Index

## H.I GLOSSARY

**Active sand dune.** Those dune lands whose physical landscape and ecological character results from continuously moving wind-blown sand. They are geomorphically unstable, mobile (Johnson & Rogers 2003), and bare to sparsely vegetated (Hilton et al. 2000). Active dunes include all open sand dunes, active hummocks, and active foredunes.

**Administrative Areas.** Areas used for administrative use.

**Administrative purposes.** Administrative use functions involving regular maintenance or operation of facilities or programs.

**Administrative use.** Official use related to management and resources of public lands by federal, state, or local governments or non-official use sanctioned by an appropriate authorization instrument, such as rights-of-way (ROWs), permit, lease, or maintenance agreement.

**Air quality.** The quality of the atmosphere as determined by the concentration of air pollutants, visibility, odors, sound, and other energy forms (such as solar radiation) transmitted through the atmosphere.

**Anthropogenic.** Caused or produced by humans.

**Areas of critical environmental concern (ACECs).** Areas within public lands in which special management attention is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values; fish and wildlife resources; or other natural systems or processes or to protect life and safety from natural hazards.

**Assessment.** The act of evaluating and interpreting data and information for a defined purpose.

**Assessment Area.** Assessment Areas represent the locations where direct, indirect, or cumulative impacts could occur under the alternatives. Assessment areas vary by resource/resource use.

**Authorized Officer.** A federal employee who has the delegated authority to make a specific decision.

**Avian.** Of, relating to, or derived from birds.

**Backcountry.** A recreation setting classification characterized by a naturally appearing landscape with human modifications not readily noticeable, small areas with limited evidence of surface or vegetation disturbances, and little or no evidence of primitive roads or motorized use. Small, isolated structures may be present. Contains some primitive trails made of native materials (e.g., log bridges and carved wooden signs).

**Backcountry byways.** A component of the national scenic byway system that focuses primarily on corridors along backcountry roads that have high scenic, historic, archeological, or other public interest values. The road may vary from a single-track bike trail to a low-speed, paved road that traverses backcountry areas.

**Big game.** Large wildlife species that are hunted (e.g., moose, elk, deer, bison, bighorn sheep, and pronghorn).

**Biological assessment (BA).** The document prepared by or under the direction of the BLM concerning listed and proposed species and designated and proposed critical habitats that may be present in the action area. The document contains the BLM's determination of potential effects of the action on such species and habitats. Biological assessments are required for formal consultations and conferences on "major construction projects." They are recommended for all formal consultations and formal conferences and many informal consultations in which a written evaluation of the effects of an action on listed or proposed species and on designated or proposed critical habitat is needed.

**Biological diversity (biodiversity).** The full range of variability within and among living organisms and the ecological complexes in which they occur. Biological diversity encompasses ecosystem or community diversity, species diversity, and genetic diversity.

**Biological opinion (BO).** The document that includes (1) the US Fish and Wildlife Service's and/or National Marine Fisheries Service's opinion as to whether or not a federal action is likely to jeopardize the continued existence of a listed species or to result in the destruction or adverse modification of designated critical habitat; (2) a summary of information on which the opinion is based; and (3) a detailed discussion of the effects of the action on a listed species or designated critical habitat. Depending on the determination of jeopardy or non-jeopardy, the biological opinion may contain reasonable and prudent alternatives, a statement of anticipated take of listed animals, and conservation recommendations for listed plants.

**Biological soil crust.** Biological soil crusts are formed by living organisms and their byproducts, creating a crust of soil particles bound together by organic materials. These biological communities consist of cyanobacteria (blue-green bacteria), micro fungi, mosses, lichens, and green algae and perform many important functions, including fixing nitrogen and carbon, maintaining soil surface stability, and preventing erosion. These biological crusts also influence the nutrient levels of soils and the status and germination of plants in the desert. These crusts are slow to recover after severe disturbance and are different from chemical and physical crusts, which are inorganic features such as a salt crust or platy surface crust.

**Black Rock City.** The annual, temporary city created by the community of Burning Man participants.

**Bodies on playa.** The total number of Burning Man Event participants and volunteers. Bodies on playa does not include government personnel or private vendors (see also event population).

**Burner.** A person who pursues a way of life based on the values reflected in the ten Principles of Burning Man.

**Candidate species.** Taxa for which the US Fish and Wildlife Service has sufficient information on their status and threats to support proposing the species for listing as endangered or threatened under the Endangered Species Act but for which issuance of a proposed rule is currently precluded by higher priority listing actions. Separate lists for plants, vertebrate animals, and invertebrate animals are published periodically in the *Federal Register*.

**Casual use.** Any short-term, noncommercial activity ordinarily resulting in no or negligible disturbance of public lands, resources, or improvements. Casual use generally includes surveying, marking routes, and data collection. It also includes collecting of geochemical, rock, soil, or mineral specimens using hand tools, hand panning, and nonmotorized sluicing. It also generally includes use of metal detectors, gold spears, and other battery-operated devices for sensing the presence of minerals, and hand and battery-operated dry-washers. Casual use excludes the use of mechanized earthmoving equipment, truck-mounted drilling equipment, suction dredges, and motorized vehicles in areas designated as closed to off-highway vehicles, chemicals, or explosives. It also excludes occupancy or operations in which the cumulative effects of the activities result in more than negligible disturbance.

**Climate.** The description of the long-term pattern of weather in a particular area. Climate is the aggregate of weather in a particular area.

**Climate change.** A change in the statistical properties of the climate system when measured over long periods of time, regardless of the cause. Fluctuations over short periods of time, shorter than a few decades, such as El Niño, do not represent climate change.

**Closed.** Generally denotes that an area is unavailable for a particular use or uses; refers to specific definitions found in law, regulations, or policy guidance for application to individual programs. For example, 43 CFR 8340.0-5 sets forth the specific meaning of “closed” as it relates to OHV use, and 43 CFR 8364 defines “closed” as it relates to closure and restriction orders.

**Closure Area.** The area of public lands temporarily closed and restricted to the public under the Closure Order.

**Closure Order.** A temporary closure and restriction of a defined area on public lands to protect public safety and resources.

**Code of Federal Regulations (CFR).** The official codification of federal regulations established under the Federal Register Act.

**Commercial filming.** The film, electronic, magnetic, digital, or other recording of a moving image by a person, business, or other entity for a market audience with the intent of generating income. Examples include, but are not limited to, feature film, videography, television broadcasts, or documentary, or other similar projects. Commercial filming activities may include advertisement of a product or service, or the use of actors, models, sets, or props.

**Commercial purpose or activity.** The circumstance where a holder attempts to produce a profit by allowing the use of its facilities by an additional party.

**Commercial use.** Recreation use of public lands and related waters for business or financial gain. When any person, group, or organization makes or attempts to make a profit, receive money, amortize equipment, or obtain goods or services as compensation from participants in recreation activities occurring on public lands or related waters, the use is considered commercial. An activity, service, or use is commercial if anyone collects a fee or receives other compensation that is not strictly a sharing of, or is in excess of, actual expenses incurred for the purposes of the activity, service, or use. Commercial use is also characterized by situations when a duty of care or expectation of safety is owed participants as a result of compensation. It may also be characterized by paid public advertising for participants.

**Compliance.** Compliance with the National Environmental Policy Act to promote the enhancement of the environment.

**Conformance.** Means that a proposed action shall be specifically provided for in the land-use plan or, if not specifically mentioned, shall be clearly consistent with the goals, objectives, or standards of the approved land-use plan.

**Conservation agreement.** A formal written document agreed to by the BLM and another federal agency, state agency, local government, tribes, or the private sector to achieve the conservation of candidate species or other special status species through voluntary cooperation. It documents the specific actions and responsibilities for which each party agrees to be accountable. The objective of a conservation agreement is to reduce threats to a special status species or its habitat. An effective conservation agreement may lower species' listing priority or eliminate the need for listing.

**Contamination.** A general term for any undesirable substance not normally present in the environment. Examples include, but are not limited to, Comprehensive Environmental Response, Compensation and Liability Act, hazardous substances, and/or petroleum products.

**Cooperating agency.** Assists the lead federal agency in developing an environmental assessment or environmental impact statement. The Council on Environmental Quality regulations implementing the National Environmental Policy Act of 1969 (NEPA) define a cooperating agency as any agency that has jurisdiction by law or special expertise for proposals covered by NEPA (40 CFR 1501.6). Any federal, state, or local government jurisdiction with such qualifications may become a cooperating agency by agreement with the lead agency.

**Council on Environmental Quality (CEQ).** An advisory council to the president of the United States established by the National Environmental Policy Act of 1969. It reviews federal programs to analyze and interpret environmental trends and information.

**Critical habitat.** (1) The specific areas within the geographical area currently occupied by a species, at the time it is listed in accordance with the Endangered Species Act, on which are found those physical or biological features (i) essential to the conservation of the species and (ii) that may require special management considerations or protection, and (2) specific areas outside the geographical area occupied by a species at the time it is listed upon determination by the US Fish and Wildlife Service and/or National Marine Fisheries Service that such areas are essential for the conservation of the species. Critical habitats are designated in 50 CFR 17 and 226. The constituent elements of critical habitat are

those physical and biological features of designated or proposed critical habitat essential to the conservation of the species.

**Cultural resource or cultural property.** A definite location of human activity, occupation, or use identifiable through field inventory (survey), historical documentation, or oral evidence. The term includes archaeological, historic, or architectural sites, structures, or places with important public and scientific uses. It may include definite locations (sites or places) of traditional cultural or religious importance to specified social and/or cultural groups. Cultural resources are concrete, material places and things that are located, classified, ranked, and managed through the system of identifying, protecting, and using for public benefit described in this manual series.

**Cumulative impact.** The impact on the environment resulting from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or nonfederal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

**Degradation.** The act or process of degrading.

**Designated roads and trails.** Specific roads and trails identified by the BLM (or other agencies) where some type of motorized vehicle use is appropriate and allowed either seasonally or yearlong.

**Developed recreation site.** A discrete place containing a concentration of facilities and services used to provide recreation opportunities to the public and evidencing a significant investment in facilities and management under the direction of an administrative unit in the National System of Public Lands.

**Dispersed or extensive recreation.** Recreation activities of an unstructured type that are not confined to specific locations or dependent on recreation sites. Examples of these activities may be hunting, fishing, off-road vehicle use, hiking, and sightseeing.

**Disruptive activities.** Activities that preclude basic life functions for a species. These activities could result in individuals leaving a currently used area; increased stress on the individual; and/or not breeding, young abandonment, or aberrant behavior.

**Disturbed areas.** Any action created through mechanized or mechanical means that would cause soil mixing or result in the alteration or removal of soil or vegetation, exposing the mineral soil to erosive processes. Used in the literal context of actual, physical disturbance and movement or removal of the land surface and vegetation. Examples include construction of roads and trails, well pads, pits, reservoirs, pipelines, and facilities. Emergency activities, rangeland monitoring, routine maintenance associated with an approved authorization, dispersed recreation (e.g., hunting and hiking), and livestock grazing are not considered surface disturbance.

**Emergency rehabilitation.** See Rehabilitation.

**Emergency stabilization.** Planned actions to stabilize and prevent unacceptable degradation to natural and cultural resources, to minimize threats to life or property resulting from the effects of a fire, or to repair/replace/construct physical improvements necessary to prevent degradation of the land or resources.

**Endangered species.** Any animal or plant species in danger of extinction throughout all or a significant portion of its range as designated by the US Fish and Wildlife Service under the Endangered Species Act. Also see Threatened Species.

**Endangered Species Act (ESA).** The US Endangered Species Act is federal legislation that aims to conserve the ecosystems upon which endangered and threatened species depend. The act was signed into law in December 1973. The ESA protects plant and animal species and is jointly administered by the US Fish and Wildlife Service and National Marine Fisheries Service. Its aim is twofold: to provide protection for species that are in danger of extinction and to conserve the habitats on which those species depend.

**Environmental impact statement (EIS).** A formal public document required by the federal government under the National Environmental Policy Act (NEPA) for certain federal actions that documents the information required to evaluate the environmental impact of a project. It informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the environment. This is the highest level of environmental analysis and documentation in the NEPA process.

**Environmental justice (Executive Order 12898).** The fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of the negative environmental consequences of industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies. Executive Order 12898—Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations—directs federal agencies to assess whether their actions have disproportionately high and adverse human health or environmental effects on minority or low-income populations.

**Erosion.** To diminish, destroy, or wear away by the action of water, wind, or glacial ice.

**Erosion factor.** An index that identifies the susceptibility of soil to sheet and rill erosion by water. The higher the erosion factor, the more susceptible the soil is.

**Event (Special Recreation Permit event).** A single, structured, organized, consolidated, or scheduled meeting or occurrence for recreational use of public lands and water resources; it may be composed of several related activities.

**Event population.** The total number of Burning Man Event participants and volunteers. Event population does not include government personnel or private vendors (see also Bodies on playa).

**Executive order (EO).** An Executive order is a presidential directive with the force of law. It does not need congressional approval. The Supreme Court has upheld executive orders as valid either under the general constitutional grant of executive powers to the president or if authority for it was expressly granted to the president by Congress. Congress can repeal or modify an executive order by passing a new law; however, it must be signed by the president or overridden by his veto.

**Exodus.** The mass departure of Burning Man Event participants at the end of the event on Labor Day.

**Federal Land Policy and Management Act of 1976 (FLPMA).** Public Law 94-579, October 21, 1976, often referred to as the BLM’s “Organic Act.” The act that (1) set out, for the Bureau of Land Management, standards for managing public lands including land-use planning, sales, withdrawals, acquisitions, and exchanges; (2) authorized the setting up of local advisory councils representing major citizens groups interested in land-use planning and management; (3) established criteria for reviewing proposed wilderness areas; and (4) provided guidelines for other aspects of public land management, such as grazing.

**Federal lands.** As used in this document, lands owned by the United States, without reference to how the lands were acquired or what federal agency administers the lands. The term includes mineral estates or coal estates underlying private surface, but excludes lands held by the United States in trust for Indians, Aleuts, or Eskimos (see also Public Land).

**Federal Register.** A daily publication that reports presidential and federal agency documents.

**Federal reserved water rights.** Where Congress, or the Executive Branch, has withdrawn lands from the public domain for a specific federal purpose, such reservation may create a federal reserved water right to unappropriated water in the amount necessary to fulfill the primary purpose of the reservation (US v. New Mexico). The US Supreme Court established federal reserved water rights in the 1908 case of *Winters v. United States*, 207 U.S. 568.

**Fiscal year.** The federal government’s annual accounting period that begins on October 1 and ends on September 30 of the following calendar year.

**Fragile soils.** Soils with intrinsic properties and in areas that make them especially susceptible to erosion. These properties include high salt concentrations, very fine textures, shallow depths, and steep slopes (more than 30 percent).

**Geographic information system (GIS).** A system of computer hardware, software, data, people, and applications that capture, store, edit, analyze, and graphically display a potentially wide array of geospatial information.

**Greenhouse gas (GHG).** A greenhouse gas, sometimes abbreviated as GHG, is a gas in an atmosphere that absorbs and emits radiation in the thermal infrared range. GHGs in the earth’s atmosphere are water vapor, carbon dioxide, methane, nitrous oxide, and ozone.

**Groundwater.** Water located beneath the earth’s surface in soil pore spaces and in the fractures of rock formations. Groundwater supplies wells, streams, springs, seeps, and other bodies of water. Its use is regulated by the Nevada Department of Conservation & Natural Resources, Nevada Division of Water Resources. Nevada Revised Statutes Chapters 533 and 534 address the use of the groundwater in Nevada.

**Habitat.** The place where an organism (plant or animal) lives. There are four major divisions of habitat, namely, terrestrial, freshwater, estuarine, and marine.

**Habitat fragmentation.** The process by which habitats are increasingly subdivided into smaller units, resulting in their increased insularity and losses of total habitat area.

**High-value habitat.** Any particular habitat that sustains a community, population, or subpopulation. It includes intensive use areas that because of relative wide distribution do not constitute crucial values but are highly important to high-interest wildlife. It may also include moderately sensitive habitats of high-interest species that have low reclamation potential, including Class 3 streams, lakes, ponds, or reservoirs. Reconstruction or enhancement of these areas may be possible, but should be avoided if not possible. Examples include less crucial (critical) but more widely distributed summer and/or winter ranges, important feeding areas, areas of high wildlife diversity and/or density of high-interest species, natural wetlands, and all other riparian areas.

**Hydrology.** The scientific study of the properties, distribution, and effects of water on the earth's surface, in the soil and underlying rocks, and in the atmosphere.

**Impacts (or effects).** Environmental consequences (the scientific and analytical basis for comparison of alternatives) as a result of a proposed action. Effects may be either direct, which are caused by the action and occur at the same time and place, or indirect, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable, or cumulative.

**Impoundment.** A body of water confined by a dam, dike, floodgate, or other artificial barrier.

**Indicators.** Components of a system whose characteristics (presence or absence, quantity, and distribution) are used as an index of an attribute (e.g., rangeland health attribute) that are too difficult, inconvenient, or expensive to measure (BLM 2005).

**Interdisciplinary team (IDT).** Staff specialists representing identified skill and knowledge needs working together to resolve issues and provide recommendations to an Authorized Officer.

**Intermittent or seasonal stream.** A stream that flows only at certain times of the year when it receives water from springs or from some surface source such as melting snow in mountainous areas. Generally, intermittent streams flow continuously for periods of at least 30 days and usually have visible vegetation or physical characteristics reflective of permanent water influences, such as the presence of cottonwoods.

**Invasive plants.** Plants that are not part of (if exotic), or are a minor component of (if native), the original plant community or communities that have the potential to become a dominant or co-dominant species on the site if their future establishment and growth is not actively controlled by management interventions, or are classified as exotic or noxious plants under state or federal law. Species that become dominant for only one to several years (e.g., short-term response to drought or wildfire) are not invasive plants (USDI, BLM, 2007b).

**Land use authorization.** The issuance of leases and permits to authorize certain kinds of development, uses, or occupancy of public lands. Leases and permits are issued for activities such as temporary or permanent commercial facilities (except on mining claims), harvesting native or introduced species, residential occupancy, recreation (e.g., camping and ski resorts), agriculture (crops and apiaries),

construction equipment storage, livestock holding or feeding areas not related to a grazing permit, water pipelines and well pumps (for irrigation or other purposes), and advertising displays.

**Land use plan (LUP).** A set of decisions that establish management direction for lands within an administrative area, as prescribed under the planning provisions of the Federal Land Policy and Management Act, and an assimilation of LUP-level decisions developed through the planning process outlined in 43 CFR 1600, regardless of the scale at which the decisions were developed. The term includes resource management plans and management framework plans.

**Leq.** The equivalent steady-state A-weighted sound level, in a stated period of time that would contain the same acoustic energy as the time-varying sound level during the same period.

**Limited use.** An area restricted at certain times, in certain areas, and/or to certain vehicular use. These restrictions may be of any type, but can generally be accommodated within the following type of categories: numbers of vehicles, types of vehicles, time or season of vehicle use, permitted use only, use on existing roads and trails, use on designated routes, and other restrictions.

**Man, the.** Term used for the Burning Man statue.

**Management decision.** A decision made by the BLM to manage public lands. Management decisions include land-use plan decisions and implementation decisions.

**Minimize impacts.** To reduce the adverse impact of an activity to the lowest practical level. This can be done by either not approving an activity or through measures such as stipulations, restrictions, BMPs, and SOPs identified during the NEPA process.

**Mitigation.** A method or process by which impacts from actions may be made less injurious to the environment through appropriate protective measures. Mitigation is further defined under 40 CFR 1508.20 as (1) avoiding the impact altogether by not taking a certain action or parts of an action; (2) minimizing an impact by limiting the degree or magnitude of the action and its implementation; (3) rectifying the impact by repairing, rehabilitating, or restoring the affected environment; (4) reducing or eliminating the impact over time by preservation and maintenance; and (5) compensating for the impact by replacing or providing substitute resources or environments.

**Monitoring.** The process of tracking the implementation of land-use plan decisions and collecting and assessing data/information necessary to evaluate the effectiveness of land-use planning decisions.

**Morphology.** A branch of biology that deals with the form of living organisms and with relationships between their structures.

**Motor vehicle.** Any means of transportation over land, snow, or ice that is powered by a motor, engine, or other non-living power source.

**Multiple use.** The management of public lands and their various resource values so that they are used in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to changing needs and conditions;

the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including but not limited to recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific, and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.

**Mutant vehicle.** A unique, motorized creation that shows no resemblance to its original form or to any street vehicle.

**National Environmental Policy Act (NEPA).** The federal law that established a national policy for the environment and requires federal agencies (1) to become aware of the environmental ramifications of their proposed actions, (2) to fully disclose to the public proposed federal actions and provide a mechanism for public input to federal decision-making, and (3) to prepare environmental impact statements for every major action that would significantly affect the quality of the human environment.

**National Historic Preservation Act (NHPA).** A federal statute that established a federal program to further the efforts of private agencies and individuals in preserving the nation's historic and cultural foundations. The NHPA (1) authorized the National Register of Historic Places, (2) established the Advisory Council on Historic Preservation and a National Trust Fund to administer grants for historic preservation, and (3) authorized the development of regulations to require federal agencies to consider the effects of federally assisted activities on properties included on or eligible for the National Register of Historic Places. Also see National Register of Historic Places.

**National Register of Historic Places.** The National Register of Historic Places is expanded and maintained by the Secretary of the Interior, as authorized by Section 2(b) of the Historic Sites Act and Section 101(a)(1)(A) of the National Historic Preservation Act. The national register lists cultural properties found to qualify for inclusion because of their local, state, or national significance. Eligibility criteria and nomination procedures are found in 36 CFR 60. The secretary's administrative responsibility for the national register is delegated to the National Park Service.

**Native American tribe.** Any American Indian group in the conterminous United States that the Secretary of the Interior recognizes as possessing tribal status (listed periodically in the *Federal Register*).

**Natural hydrologic function.** The natural hydrologic process of the dynamic equilibrium between the movement of water and the movement of sediment absent of human modifications.

**Naturalness.** Lands and resources exhibit a high degree of naturalness when affected primarily by the forces of nature and where the imprint of human activity is substantially unnoticeable. The BLM has authority to inventory, assess, and/or monitor the attributes of the lands and resources on public lands, which, taken together, are an indication of an area's naturalness. These attributes may include the presence or absence of roads and trails, fences, and other improvements; the nature and extent of landscape modifications; the presence of native vegetation communities; and the connectivity of habitats.

**Nonattainment area.** An area in which the level of a criteria air pollutant is higher than the level allowed by the federal standards. A single area may have acceptable levels of one criteria air pollutant

but unacceptable levels of one or more other criteria air pollutants; therefore, an area can be both attainment and nonattainment at the same time.

**Noxious weeds.** A plant species designated by federal or state law as generally possessing one or more of the following characteristics: aggressive and difficult to manage; parasitic; a carrier or host of serious insects or disease; or nonnative, new, or not common to the United States.

**Permit.** A short-term, revocable authorization to use public lands for specific purposes. The Federal Land Policy Management Act Section 302 provides the BLM with authority to issue permits for the use, occupancy, and development of the public lands. Permits are issued for purposes such as commercial or noncommercial filming, advertising displays, commercial or noncommercial croplands, apiaries, harvesting of native or introduced species, temporary or permanent facilities for commercial purposes (does not include mining claims), residential occupancy, construction equipment storage sites, assembly yards, oil rig stacking sites, mining claim occupancy if the residential structures are not incidental to the mining operation, and water pipelines and well pumps related to irrigation and non-irrigation facilities. The regulations establishing procedures for the processing of these permits are found in 43 CFR 2920.

**Playa.** Also known as a dry lake. A basin or depression formerly holding a body of water lost through evaporation exceeding surface recharge.

**Plug-in-play camp.** See “Turnkey camp.”

**Primitive.** A recreation setting classification characterized by a setting that is essentially an unmodified natural environment with extremely rare evidence of surface or vegetation disturbances. Trails may be present and suited for wilderness use. Structures are small and extremely rare. Enforcement presence is very rare.

**Primitive recreation.** Activities that provide dispersed, undeveloped recreation and do not require facilities or motorized equipment.

**Public land.** Land or interest in land owned by the United States and administered by the Secretary of the Interior through the BLM without regard to how the United States acquired ownership, except lands located on the Outer Continental Shelf and land held for the benefit of Native Americans, Aleuts, and Eskimos.

**Public purpose.** The purpose of providing facilities or services for the benefit of the public in connection with, but not limited to, public health, safety, or welfare. Use of lands or facilities for habitation, cultivation, trade, or manufacturing is permissible only when necessary for and integral to (i.e., an essential part of) the public purpose.

**Record of Decision (ROD).** A document signed by a responsible official recording a decision that was preceded by the preparing of an environmental impact statement.

**Recreation opportunities.** The combination of recreation activities, settings, and experiences provided by a specific geographic area.

**Recreation setting characteristics (RSC).** Recreation setting characteristics are derived from the recreation opportunity spectrum. The RSCs are characterized as physical, social, and operational components and are further subdivided into specific characteristics (attributes). These characteristics are categorized across a spectrum of classes that describe a range of qualities and conditions of a recreation setting, for example primitive to urban.

**Recreation settings.** The collective distinguishing attributes of a landscape. Recreation settings determine the production of recreation opportunities.

**Remoteness.** See solitude.

**Resource management plan (RMP).** A BLM planning document, prepared in accordance with Federal Land Policy and Management Act Section 202, that presents systematic guidelines for making resource management decisions.

**Restoration.** Implementation of a set of actions that promotes plant community diversity and structure, and allows plant communities to be more resilient to disturbance and invasive species over the long term.

**Rights-of-Way (ROWs).** A land-use authorization/grant for the use of public lands for specified purposes, for the construction, operation, maintenance, and termination of a project, such as pipelines, roads, telephone lines, electric lines, and reservoirs.

**Riparian.** Pertaining to or situated on or along the bank of streams, lakes, springs, and reservoirs.

**Riparian area.** A form of wetland transition between permanently saturated wetlands and upland areas. A riparian area is defined as an area of land directly influenced by permanent (surface or subsurface) water. Riparian areas exhibit vegetation or physical characteristics that reflect the influence of permanent surface or subsurface water. Typical riparian areas include lands along, adjacent to, or contiguous with perennially and intermittently flowing rivers and streams, hanging gardens, and areas surrounding seeps and springs. Excluded are ephemeral streams or washes that lack vegetation and depend on free water in the soil.

**Road.** A transportation facility used primarily by vehicles having four or more wheels, documented as such by the owner, and maintained for regular and continuous use.

**Rural.** A recreation setting classification characterized by a substantially modified natural setting with culturally modified landscapes constantly in view. The setting may include pastoral, agricultural landscapes. Surface and vegetation modifications are typical, and constructed roads and highways are present. Structures are readily apparent and may include small, dominant clusters, including campgrounds, group shelters, boat launches, and exhibits.

**Scenic quality.** The relative worth of a landscape from a visual perception point of view.

**Scoping.** An early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. This involves the participation of affected

federal, state, and local agencies and any affected Native American tribe, proponent of the action, and other interested persons unless there is a limited exception under 40 CFR 1507.31.

**Secondary containment.** (a) (1) Designed, installed, and operated to prevent any migration of wastes or accumulated liquid out of the system to the soil, groundwater, or surface water at any time during the use of the tank system; and (2) capable of detecting and collecting releases and accumulated liquids until the collected material is removed.

(b) To meet the requirements of paragraph (a) of this section, secondary containment systems must be, at a minimum:

- (1) Constructed of or lined with materials that are compatible with the wastes(s) to be placed in the tank system and must have sufficient strength and thickness to prevent failure owing to pressure gradients (including static head and external hydrological forces), physical contact with the waste to which it is exposed, climatic conditions, and the stress of daily operation (including stresses from nearby vehicular traffic)
- (2) Placed on a foundation or base capable of providing support to the secondary containment system, resistance to pressure gradients above and below the system, and capable of preventing failure due to settlement, compression, or uplift
- (3) Provided with a leak-detection system that is designed and operated so that it will detect the failure of either the primary or secondary containment structure or the presence of any release of hazardous waste or accumulated liquid in the secondary containment system within 24 hours
- (4) Sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills, or precipitation. Spilled or leaked waste and accumulated precipitation must be removed from the secondary containment system within 24 hours, or as promptly as possible, to prevent harm to human health and the environment

**Secretary.** The Secretary of the Interior when used in connection with public lands administered by him through the Bureau of Land Management.

**Section 106 compliance.** The requirement of National Historic Preservation Act Section 106 that any project funded, licensed, permitted, or assisted by the federal government must be reviewed for impacts on significant historic properties and that the state historic preservation officer and the Advisory Council on Historic Preservation be allowed to comment on a project.

**Section 7 consultation.** The requirement of Section 7 of the Endangered Species Act that all federal agencies consult with the US Fish and Wildlife Service or the National Marine Fisheries Service if a proposed action might affect a federally listed species or its critical habitat.

**Sensitive soils.** Soils that have a high wind or water erosion hazard, are difficult to reclaim or restore due to physical and chemical properties (e.g., high salt or gypsum concentrations, high rock content, or low available water), or that are more susceptible to impacts and damage due to high water tables (hydric or wetland/riparian soils) or very fine surface textures. Information used to identify sensitive soils includes soils surveys, ecological site descriptions, local monitoring records, and research studies.

**Sensitive species.** Those species designated by a state director, usually in cooperation with the state agency responsible for managing the species and state natural heritage programs, as sensitive. They are those species that (1) could become endangered in or extirpated from a state or within a significant portion of its distribution; (2) are under status review by the US Fish and Wildlife Service and/or the National Marine Fisheries Service; (3) are undergoing significant current or predicted downward trends in habitat capability that would reduce the existing distribution of the species; (4) are undergoing significant current or predicted downward trends in population or density such that federal listed, proposed, or candidate or state listed status may become necessary; (5) typically have small and widely dispersed populations; (6) inhabit ecological refugia or other specialized or unique habitats; or (7) are state listed but may be better conserved through application of BLM sensitive species status.

**Shielding.** Using an opaque material to block the transmission of light to reduce glare and improve efficiency. This will direct light down to the ground, instead of upward, and will illuminate the correct area.

**Significant.** An effect that is analyzed in the context of the proposed action to determine the degree or magnitude of importance of the effect, whether beneficial or adverse. The degree of significance can be related to other actions with individually insignificant but cumulatively significant impacts.

**Solitude (remoteness).** The state of being alone or remote from habitations or the sights and sounds of other people; the experience of a lonely, unfrequented, or secluded place.

**Solitude and primitive/unconfined recreation.** Visitors may have outstanding opportunities for solitude, or primitive and unconfined types of recreation when the sights, sounds, and evidence of other people are rare or infrequent; where visitors can be isolated, alone, or secluded from others; where the use of the area is through nonmotorized, nonmechanical means; and where no or minimal developed recreation facilities are encountered.

**Special recreation permit (SRP).** An authorization that allows for specific, nonexclusive permitted recreational uses of public lands and related waters. SRPs are issued to control visitor use, protect recreational and natural resources, provide for the health and safety of visitors, and accommodate commercial recreational uses.

**Special status species.** Plant or animal species listed as threatened, endangered, candidate, or sensitive by the federal government or state governments.

**Spring.** A discrete natural flow of groundwater that naturally emerges from the earth at a reasonably distinct location, whether or not such flow constitutes a source of water or is tributary to a watercourse, pond, or other body of water.

**Spur.** A route that exists for a specific purpose, such as access to a specific use or feature. Uses can be recreational or commercial. Features include campsites, mines, or range developments. A spur route is connected to another road or route type.

**Staging area.** An area where participants in an activity gather and make final preparations for the activity.

**Standard.** A description of the physical and biological conditions or degree of function required for healthy, sustainable lands (e.g., land health standards). To be expressed as a desired outcome (goal).

**State Historic Preservation Officer (SHPO).** The official within and authorized by each state at the request of the Secretary of the Interior to act as the liaison for the National Historic Preservation Act.

**State Implementation Plan (SIP).** A strategic document, prepared by a state (or other authorized air quality regulatory agency) and approved by the EPA, that thoroughly describes how requirements of the Clean Air Act will be implemented (including standards to be achieved, control measures to be applied, and enforcement actions in case of violation).

**Still photography.** The use of photographic equipment to capture still images on film, digital format, and other similar technologies on public lands that:

- a) Takes place at a location where members of the public are generally not allowed or where additional administrative costs are likely; or
- b) Uses models, sets, or props that are not part of the site's natural or cultural resources or administrative facilities.

Examples of still photography could include calendars, advertisements, books, catalogs, and product placement advertising. As noted, paid public advertising qualifies a use as commercial. Paid public advertising includes, for example, newspaper ads, Internet banners, and radio and television air time (43 CFR 2932.5[1][iii]).

**Stipulation.** A condition specified as a part of a permit, lease, or right-of-way.

**Surface disturbance.** Greater than casual use actions created through mechanized or mechanical means that would cause soil mixing and result in alteration or removal of soil and vegetation, exposing the mineral soil to erosive processes to the extent that reclamation may be required.

**Theme camp.** An interactive camp curated by groups of Burning Man participants who come together to provide a service, entertainment, art, or other creative experience.

**Threatened species.** Any plant or animal species likely to become endangered within the foreseeable future throughout all or a part of its range and designated by the US Fish and Wildlife Service under the Endangered Species Act. Also see Endangered Species.

**Turnkey camp.** A camp that is set up and operated by third-party vendors on behalf of its fly-in or drive-in participants.

**Unconfined recreation.** Activities that are enjoyed without unnecessary management restriction.

**Visual resource inventory.** The visual resource inventory process provides BLM managers with a means for determining visual values. The inventory consists of a scenic quality evaluation, sensitivity level analysis, and a delineation of distance zones. Based on these three factors, BLM-administered lands are placed into one of four visual resource inventory classes.

**Visual resource management (VRM).** The inventory and planning actions taken to identify visual values and establish objectives for managing those values, and the management actions taken to achieve the visual management objectives.

**Visual resource management classes.** Classes with specific objectives for maintaining or enhancing scenic quality, including the kinds of landscape modifications that are acceptable to meet the objectives. Class I (preservation) provides for natural, ecological changes only. This class includes wilderness areas, some natural areas, some wild and scenic rivers, and other similar sites where landscape modification should be restricted. Class II (retention of the landscape character) includes areas where changes in any of the basic elements (form, line, color, or texture) caused by management activities should not be evident in the characteristic landscape. Class III (partial retention of the landscape character) includes areas where changes in the basic elements caused by management activities may be evident in the characteristic landscape, but the changes should remain subordinate to the existing landscape character. Class IV (modification of the landscape character) includes areas where changes may subordinate the original composition and character, but the changes should reflect what could be a natural occurrence in the characteristic landscape.

**Visual resources.** The visible physical features of a landscape (topography, water, vegetation, animals, structures, and other features) that constitute the scenery of an area.

**Wastewater.** Water in the form of gray water (wastewater without fecal matter or urine) and black water (wastewater with fecal matter and urine) deposited deliberately or as a result of drips, leaks, and spills.

**Water quality.** The chemical, physical, and biological characteristics of water with respect to its suitability for a particular use.

**Watershed.** The fifth level of the hydrologic unit delineation system. A watershed is coded with 10 numerical digits, and watersheds range in size from 40,000 to 250,000 acres (Subcommittee on Spatial Water Data 2000).

**Wilderness.** BLM lands that have been designated by Congress as part of the National Wilderness Preservation System.

**Wilderness characteristics.** Features of the land associated with the concept of wilderness that may be considered in land-use planning when the BLM determines that those characteristics are reasonably present, of sufficient value (condition, uniqueness, relevance, and importance) and need (trend and risk), and are practical to manage. See Naturalness, Solitude, and Primitive/Unconfined Recreation.

**Wildfire.** An unplanned ignition caused by lightning, volcanoes, unauthorized and accidental human-caused fires, and escaped prescribed fires.

**Wildlife.** A broad term that includes birds, reptiles, amphibians, and non-domesticated mammals.

## H.2 INDEX

- Black Rock Desert-High Rock Canyon National Conservation Area (NCA), ES-13, ES-14, 1-2, 2-13, 2-14, 3-2, 3-6, 3-20, 3-22, 3-25, 3-26, 3-36, 3-40, 3-58, 3-78, 3-83, 3-85, 3-87, 3-88, 3-89, 3-92, 3-93, 3-94, 3-97, 3-98, 3-99, 3-113, 3-115, 3-117, 3-118, 3-119, 3-120
- Council on Environmental Quality (CEQ), 1-4, 4-3
- County Road (CR) 34, ES-3, ES-15, 2-2, 2-3, 2-5, 2-11, 3-5, 3-7, 3-8, 3-9, 3-14, 3-15, 3-18, 3-25, 3-34, 3-36, 3-49, 3-57, 3-58, 3-59, 3-60, 3-71, 3-76, 3-78, 3-79, 3-86, 3-89, 3-99, 3-100, 3-102, 3-104, 3-105, 3-107, 3-108, 3-109, 3-110, 3-111, 3-120
- Federal Land Policy and Management Act (FLPMA), ES-1, 1-1
- Hot Spring, ES-6, ES-7, ES-10, 2-5, 3-4, 3-8, 3-9, 3-16, 3-17, 3-20, 3-22, 3-24, 3-25, 3-26, 3-27, 3-36, 3-49, 3-59, 3-63, 3-64, 3-65, 3-66, 3-87, 3-94, 3-98, 3-104, 3-115, 3-120
- Key Observation Point (KOP), ES-10, 3-60, 3-61
- Migratory birds, ES-5, 3-2, 3-3, 3-4, 3-5, 3-6
- Mitigation, ES-3, ES-4, ES-5, ES-6, ES-7, ES-8, ES-9, ES-10, ES-11, ES-12, ES-13, ES-14, ES-15, 1-4, 1-5, 2-7, 2-8, 2-9, 2-11, 2-12, 3-1, 3-3, 3-4, 3-5, 3-6, 3-7, 3-8, 3-12, 3-14, 3-16, 3-18, 3-19, 3-22, 3-25, 3-27, 3-30, 3-31, 3-32, 3-33, 3-36, 3-37, 3-38, 3-39, 3-47, 3-55, 3-56, 3-57, 3-61, 3-63, 3-65, 3-66, 3-75, 3-76, 3-78, 3-84, 3-88, 3-98, 3-99, 3-100, 3-101, 3-102, 3-103, 3-107, 3-108, 3-114, 3-115, 3-116, 3-117, 3-118, 3-119, 3-120
- National Environmental Policy Act (NEPA), ES-1, ES-2, 1-1, 1-3, 1-4, 2-1, 3-1, 3-96, 4-1, 4-2, 4-3
- National Historic Preservation Act (NHPA), 2-11, 3-22, 4-2
- National Historic Trail (NHT), ES-7, 1-2, 3-1, 3-20, 3-22, 3-87
- National Register of Historic Places (NRHP), 3-21
- Particulate matter (PM<sub>2.5</sub>, PM<sub>10</sub>), ES-9, 3-5, 3-18, 3-33, 3-41, 3-42, 3-43, 3-44, 3-45, 3-46, 3-47, 3-48, 3-85, 3-89, 3-96, 3-114, 3-117
- Public Closure Area, ES-2, ES-3, ES-7, ES-8, ES-10, ES-14, 2-1, 2-2, 2-5, 2-10, 2-11, 2-12, 3-3, 3-4, 3-5, 3-6, 3-7, 3-8, 3-9, 3-11, 3-12, 3-14, 3-15, 3-16, 3-17, 3-18, 3-20, 3-21, 3-23, 3-24, 3-26, 3-28, 3-32, 3-34, 3-36, 3-37, 3-38, 3-39, 3-40, 3-43, 3-45, 3-46, 3-47, 3-48, 3-49, 3-50, 3-51, 3-52, 3-53, 3-54, 3-55, 3-56, 3-57, 3-58, 3-59, 3-60, 3-61, 3-63, 3-64, 3-65, 3-66, 3-88, 3-89, 3-91, 3-93, 3-96, 3-97, 3-98, 3-99, 3-100, 3-101, 3-103, 3-104, 3-105, 3-111, 3-114
- Special status species, 3-3, 3-6, 3-8, 3-9
- State Historic Preservation Officer (SHPO), 3-22, 4-2
- State Route 447 (SR 447), ES-15, 3-5, 3-7, 3-10, 3-11, 3-25, 3-34, 3-71, 3-79, 3-91, 3-99, 3-100, 3-102, 3-104, 3-105, 3-106, 3-107, 3-108, 3-109, 3-110, 3-111, 3-112, 3-115, 3-120
- Stipulation, 2-8, 3-54
- Threatened and endangered species, 3-2, 3-10, 3-87, 3-118, 4-2
- Wilderness study area (WSA), ES-13, ES-14, 1-2, 3-3, 3-49, 3-87, 3-91, 3-92, 3-93, 3-102, 3-119

This page intentionally left blank.

---

# Appendix I

## References

This page intentionally left blank.

# Appendix I. References

- Abele, S. L. (editor). 2011. Nevada Springs Conservation Plan. Springs Conservation Plan Working Group. The Nature Conservancy, Reno, Nevada.
- Adams, Kenneth D., and Donald W. Sada. 2010. Black Rock Playa, Northwestern Nevada: Physical Processes and Aquatic Life. Desert Research Institute. May 24, 2010. Internet website: [http://www.spatial-ed.com/images/documents/Projects/Burning\\_Man/BlackRockPlaya-FINAL\\_24MAY10.pdf](http://www.spatial-ed.com/images/documents/Projects/Burning_Man/BlackRockPlaya-FINAL_24MAY10.pdf).
- \_\_\_\_\_. 2013. Surface Water Hydrology and Geomorphic Characterization of a Playa Lake System: Implications for Monitoring the Effects of Climate Change. Desert Research Institute. December 16, 2013. Internet Website: <https://www.sciencedirect.com/science/article/pii/S0022169413009153>
- All Around Nevada. 2017. The Frog Pond. Internet website: <https://allaroundnevada.com/the-frog-pond/>.
- American Speech-Language-Hearing Association. 2017. Noise. Internet website: <https://www.asha.org/public/hearing/Noise/>.
- Anderson, S. H. 1995. *Recreational Disturbance and Wildlife Populations*. “Wildlife and recreationists: Coexistence through management and research.” Island Press, Washington, DC, USA. Pp. 157–168.
- Baker, R. O. 2007. “A review of successful urban coyote management programs implemented to prevent or reduce attacks on humans and pets in Southern California” (D. L. Nolte, W. M. Arjo, and D. H. Stalman, editors). *Proceedings of the 12th Wildlife Damage Management Conference*, Corpus Christi, Texas.
- Bearfoottheory.com. 2017. 20 Best Hot Springs in Nevada Mapped. Internet website: <https://bearfoottheory.com/best-hot-springs-in-nevada-mapped/>.
- Beier, Paul. 2006. “Effects of artificial night lighting on terrestrial mammals.” *Ecological Consequences of Artificial Night Lighting*: 19–42.
- Belskii, E., and M. Grebennikov. 2014. “Snail consumption and breeding performance of pied flycatchers (*Ficedula hypoleuca*) along a pollution gradient in the Middle Urals, Russia.” *Science of the Total Environment* 490: 114–120.
- Bilbo, Mark, and Barbara Bilbo. 2008. The Black Rock Desert Landscape. Friends of Black Rock/High Rock. Internet website: <http://blackrockdesert.org/friends/black-rock-desert-landscape>. January 3, 2008.
- Bischoff, M. C. 2013. *Touring Hot Springs California and Nevada*. Third edition. Falcon Guides, Guilford, Connecticut, and Helena, Montana.
- Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000. Pub. L. No. 106-554 Appendix D-1 – S. 2273. December 21, 2000. Internet website: <https://www.gpo.gov/fdsys/pkg/PLAW-106publ554/pdf/PLAW-106publ554.pdf>.

- BLM (US Department of the Interior, Bureau of Land Management). 1984. Manual 8400—Visual Resource Management. Rel. 8-24 BLM, Washington, DC. April 5, 1984.
- \_\_\_\_\_. 1986a. Handbook H-8410-I—Visual Resource Inventory. Rel. 8-28, January 17, 1986. BLM, Washington, DC.
- \_\_\_\_\_. 1986b. Handbook H-8431-I—Visual Resource Contrast Rating. Rel. 8-30, January 17, 1986. BLM, Washington, DC.
- \_\_\_\_\_. 1991. Nevada BLM Statewide Wilderness Report. October 1991. Department of Interior, Bureau of Land Management, Nevada State Office, Reno, Nevada.
- \_\_\_\_\_. 2003. Black Rock City 2002 Oil Drip Survey Results and Management Recommendations. Prepared by Roger Farschon. April 2002.
- \_\_\_\_\_. 2004a. BLM Manual Section 8110: Planning for Uses of Cultural Resources. Washington, DC. December 3, 2004. Internet website: [http://www.blm.gov/style/medialib/blm/wo/Information\\_Resources\\_Management/policy/blm\\_manual.Par.15876.File.dat/8110.pdf](http://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/blm_manual.Par.15876.File.dat/8110.pdf).
- \_\_\_\_\_. 2004b. BLM Manual Section 8130: Identifying and Evaluating Cultural Resources, Washington, DC. December 3, 2004. Internet website: [http://www.blm.gov/style/medialib/blm/wo/Information\\_Resources\\_Management/policy/blm\\_manual.Par.20450.File.dat/8130.pdf](http://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/blm_manual.Par.20450.File.dat/8130.pdf).
- \_\_\_\_\_. 2004c. BLM Record of Decision and Resource Management Plan. Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area and Associated Wilderness Areas and Other Contiguous Lands In Nevada. Winnemucca Field Office, Nevada. Internet website: [http://www.blm.gov/nv/st/en/fo/wfo/blm\\_programs/planning/Black\\_Rock\\_Desert-High\\_Rock\\_Canyon\\_Emigrant\\_Trails\\_National\\_Conservation\\_Area/black\\_rock-high\\_rock.html](http://www.blm.gov/nv/st/en/fo/wfo/blm_programs/planning/Black_Rock_Desert-High_Rock_Canyon_Emigrant_Trails_National_Conservation_Area/black_rock-high_rock.html).
- \_\_\_\_\_. 2006. Burning Man 2006–2010 Special Recreation Permit NV020-06-EA-11 Environmental Assessment. Prepared by Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, Winnemucca Field Office, Nevada. June 2006.
- \_\_\_\_\_. 2007. 2007 Burning Man Stipulation Monitoring Report. Internet website: <http://www.spatial-ed.com/>.
- \_\_\_\_\_. 2008. Handbook H-1790-I. BLM NEPA Handbook. Washington, DC. January 2008.
- \_\_\_\_\_. 2009a. Black Rock National Conservation Area Administrative Facility Preliminary Environmental Assessment (DOI-BLM-W030-2010-002-EA). BLM Winnemucca District Office, Winnemucca, Nevada.
- \_\_\_\_\_. 2009b. Nevada State Office Internal Memo NV IM-2009-030. Supplemental Authorities to Consider in National Environmental Policy Act (NEPA) Documents. Internet website: <https://www.blm.gov/policy/nv-im-2009-030>.
- \_\_\_\_\_. 2012a. Burning Man 2012–2016 Special Recreation Permit NVW03500-12-01 Environmental Assessment. BLM Winnemucca District Office, Winnemucca, Nevada.

- 
- \_\_\_\_\_. 2012b. Manual 6330—Management of Wilderness Study Areas. Rel. 6-134, July 13, 2012. Department of Interior, Bureau of Land Management, Washington, DC.
- \_\_\_\_\_. 2012c. Manual 6340—Management of Designated Wilderness Areas. Rel. 6-135, July 13, 2012. Department of Interior, Bureau of Land Management, Washington, DC.
- \_\_\_\_\_. 2013a. Winnemucca District Proposed Resource Management Plan/Final Environmental Impact Statement. August 2013. Internet website: [https://eplanning.blm.gov/epl-front-office/projects/lup/47537/58347/63138/Chapter\\_3\\_Affected\\_Environment.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/47537/58347/63138/Chapter_3_Affected_Environment.pdf).
- \_\_\_\_\_. 2013b. Black Rock City 2012 Oil Drip Monitoring: Results and Management Recommendations. Bureau of Land Management, Winnemucca District, Black Rock Field Office, Nevada.
- \_\_\_\_\_. 2015a. Burning Man 2015 Post-Event Inspection. R. Sears, R. & P. Clauss. Bureau of Land Management, Winnemucca District, Black Rock Field Office, Nevada.
- \_\_\_\_\_. 2015b. Winnemucca District Office Resource Management Plan and Final Environmental Impact Statement. Winnemucca District Office, Winnemucca, Nevada.
- \_\_\_\_\_. 2016a. Instruction Memorandum No. 2016-124. Potential Fossil Yield Classification (PFYC) System for Paleontological Resources on Public Lands. Bureau of Land Management, Washington, DC. July 20, 2016. Internet website: <https://www.blm.gov/policy/im-2016-124>.
- \_\_\_\_\_. 2016b. Burning Man 2016 Post Event Inspection Report. Winnemucca, Nevada.
- \_\_\_\_\_. 2017a. National Conservation Lands. Internet website: <https://www.blm.gov/programs/national-conservation-lands>.
- \_\_\_\_\_. 2017b. Manual 6220—National Monuments, National Conservation Areas, and Similar Designations. Rel. 6-140, January 25, 2017. Bureau of Land Management, Washington, DC.
- \_\_\_\_\_. 2017c. Black Rock Desert-High Rock Canyon Emigrant Trails NCA. Internet website: <https://www.blm.gov/black-rock-desert-high-rock-canyon-emigrant-trails-nca>.
- \_\_\_\_\_. 2017d. BLM Nevada Soil Program. Internet website: <https://www.blm.gov/programs/natural-resources/soil-air-water/soils/nevada>.
- \_\_\_\_\_. 2017e. Wilderness and Wilderness Study Areas. Internet website: <https://www.blm.gov/programs/national-conservation-lands/wilderness>.
- \_\_\_\_\_. 2018a. Burning Man Event SRP EIS Public Scoping Report. Internet website: <https://go.usa.gov/xnBTu>.
- \_\_\_\_\_. 2018b. Public Health and Safety at the Burning Man Event. September 2018. Internet website: <https://go.usa.gov/xnBTu>.
- \_\_\_\_\_. 2018eb. BLM internal strike team meetings on the Burning Man Event SRP EIS. August 15, 2018 and September 18, 19, and 21, 2018. Winnemucca, NV.

- \_\_\_\_\_. 2018c. BLM Air Quality Monitoring Data at Coyote Dunes: August 30, 2018 to October 5, 2018. Winnemucca, NV.
- \_\_\_\_\_. 2019a5e. Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment. Bureau of Land Management, Nevada State Office, Reno.
- \_\_\_\_\_. 2019b. Public Health and Safety at the Burning Man Event. March 2019. Internet website: <https://go.usa.gov/xnBTu>.
- BLM GIS. 2018. GIS data from the BLM's eGIS server, the BLM's Navigator website, and the 2012 Burning Man Environmental Assessment. Winnemucca District Office, Nevada.
- BLM NVCA ARMPA GRSG Habitat (BLM Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan [RMP] Amendment Greater Sage-Grouse Habitat). 2019. GIS data from the BLM's Navigator website. Internet website: <https://navigator.blm.gov/home>.
- BLM RMIS (Recreation Management Information System). 2017a. ~~Recreation Management Information System (RMIS)~~, A BLM recreation database. National Unit Visits and Visitor Days by NLCS Unit, Type and Office. 2017. Data from Fiscal Year Range October 1, 2016 to September 30, 2017. Unpublished data from November 2017.
- \_\_\_\_\_. 2017b. ~~Recreation Management Information System (RMIS)~~, a BLM recreation database. SRPs Active by Primary Activity. 2017. Data from Fiscal Year Range October 1, 2016 to September 30, 2017. Unpublished data from November 2017.
- BRC (Black Rock City, LLC). 2012. Personal communication between Rosalie Barnes (Black Rock City LLC) and Hedy Koczwara (Aspen Environmental Group). May 21, 2012.
- \_\_\_\_\_. 2017a. MOOP Map. Internet website: <https://burningman.org/culture/history/-history/event-archives/2017-event-archive/2017-moop-map/>. Accessed on August 21, 2018.
- \_\_\_\_\_. 2017b. Operational Expenditures for 2017 event. Proprietary information provided by BRC.
- \_\_\_\_\_. 2017c. BRC Census 2017 Population Analysis. Internet website: <https://drive.google.com/file/d/1hbZtR38TiEqDgA28STIFwS5Ae1r4WrYP/view>.
- \_\_\_\_\_. 2017d. 2016 Form 990. Internet website: <https://burningman.org/network/about-us/public-documents/2016-bmp-990/>.
- \_\_\_\_\_. 2018a. Turnkey Camping info. Internet website: <https://burningman.org/event/camps/turnkey-camping/>.
- \_\_\_\_\_. 2018b. Leave No Trace. Internet website: <https://burningman.org/event/preparation/leaving-no-trace/>. Accessed on August 21, 2018.
- \_\_\_\_\_. 2018c. Trash and Recycling. Internet website: <https://burningman.org/event/preparation/playa-living/trash-recycling/>. Accessed on August 21, 2018.

- \_\_\_\_\_. 2018d. RV Guidelines. Internet website: <https://burningman.org/event/preparation/playa-living/rvs/>. Accessed on August 22, 2018.
- \_\_\_\_\_. 2018e. Human Waste Disposal. Internet website: <https://burningman.org/event/preparation/playa-living/human-waste-disposal/>. Accessed on August 22, 2018.
- \_\_\_\_\_. 2018f. Fuels and Hazmat Storage. Internet website: <https://burningman.org/event/art-performance/fire-art-guidelines/fuel-hazmat-storage/>. Accessed on August 23, 2018.
- \_\_\_\_\_. 2018g. Pyrotechnics Guidelines. Internet website: <https://burningman.org/event/art-performance/fire-art-guidelines/pyrotechnics-guidelines/>. Accessed on August 23, 2018.
- \_\_\_\_\_. 2018h. Fire Safety Agreements. Internet website: <https://burningman.org/event/art-performance/fire-art-guidelines/fire-safety-agreements/>. Accessed on August 23, 2018.
- \_\_\_\_\_. 2018i. Flame Effects Guidelines. Internet website: <https://burningman.org/event/art-performance/fire-art-guidelines/flame-effects/>. Accessed on August 23, 2018.
- \_\_\_\_\_. 2018j. BLM Draft Wildlife Resources Impacts Review. Winnemucca District, Winnemucca, Nevada.
- \_\_\_\_\_. 2018k. The Culture Historical Archives. Internet website: <https://burningman.org/culture/history/brc-history/afterburn/06-2/history/#2000>. Accessed on August 23, 2018.
- \_\_\_\_\_. 2018l. 2018 Burning Man Operations Plan. August 1, 2018.
- Bureau of Economic Analysis. 2017. Regional Data. Tables CA25N and CA5N. Internet website: <https://bea.gov/iTable/iTable.cfm?reqid=70&step=1&isuri=1&acrdn=7#reqid=70&step=1&isuri=1>.
- \_\_\_\_\_. 2018. Table SAI, Personal income summary. Internet website: <https://apps.bea.gov/iTable/iTable.cfm?acrdn=6&isuri=1&reqid=70&step=1#reqid=70&step=1&isuri=1>.
- Bureau of Labor Statistics. 2017. Local Area Unemployment Statistics. Internet website: <https://data.bls.gov/cgi-bin/dsrv?la>.
- Cabrera-Cruz, S. A., J. A. Smolinsky, and J. J. Buler. 2018. "Light pollution is greatest within migration passage areas for nocturnally migrating birds around the world." *Scientific Reports* 8, no. 1 ([2018]): 3261.
- Callender, E., and K. C. Rice. 2000. "The urban environmental gradient: anthropogenic influences on the spatial and temporal distributions of lead and zinc in sediments." *Environ. Sci. Tech.* 34: 232–238.
- Campbell, B., & and R. Remington, R. 1981. "Influence of construction activities on water-use patterns of desert bighorn sheep." *Wildlife Society Bulletin (1973–2006)*, 9(1): 63–65.
- CARB (California Air Resources Board). 2000. The Health Effects of Air Pollution on Children. Fall. Internet website: <http://www.aqmd.gov/docs/default-source/students/health-effects.pdf>.
- Center for Hearing and Communication. 2018. Common environmental noise levels. Internet website: <http://chchearing.org/noise/common-environmental-noise-levels/>.

- CEQ (Council on Environmental Quality) 1997. Environmental Justice Guidance Under the National Environmental Policy Act. Washington DC. December 10, 1997. Internet website: <https://ceq.doe.gov/docs/ceq-regulations-and-guidance/regs/ej/justice.pdf>.
- Chambers, J. C., B. A. Roundy, R. R. Blank, S. E. Meyer, and A. Whittaker. 2007. "What makes Great Basin sagebrush ecosystems invasible by *Bromus tectorum*?" *Ecological Monographs* 77: 117–145.
- Chepesiuk, Ron. 2005. Decibel hell: the effects of living in a noisy world. *Environmental Health Perspectives*. Volume 113(1):A34–A4. January 2005. Internet website: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1253729/>.
- CISEH (University of Georgia, Center for Invasive Species and Ecosystem Health). 2017. EDD Maps—Early Detection & Distribution Mapping System. Internet website: <https://www.eddmaps.org/distribution/>.
- ~~Coates, P.S., Casazza, M.L., Brussee B.E., Ricca, M.A., Gustafson, K.B., Sanchez-Chopitea, E., Mauch, K., Niell, L., Gardner, S., Espinosa, S., and Delehanty, D.J.. 2016. Spatially explicit modeling of annual and seasonal habitat for greater sage-grouse (*Centrocercus urophasianus*) in Nevada and Northeastern California—An Updated Decision Support Tool for Management. U.S. Geological Survey data release. Internet website: <http://dx.doi.org/10.5066/F7CC0XRV>.~~
- Colwell, M. A., T. L. George, and R. T. Golightly. 2009. A Predator Management Strategy to Address Corvid Impacts on Productivity of Snowy Plovers (*Charadrius alexandrinus*) and Marbled Murrelets (*Brachyramphus marmoratus*) in Coastal Northern California. Final Report Submitted to US Fish and Wildlife Service, Arcata, California.
- Cowardin, L. M., V. Carter, F. C. Golet, and E. T. LaRoe. 1979. Classification of Wetlands and Deepwater Habitats of the United States. US Department of the Interior, Fish and Wildlife Service, Washington, DC.
- Craine, Dr. E. R., and Dr. B. L. Craine. 2018. Black Rock City, Nevada. Artificial Light at Night Assessment. Western Research Company, Inc., Tucson, Arizona. Draft Final Report. March 15, 2018.
- Cronquist, A., A. H. Holmgren, N. H. Holmgren, and J. L. Reveal. 1972. *Intermountain Flora*, Vol. 1. New York Botanical Garden, Bronx, New York.
- CWCG (California Wildland Fire Coordinating Group). 2018. Infographic: Prevent Vehicle-Caused Wildfire. Internet website: <http://www.preventwildfireca.org/Proper-Vehicle-Use-to-Prevent-Wildfire/>. Accessed September 18, 2018.
- DHS (Department of Homeland Security). 2011. Protective Measures for the US Outdoor Venues Industry. June 2011. Internet website: <https://publicintelligence.net/dhs-outdoor-venues/>.
- ECONorthwest 2018. Economic Modeling Memorandum. Prepared in support of the Burning Man EIS by ECONorthwest. Portland, Oregon. PROPRIETARY.

- EMPSi (Environmental Management and Planning Solutions Inc.). 2019a. Burning Man Event Special Recreation Permit Environmental Impact Statement Biological Resources Baseline Report. ~~September–March 2019b.~~
- \_\_\_\_\_. 2019b. The Burning Man Event Special Recreation Permit Environmental Impact Statement Assessment of Economics, Social Values, and Environmental Justice. ~~September–March 2019b.~~
- Erickson, W. P., G. D. Johnson, & P. David, Jr. 2005. “A summary and comparison of bird mortality from anthropogenic causes with an emphasis on collisions. In In:” (C. John Ralph and Terrell D., C. John Rich, Terrell D., editors) 2005. *Bird Conservation Implementation and Integration in the Americas: Proceedings of the Third International Partners in Flight Conference*. 2002–March 20–24, 2002; Asilomar, California, Volume 2 Gen. Tech. Rep. PSW GTR 191. 191: Albany, CA: US Dept. of Agriculture, Forest Service, Pacific Southwest Research Station: p. 1029–1042 (Vol. 191).
- Far Western ~~2018~~ (Far Western Anthropological Research Group). 2018. Record search and literature review in support of the Burning Man Special Recreation Permit EIS: confidential notes and spreadsheets on file at Far Western Anthropological Research Group, Carson City, Nevada. January 2018.
- FBRHR (Friends of Black Rock/High Rock). 2009. Coyote Dune Conservation. May 24. Internet website: <http://blackrockdesert.org/friends/events/2009/may-24/coyote-dune-conservation>.
- \_\_\_\_\_. 2018. Black Rock Desert. Internet website: [http://blackrockdesert.org/wiki/index.php?title=Black\\_Rock\\_Desert](http://blackrockdesert.org/wiki/index.php?title=Black_Rock_Desert). ~~Accessed on September 17, 2018.~~
- FHA (Federal Highway Administration). 2003. Living with Noise. Internet website: <https://www.fhwa.dot.gov/publications/publicroads/03jul/06.cfm>.
- \_\_\_\_\_. 2017. Highway Traffic Noise Analysis and Abatement Policy and Guidance. Internet website: [https://www.fhwa.dot.gov/Environment/noise/regulations\\_and\\_guidance/polguide/polguide02.cfm](https://www.fhwa.dot.gov/Environment/noise/regulations_and_guidance/polguide/polguide02.cfm).
- Flint, A. L., L. E. Flint, J. A. Hevesi, and J. M. Blainey. 2004. “Fundamental concepts of recharge in the Desert Southwest: A regional modeling perspective.” In: Groundwater Recharge in a Desert Environment: The Southwestern United States (J. F. Hogan, F. M. Phillips, and B. R. Scanlon, editors). *Water Science and Applications Series 9*: 159–184. American Geophysical Union, Washington, DC.
- Fortune Magazine. 2014. “Who Went to Burning Man?” Miguel Helft. September 17, 2014. Internet website: [fortune.com/2014/09/17/burning-man-economic-impact/](http://fortune.com/2014/09/17/burning-man-economic-impact/).
- \_\_\_\_\_. 2018. “10 Ways to Stop Burning Man from Burning Out.” Internet website: <http://fortune.com/2017/09/05/burning-man-2017-10-principles-ruined-2/>.
- Francis C. D., C. P. Ortega, & A. Cruz. 2009. “Noise pollution changes avian communities and species interactions.” *Current Biology* 19, p. 1415–1419. doi10.1016/j.cub.2009.06.052.
- Gelbard, J. L., and J. Belnap. 2003. “Roads as conduits for exotic plant invasions in a semiarid landscape.” *Conservation Biology* 17(2): 420–432.

- Gerlach Fire Department 2017. Personal communication between EMPSi and Gerlach Fire Department Chief, Robert Walsh. January 17, 2018.
- Ghiglieri, Robert. 2016. 2015 Nevada Abandoned Mine Lands Report. Commission on Mineral Resources. Division of Minerals. Carson City, Nevada. May 2016. Internet website: [http://minerals.nv.gov/uploadedFiles/mineralsnv.gov/content/Programs/AML/2015%20NDOM\\_AML\\_Report\\_Final\\_20160603.pdf](http://minerals.nv.gov/uploadedFiles/mineralsnv.gov/content/Programs/AML/2015%20NDOM_AML_Report_Final_20160603.pdf).
- Glenn, E. P., and P. L. Nagler. 2005. "Comparative ecophysiology of *Tamarix ramosissima* and native trees in western US riparian zones." *Journal of Arid Environments* 61: 419–446.
- Great Basin Bird Observatory. 2004. Nevada Bird Count: 2003 Status Report. Great Basin Bird Observatory Technical Report No. 04-01. Internet website: [http://images.water.nv.gov/images/Misc/dry\\_cave\\_delamar%20hearings/USFWS/Exhibit%20560%20Ammon%202003.pdf](http://images.water.nv.gov/images/Misc/dry_cave_delamar%20hearings/USFWS/Exhibit%20560%20Ammon%202003.pdf).
- Greenberg, C. H., S. H. Crownover, and D. R. Gordon. 1997. "Roadside soils: A corridor for invasion of xeric scrub by nonindigenous plants." *Natural Areas Journal* 17(2): 99–109.
- Haak, A. L., J. E. Williams, H. M. Neville, et al. 2010. "Conserving peripheral trout populations: The values and risks of life on the edge." *Fisheries* 35: 530–549.
- Hartung, J., and M. Saleh. 2007. "Composition of dust and effects on animals. Particulate matter in and from agriculture." *Sonderheft* 308: 111–116.
- ~~Highway Capacity Manual. 2016. "Highway Capacity Manual, Sixth Edition: A Guide for Multimodal Mobility Analysis." *Transportation Research Board: National Research Council*.~~
- Intergovernmental Panel on Climate Change (IPCC). 2013. Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change (T. F. Stocker, D. Qin, G.-K. Plattner, M. Tignor, S. K. Allen, J. Boschung, A. Nauels, et al., editors). Cambridge University Press, Cambridge, United Kingdom, and New York, New York.
- IPCC. 2018. Global Warming of 1.5°C: an IPCC special report on the impacts of global warming of 1.5°C above preindustrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty. First Joint Session of Working Groups I, II, and III of the IPCC and accepted by the 48th Session of the IPCC, Republic of Korea.
- Isaak, D. J., C. C. Muhlfeld, A. S. Todd, R. Al-Chokhachy, J. Roberts, J. L. Kershner, K. D. Fausch, and S. W. Hostetler. 2012. "The past as prelude to the future for understanding 21st century climate effects on Rocky Mountain trout." *Fisheries Management* 37: 542–556.
- Jackson, S. D. 2000. "Overview of transportation impacts on wildlife movement and populations." In: ~~Messmer, T.A. and B. West, (eds)~~ *Wildlife and Highways: Seeking Solutions to an Ecological and Socio-economic Dilemma* (T. A. Messmer and B. West, editors). *The Wildlife Society*. Pp. 7–20.

- Jacobson, S. L. 2005. "Mitigation measures for highway-caused impacts to birds." In: *Bird Conservation Implementation and Integration in the Americas: Proceedings of the Third International Partners in Flight Conference* (C. John Ralph, C. John Rich, and Terrell D. Rich, editors). 2002-March 20-24, 2002. Asilomar, California, Volume 2 Gen. Tech. Rep. PSW-GTR-191. Albany, CA: US Dept. of Agriculture, Forest Service, Pacific Southwest Research Station: p.191: 1043-1050, 191.
- Jiguet, F., V. Devictor, R. Ottvall, C. Van Turnhout, H. Van der Jeugd, and Å. Lindström. 2010. "Bird population trends are linearly affected by climate change along species thermal ranges." *Proceedings of the Royal Society B: Biological Sciences* 277: 1700, 3601-3608.
- Jones, T., and W. Cresswell. 2010. "The phenology mismatch hypothesis: Are declines of migrant birds lined to uneven global climate change?" *Journal of Animal Ecology* 79: 98-108.
- Leonard, R. J., and D. F. Hochuli. 2017. "Exhausting all avenues: Why impacts of air pollution should be 26 part of road ecology." *Frontiers in Ecology and the Environment* doi:10.1002/fee.1521.
- Levy, L. M. 2008. 2008 Burning Man Stipulation Monitoring Report, prepared for the Bureau of Land Management, Winnemucca District Office, Nevada.
- Lonsdale, W. M., and A. M. Lane. 1994. "Tourist vehicles as vectors of weed seeds in Kadudu National Park, northern Australia." *Biological Conservation* 69(3): 277-283.
- MEA (Millennium Ecosystem Assessment Classification). 2005. Ecosystems and Human Well-Being. A Framework for Assessment. Internet website: <http://millenniumassessment.org/en/Framework.html>.
- McGregor, R. L., D. J. Bender, D. J., & L. Fahrig, L. 2008. "Do small mammals avoid roads because of the traffic?" *Journal of Applied Ecology* 45(1): 117-123.
- McShea, W. J., C. M. Stewart, L. J. Kearns, J. Liccioli, and D. Kocka. 2008. "Factors affecting autumn deer-vehicle collisions in a rural Virginia county." *Human-Wildlife Interactions*. Internet website: <https://digitalcommons.unl.edu/hwi/76/>.
- Meinzer, O. E. 1923. Outline of Ground Water Hydrology, with Definitions. US Geological Survey Water Supply Paper 494. Washington, DC.
- NABCI (North American Bird Conservation Initiative). 2016. The State of North America's Birds 2016. Environment and Climate Change Canada: Ottawa, Ontario.
- NAC (Nevada Administrative Code). 2015. NAC 445B.22097 Standards of quality for ambient air. Internet website: <https://www.leg.state.nv.us/nac/NAC-445B.html#NAC445BSec22097>.
- NASA (National Aeronautics and Space Administration). 2018. Cal Tech Poster and Presentation. A Multi-Sensor Approach to Determine the Impacts of Human Activity and Natural Surface Deformation on the Black Rock Playa, Nevada. Spring 2018. Pasadena, California.
- National Audubon Society. 2017. Nevada Important Bird Areas. Internet website: <http://www.audubon.org/important-bird-areas/state/nevada>.

- National Crime Victimization Survey. 2011. Internet website: <https://www.bjs.gov/content/pub/pdf/cv11.pdf>.
- National Institutes of Health. 2018. Noise-Induced Hearing Loss. Internet website: <https://www.nidcd.nih.gov/health/noise-induced-hearing-loss>.
- NatureServe. 2017. NatureServe Explorer: An online encyclopedia of life (web application). Version 7.1. NatureServe, Arlington, Virginia. Internet website: <http://explorer.natureserve.org>.
- NDA (Nevada Department of Agriculture). 2017. Nevada Noxious Weed List. Internet website: [http://agri.nv.gov/Plant/Noxious\\_Weeds/Noxious\\_Weed\\_List/](http://agri.nv.gov/Plant/Noxious_Weeds/Noxious_Weed_List/).
- NDEP (Nevada Division of Environmental Protection). 2011a. RE: NDEP water quality records. Email communication from Judy Neubert, Branch Supervisor for Laboratory Certification & Data Management, NDEP Bureau of Safe Drinking Water (Carson City, NV), to Aubrey Mescher, Associate Planner, Aspen Environmental Group. October 6, 2011.
- \_\_\_\_\_. 2011b. About the Safe Drinking Water Act. Internet website: <http://ndep.nv.gov/bsdw/more.htm>.
- \_\_\_\_\_. 2015. Pahrump Valley, Nevada PM<sub>10</sub> Ten Years of Success: Ten Year Update Toward Attaining the 24-hour Federal Standard for Particulate Matter 10 Microns and Smaller. Department of Conservation and Natural Resources, Division of Environmental Protection, Bureau of Air Quality Planning. June 2015. Internet website: <https://ndep.nv.gov/uploads/air-aqm-docs/2015-pahrump-success-report.pdf>.
- \_\_\_\_\_. 2016. Nevada Statewide Greenhouse Gas Emissions Inventory and Projections, 1990–2030. Internet website: [https://ndep.nv.gov/uploads/air-pollutants-docs/GHG\\_Report\\_2016.pdf](https://ndep.nv.gov/uploads/air-pollutants-docs/GHG_Report_2016.pdf).
- \_\_\_\_\_. 2018. Suggested permits listed in the NDEP Public Scoping Comment. Email from Ginger Poulson to the BLM Winnemucca District Office on June 22, 2018.
- NDF (Nevada Division of Forestry). No date. State of Nevada Native Plant Laws. NDF, Las Vegas, Nevada. Internet website: <http://forestry.nv.gov/wp-content/uploads/2009/03/cactus-brochure.pdf>.
- NDOW (Nevada Department of Wildlife). 2013. Map: Nevada Department of Wildlife Management Units. Internet website: [http://www.ndow.org/uploadedFiles/ndoworg/Content/Hunt/Resources/NDOW\\_HuntUnits\\_2013\\_ArchD.pdf](http://www.ndow.org/uploadedFiles/ndoworg/Content/Hunt/Resources/NDOW_HuntUnits_2013_ArchD.pdf).
- \_\_\_\_\_. 2017a. Analysis Response Re: Burning Man Event Special Recreation Permit EIS, November 8, 2017. NDOW, Reno, Nevada.
- \_\_\_\_\_. 2017b. Desert Bighorn Sheep. Internet website: [http://www.ndow.org/Species/Furbearer/Desert\\_Bighorn\\_Sheep/](http://www.ndow.org/Species/Furbearer/Desert_Bighorn_Sheep/).
- NDPH (Nevada Department of Public and Behavioral Health). 2018. Internet Website: [http://dph.nv.gov/Reg/Temp-E/Temporary\\_Events\\_Home/](http://dph.nv.gov/Reg/Temp-E/Temporary_Events_Home/).

- NDWR (Nevada Department of Water Resources). 2011. Nevada's Hydrographic Regions. Internet website: <http://water.nv.gov/mapping/hydrographic.cfm>.
- NNHP (Nevada National Heritage Program). 2017a. Re: Data request by Far Western Anthropological Research Group, Inc. received from NNHP on November 7, 2017. NNHP, Reno, Nevada.
- \_\_\_\_\_. 2017b. Nevada National Heritage Program, Pershing County Species List. Internet Website: [http://heritage.nv.gov/species/process\\_list.php](http://heritage.nv.gov/species/process_list.php).
- \_\_\_\_\_. 2017a. Re: Data request received November 7, 2017. NNHP, Reno, Nevada.
- \_\_\_\_\_. 2017b. Nevada National Heritage Program, Pershing County Species List. Internet Website: [http://heritage.nv.gov/species/process\\_list.php](http://heritage.nv.gov/species/process_list.php).
- Nevada Department of Taxation. 2016a. Annual report. Fiscal Year 2015-2016. Internet Website: [https://tax.nv.gov/Publications/Annual\\_Report/](https://tax.nv.gov/Publications/Annual_Report/).
- \_\_\_\_\_. 2016b. Final Local Government Revenue Projections Fiscal Year 2016-2017. Internet Website: [https://Tax.Nv.Gov/Uploadedfiles/Taxnv.gov/Content/Localgovt/Policypub/2017-18\\_Lgf%20final%20revenue%20projections%20rev%203-31.pdf](https://Tax.Nv.Gov/Uploadedfiles/Taxnv.gov/Content/Localgovt/Policypub/2017-18_Lgf%20final%20revenue%20projections%20rev%203-31.pdf).
- \_\_\_\_\_. 2017. Annual report. Fiscal Year 2016-2017. Internet Website: [https://tax.nv.gov/Publications/Annual\\_Report/](https://tax.nv.gov/Publications/Annual_Report/).
- Nevada Department of Transportation. 2016. 2016 Facts and Figures. Internet website: <https://www.nevadadot.com/Home/ShowDocument?id=12621>.
- Nevada Gaming Control Board. 2017. Gaming Revenue Report. Quarter ended September 30, 2017. Internet website: <http://gaming.nv.gov/index.aspx?page=149>.
- Nevada State Demographers Office. 2014. Nevada County Age, Sex, Race, and Hispanic Origin Estimates and Projections 2000 to 2032. May 25, 2014. Internet website: <http://www.nv-demography.org/data-and-publications/age-sex-race-and-hispanic-origin-estimates-and-projections/>.
- The New York Post*. 2018. "Champagne, Private Jets and Drugs, How the 1 Percent do Burning Man." August 21, 2018. Internet website: <https://nypost.com/2018/08/21/champagne-private-chefs-and-drugs-how-the-1-percent-do-burning-man/>.
- New York Times*. 2014. "A Line is Drawn in the Desert." August 20, 2014. Internet website: <https://www.nytimes.com/2014/08/21/fashion/at-burning-man-the-tech-elite-one-up-one-another.html>.
- Oxley, D. J., M. B. Fenton, and G. R. Carmody. 1974. "The effects of roads on populations of small mammals." *Journal of Applied Ecology* 11: 51-59.
- Paton, P. W. C. 1995. "Breeding biology of snowy plovers at Great Salt Lake, Utah." *Wilson Bulletin* 107(2): 275-288.

- Parendes, L. A., and J. A. Jones. 2000. "Role of light availability and dispersal in exotic plant invasion along roads and streams in the H. J. Andrews Experimental Forest, Oregon." *Conservation Biology* 14: 64–75.
- Pershing County. 2012. Pershing County Master Plan. Pershing County Planning & Building. Adopted by the Pershing County Commission December 15, 2012. Lovelock, Nevada.
- \_\_\_\_\_. 2017. Interview between Zoe Ghali (EMPSi representative) and Pershing County representatives. December 8, 2017. Lovelock, Nevada.
- Price, M. V., E. H. Strombom, E. H., & D. T. Blumstein, D. T. 2014. "Human activity affects the perception of risk by mule deer." *Current Zoology* 60(6): 693–699.
- Prichard, D., H. Barrett, K. Gebhardt, J. Cagney, P. L. Hansen, R. Clark, B. Mitchell, J. Fogg, and D. Tippet al. 1993. Riparian Area Management—Process for Assessing Proper Functioning Condition. BLM Technical Reference 1737-9, revised 1995, 1998. BLM Service Center, Denver, Colorado.
- PLPT (Pyramid Lake Paiute Tribe). 2018. Pyramid Lake Paiute Tribe Burning Man Impact Assessment and Financial Impact data. September 15, 2018. PLPT Reservation, Nevada.
- Reno-Gazette Journal*. 2016. "SOLD: \$11.38M quasi-ghost town in Burning Man's backyard—Will the town of Empire come back to life after its recent purchase?" June 3, 2016. Internet website: <https://www.rgj.com/story/news/2016/06/03/exclusive-gypsum-mine-town-empire-sold-1025m/85361404/>.
- \_\_\_\_\_. 2017a. "Brits that broke land speed record return to Black Rock Desert." October 15, 2017. Internet Website: <https://www.rgj.com/story/news/2017/10/14/brits-broke-land-speed-record-return-black-rock-desert/764853001/>.
- \_\_\_\_\_. 2017b. "Overwhelmed with traffic and stray burners, Gerlach school asks to close during Burning Man." June 26, 2017, Internet website: <http://www.rgj.com/story/news/education/2017/06/26/gerlach-k-12-schools-may-shut-down-during-burning-man/420762001/>.
- Rieman, B. E., and D. J. Isaak. 2010. Climate Change, Aquatic Ecosystems and Fishes in the Rocky Mountain West: Implications and Alternatives for Management. Gen. Tech. Rep. GTR-RMRS-250. US Department of Agriculture, Forest Service, Rocky Mountain Research Station, Fort Collins, Colorado.
- RSVCA (Reno-Sparks Convention and Visitors Bureau) 2017a. Hotel Statistics. Internet website: <https://www.rscva.com/wp-content/uploads/2017/07/12-Room-Stats-Calendar-Fiscal-with-of-Occupancy-though-June-2017.pdf>.
- \_\_\_\_\_. 2017b. Estimated visitor counts. Internet website: <https://www.rscva.com/wp-content/uploads/2018/01/6-VisitorCountsDecember2017.pdf>.
- \_\_\_\_\_. 2017c. Trends FY 2010-11 to FY 2017-18. Internet website: <https://www.rscva.com/wp-content/uploads/2018/01/6-MonthlyRoomsStatisticsTrendswithChartsDecember17-18.pdf>.

- SFGate. 2017. "Celebrities and tech execs, luxury campsites in tow, are flocking to Burning Man." August 27, 2017. Internet website: <https://www.sfgate.com/burningman/article/celebrities-and-tech-execs-going-to-burning-man-11742825.php>.
- Sada, D. W., J. E. Williams, J. C. Silvey, A. Halford, J. Ramakka, P. Summers, and L. Lewis. 2001. Riparian Area Management: A Guide to Managing, Restoring, and Conserving Springs in the Western United States. Technical Reference 1737-17. BLM, Denver, [COColorado](#).
- Sada, D. W., C. Rosamond, and K. D. Adams. 2013. "Effects of recreational use on branchiopod egg and ephippia density, Black Rock Desert – High Rock Canyon Emigrant Trails National Conservation Area, Nevada, USA." *Journal of Crustacean Biology* 33(2): 286–292.
- Salter (Charles M. Salter Associates, Inc.) 2018. Burning Man Event SRP EIS, Black Rock City, NV. Noise Impact Assessment. Prepared for EMPSi, Reno, Nevada. September 17, 2018.
- Sanderfoot, O. V. & T. Holloway. 2017. "Air pollution impacts on avian species via inhalation exposure and associated outcomes." *Environmental Research Letters* 12(8): 083002.
- Smith, J. A., & J. F. Dwyer, J. F. 2016. "Avian interactions with renewable energy infrastructure: An update." *The Condor* 118(2): 411–423.
- Soykan, C. U., J. Sauer, J. G. Schuetz, G. S. LeBaron, K. Dale, and G. M. Langham. 2016. "Population trends for North American winter birds based on hierarchical models." *Ecosphere* 7(5): e01351.
- Solaegui Engineers. 2018. Re: Burning Man Environmental Impact Statement Traffic Analysis. Prepared for EMPSi, Reno, Nevada.
- Spatial-Ed. 2012. How wet was the Black Rock Desert this year (2011). Internet website: <http://www.spatial-ed.com/>.
- Spellerberg, I. A. N. 1998. "Ecological effects of roads and traffic: A literature review." *Global Ecology & Biogeography Letters* 7(5): 317–333.
- Squires, W. A. & H. E. Hanson. 1918. "The destruction of birds at the lighthouses on the coast of California." Contribution from the Audubon Association of the Pacific. San Francisco, California, *The Condor*, November 2, 1917.
- Strohm (Strohm II, D. E. B. Trinity Consultants), 2018a. Burning Man Event SRP EIS. Baseline Technical Report—Air Resources, Burning Man EIS. Prepared for EMPSi, Reno, Nevada.
- \_\_\_\_\_. (Strohm II, D. E. B. Trinity Consultants). 2018b. Burning Man Event SRP EIS. Modeling Protocol—Air Resources, Burning Man EIS. Prepared for EMPSi, Reno, Nevada.
- \_\_\_\_\_. (Strohm II, D.E.B. Trinity Consultants) 2018c. Burning Man Event SRP EIS. Modeling Report—Air Resources, Burning Man EIS. Prepared for EMPSi, Reno, Nevada.
- Stromberg, J. C., K. E. McCluney, M. D. Dixon, and T. Meixner. 2013. "Dryland riparian ecosystems in the American Southwest: Sensitivity and resilience to climatic extremes." *Ecosystems* 16: 411–415.

- SWReGAP (Southwest Regional GAP Analysis Project). 2005. Southwest Regional GAP Analysis Project— Land Cover Descriptions. Internet website: [http://swregap.nmsu.edu/HMdatabase/landc\\_database\\_report.pdf](http://swregap.nmsu.edu/HMdatabase/landc_database_report.pdf).
- Thompson, J. R., P. W. Mueller, W. Flückige, & A. J. Rutter. 1984. "The effect of dust on photosynthesis and its significance for roadside plants." *Environmental Pollution Series A, Ecological and Biological* 34(2): 171–190.
- Tollerud, H., and M. Fantle, M. 2013. Evaporites, surface roughness, and inundation in a playa dust source; implications of surface composition for erodibility. Internet website: <http://adsabs.harvard.edu/abs/2013AGUFM.A52D..07T>.
- Townsend A. K., and C. M. Barker. 2014. "Plastic and the nest entanglement of urban and agricultural 25crows." *PLoS ONE* 9(1): e88006. doi:10.1371/ journal.pone.0088006.
- Transportation Research Board. 2016. "Highway Capacity Manual, Sixth Edition: A Guide for Multimodal Mobility Analysis." *Transportation Research Board: National Research Council*. Internet website: <http://www.trb.org/Main/Blurbs/175169.aspx>.
- Transportation Research Board. 2016. Highway Capacity Manual: A Guide for Multimodal Mobility Analysis. 6th ed.
- Travel Nevada. 2017a. 6 Natural Nevada Hot Springs Worth Chasing. Internet website: <https://travelnevada.com/adventures/32947/6-natural-nevada-hot-springs-worth-chasing>.
- \_\_\_\_\_. 2017b. Soldier Meadows Ranch & Lodge. Internet website: <https://travelnevada.com/places/27207/soldier-meadows-ranch-and-lodge>.
- Trombulak, S. C., and C. A. Frissell. 2000. "Review of ecological effects of roads on terrestrial and aquatic communities." *Conservation Biology* 14: 18–30.
- US Census Bureau 2010. Decennial Census data. Internet website: <https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>.
- \_\_\_\_\_. 2015. Poverty threshold. Internet website: <https://www.census.gov/data/tables/time-series/demo/income-poverty/historical-poverty-thresholds.html>.
- \_\_\_\_\_. 2016. 2012–2016 American Community Survey (ACS) 5-Year Estimates. Internet website: <https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>.
- \_\_\_\_\_. 2017. Annual Estimates of the Resident Population by Sex, Single Year of Age, Race Alone or in Combination, and Hispanic Origin for the United States: April 1, 2010 to July 1, 2017. Internet website: [https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=PEP\\_2017\\_PEPALL5N&prodType=table](https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=PEP_2017_PEPALL5N&prodType=table).
- US Congress. 1964. The Wilderness Act. Public Law 88-577 (16 USC 1131–1136). September 3, 1964 (as amended). Washington, DC.

- USDA NRCS (United States Department of Agriculture, National Resource Conservation Service). 1998. Soil Survey of Pershing County, Nevada, West Part. Internet website: [https://www.nrcs.usda.gov/Internet/FSE\\_MANUSCRIPTS/nevada/NV761/0/PershingWest.pdf](https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/nevada/NV761/0/PershingWest.pdf).
- \_\_\_\_\_. 2017. Introduced, Invasive, and Noxious Plants—Federal Noxious Weeds. Internet website: <https://plants.usda.gov/java/noxious>.
- US EPA (United States Environmental Protection Agency). 1998. Illegal Dumping Prevention Guidebook. Region 5. EPA905-B-97-001. March 1998. Internet website: <https://archive.epa.gov/wastes/wyl/web/pdf/illegal.pdf>.
- \_\_\_\_\_. 2004. AERMOD: Description of Model Formulation. Internet website: [https://www3.epa.gov/scram001/7thconf/aermod/aermod\\_mfd.pdf](https://www3.epa.gov/scram001/7thconf/aermod/aermod_mfd.pdf).
- \_\_\_\_\_. 2011. Water: Drinking Water Contaminants. Internet website: <http://water.epa.gov/drink/contaminants/index.cfm#List>.
- \_\_\_\_\_. 2014. National Emission Inventory (NEI) Data. Internet website: ~~Available online at: <https://www.epa.gov/air-emissions-inventories/2014-national-emissions-inventory-nei-data>. Accessed September 20, 2018.~~
- \_\_\_\_\_. 2017a. NAAQS Table. Internet website: <https://www.epa.gov/criteria-air-pollutants/naaqs-table>.
- \_\_\_\_\_. 2017b. Inventory of US Greenhouse Gas Emissions and Sinks: 1990–2012. Internet website: <http://www.epa.gov/climatechange/ghgemissions/usinventoryreport.html>.
- \_\_\_\_\_. 2018. Air Quality Index Basics for Ozone and Particle Pollution. Internet website: <https://airnow.gov/aqi/aqi-basics>.
- ~~USDA NRCS (United States Department of Agriculture, National Resource Conservation Service). 1998. Soil Survey of Pershing County, Nevada, West Part.~~
- ~~\_\_\_\_\_. 2017. Introduced, Invasive, and Noxious Plants—Federal Noxious Weeds. Internet website: <https://plants.usda.gov/java/noxious>.~~
- USFWS (United States Fish and Wildlife Service). 1992. Cui-ui (*Chasmistes cujus*) Recovery Plan. Second revision. Portland, Oregon.
- \_\_\_\_\_. 1995. Recovery Plan for Lahontan Cutthroat Trout, *Oncorhynchus clarki henshawi*. Portland, Oregon.
- \_\_\_\_\_. 1997. Recovery Plan for the Rare Species of Soldier Meadows. Portland, Oregon.
- \_\_\_\_\_. 2008. Birds of Conservation Concern 2008. USFWS Division of Migratory Bird Management, Arlington, Virginia.
- \_\_\_\_\_. 2013. Migratory Bird Treaty Act Protected Species (10.13 List). Internet website: <https://www.fws.gov/birds/management/managed-species/migratory-bird-treaty-act-protected-species.php>.

- \_\_\_\_\_. 2014a. Endangered Species Mountain-Prairie Region. Wolverine. Internet website: <https://www.fws.gov/mountain-prairie/es/species/mammals/wolverine/>.
- \_\_\_\_\_. 2014b. Cui-ui (*Chasmistes cujus*). Internet website: [https://www.fws.gov/nevada/protected\\_species/fish/species/cuiui.html](https://www.fws.gov/nevada/protected_species/fish/species/cuiui.html).
- \_\_\_\_\_. 2014c. Lahontan cutthroat trout (*Oncorhynchus clarki henshawi*). Internet website: [https://www.fws.gov/nevada/protected\\_species/fish/species/lct.html](https://www.fws.gov/nevada/protected_species/fish/species/lct.html).
- \_\_\_\_\_. 2014d. Carson wandering skipper (*Pseudocopa eunus obscurus*). Internet website: [https://www.fws.gov/nevada/protected\\_species/inverts/species/cws.html](https://www.fws.gov/nevada/protected_species/inverts/species/cws.html).
- \_\_\_\_\_. 2014e. Steamboat buckwheat (*Eriogonum ovalifolium* var. *williamsiae*). Internet website: [https://www.fws.gov/nevada/protected\\_species/plants/species/steamboat\\_buckwheat.html](https://www.fws.gov/nevada/protected_species/plants/species/steamboat_buckwheat.html).
- \_\_\_\_\_. 2014f. Webber's ivesia (*Ivesia webberi*). Internet website: [https://www.fws.gov/nevada/nv\\_species/webber\\_ivesia.html](https://www.fws.gov/nevada/nv_species/webber_ivesia.html).
- \_\_\_\_\_. 2017. Analysis Response Re: Burning Man Event Special Recreation Permit EIS, December 8, 2017. USFWS, Reno, Nevada.
- USFWS GIS 2017. National Wetland Inventory (NWI) GIS data. Internet website: <https://www.fws.gov/wetlands/data/data-download.html>.
- ~~USGS (United States Geological Survey). GIS. 2016. GIS data for greater sage grouse habitat in Nevada and Northeastern California. Internet website: <https://www.sciencebase.gov/catalog/item/56af923be4b036ee44b8dd8f>.~~
- Van Hassel, J. H., J. J. Ney, and D. L. Garling. 1980. "Heavy metals in a stream ecosystem at sites near highways." *Trans. Am. Fish. Soc.* 109: 636–643.
- Van Langevelde, F., & C. F. Jaarsma, C. F. 2005. "Using traffic flow theory to model traffic mortality in mammals." *Landscape Ecology* 19(8): 895–907.
- Vinyard, G. L. 1996. "Distribution of a thermal endemic minnow, the desert dace (*Eremichthys acros*), and observations of impacts of water diversion on its population." *The Great Basin Naturalist* 360–368.
- Walston, L. J., K. E. Rollins, K. E., K. P. Smith, K. PE. LaGory, K. E., Sinclair, KC. Turchi, C., & H. Souder, H. 2015. A Review of Avian Monitoring and Mitigation Information at Existing Utility-Scale Solar Facilities (No. ANL/EVS-15/2). Argonne National Lab. (ANL), Argonne, Illinois, L (United States).
- Walther, Gian-Reto, Eric Post, Peter Convey, Annette Menzel, Camille Parmesan, Trevor J. C. Beebee, Jean-Marc Fromentin, ~~Ove Hoegh-Guldberg, and Franz Bairlein et al.~~ 2002. "Ecological responses to recent climate change." *Nature* 416, no. (6879): p. 389.
- The Washington Post*. 2018. "The Rise of Burning Man." August 23, 2018. Internet website: [https://www.washingtonpost.com/graphics/2018/lifestyle/burning-man/?utm\\_term=.814b63fb616e](https://www.washingtonpost.com/graphics/2018/lifestyle/burning-man/?utm_term=.814b63fb616e).

- Washoe County. 2017a. After Action draft report. Community Services Department. Operations Division. December 2017. Reno, Nevada.
- \_\_\_\_\_. 2017b. After Action draft report. Community Services Department. Operations Division. December 2017. Reno, Nevada.
- \_\_\_\_\_. 2018. Business License Fees. Internet website: [https://www.washoecounty.us/csd/planning\\_and\\_development/business\\_license/business\\_license\\_files/business%20license%20fees,%20December%202016.pdf](https://www.washoecounty.us/csd/planning_and_development/business_license/business_license_files/business%20license%20fees,%20December%202016.pdf).
- WBWG (Western Bat Working Group). 2017. Western Bat Species. Internet website: <http://wbwg.org/western-bat-species/>.
- Wenger, S. J., D. J. Isaak, C. H. Luce, et al. 2011. "Flow regime, temperature, and biotic interactions drive differential declines of trout species under climate change." *Proceedings of the National Academy of Sciences* 108: 14175–14180, doi:10.1073/pnas.1103097108.
- Westbrooks, R. 1998. Invasive Plants, Changing the Landscape of America: Fact Book. Federal Interagency Committee for the Management of Noxious and Exotic Weeds, Washington, DC.
- WETLAB (Western Environmental Testing Laboratory). 2011. Analytical Report, Customer Sample ID: Fly Ranch. Prepared for Bureau of Land Management, Winnemucca, Nevada. November 14, 2011.
- Wildlife Action Plan Team. 2012. Nevada Wildlife Action Plan. Nevada Department of Wildlife, Reno, Nevada. Internet website: [http://www.ndow.org/Nevada\\_Wildlife/Conservation/Nevada\\_Wildlife\\_Action\\_Plan/](http://www.ndow.org/Nevada_Wildlife/Conservation/Nevada_Wildlife_Action_Plan/).
- WRCC (Western Regional Climate Center). 2017. Local Climate Data (LCD) for Lovelock Derby Field Airport. Internet website: [https://wrcc.dri.edu/Climate/west\\_lcd\\_show.php?iyear=2008&sstate=NV&stag=lovelock&sloc=Lovelock](https://wrcc.dri.edu/Climate/west_lcd_show.php?iyear=2008&sstate=NV&stag=lovelock&sloc=Lovelock).

This page intentionally left blank.

---

# Appendix J

## List of Preparers

This page intentionally left blank.

# Appendix J. List of Preparers

This EIS was prepared by an interdisciplinary team of staff from the BLM and Environmental Management and Planning Solutions, Inc. (EMPSi), with their supporting subcontractors. The following is a list of people that prepared or contributed to the development of the EIS.

## BUREAU OF LAND MANAGEMENT

Team	Name	Role/Responsibility	Education
<b>Management</b>	Mark Hall	Field Office Manager, Native American religious concerns	PhD Anthropology MSE Mining and Metallurgy BSE Mining and Metallurgy MA Anthropology
	Chelsea McKinney	Acting Project Manager, visual resources, recreation	MS Recreation and Tourism Management BS Parks and Recreation Management
	Lynn Ricci	Planning and Environmental Coordinator	BS Biology
<b>Interdisciplinary</b>	Becky Andres	Law enforcement, public health and safety, including writing these sections of the EIS	MBA Concentration in Emergency Management BS Physical Anthropology
	Kathryn Ataman	Cultural resources, paleontological resources, national conservation area, national historic trails	PhD Prehistory MA Anthropology MA Near Eastern Archaeology BA Individ. Conc. in Archaeology
	Logan Briscoe	Law enforcement, public health and safety	BS Biology BA Sociology/Criminal Justice
	Kathleen Cadigan	Wildlife habitat, threatened and endangered species (plant and animal), special status species (plant and animal), migratory birds	BS Wildlife Ecology & Conservation and Biology (double major)
	Monica Castro	Waste, hazardous or solid	BS Geology MS Geology
	Kyle Hendrix	Public Affairs Specialist	BA Communications
	Andrew Laca	Soils	BS Agricultural Education AA Agriculture
	Michael McCampbell	Invasive, nonnative species (plants and animals)	MS Applied Ecology & Conservation Biology BA Biology
	Derek Messmer	Fire management	BS Natural and Environmental Resource Science – Forestry and Range Management
	Craig Nicholls	Air quality	MS Atmospheric Science BS Atmospheric Science
	Mark Pirtle	Law enforcement, public health and safety	BS Resource Management/Forestry
	Fernando Pitones	Public Outreach Specialist	BA Business Management (estimated completion December 2019)
	Zwaantije Rorex	GIS	BA Geography

**BUREAU OF LAND MANAGEMENT (continued)**

<b>Team</b>	<b>Name</b>	<b>Role/Responsibility</b>	<b>Education</b>
<b>Interdisciplinary (continued)</b>	Kenneth Shedden	Wilderness and wilderness study area, lands with wilderness characteristics	MS Environmental Management BS Applied Science
	Josh Sidon	Social values, environmental justice, economics	PhD Economics MA Economics BSE Civil and Environmental Engineering
	Julie A. Suhr Pierce	Social values, environmental justice, economics	PhD Natural Resource, Environmental, and Public Economics
	Tanner Whetstone	Native American religious concerns	BA Anthropology

**CONSULTANTS:****ENVIRONMENTAL MANAGEMENT AND PLANNING SOLUTIONS, INC.**

WWW.EMPSI.COM

<b>Team</b>	<b>Name</b>	<b>Role/Responsibility</b>	<b>Education</b>
<b>Core</b>	Holly Prohaska	Project Manager	MS Environmental Management BA Marine Science/Biology
	Peter Gower	Assistant Project Manager	MS Land Use Planning BS Geography BA Political Science
	Jennifer Thies	QA/QC Specialist, socioeconomics	MS Resource Management BS Conservation and Resource Studies
	Zoe Ghali	Socioeconomics lead	MS Environmental Physiology Interdisciplinary Masters Certificate, Environmental Policy BS Biology
<b>ID Team and Support Staff</b>	Amy Cordle	Air quality	BS Civil Engineering
	Sean Cottle	Special designations (including national conservation area, wilderness study area, and wilderness), decision file coordinator, ePlanning and comment analysis	BS Ecohydrology
	Mattea Curtis	Recreation, document support	BS Environmental Management and Protection
	Annie Daly	Air Quality	BA Environmental Studies
	Kevin Doyle	Cultural resources, Native American religious concerns, paleontology	BA Sociology
	Derek Holmgren	Visual resources, noise, water resources, soil (Playa) resources, and wastes, hazardous or solid	MS Environmental Science MPA Environmental Policy and Natural Resources Management BA Environmental Science
	Kate Krebs	Special designations (including national conservation area, wilderness study area, and wilderness QA), visual resources	BA Environmental Studies and Spanish

Team	Name	Role/Responsibility	Education
<b>ID Team and Support Staff</b> (continued)	Laura Patten	Water resources, soil (playa) resources	MA Environmental Law and Policy BA Economics
	Kevin Rice	Wildlife/special status species	BS Environmental Science
	Marcia Rickey	GIS and data	MS Biology, Conservation Biology Sequence BS Biology
	Chad Ricklefs	Recreation	MURP Environmental Planning BA Political Science and Environmental Conservation
	Cindy Schad	Word Processing/508 Compliance	BFA Creative Writing
	Andy Spellmeyer	Wildlife/special status species	MS Biology BS Biology
	Angelo Sisante	Traffic and transportation, document support	MS Resource Economics BS Economics
	Morgan Trieger	Special status species, vegetation, weeds, migratory birds, fish, and wildlife	BS Conservation and Resource Studies
	Brian Vahey	Word Processing/508 Compliance	BFA, Film and TV Production
	Randolph Varney	Technical Editor	MFA Writing BA Technical and Professional Writing

**TRINITY CONSULTANTS**

Name	Role/Responsibility	Education
David Strohm	Air Quality	BS Meteorology

**COMMUNITY PASTS**

Name	Role/Responsibility	Education
Terri McBride	Cultural resources, Native American religious concerns, paleontology	MA Anthropology BA Art

**WESTERN RESEARCH COMPANY INC.**

Name	Role/Responsibility	Education
Eric Crane PhD	Night skies	PhD Astrophysics BS Physics, Mathematics, Astronomy

**CHARLES M. SALTER ASSOCIATES**

Name	Role/Responsibility	Education
Alexander Salter	Noise	BS Engineering Mechanics

**ECONORTHWEST**

Name	Role/Responsibility	Education
Joel Ainsworth	Socioeconomics and environmental justice	MS Applied Economics BA Economics
Sarah Reich	Socioeconomics and environmental justice	MA Urban and Environmental Policy and Planning BS Environmental Economics, Policy, and Management

**SOLAEGUI ENGINEERS LTD.**

<b>Name</b>	<b>Role/Responsibility</b>	<b>Education</b>
Paul Solaegui, PE, PTOE	Traffic and transportation	BS Civil Engineering

---

**FAR WESTERN ANTHROPOLOGICAL RESEARCH GROUP, INC.**

<b>Name</b>	<b>Role/Responsibility</b>	<b>Education</b>
D. Craig Young, PhD	Cultural resources and National Historic Trails	PhD Anthropology MA Anthropology

---

---

# Appendix K

Public Comments and BLM Response

This page intentionally left blank.

---

# TABLE OF CONTENTS

Appendix

Page

---

<b>APPENDIX K. PUBLIC COMMENTS AND BLM RESPONSE .....</b>	<b>K-1</b>
K.1    Draft EIS Comment Process .....	K-1
K.1.1    Letter Campaigns.....	K-3
K.2    Public Comments and BLM Responses .....	K-3

---

## ATTACHMENTS

---

1	Substantive Public Comments and BLM Responses
2	Project Proponent Comments and BLM Responses

This page intentionally left blank.

# Appendix K. Public Comments and BLM Response

This appendix presents comments the BLM received on the Burning Man Special Recreation Permit Draft Environmental Impact Statement. It also includes a description of the public comment process, how all comments were considered, and responses to all substantive comments.

## K.1 DRAFT EIS COMMENT PROCESS

The National Environmental Policy Act (NEPA) requires that all substantive comments received before reaching a decision must be considered to the extent feasible, and that agencies must respond to all substantive written comments submitted during the public comment period for an EIS (40 CFR 1503.4). In order to merit a written response, comments must be in writing (including paper or electronic format or a court reporter's transcript taken at a formal hearing), substantive, and timely.

Although the BLM diligently considered each comment letter, the comment analysis process involved determining if a comment was substantive or non-substantive. In performing this analysis, the BLM relied on Section 6.9.2, Comments, in the BLM NEPA Handbook H-1790-1 to determine what constituted a substantive comment.

A substantive comment does one or more of the following:

- Questions, with a reasonable basis, the accuracy and adequacy of the information or analysis in the EIS
- Presents reasonable alternatives other than those in the Draft EIS that meet the purpose of and need for the proposed action and address significant issues
- Questions, with a reasonable basis, the merits of an alternative or alternatives
- Causes changes in or revisions to the proposed action
- Questions, with a reasonable basis, the adequacy of the planning process itself

Additionally, the BLM's NEPA handbook identifies the following types of substantive comments:

- Comments on the Adequacy of the Analysis—Comments that express a professional disagreement with the conclusions of the analysis or assert that the analysis is inadequate are considered substantive; they may or may not lead to changes in the Final EIS. Interpretations of analyses should be based on professional expertise. Where there is disagreement within a professional discipline, a careful review of the various interpretations is warranted. In some cases, public comments may necessitate a reevaluation of analytical conclusions. If, after reevaluation, the BLM Authorized Officer responsible for preparing the EIS does not think that a change is warranted, the response should provide the rationale for that conclusion.
- Comments That Identify New Impacts, Alternatives, or Mitigation Measures—Public comments on a Draft EIS that identify impacts, alternatives, or mitigation measures that were not addressed in the draft are considered substantive. This type of comment requires the BLM Authorized Officer to determine if it warrants further consideration; if so, he or she must

determine if the new impacts, new alternatives, or new mitigation measures should be analyzed in the Final EIS, in a supplement to the Draft EIS, or in a completely revised and recirculated Draft EIS.

- Disagreements with Significance Determinations—Comments that directly or indirectly question, with a reasonable basis, determinations on the significance or severity of impacts are considered substantive. A reevaluation of these determinations may be warranted and may lead to changes in the Final EIS. If, after reevaluation, the BLM Authorized Officer does not think that a change is warranted, the BLM's response should provide the rationale for that conclusion.

Comments that failed to meet the above descriptions were considered non-substantive.

The Draft EIS was published on March 15, 2019, followed by a 45-day public comment period ending on April 29, 2019, to receive comments on the Draft EIS. The BLM received written comments by mail, fax, email, and hardcopy comment sheets submitted at public meetings, and through the online comment form on the ePlanning project website.

The BLM held public meetings during the comment period in Sparks and Lovelock during April 2019. These meetings occurred:

- April 8, 2019: Nugget Casino Resort, 1100 Nugget Avenue, Sparks, NV 89431
- April 9, 2019: Pershing County Community Center, Lovelock, NV 89419

Comments received covered a wide spectrum of thoughts, opinions, ideas, and concerns. The BLM recognizes that commenters invested considerable time and effort to submit comments on the Draft EIS. The agency developed a comment analysis method to ensure that all comments were considered, as directed by NEPA regulations. This systematic process ensured that the BLM tracked and considered all substantive comments.

On receipt, each comment letter was assigned an identification number and logged into a database that allowed the BLM to organize, categorize, and respond. Substantive comments from each letter were coded to appropriate categories, based on content, and the link to the commenter was retained. The categories generally follow the sections presented in the Draft EIS, though some related to the planning process or grammar and formatting concerns.

The BLM grouped together comments similar to each other and prepared one response for each group of similar comments. The BLM crafted responses to respond to the comments and to note if a change to the EIS was warranted.

The BLM received a total of 2,061 submissions; 1,736 of these were considered unique submissions, and 325 were form letter campaigns (discussed further below in **Section K.1.1**). These comment submissions included 2,547 substantive comments that were coded and organized by topic or resource they addressed. Many comments received throughout the comment analysis process expressed personal opinions or preferences, had little relevance to the adequacy or accuracy of the Draft EIS, or represented commentary on resource management that is outside the scope of the planning process. These commenters did not provide specific information to assist the planning team in making a change to the Proposed Action, did not suggest other alternatives, and did not take issue with methods used in the Draft EIS; these comments are not addressed further in this document.

The BLM read, analyzed, and considered all comments, including those of a personal or philosophical nature and all opinions, feelings, and preferences for one element or one alternative over another. Because such comments were not substantive, the BLM did not respond to them. It is also important to note that, while the BLM reviewed and considered all comments, none were counted as votes. The NEPA public comment period is neither an election nor does it result in a representative sampling of the population; therefore, public comments are not appropriate to be used as a democratic decision-making tool or as a scientific sampling mechanism.

The BLM reviewed and incorporated comments citing grammar and formatting suggested changes to the document. The Final EIS has been technically edited and revised to fix typos, missing references, definitions, and acronyms; it provides other clarifications as needed.

### **K.1.1 Letter Campaigns**

Several organizations and groups held standardized letter campaigns to submit comments during the public comment period for the Draft EIS. Through this process, their constituents were able to submit the standard letter or a modified version of the letter indicating support for the group's position on the BLM management actions. Individuals who submitted a modified standard letter generally added new comments or information to the letter or edited it to reflect their main concerns. The BLM received 325 campaign letters from 74 separate organizations and groups, most of which were identical to the master letter. The BLM gave modified letters with unique comments their own submission number and coded them appropriately.

## **K.2 PUBLIC COMMENTS AND BLM RESPONSES**

The BLM assigned a letter to every unique communication received during the Draft EIS public comment period. Within each written communication, substantive comments were categorized and given a unique identifier. The BLM determined some letters to be non-substantive in their entirety and did not include them in this volume. **Attachment 1** contains all substantive comments received during the review period for the Draft EIS and includes the BLM's responses. **Attachment 2** contains the project proponent comments on the Draft EIS and includes the BLM's responses. Copies of all substantive comment letters are available upon request from the BLM Winnemucca District Office.

This page intentionally left blank.

---

# Attachment I

Substantive Public Comments and BLM Responses

This page intentionally left blank.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
603	1	NEPA	103.0000.00	N/A	Can the BLM demonstrate what the \$280,000 was spent on, as noted in the Draft EIS cover page?	N/A	Per the Deputy Secretary Memorandum dated July 23, 2018, "Reporting Costs Associated with Developing Environmental Impact Statements," the environmental review costs include "lead Agency's personnel, contractors, or other direct costs associated with project authorization and NEPA compliance, but do not include the estimated costs incurred by cooperating Agencies. 'Environmental review costs' also include the lead Agency's costs associated with complying with laws other than NEPA, such as the Endangered Species Act or the National Historic Preservation Act, that are necessary for the lead Agency to authorize the proposed action evaluated by the EIS."
1901	3	Public Outreach	103.0100.00	PO-1	Likely the most-affected group of people are in the Burning Man community. They probably outnumber most or all of the other nearby local stakeholders, combined. And yet, I don't see any mention of the BLM approaching the Burning Man community in a way that's culturally appropriate and likely to result in a sincere requirements development process, as befitting the central stakeholder of the entire project.	Commenters expressed concern that the BLM outreach to the Burning Man community was inadequate for fostering effective participation in the process in that it was not culturally appropriate.	In accordance with NEPA and CEQ regulations, the BLM solicited input from the public during three public outreach meetings in December 2017, two meetings during scoping in June 2018, and two meetings during the DEIS public comment period in April 2019. Additionally, the BLM sent notifications and press releases to the project mailing list. It is the BLM's understanding that BRC has provided the Burning Man community with information via its blog and regular newsletter, Jackrabbit Speaks, regarding the EIS process.
1901	4	Public Outreach	103.0100.00	N/A	As I recall, the statistics quoted indicated that more than 56% of the Burning Man community resides in California, and it's a fair guess that most of these are in the SF Bay Area. Yet, if the BLM did culturally appropriate outreach to the Burning Man community, I didn't see mention of that in the reports.	See Public Concern Statement PO-1.	See Public Concern Statement PO-1.
314	1	Public Outreach	103.0100.00	N/A	I suggest BLM add public meetings in the Bay Area and the Portland area since far more attendees live in those areas than live in Lovelock and Reno.	N/A	No additional public meetings are needed. The release of the DEIS was published in the Federal Register on March 15, 2019. Notifications and press releases were sent to the project mailing list announcing the public meetings, which were held in Sparks, Nevada, on April 8, 2019, and Lovelock, Nevada, on April 9, 2019.
1456	1	Public Outreach	103.0100.00	N/A	I also think it'd be great if all the comments were published!	N/A	Public comments received on the DEIS are included as Appendix K of the FEIS.
1003	2	Cooperating Agency relationships	103.0200.00	CAR-1	Table 4-2 (on p. 4-3 of the EIS) reveals the US EPA was, indeed, among the "Cooperating Agencies." They were invited, accepted and signed an MOU (p. 4-2). However, the state level NDEP and their departmental divisions of BAPC and Bureau of Water Pollution Control were not. Unlike other Nevada state entities (i.e. NDOT, NDOW, NDEM and NHP under the DPS and the NSFM), both NDEP entities were not articulated. A catch-all seems to exist via "[o]ther state agencies determine through the Nevada State Clearinghouse," but the disposition of NDEP's two bureaus, in terms of invitation, acceptance and/or signage of the MOU, cannot be discerned. Thus, the state level details of permitting--regarding air pollution under the CAA—remains mysterious.	Commenters stated that the EIS did not adequately describe the role of specific state and federal agencies, such as the Nevada Division of Environmental Protection and the United States Army Corps of Engineers. Commenters questioned whether these agencies were invited to participate as cooperating agencies and whether they had accepted and signed a Memorandum of Understanding with BLM.	Chapter 4 of the DEIS identifies the agencies and tribes invited to be cooperating agencies for the EIS. In compliance with 40 CFR 1501.7, 1502.19, and 1503, the BLM carried out consultation, coordination, and public involvement with federal agencies, state and local governments, and tribes known to have a responsibility by law or that could lend specific expertise to the process. It was not known at the start of the EIS process that the playa might include jurisdictional waters and be subject to USACE jurisdiction. NDEP was invited to be a cooperator through a standard request sent to the Nevada State Clearinghouse (see Table 4-2 in the DEIS).

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
990	1	Cooperating Agency relationships	103.0200.00	N/A	If the EIS ACOE-based contingencies are incomplete, what else could this affect? Table 4-2 reveals the US ACOE was not among "Cooperating Agencies." Apparently, it was not invited a chance to accept and sign an MOU.	See Public Concern Statement CAR-1.	See Public Concern Statement CAR-1.
1003	3	Cooperating Agency relationships	103.0200.00	N/A	Because of the lack of inter-organizational involvement, the EIS cannot be fully analyzed. Missing are detailed discussions from or about the NDEPBAPC regarding air quality. The bureau cannot be determined to be among those "Cooperative," (Table 4-2). Yet they may plan, authorize and implement factors of air quality. Thus, a "full and fair discussion of significant environmental impacts," as required by 40 C.F.R. § 1502.1. (2019), cannot be achieved. Therefore, the associated mitigation and monitoring measures, as well as those that are referential or linked, should be removed from the Final EIS.	See Public Concern Statement CAR-1.	See Public Concern Statement CAR-1.
1850	1	Range of Alternatives	103.0500.00	N/A	The BLM has provided five alternatives in the draft EIS ranging from the proposed action, to increasing event population to 100,000 participants, to reducing event population to 50,000, to moving the event to another site on the playa, to not changing the event population, to not permitting the event. The Sierra Club cannot support any of the alternatives since the draft EIS does not ask, and answer, the critical question of what is the carrying capacity of the Black Rock Desert playa for this type of event or the question whether the BRC and the BLM can sustain the event without unacceptable environmental impacts. We maintain that additional monitoring activities are needed before these questions can be answered.	N/A	The BLM considered a reasonable range of alternatives during the EIS development process, in full compliance with the NEPA. The CEQ regulations (40 CFR 1502.1) require that the BLM consider reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. While there are many possible alternatives related to issuing an SRP for the Event, the BLM fully considered the key issues identified by the public, tribal governments, cooperating agencies, and BLM staff during the scoping process to determine a reasonable range of alternatives. As a result, five alternatives were analyzed in detail in the DEIS that best addressed the issues and concerns identified by the affected public. The range of alternatives in the DEIS represented a full spectrum of options, including a No Population Change/Action Alternative (Alternative D), and a No Permit/Event Alternative (Alternative E). Chapter 3 of the DEIS discloses the environmental consequences associated with each alternative. If the No Permit/Event Alternative were implemented, the carrying capacity of the Black Rock Desert playa would not be impacted.
1987	1	Range of Alternatives	103.0500.00	N/A	TRAFFIC: Much has been said about traffic, but few real solutions. BM could: - Implement an express lane, for cars with 3 or more people. (This would incentivize carpooling, and speed up gate). - Implement a fast entry lane or gate, exclusively for people returning (who are doing laps, between BRC/Gerlach to fetch supplies). - Have a designated lane or gate for RV. It presumably takes longer to search an RV than a small passenger car. - Close the gate less often. Rumored they close 30 minutes on all shift changes. - Allow a select number of camp owned trucks to enter early - about 2 weeks early - thereby reducing the number of vehicles entering during peak arrival. (Basically, a version of McKinley park, but for camp-owned trucks and trailers). - Open McKinley park 1-2 weeks earlier, and allow all commercial truckers to deliver their loads much earlier, thereby reducing traffic. Incentivize it economically, ie \$200 if your semi-trailer is delivered 2 weeks early; \$400 if your semi-trailer arrives 1 week early; \$600 if your semi-trailer arrives after the gates open to the public. - Encourage commercial truckers NOT to remove semi-trailers during exodus (right now, the incentive is for them to leave the playa as fast as possible).	N/A	Traffic management and access are described for each alternative in Sections 2.2 through 2.6 of the DEIS. Before each Event, BRC would submit a traffic plan to the BLM, which could incorporate the commenter's suggestions.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1212	1	Range of Alternatives	103.0500.00	N/A	At present, the EIS has been conducted on 4 scenarios - grow, stay the same or not happen at all. What about evaluating scenarios for a decreased population - say 20,000, 40,000, 60,000? All scenarios shall be explored to understand the full breadth of options and impact by this event. There is a tipping point to which more people only increase any impacts. Ideally, this event's population would fall under that tipping point, reducing the need for comprehensive mitigations that are proposed in the current EIS. In order to find the tipping point, however, more studies need to be done.	N/A	A reduced population alternative has been evaluated as Alternative B (see Section 2.3 of the DEIS). Under this alternative, the BLM would issue an SRP for the Event; however, the BLM would cap the maximum population at 50,000.
1987	2	Range of Alternatives	103.0500.00	N/A	BUSSES: - The present bus system is only offered during the main event, and only 1 day of early arrival. There could be more busses during early arrival. If 20,000 people enter the event during early arrival period via private car, that's 20,000 people in cars who must leave via car during exodus. If busses were offered during the early arrival period, perhaps less people would need to depart in a car, during exodus. - If you make it easier for theme camps to get their cargo into the event, then more people can ride the bus. Though people argue the people on busses can't bring any gear, therefore they can contribute very little, that's simply not true. Our camp, about 80% of the people ride the bus, and many contributed as much as anyone at BM. BLM/BM need only figure out a way to better incentivize the bus. The fact it can go thru the main gate quicker, and leave via the commercial gate is substantial. But more could be done. Why not increase the allocation of BM tickets - sold with the bus - from 1500 to 5,000, or even 20,000?	N/A	Traffic management and access are described for each alternative in Sections 2.2 through 2.6 of the DEIS. Before each Event, BRC would submit a traffic plan to the BLM, which could incorporate the commenter's suggestions.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1672	3	Range of Alternatives	103.0500.00	N/A	<p>TRAFFIC: Much has been said about traffic, but few real solutions. BM could: - Implement an express lane, for cars with 3 or more people. (This would incentivize carpooling, and speed up gate). - Implement a fast entry lane or gate, exclusively for people returning (who are doing laps, between BRC/Gerlach to fetch supplies). - Have a designated lane or gate for RV. It presumably takes longer to search an RV than a small passenger car. - Close the gate less often. Rumored they close 30 minutes on all shift changes. - Allow a select number of camp owned trucks to enter early - about 2 weeks early - thereby reducing the number of vehicles entering during peak arrival. (Basically, a version of McKinley park, but for camp-owned trucks and trailers). - Open McKinley park 1-2 weeks earlier, and allow all commercial truckers to deliver their loads much earlier, thereby reducing traffic. Incentivize it economically, ie \$200 if your semi-trailer is delivered 2 weeks early; \$400 if your semitrailer arrives 1 week early; \$600 if your semi-trailer arrives after the gates open to the public. - Encourage commercial truckers NOT to remove semi-trailers during exodus (right now, the incentive is for them to leave the playa as fast as possible). BUSES: - The present bus system is only offered during the main event, and only 1 day of early arrival. There could be more busses during early arrival. If 20,000 people enter the event during early arrival period via private car, that's 20,000 people in cars who must leave via car during exodus. If busses were offered during the early arrival period, perhaps less people would need to depart in a car, during exodus. - If you make it easier for theme camps to get their cargo into the event, then more people can ride the bus. Though people argue the people on busses can't bring any gear, therefore they can contribute very little, that's simply not true. Our camp, about 80% of the people ride the bus, and many contributed as much as anyone at BM. BLM/BM need only figure out a way to better incentivize the bus. The fact it can go thru the main gate quicker, and leave via the commercial gate is substantial. But more could be done. Why not increase the allocation of BM tickets - sold with the bus - from 1500 to 5,000, or even 20,000? RAIL: It's unfortunate the rail line, which goes all the way from Reno to Gerlach, is not used for passengers. There are festivals in Europe where few drive; participants simply take the train. If BM/BLM wanted to make a real impact, we should put our collective talents together and figure out how to implement some of the ideas above</p>	N/A	Traffic management and access are described for each alternative in Sections 2.2 through 2.6 of the DEIS. Before each Event, BRC would submit a traffic plan to the BLM, which could incorporate the commenter's suggestions.
333	1	Range of Alternatives	103.0500.00	N/A	I ask that BLM consider a 60,000 person restriction, rather than the 50,000 person restriction alternative.	N/A	A total event population of 60,000 would be covered by the range of alternatives between Alternative A (100,000) and Alternative B (50,000). As such, there is no justification for changes to the alternatives.
1847	7	Range of Alternatives	103.0500.00	N/A	B.2.3. Section 6. Event Cancellation. Language should be included that outlines a mechanism to be deployed in the event of early cancellation or evacuation of the event, for any reason, that allows for participants to return to the playa, once safe to do so, to collect and remove gear and materials they were unable to depart with before evacuating. Also, BRC must be released from any penalties related to the Oct 1 deadline to restore the playa in such event. Once safe to return after evacuation, BRC should work with BLM to set a new, mutually agreed upon date to complete playa restoration.	N/A	The Burning Man Project is responsible for Event operations. Each year, as part of their Plan of Operations, there is an evacuation plan that is approved by the BLM. The BLM has the authority through the SRP authorization process and Closure Order to apply stipulations on the event, including for playa restoration. Mitigation measures are also included as part of the EIS and will be considered for inclusion in the Record of Decision.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1847	9	Range of Alternatives	103.0500.00	N/A	On the general topic of Safety & Security, this EIS is missing one significant data point: a survey of the safety and security concerns and opinions of the participants of the event. Given how security schemes can have a huge impact on the culture of any event, especially one of this size and unique culture, no new security protocols should be implemented without canvassing the opinions of participants on where they believe law enforcement resources should be focused.	N/A	As described in Section 1.4, the BLM conducted public scoping to identify key issues raised by the public, including Event attendees. Public health and safety was one of these key issues (see Section 1.4.3 and the Public Scoping Summary Report). The alternatives were developed to address key issues, including those related to public health and safety.
231	2	Range of Alternatives	103.0500.00	N/A	I do feel there are some additional recommendations regardless of the alternatives chosen: 1. Encourage and facilitate "container" shipments to the event so more people can use mass transportation. Participants have had difficulty in the past with that process and some feel BRC does not actively promote it enough. Shipments from the east coast, west coast and in between could mitigate some of the traffic.	N/A	The Burning Man Project is responsible for operating their Event and has the opportunity to employ the suggested measures. The BLM has the authority through the SRP authorization process and Closure Order to apply stipulations on the Event.
1559	8	Range of Alternatives	103.0500.00	N/A	According to section 2.7.1 BLM provides that a location other than the Black Rock Desert would not meet the 'compatibility with the Event's Culture.' Does this comment mean that of the other locations researched, the other Counties would not allow a Festival such as Burning Man to be held within the confines of their Counties? If so, that is very telling on how this Festival should be handled. Either way, further clarity needs to be addressed on this comment.	N/A	Text in Section 2.7.1 of the FEIS has been updated for clarity.
1912	1	Range of Alternatives	103.0500.00	N/A	The proposed action summary is lacking any description on proposed cable length or supply for participants. Some napkin math easily proof the unreasonable burden to create such a power grid, in terms of material cost, and also wasted energy. Given a 2500 ft radius gives a 3 mile circumference, averaging a 200 feet street block, you gain 8% per circular street. results in about 300 miles of cables to serve the city. and even if you disregard the section between 10 and 2, which covers 1/3, you still have 200 miles of cable. The BLM should estimate the man hours it would involve on moving these cables, digging trenches, and the power loss for a central power grid.	N/A	The amount of trenching that occurs for the electrical grid varies from year to year. Since the USACE considers the playa as connected to the Waters of the US, it has jurisdiction over the issuance of an Section 404 Clean Water Act Nationwide Permit for the trenching.
1847	8	Range of Alternatives	103.0500.00	N/A	Please provide clarity if Tow Truck operators need an SRP to enter and service/remove vehicles at the event.	N/A	Under the current permit, tow truck operators are considered an emergency service and do not require an SRP.
297	2	Range of Alternatives	103.0500.00	N/A	Alternative A, increasing the closure areas and population of the BRC event, would increase impact on all resources associated with the Black Rock lakebed and surrounding area, and should not be adopted. If adopted, BRC Control of, and limiting access to, the general lakebed area and access via the 12 mile gate road should be limited to "build week", the event duration, and the initial 5 day demobilization period after the event. At minimum, "Closure Order Access Passes" used in 2018 should be continued for those attending rocket launches.	N/A	The impacts associated with each alternative are described for the resources in Chapter 3 of the DEIS. To reduce the likelihood for impacts, the BLM has included proposed Mitigation and Monitoring Measures in Appendix E.
1197	1	Range of Alternatives	103.0500.00	N/A	Curiously, in Chapter 2 (discussion of alternatives), it says in 2.2.2 (on page 2-3) that for a 100,000 person event, 1000 mutant vehicles/art cars would be licensed, while in 2.3 (page 2-11, the "Reduced Population Alternative") it says that for a 50,000 person event only 500 mutant vehicles/art cars would be allowed. Seeing as the primary interest in limiting the number of art cars is for pedestrian safety and to reduce general congestion, the limitation from 1000 to 500 art cars for the smaller event makes no sense. If 1000 art cars is deemed a safe number when 100,000 people are in attendance, why would it not be just as safe, or even safer, for there to be 1000 art cars around when only 50,000 people are present?	N/A	With the reduced attendance, the BLM's rationale was that there would be a reduced number of art cars in proportion to the population.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1589	2	Range of Alternatives	103.0500.00	N/A	<p>Land ownership may be an issue, but the following may ease concerns regarding terrestrial wildlife. The Western-most (Black Lined) square may be dividable. Specifically, this parcel is the main portal for participants to go onto the playa. Perhaps the lands to the north and west of the playa portal could be designated as "off limits," that is, if it has not already been before. Doing so could alleviate concerns about Bighorn habitat (slightly encroaching the black lined, square-like area, pink on the BRBR map), Mule Deer habitat (encroaching most of the the black lined, square-like area, pink on the BRBR map), Antelope (not encroaching this black lined area), and Sage-Grouse (encroaching in elevated contours above the black lined, square-like area, above the visible highway, green on the BRBR map). For Sage-Grouse, there also appears to be a small green area in the southwestern black lined area, on the BRBR map towards Trego Hot Springs. But, as Espinoza and Freeze reported, the sage-Grouse are simply not there in the designated "Other Habitat," at the time of the event so it should not be of concern. Because, according to NDOW Biologists, the wildlife simply are not there, mitigation measures SPEC-3 and SPEC-4 are unnecessary. It is really up to BLM staff to educate the public on these low-probability occurrences. A thoughtful alternative has been presented. But the associated mitigation measures for wildlife education should be removed.</p>	N/A	<p>The BLM considered a reasonable range of alternatives during the EIS development process, in full compliance with the NEPA. The CEQ regulations (40 CFR 1502.1) require that the BLM consider reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. While there are many possible alternatives related to issuing an SRP for the Event, the BLM fully considered the key issues identified by the public, tribal governments, cooperating agencies, and BLM staff during the scoping process to determine a reasonable range of alternatives. As a result, five alternatives were analyzed in detail in the DEIS that best addressed the issues and concerns identified by the affected public. The range of alternatives in the DEIS represented a full spectrum of options, including a No Population Change/Action Alternative (Alternative D), and a No Permit/Event Alternative (Alternative E). Chapter 3 of the DEIS discloses the environmental consequences associated with each alternative, including impacts on wildlife. A number of wildlife ranges overlap the biological resources assessment area, which includes the areas that could be directly and indirectly affected by the alternatives (see Section 2.1 of the Biological Baseline Report). This expands outside of the immediate Closure Area. The mitigation and monitoring measures proposed in Appendix E would be appropriate to apply in order to reduce impacts on wildlife. The only comments the BLM received from NDOW were during the scoping process; the BLM has not received any formal correspondence from NDOW on this EIS. Due to the signing of the ROD for the 2019 Nevada and Northeastern California Greater Sage Grouse Land Use Plan Amendment Record of Decision, mitigations for Greater Sage-Grouse have been adjusted to bring this document into accordance with the new Greater Sage-Grouse land use plans.</p>
1036	1	Range of Alternatives	103.0500.00	N/A	<p>Placement: The following should be placed just above the paragraph preceding the removal of mitigation measure PHS-3 within the original substantive Comment. Although sparse, the Black Rock Desert could have some "...surface water resources..." (BLM, 2019, p. 2-18). And, indeed, the playa could flood (Wildlife Action Plan Team, 2012, as cited within the Biological Resources Baseline Report, BLM, 2019).</p>	N/A	<p>The need for Clean Water Act permits will not be determined at this time. As described in Section 3.3.5 of the DEIS, the proponent would determine the need for a Nationwide Permit or Permits, in coordination with USACE. The proponent will present to the USACE the proposed alternative, including use of perimeter barriers. If needed, the proponent would obtain the permit or permits (see also Mitigation Measure WET-1). As such, mitigation measure PHS-3 will remain in the EIS.</p>

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1036	2	Range of Alternatives	103.0500.00	N/A	Placement: The following should be placed just above the paragraph trailing the removal of mitigation measure PHS-3 within the original substantive Comment. As above, BLM directs the reader's attention to ACOE Nationwide Permits #18 and #33. Both those permits require consideration of the "Final Sacramento District Nationwide Permit (NWP) Regional Conditions for Nevada and the lake Tahoe Basin in California." This is relevant to the groupings or linear placements—and replacements—of perimeter barriers and dumpsters. "h. For linear transportation crossings that propose to alter the pre-construction course, condition, capacity or location of open waters, the PCN shall include sufficient justification to determine that the proposed activity would result in a net increase in aquatic resource functions and services" (ACOE, Sacramento District, 2017, p. 2, whereby PCN is a pre-condition notification). Functions and service to be considered include surface water storage, sub-surface water storage, moderation of groundwater flow (ACOE, Sacramento District, 2017, p. 2-3). These ACOE requirements for similar justification also apply within: "j. For replacement linear transportation crossing..." (ACOE, Sacramento District, 2017, p. 3). Once can conclude that the linear transportation of placing and replacing perimeter barriers would be under scrutiny by the ACOE. However, these cannot be fully discerned because of the lack of ACOE discussion. Lacking the ability for full scholarship, this mitigation measure should be removed: PHS-3 "...physical perimeter barriers..."	N/A	The need for Clean Water Act permits will not be determined at this time. As described in Section 3.3.5 of the DEIS, the proponent would determine the need for a Nationwide Permit or Permits, in coordination with USACE. The proponent will present to the USACE the proposed alternative, including use of perimeter barriers. If needed, the proponent would obtain the permit or permits (see also Mitigation Measure WET-1). As such, mitigation measure PHS-3 will remain in the EIS.
1255	1	Range of Alternatives	103.0500.00	N/A	Alternative E of the 2019 EIS for Black Rock City mis-classifies the No-Action as "No Permit Being Granted". However, no action in EIS reports are meant to consider no changes to the current status quo, not revoking what already exists.	N/A	As described in Section 2.5, Alternative D is considered the No Population Change/Action Alternative. Alternative E is another alternative that the BLM considered, whereby no permit would be issued and is considered the no action alternative.
826	2	Best available information-baseline data	103.0600.00	BAIBD-1	<a href="https://www.weforum.org/agenda/2017/07/why-japanese-dont-litter/">https://www.weforum.org/agenda/2017/07/why-japanese-dont-litter/</a>	Commenters provided additional sources or studies that should be considered while preparing the Final EIS.	The BLM used the most recent and best information available that was relevant to the scope and scale of the EIS. Additionally, the BLM consulted with other agencies and collected and incorporated data from other agencies and sources, as described in Chapter 4 of the DEIS. Of the suggested studies and references put forth by the commenters, the BLM reviewed them to determine if they (1) presented new information that would need to be incorporated into the FEIS, (2) were references already included in the DEIS, or (3) provided the same information as already used or described in the DEIS. The BLM determined that several of these references contained new or relevant information, subsequently clarified the baseline and analysis in Chapter 3, and updated the references cited in Appendix I of the FEIS. Inclusion of this information does not present a seriously new or different picture of the impacts from what was analyzed in the DEIS. It also does not imply that information submitted/used in the DEIS would not result in impacts that were not previously considered and analyzed within the spectrum of the alternatives in the DEIS. In some cases, the additional literature was essentially the same as the sources used in the DEIS or did not provide additional relevant information; therefore, it was not incorporated in the FEIS.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
468	3	Best available information-baseline data	103.0600.00	N/A	Naaïm, M., Naaïm-Bouvet, F., & Martinez, H. (1998). Numerical simulation of drifting snow: Erosion and deposition models. <i>Annals of Glaciology</i> , 26, 191-196. doi:10.3189/1998AoS26-1-191-196	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.
1799	17	Best available information-baseline data	103.0600.00	N/A	The US Federal CDC has studied this problem and has developed a set of prevention strategies described as below: <a href="https://www.cdc.gov/violenceprevention/sexualviolence/prevention.html">https://www.cdc.gov/violenceprevention/sexualviolence/prevention.html</a> These include the following strategies, summarized briefly, a complete descriptive document is on the CDC website. * Promote Social Norms that Protect Against Violence * Teach Skills to Prevent Sexual Violence * Provide Opportunities to Empower and Support Girls and Women * Create Protective Environments * Support Victims/Survivors to Lessen Harms	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.
1090	1	Best available information-baseline data	103.0600.00	N/A	Please see attached recent publications in high ranking medical journals that are by no means exhaustive but do represent high quality investigation into the ranking of various substances and confirm that alcohol and tobacco confer substantially higher risks to health and safety than the substances BLM would propose to monitor.	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1655	19	Best available information-baseline data	103.0600.00	N/A	<p>References Cited: Baker, R. O. (2007). A review of successful urban coyote management programs implemented to prevent or reduce attacks on humans and pets in southern California. In "Proceedings of the 12th Wildlife Damage Management Conference" (D. L. Nolte, W. M. Arjo and D. H. Stalman, eds.), Corpus Christi, Texas. Bennett, A. T. D., Cuthill, I. C., Partridge, J. C., and Lunau, K. (1997). Ultraviolet plumage colors predict mate preferences in starlings. <i>Proceedings of the National Academy of Sciences</i> 94, 8618-8621. Colwell, M. A., George, T. L., and Golightly, R. T. (2015). A Predator Management Strategy to Address Corvid Impacts on Productivity of Snowy Plovers (<i>Charadrius alexandrinus</i>) and Marbled Murrelets (<i>Brachyramphus marmoratus</i>) in Coastal Northern California. Final Report submitted to US Fish and Wildlife Service, Arcata, California. Doppler, M. S., Blackwell, B. F., DeVault, T. L., and Fernández-Juricic, E. (2015). "Cowbird responses to aircraft with lights tuned to their eyes: Implications for bird-aircraft collisions," <i>BIOONE</i>. Gaston, K. J., Visser, M. E., and Hölker, F. (2015). The biological impacts of artificial light at night: the research challenge. <i>Philosophical Transactions of the Royal Society B: Biological Sciences</i> 370, 20140133. Gaylor, M. O., Harvey, E., and Hale, R. C. (2012). House crickets can accumulate polybrominated diphenyl ethers (PBDEs) directly from polyurethane foam common in consumer products. <i>Chemosphere</i> 86, 500-505. Harris, M. D., Lincoln, A. E., Amoroso, P. J., Stuck, B., and Sliney, D. (2003). Laser Eye Injuries in Military Occupations. <i>Aviation, Space, and Environmental Medicine</i> 74, 947-952. Hunt, S., Kilner, R. M., Langmore, N. E., and Bennett, A. T. D. (2003). Conspicuous, ultraviolet-rich mouth colours in begging chicks. <i>Proceedings of the Royal Society of London. Series B: Biological Sciences</i> 270, S25-S28. Kelly, B. P., Burns, J. J., and Quakenbush, L. T. (1988). Responses of ringed seals (<i>Phoca hispida</i>) to noise disturbance. <i>Port and ocean engineering under arctic conditions</i> 2, 27-38. Lind, O., Mitkus, M., Olsson, P., and Kelber, A. (2013). Ultraviolet sensitivity and colour vision in raptor foraging. <i>Journal of Experimental Biology</i> 216, 1819-1826. Reijnen, R., and Foppen, R. (1994). The effects of car traffic on breeding bird populations in woodland. I. Evidence of reduced habitat quality for willow warblers in woodland. <i>Journal of Applied ecology</i> 31, 85-94. Rich, C., and Longcore, T. (2006). "Ecological Consequences of Artificial Night Lighting," Island Press, Washington, DC. Sada, D. W., Rosamond, C., and Adams, K. D. (2013). Effects of Recreational use on Branchiopod Egg and Ehippia Density, Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, Nevada, USA. <i>Journal of Crustacean Biology</i> 33, 286-292. Sánchez-Bayo, F. (2006). Comparative acute toxicity of organic pollutants and reference values for crustaceans. I. Branchiopoda, Copepoda and Ostracoda. <i>Environmental Pollution</i> 139, 385-420. Shang, Y.-M., Wang, G.-S., Sliney, D., Yang, C.-H., and Lee, L.-L. (2014). White Light Emitting Diodes (LEDs) at Domestic Lighting Levels and Retinal Injury in a Rat Model. <i>Environmental Health Perspectives</i> 122, 269-276. Slabbekoorn, H., and Ripmeester, E. A. P. (2008). Birdsong and anthropogenic noise: implications and applications for conservation. <i>Molecular ecology</i> 17, 72-83. Smith, J. A., and Dwyer, J. F. (2016). Avian interactions with renewable energy infrastructure: An update. <i>The Condor: Ornithological Applications</i> 118, 411-423.</p>	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
497	1	Best available information-baseline data	103.0600.00	N/A	[https://www.neighborhoodscout.com/about-the-data/crime-rates, last visited March 29, 2019] The 2017 crime statistics for the Comparable Cities show a range of 7.13 to 75.32 crimes per thousand residents. The average is 31.36 crimes per thousand, and the median is 28.12. I have included a table with this information in an attachment to this letter. The cities and population counts are from the Census Bureau website cited above, and the crime statistics are from NeighborhoodScout.	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.
452	1	Best available information-baseline data	103.0600.00	N/A	3. Vehicular Terrorism, The Threat Behind the Wheel by G4S North America; https://www.g4s.com/en-ca/-/media/g4s/canada/files/whitepapers/usa/vehicular_terrorism_the_threat_behind_the_wheel.ashx?la=en 4. Perimeter security design, FEMA, https://www.fema.gov/media-librarydata/20130726-1624-20490-0371/430_ch4.pdf 5. Guidance for Deflection of Temporary Concrete Barrier in Temporary Work Zone Applications, Dept of Transport of Montana, 2015 6. Sicking, D.L., J.D. Reid and K.A. Polivka. Deflection Limits For Temporary Concrete Barriers. Technical Report. Pg. Lincoln: Midwest Roadside Safety Facility, 2002 7. PUBLIC HEALTH AND SAFETY AT THE BURNING MAN EVENT by US Department of the Interior, Bureau of Land Management, Winnemucca District, Nevada; MARCH 2019	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.
1036	4	Best available information-baseline data	103.0600.00	N/A	Note: The following are additional references: References ACEO. 2017. Nationwide Permits #18 and #33. ACOE, Sacramento District. 2017. Final Sacramento District Nationwide Permit (NWP) Regional Conditions for Nevada and the lake Tahoe Basin in California. Sacramento: ACOE. BLM. 2019. Biological Resources Baseline Report. BLM Winnemucca District Office, Winnemucca, Nevada. Wildlife Action Plan Team. 2012. Nevada Wildlife Action Plan. Nevada Department of Wildlife, Reno, NV.	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.
1764	3	Best available information-baseline data	103.0600.00	N/A	Submitted is a photo of a half-mile long dune that was inadvertently created by a solid line of cars parked too close to the fence for long duration at the entrance of Greeters during dust storms about 4 years ago. This is what the BLM K-Rails will do to the playa but 10 miles long and worse.	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.
2014	8	Best available information-baseline data	103.0600.00	N/A	For the past several years, we have collected after action reports which included NDOT costs to service the event. Suggest sharing after action reports for the past 10-years with BLM. This will help identify the change in impacts for a 10-year period.	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.
926	3	Best available information-baseline data	103.0600.00	N/A	Parker, G. H., and C. G. Blomme. 2007. "Fish-line entanglement of nesting mourning dove, Zenaida macroura." Canadian Field Naturalist 121: 436-437 o Paper is less than a page long and is a case report, not a research study. o In it, the author describes one bird that he found entangled in fish line outside of the city of Sudbury Ontario which has a population of 161,531 people.	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.
1846	1	Best available information-baseline data	103.0600.00	N/A	Goossens, Dirk, and Zvi Y. Offer. "Comparisons of day-time and night-time dust accumulation in a desert region." Journal of Arid Environments 31.3 (1995): 253-281.	See Public Concern Statement BAIBD-1.	See Public Concern Statement BAIBD-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
468	3	Best available information-baseline data	103.0600.00	N/A	There is a significant quantity of studies performed by snow scientists, DOT, and agricultural specialists in many states which has demonstrated the efficacy of fencing in altering drifting snow and that research can be applied to the deposition of the clay/silt carried in dust storms. It is clear that a decrease in the porosity of the fence results in an increase in drift size along with a decrease in distance from the fence. These widespread studies, along with computational models such as in Naaim et als 1998 paper show that a change from a porous fence to a increasingly solid fence result in larger, more concentrated snow drifts. The abundance of research in this area must be considered in relation to a change in the perimeter fencing porosity for the Burning Man festival. Since the current application of highly porous fencing promotes the creation of elongated slay/silt depositions that are less likely to result in mounding, the literature suggests that it is advisable to continue the use of highly porous fencing to protect the Black Rock Desert playa.	N/A	The purpose of the barrier fencing is not to replace the current trash fence; the barrier would serve a different function. As described further in Section 1.2.19 of the Public Health and Safety at the Burning Man Event report, the orange plastic trash fence has not been an effective physical barricade for unauthorized entry. Since the October 1, 2017, shooting in Las Vegas, however, a greater emphasis on large-scale outdoor gatherings has evolved, and DHS recently provided a new protocol for outdoor mass gathering event safety. BLM law enforcement annually work with cooperators like DHS and the FBI to establish if there are potential threats and develop threat mitigations. The physical barrier mitigation can be attributed to our analysis and cooperator recommendations.
926	3	Best available information-baseline data	103.0600.00	N/A	I take issue with the background assumptions based on articles referenced in the BIOLOGICAL RESOURCES BASELINE REPORT MARCH 2019 which discusses the impact of trash on wildlife. First, many of the articles cited in the report are about permanent structures, which Black Rock City is not. For example, the reference article Kapfer, J. M., and R. A. Paloski. 2011. "On the threat to snakes of mesh deployed for erosion control and wildlife exclusion." Herpetological Conservation and Biology 6(1): 1-9. o The permanent structures discussed such as turf reinforcement mats and open textile weave erosion control are not used in Black Rock City. o The trash fence barrier is a temporary installation that has a very minor impact on the wildlife in the area.	N/A	In the absence of a reference to other sources, the BLM relied on its policies and the best available scientific data referenced in the Biological Baseline Report to describe the impacts on wildlife.
766	2	Best available information-baseline data	103.0600.00	N/A	Table 3-5 summarizes medical events at Burning Man Event. The numbers reported here indicate that the rate of off-site transports to number of patient visits is 0.01. Assuming each patient visit to Burning Man Event medical site is similar to an Emergency Department (ED) visit, the rate of hospital admission in the U.S. from ED is 0.09. At an almost ten-fold increase over the rate from Burning Man Event. Perhaps it is this "gifting culture" of food, water, and shelter that prevents more serious injury in the "rugged, austere environment" of the playa. In the world of internal medicine the adage goes, "an ounce of prevention is worth a pound of cure". Before making rash decisions to upend a decades long tradition at the Burning Man Event, I implore the BLM to provide better quality data and justification for the requirement of 65 days of contract for ambulance services.	N/A	The disruption of emergency medical response creates an impact on the human environment (40 CFR 1508.8 and 40 CFR 1508.14) and disadvantages communities impacted in underserved minority populations. PLPT comments state that BRC assumes that PLPT EMS services will support Burning Man operations; however, one call or deployment by PLPT EMS would preclude PLPT from supporting other emergency operations. Supporting the Event would leave the tribal community with zero EMS coverage at times.
766	1	Best available information-baseline data	103.0600.00	N/A	The analysis of "high concentrations" of alkaline gypsum and silica dust as cited in Adams KD, Sada DW. 2010. Black Rock Playa, northwestern Nevada: physical processes and aquatic life. [place unknown]: Desert Research Institute. [accessed 2016 Feb 13] - is not quantified nor explicitly stated as such. Crystalline silica is encountered in the workplace by 2.3 million workers. Common occupational exposures include: sandblasting, rock drilling, and jackhammering ( <a href="https://www.cdc.gov/features/preventing-silicosis/index.html">https://www.cdc.gov/features/preventing-silicosis/index.html</a> ). These occupations include exposure to silica in high concentrations and occasionally indoors. The current permissible exposure limit (PEL) for respirable crystalline silica (RCS) to 50 micrograms per cubic meter of air ( <a href="https://www.osha.gov/dsg/topics/silicacrystalline/">https://www.osha.gov/dsg/topics/silicacrystalline/</a> ) - likely far higher than is typically experienced in a non-occupational environment. Silicosis is uncommon in non-occupational settings and often takes years or decades of continual exposure before development of disease ( <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3683189/">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3683189/</a> ).	N/A	Details regarding respiratory concerns, including levels of silica and their quantification in relation to OSHA permissible exposure limits, are presented in the Public Health and Safety Baseline Report in Sections 1.2.16 and 1.2.17 and in Section 3.5.1 of the DEIS.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
585	1	Best available information-baseline data	103.0600.00	N/A	The citation and widespread reference for EMPSi 2018a is not accurately posted. The reference provided is as below: EMPSi (Environmental Management and Planning Solutions Incl.) 2018a. Burning Man Event Special Recreation Permit Environmental Impact Statement Biological Resources Baseline Report. September 2018.	N/A	This reference has been updated in the FEIS.
1850	9	GIS data and analysis	103.0700.00	N/A	Fig. 2-1, Vol. 2: This figure (also none of the others) does not show the location of the runways to be used for BRCMA. Given the potential impact of use of these runways, we ask that the final EIS include a figure showing their proposed location.	N/A	The BRCMA runways are generally around the southeast corner of the city, as depicted in Figure 2-3. Their configuration varies year to year since they can change in length and width, depending on the aircraft.
1850	26	GIS data and analysis	103.0700.00	N/A	App. A, Figure 3-6: Why doesn't the Noise Assessment Area contain the Closure Boundary Area? Does this line need redrawing? App. A, Figure 3-8: There are five colors on map but only 4 legend colors - the dark green seems to have no legend item.	N/A	No change to Figure 3-6. The noise assessment area and alternatives analysis areas are shown for clarity. The Closure Order would vary under the alternatives and would be difficult to see at this map scale. The legend in Figure 3-8 has been revised.
1971	5	Direct/Indirect Impacts	103.0800.00	DII-1	Repeatedly in discussions of Alternative E that I read (the majority, if not all), it is said that various impacts would decrease as fewer and fewer participants come with the spread of word of Event closure, or even that "there would eventually be no Event" (Draft EIS, Section 3, p. 3-111, paragraph 2). How do you justify that assumption? Fourth of July has not diminished, and it has a much smaller established population.	Commenters presented a counter-argument to the assertion in the EIS that attendance on the playa would decrease with word of Event closure and stated that the analysis under Alternative E should assume a disorganized event will continue to occur on the playa annually.	The CEQ addresses uncertainties about the indirect effects of a proposal in their "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations" (CEQ 1981, Question 18). CEQ states "The EIS must identify all the indirect effects that are known, and make a good faith effort to explain the effects that are not known but are 'reasonably foreseeable.' Section 1508.8(b)." In analyzing the indirect effects of Alternative E, the BLM did not consider a disorganized Event to be reasonably foreseeable; without a known alternate location, it would be speculative to attempt to predict the specific nature or magnitude of these impacts.
1715	1	Direct/Indirect Impacts	103.0800.00	N/A	In the draft EIS, BLM notes that "Under Alternative E, it is likely that an unpermitted, informal gathering would still occur on the playa due to the historic nature of the Burning Man Event...Over the long term, the cumulative impact would decrease as word of the Event closure spreads..." I am concerned that the second sentence is speculative. The key benefit of having an organized event is its organization. A disorganized event runs the risk of causing a great deal more long-term damage to the playa. If BLM is to deny the permit based on the assumptions in Alternative E, it should assume a disorganized event will continue to occur on Playa annually in an ongoing capacity.	See Public Concern Statement DII-1	See Public Concern Statement DII-2.
582	1	Direct/Indirect Impacts	103.0800.00	N/A	Alternative B: Assumption that the population outside of the designated burn time would not increase in other informal gatherings throughout the year that do not have BRC oversight. Discussions of Alternative B always identify that the reduced population would lessen impacts, but the EIS does not discuss the likelihood of other informal gathering that may occur due to the displacement of burners from the original event, and the associated environmental impacts. This potential should be included in all discussions of impacts related to Alternative B.	N/A	See Public Concern Statement DII-2. It is speculative that future Events would occur elsewhere in the BRFO.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1808	4	Cumulative Impacts	103.0900.00	N/A	We note that the DEIS (Table D-I) includes many reasonably foreseeable actions and projects near Black Rock Desert, including road projects. One new 3-mile long road (project ill: W A201 I0268) near Wadsworth that was not included in Table D-I, would bypass the town's main road and be redesignated as SR-447. The proposed future project is in planning stages and is not yet funded; however, if built within the project horizon, this road may mitigate some of the traffic impacts from the Event. Include this NDOT project in Table D-I of the FEIS and coordinate with NDOT to add the project to cumulative impacts and possible mitigation discussion, if warranted.	N/A	The FEIS, Appendix D, Table D-I has been revised to include the referenced project and the cumulative analysis for transportation revised.
1947	1	Cumulative Impacts	103.0900.00	N/A	The cumulative impacts over time have not been adequately considered and would appear to be an increasingly unsustainable "consumptive" use. For that reason the event rightfully belongs on private land where the property owner(s) agree that consumptive use is allowed. The public owners of public land have been assured their land will be managed for sustainable use. This event, at current magnitudes, far exceeds that the bounds of that promise to we the property owners.	N/A	The BLM completed the DEIS to respond to Black Rock City, LLC's (BRC) request for a Special Recreation Permit on public lands administered by the BLM Winnemucca District Office. BRC is able to organize an Event on private land without BLM authorization if they so choose. The DEIS analyzes cumulative impacts associated with each alternative in Chapter 3. The BLM has included mitigation and monitoring measures (see Appendix E) to reduce the likelihood for impacts, including cumulative impacts.
1971	6	Cumulative Impacts	103.0900.00	N/A	What are the cumulative impacts from transient increases in ambient light and sound levels? How do they occur? No proof or explanation is given.	N/A	The DEIS analyzes cumulative impacts associated with each alternative in Chapter 3. The BLM has included mitigation and monitoring measures (see Appendix E) to reduce the likelihood for impacts, including cumulative impacts. In the case of lighting, the current event is adversely impacting the Class II and Class I VRM viewsheds. Monitoring, combined with adaptive management techniques, is expected to minimize future increases and potentially reduce the current adverse impacts.
893	1	Other laws	103.1000.00	OL-1	Many of these mitigations outlined in this report are inconsistent with recent orders by the Department of the Interior to reduce burdens on those who operate on public lands. Order 3366 of April 18, 2018 specifically states to "create a plan that develops new or increases and expands existing recreation opportunities ...improving and streamlining requirements". Your suggested changes of adding search and seizure by private security guards at the entrance, hugely increasing the size of perimeter fencing, mandating dumpsters along gate road at exit time and adding significant road maintenance costs are incompatible with this order	Commenters stated that proposed mitigation requirements are in conflict with recreation purposes of public lands and Secretarial Order 3366, which seeks to expand recreation opportunities on public lands.	Secretarial Order 3366 states that the BLM is required to "create a plan that develops new, or increases and expands existing, recreational opportunities that are consistent and comply with all applicable laws and regulations." This plan is an effort separate from the Burning Man SRP EIS. Mitigation and monitoring requirements in Appendix E are intended to ensure compliance with applicable laws and regulations related to natural and cultural resources and to protect public health and safety. Additionally, after completion of the Burning Man EIS, the Black Rock Field Office is embarking on several recreation management plans for areas outside of the Black Rock Playa.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1458	5	Other laws	103.1000.00	N/A	Public recreation is a keystone use of federally managed lands, and in fact the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area was established by an act of Congress in 2000 in part to conserve, protect, and enhance the recreational values and resources associated with the Applegate-Lassen and Nobles Trails corridors and surrounding areas — large-scale events such as Burning Man are specifically allowed in that legislation. We are gathering within our rights on land that belongs to the people, with an outstanding 28-year record of environmental stewardship and inter-agency collaboration.	See Public Concern Statement OL-I	See Public Concern Statement OL-I.
1674	2	Other laws	103.1000.00	N/A	BLM's proposed mitigations are inconsistent with order #3366 issued by the Department of the Interior last April intended to reduce burdens on those who operate on public lands. Rather, this Draft EIS increases requirements for the Burning Man event's SRP, drastically complicating the ability of the Burning Man Organization to host the event. Public recreation is a keystone use of federally managed lands, and the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area was established by an act of Congress in 2000 in part to conserve, protect, and enhance the recreational values and resources associated with the Applegate-Lassen and Nobles Trails corridors and surrounding areas - large-scale events such as Burning Man are specifically allowed in that legislation.	See Public Concern Statement OL-I	See Public Concern Statement OL-I
1352	1	Other laws	103.1000.00	OL-2	Reference paragraph 3.3.5 of the Draft EIS and Appendix E Mitigation WET-1 relative to the Burning Man event needing to obtain a U.S. Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 (404) Nationwide Permit (NWP) 33 and or Nationwide Permit 18. The analysis is flawed. The draft EIS identifies the permit requirement because the Burning Man site is "classified as a Lake under the National Wetlands Inventory." The site may be a former lake bed, but it is no longer a lake and does not constitute waters of the U.S. pursuant to EPA and USACE CWA 404 requirements. The Draft EIS curiously identifies the regulatory requirement pursuant to "other waters of the US." The USACE website at <a href="https://usace.contentdm.oclc.org/utills/getfile/collection/pl6021coll1/id/2309">https://usace.contentdm.oclc.org/utills/getfile/collection/pl6021coll1/id/2309</a> Contains the following: Wetlands Legal Definition Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. (33 CFR §328.3(b)). Burning Man would not be able to have its event, if conditions existed for the event as defined above. There is no way that USACE has jurisdiction over a former lake bed that has no collection of water that supports vegetation under "saturated soil conditions." The text of NWP 33 is as follows: "Temporary Construction, Access, and Dewatering. Temporary structures, work, and discharges, including cofferdams, necessary for construction activities or access fills or dewatering of construction sites, provided that the associated primary activity is authorized by the Corps of Engineers or the U.S. Coast Guard. This NWP also authorizes temporary structures, work, and discharges, including cofferdams, necessary for construction activities not otherwise subject to the Corps or U.S. Coast Guard permit requirements. Appropriate measures must be taken to maintain near normal downstream flows and to minimize flooding. Fill must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. The use of dredged material may be allowed if the district engineer determines that it will not cause more than minimal adverse environmental effects. Following completion of construction, temporary fill must be entirely removed to an area that has no waters of the United States, dredged material must be returned to its original location, and	Commenters assert that Clean Water Act Section 404 Permitting is not triggered for the Black Rock Desert because the area should not be considered a Water of the US and the materials placed on the playa do not displace water, replace water with dry land, or otherwise alter the bottom elevation of the water.	The USACE is the federal agency responsible for determining if a designated playa or wetland is connected to or part of the Waters of the US. The USACE also determines if a Section 404 Clean Water Act Nationwide Permit is needed. In emails to the BLM in August 2018, the USACE opined that the Burning Man Event may need these permits. NDEP has also gone on record that a 404 permit may be needed for the Event. As a condition of an SRP with the BLM, an SRP holder must have all applicable federal, state, county and local permits.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1352 (continued)	(see above)	(see above)	(see above)	(see above)	the affected areas must be restored to pre-construction elevations. The affected areas must also be revegetated, as appropriate. This permit does not authorize the use of cofferdams to dewater wetlands or other aquatic areas to change their use. Structures left in place after construction is completed require a separate section 10 permit if located in navigable waters of the United States. (See 33 CFR part 322.) There are no "downstream flows" at the Burning Man site. There are no navigable waters of the U.S. Canoes, kayaks and other vessels are never present at the Burning Man site. It is ludicrous to suggest pursuing a USACE NWP 33. The text of NWP 18 is as follows: "Minor Discharges. Minor discharges of dredged or fill material into all waters of the United States, provided the activity meets all of the following criteria: (a) The quantity of discharged material and the volume of area excavated do not exceed 25 cubic yards below the plane of the ordinary high water mark or the high tide line; (b) The discharge will not cause the loss of more than 1/10-acre of waters of the United States; and (c) The discharge is not placed for the purpose of a stream diversion." The Burning Man site is not on or within waters of the United States. There is no ordinary high water mark or high tide line at the Burning Man site. To suggest the pursuit of a NWP 18 is improper. The Burning Man event does not authorize use of the nearby hot springs. The event is camping and socializing on a dry and dusty surface within a circular framework. Yes there has been an occasional downpour before, during and after the event. This rainfall does not create waters of the U.S. subject to the jurisdiction of the USACE for regulation under the CWA Section 404. This regulatory requirement is clearly inconsistent with the current administration's proposed definition of waters of the US. Government officials imposing this improper regulatory requirement on the Burning Man event should be subject to scrutiny by high ranking administration officials.	(see above)	(see above)
1950	2	Other laws	103.1000.00	N/A	While it is true that the Black Rock Desert is considered a lake by the NWI (Attachment 1) and does satisfy the requirement for those waters being used for recreational purposes ("interstate commerce") (Citation 1), this is not enough to trigger the need for a 404 Permitting. At least part of the actions taken by Burning Man Project must constitute 'fill'. BLM suggests that art installations and other infrastructure at Black Rock City could constitute 'fill'. What is fill? Attachment 2 is the EPA and ACOE's final rulemaking on what constitutes 'fill'. The definition does include any materials used to create any "structure or infrastructure in the waters of the United States." Art installations would qualify as structures. However, the catch is that, in order to be considered 'fill', the materials have to actually displace water, replace water with dry land, or otherwise alter the bottom elevation of the water. This has never happened in the 20-year history of Burning Man on Black Rock Desert and never will happen. Depending on snow melt and up-land seasonal rains, the ephemeral lake at Black Rock Desert only occurs for a few weeks to a few months out of each year. This 'lake', however, ceases to exist by mid-summer (often sooner) and does not re-appear until early spring (at the earliest). By the time Black Rock City is being built, the water has all evaporated. In turn, the Burning Man Project and its affiliated artists have all completely removed any structures built during the event as well as have used heavy machinery to level any dunes created by the presence of those structures.	See Public Concern Statement OL-2	See Public Concern Statement OL-2

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
133	I	Other laws	103.1000.00	N/A	Burning Man is a Camping event. Burning Man rejects the use of Emotional Support Animals which are also protected for housing by federal law. <a href="https://www.animallaw.info/sites/default/files/FHEO_notice_assistance_animals2013.pdf">https://www.animallaw.info/sites/default/files/FHEO_notice_assistance_animals2013.pdf</a> On the main Burning man website they try and also claim only Service Dogs are allowed yet miniature horses are covered at such an event as "reasonably accommoated". To go beyond this someone with a protected ESA (non dog, horse) is turned back from the event. This is unlawful. Burning Man must acknowledge ESA's are welcome at the event as it is a camping event which qualifies as housing. For example if someone brought a cat which was perscribed by a medical doctor the event cannot reject said participant and animal (ESA).	N/A	Comment noted.
1397	I	Event duration	204.0200.00	ED-1	The Draft EIS indicates that the event takes place over a period of 9.5 days. The Burning Man event has always been 8 days, which is the duration of the permits with the BLM and Washoe and Pershing County Sheriff's. Extending the event by 1.5 days would result in event greater costs to all parties (Black Rock City, LLC, the BLM, the sheriffs' departments) and higher impact on the environment and its surrounding communities. Did the BLM make a mistake	Commenters questioned why the analysis in the Draft EIS indicates the Event occurs over a period of 9.5 days.	These concerns have been noted. For analysis purposes the EIS considers the impacts of the Event, including ingress and egress, which totals 9.5 days. The EIS analyzes several alternatives that present varying degrees of Event duration, population size, and locations for the Event.
784	I	Event duration	204.0200.00	N/A	It should be noted that Burning Man is actually an 8-day event; but, the EIS at ES-1 misstated the duration of the event at 9.5 days.	See Public Concern Statement ED-1.	See Public Concern Statement ED-1.
2031	I	Event duration	204.0200.00	N/A	On p E-1 of the Executive Summary in Vol. 1, the BLM states that Burning Man is a 9.5 day event. : Did Burning Man ask to change the event from 8 to 9.5 days, or is that an oversight by the BLM? The length of the event as stated in all permits with both Washoe and Pershing county as well as the federal register is 8 days. Increasing the length of the event has vast financial and practical implications for all involved agencies.	See Public Concern Statement ED-1.	See Public Concern Statement ED-1.
490	I	Event duration	204.0200.00	N/A	First and foremost the document erroneously indicates the event occurs over 9.5 days, when in fact, it runs 8 days. The addition of a day and a half may seem like a mundane objection to raise, but if it results in an increase in costs to the Burning Man Organization or the Bureau of Land Management, then it should be amended.	See Public Concern Statement ED-1.	See Public Concern Statement ED-1.
1398	I	Event size	204.0300.00	ES-1	Vol 1, Section 2.2.3 Additional Components of Alternative A (Proposed Action) Identified by the BLM On-Playa Population The BLM's monitoring of the on-playa population during the Event indicates that BRC oversells the Event. Under Alternative A (Proposed Action), there would be no more than the permitted population of total attendees (including Event participants, staff, and volunteers) allowed on the playa from the start of the Closure Order to the end of the Closure Order. If maximum population is reached and attendees depart the Event, additional attendees would not be allowed to replace those attendees. Where is the trend analysis data that demonstrates that the Burning Man event population has routinely exceeded its population cap defined in the Special Event Permit? The statement above seems to imply that the BLM would seek to have input in and/or control over the number of tickets sold by Black Rock City, LLC. Why would the BLM seek to control the number of tickets sold to the event when it's concern is about population size at the event itself? This would only be a relevant concern if there was ample evidence based on a longitudinal trend analysis showing that the population of Black Rock City has exceeded the limits of the event permit over time to the extent that it would be necessary to cap ticket sales. Additionally, there is no evidence provided to justify why the BLM would be need to refuse entry to participants to the event if the population is not in excess of the event population cap. The Draft EIS does not present any analysis to demonstrate that there would be reason to proceed with this recommendation.	Commenters requested more trend analysis be considered to determine how many participants are on the playa during the Event.	Comment noted. No change. For this analysis, maximum population is the number of people on-site, given the duration of the Event. It is the total for this analysis. There is environmental justification for this, since it has potential impacts on traffic, waste, air, and soil erosion. There are also environmental justice implications on underserved populations in the PLPT reservation.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1474	15	Event size	204.0300.00	N/A	I also recommend population-specific research. What do we know about particular issues, current or potential, and how they exactly relate to population numbers?	See Public Concern Statement ES-1.	See Public Concern Statement ES-1.
132	1	Event size	204.0300.00	ES-2	Although the BLM claims it cannot age restrict the event it must count minors in the population cap. Currently it's vague how minors "under 13 free" are claimed against the population cap. This leaves the potential for a parent/parents to bring in a school bus of sub 13 year olds without tickets and potentially driving the population over the cap. Do they get counted against the population cap or are they ignored as a person at the event? They must be counted against the population cap and accounted for.	Commenters suggested that minors attending the Event should be more clearly defined in the EIS as to how they are being counted towards the overall population.	Under the current reporting, BRC notifies the BLM of the number of minors admitted.
1474	3	Event size	204.0300.00	N/A	No matter what alternative BLM chooses, please carefully ensure the permit language so that it exactly specifies that the permitted number of bodies on playa includes everyone (even kids!) except BLM, other law enforcement (LE), and any other government workers in their official capacities. I would, personally, also appreciate if you ensured that that specific number beyond the permitted number is published.	See Public Concern Statement ES-2.	See Public Concern Statement ES-2.
1474	4	Event size	204.0300.00	N/A	I would recommend BMP considers cloth wristbands for all permitted bodies on playa, which, in itself, would be quite an undertaking and likely mandate an additional box office in the city to handle wristband issues. The other thing that comes to mind is having a team of counters (likely better to station them with greeters) with nonelectronic machines. Both of those ideas as well as the general language in the draft EIS's proposed mitigation for an independent counting system are all non-ideal solutions as they will likely require more people and more resources. Again, however, I think a ban on overselling tickets would also go a long way without any further resources needing to be dedicated.	N/A	BRC can issue tickets however they choose. The BLM's expectation is a reliable and accurate tracking system.
1799	3	Event size	204.0300.00	N/A	The DEIS does not indicate any positive impacts other than economic from increased event size. These may include increased awareness of environmental issues, social contacts between participants and the local community and international recognition of the beauty of the American West. Is this an omission or really the position of the BLM that these impacts are inconsequential?	N/A	The socioeconomic baseline contains the major issues that were brought up in the interview process and surveys and for which data exists. While these activities may be occurring, no data were brought forth on the extent that these impacts were occurring.
521	2	Event location	204.0400.00	EL-1	the Black Rock Playa is a completely inappropriate location for this event. It needs to be phased out and relocated to a more appropriate location, not expanded 20%	Commenters suggested the Event should be relocated permanently or rotated to other locations to reduce impacts in the current location of the Black Rock Desert playa.	Before the 2017 Event, BRC and the BLM conducted a thorough evaluation of other potential Event locations on BLM-administered lands in Nevada. BRC also considered other potential Event locations on private lands. None of the potential sites considered were viable, due to accessibility, surface water conditions and other environmental considerations, production logistics, and compatibility with the Event's culture.
29	1	Event location	204.0400.00	N/A	Assuming the event must be permitted/allowed, please permit the event in some other location where the playa will at least have 'time off' from this annual impact.	See Public Concern Statement EL-1.	See Public Concern Statement EL-1.
15	2	Event location	204.0400.00	N/A	To minimize impact and explore other opportunities, the event should be systematically rotated to other BLM areas throughout Nevada, California, Utah and Arizona.	See Public Concern Statement EL-1.	See Public Concern Statement EL-1.
1424	1	Event location	204.0400.00	N/A	This group of people who now assemble on the playa, damage it just because of the sheer size of the gathering. Maybe moving the location regularly will help mitigate the situation.	See Public Concern Statement EL-1.	See Public Concern Statement EL-1.
1541	1	Event location	204.0400.00	N/A	Burning Man is a financial burden to Pershing County. This event could be moved to Washoe County which benefits financially from this event. They have infrastructure in place to handle large events. Pershing County does not.	See Public Concern Statement EL-1.	See Public Concern Statement EL-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
303	I	Conflicting uses during Event	204.0500.00	CU-I	I don't see why one group would demand exclusive use of a resource for their use over such a long duration. The lakebed should be available for many people to enjoy. To restrict use based on the desires of one group (even if it's a large and wealthy group) is wrong. There simply must be an acceptable size and duration for any event to occur that considers the desires of other people and groups.	Commenters expressed concern that increasing the size and/or duration of the BM event or moving the event boundaries would negatively impact other user groups such as the amateur rocketry community.	While it is outside the scope of the EIS to address the coordination of multiple events in the study area, the EIS analyzes alternatives with varying degrees of Event population size, Event duration and location, and provides numerous mitigation and monitoring measures.
200	I	Conflicting uses during Event	204.0500.00	N/A	Alternative C of the proposal basically excludes all other uses of the playa, including the areas historically use by high-power rocketry.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
292	I	Conflicting uses during Event	204.0500.00	N/A	The rocketry activities I participate in on the playa require a large safe zone and the application for airspace Certificates of Authorization (COA's) from the Federal Aviation Administration. These permits need to be worked out months in advance of rocketry activities. Moving the Burning Man boundaries farther north would interfere with our use of the Blackrock Playa. One of the challenges we currently face is massive dust storms created by Burning Man cleanup crews dragging the playa. We can expect whiteout conditions which makes us delay launches for safety. This happens several times every week in mid-September when college student experiments are being launched and public launches are attended by several hundred people. The excessive dust also creates unsafe conditions for driving. Maybe they should only drag at night when there are less people driving and participating in other activities on the playa.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
284	I	Conflicting uses during Event	204.0500.00	N/A	I don't see how a private event on public land can be allowed to mandate that other private parties cannot have access. Black Rock is one of very few venues that can support high altitude rocket launches. This is very important to STEM programs from many states surrounding the area. There are many schools that rely on access to support their STEM related Rocket teams. As you well know there Internatial rocket teams that come to the desert to test and launch their various research projects. Please consider the implications on who and when they have access to the desert.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
552	I	Conflicting uses during Event	204.0500.00	N/A	Allowing the BM event to supersede the BALLS launch goes against the spirit of public use of land. Keeping BM at its current size still accommodates a very large group of burners while allowing the BALLS rocket launch event to take place. Increasing the size of the BM event, moving boundaries, and extending the time the playa is closed, would very likely make it much more difficult to continue to hold the BALLS event. There is no other area in the country that offers the same launch environment as the Black Rock Desert. I feel it is in the public's interest to continue to allow a wide variety of users access to the Black Rock Lake area and BLM is correctly fulfilling its mission by not allowing BM to infringe on the rights of other groups that request access to the playa.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
657	I	Conflicting uses during Event	204.0500.00	N/A	Black Rock is the only place in the world that we can launch our CanSat up to 2.5-mile altitude. Our CanSat is designed to be launched at Black Rock Desert. If Alternative A, C or E were chosen, we could definitely not launch our CanSat anymore.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
1152	I	Conflicting uses during Event	204.0500.00	N/A	Any expansion will mean increased negative impact on both the land and the accessibility by non-event users. Alternative C severely limits access by individuals, families and non-commercial groups that wish to use and enjoy their public lands. Alternative C specifically impacts and potentially eliminates the ability for the amateur rocketry community to continue to use the public land they have used for decades.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
267	1	Conflicting uses during Event	204.0500.00	N/A	The event already takes up too much of the playa for too long. 78 days is too long for any one user group to dominate the space, allowing them more space for, effectively, longer and allowing them to move up into the area that we use for rocket launches will kill some key rocket events. The playa is a unique place - it may be the only place suitable for Burning Man and it is the only place suitable for some of the rocketry that goes on there. We have to share it.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
247	1	Conflicting uses during Event	204.0500.00	N/A	Increasing the physical size and number of participants will preclude the use of this area by hikers, campers and rocketeers, to name a few. For people who enjoy amateur rocketry, Black Rock is the prime location to enjoy our sport. Allowing Burning Man to increase the size and scope of their operation will prevent many people from enjoying the best venue in the United States.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
273	1	Conflicting uses during Event	204.0500.00	N/A	Burning Man's proposal, under Alternative C, to restrict access to BR desert to other uses during the summer months infringes on the ability of other citizens to make use of the unique opportunity that BR desert presents to the model rocket hobbyists.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
367	1	Conflicting uses during Event	204.0500.00	N/A	Alternative C precludes other users, and more specifically high powered rocketry users from access to the playa.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
294	2	Conflicting uses during Event	204.0500.00	N/A	Alternative C of the proposal basically excludes all other uses of the playa, including the areas historically used by high-power rocketry. I urge the board not approve such a radical expansion of area and the exclusion of other user groups. Alternative D still allows an expanded number of attendees without encroaching into the space of other user groups. Alternative B is clearly the best for the environment and for the other user groups. Even if expanded user participation is allowed, I urge that no expansion in area be allowed and no license to preclude other user groups be granted.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
278	2	Conflicting uses during Event	204.0500.00	N/A	It is extremely important that the alternative chosen for Burning Man must continue to allow amateur rocketry events during the summer and autumn months.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
282	1	Conflicting uses during Event	204.0500.00	N/A	Option C is unacceptable, as it denies the use of the playa for our rocket launches in September.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
277	1	Conflicting uses during Event	204.0500.00	N/A	Burning Man festival is fine with the current area it has and there is no reason for rocketry use to be curtailed by the BLM because of the festival.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
323	2	Conflicting uses during Event	204.0500.00	N/A	Alternative C provides the most interference with the three rocket launches described above by moving the Burning Man site closer, and apparently into the flight area specified in the typical FAA Certificate of Authorization issued for these launches. I do not believe Alternative C would be a fair or appropriate choice due to unwarranted impact on other legitimate users of the lakebed.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
271	1	Conflicting uses during Event	204.0500.00	N/A	Also opposed is expanding the size of the Burning Man event. Already the amount of dust from the event site and the cleanup efforts can severely impact both the events and participants that are outside of the Burning Man permit area. The loose dust blowing from the Burning Man site has shut down our event operations, and can cause respiratory problems. The increase of participants towards 100,000 increases all of these issues and the possibility of people leaving artifacts on the lakebed like commercial airplane fuselages. Please keep in mind the public's availability of access to the playa.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
249	I	Conflicting uses during Event	204.0500.00	N/A	I am writing to voice my disapproval for any encroachment by the Burning Man event towards areas of the playa that have been for years, available to public rocketry events.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
245	I	Conflicting uses during Event	204.0500.00	N/A	The expansion of the Burning Man event to the detriment of well established and existing activities such as rocketry, is absolutely outrageous and should not be allowed to happen.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
276	I	Conflicting uses during Event	204.0500.00	N/A	Option C will preclude access to a large number of visitors for the benefit of a single event (Burning Man). In my case specifically, elimination of access for rocketry activities would create an unfair hardship.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
281	I	Conflicting uses during Event	204.0500.00	N/A	Among the proposed alternatives for Burning Man, alternative C does not include a provision for an access permit for rocketry. I strongly oppose such an alternative. Blackrock is one of the only launch sites available for certain amateur and university rocket launches, and as such, eliminating this as an option would be devastating.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
297	I	Conflicting uses during Event	204.0500.00	N/A	Alternative C provides the most interference with the three rocket launches described above by moving the Burning Man site closer, and apparently into the flight area specified in the typical FAA Certificate of Authorization issued for these launches. I do not believe Alternative C would be a fair or appropriate choice due to unwarranted impact on other legitimate users of the lakebed.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
551	I	Conflicting uses during Event	204.0500.00	N/A	We have peacefully coexisted with the Burning Man event for all these years and I see no reason that cannot continue. I urge the BLM to make sure that whichever EIS option is adopted for Burning Man that it NOT impact access and use of the BLD by other groups such as us rocketeers. In particular, option C should NOT be adopted since it basically excludes all other uses of the playa during the prime use season. I think most in the rocketry community would probably prefer option B but could live with D or as a third choice option A.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
255	I	Conflicting uses during Event	204.0500.00	N/A	The exclusion of hobby rocketry by moving the Burning Man Festival in alternative C is unacceptable. The BLM lands are for the use and enjoyment of the public.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
187	I	Conflicting uses during Event	204.0500.00	N/A	Alternative C of the proposal basically excludes all other uses of the playa, including the areas historically use by high-power rocketry, I cannot believe this is even being considered!	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
682	I	Conflicting uses during Event	204.0500.00	N/A	I think all legitimate users should have access to the federal lands. Section C would extend the boundaries of the festival out to the point of denying other legitimate users access which they have traditionally enjoyed.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
295	I	Conflicting uses during Event	204.0500.00	N/A	The Black Rock playa is undisputedly the world's best site for high-altitude amateur rocketry. The use of the playa for rocket launches predates the use by the Burning Man festival, and should not be excluded by enlarging the festival area.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
291	I	Conflicting uses during Event	204.0500.00	N/A	Alternative C is the worst. Not only will it greatly impact the playa and the local communities but will probably have an impact on the Rocketry community. The increase of the closure area will encroach on the FAA chosen launch sites but access from the 12 mile turnout looks to be an issue. This looks to affect 3 of the 4 launches we have at the BRD.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
276	I	Conflicting uses during Event	204.0500.00	N/A	The financial considerations (income to communities) should not be the determining factor in the proposed actions. Having lands available for responsible use by all should be.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
285	I	Conflicting uses during Event	204.0500.00	N/A	Rocketry has a unique place in the Black Rock due its isolation makes it one of best places in the US to launch and recover rockets. The rocketry community has shared the Black Rock and wish to continue to protect and preserve the Black Rock for the use of all. Alternative C is not acceptable. Any option that makes the Black Rock the possession of one group is a tragedy.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
293	1	Conflicting uses during Event	204.0500.00	N/A	The proposed expansion of Burning Man will impact high powered rocketry events that have been held at this world famous site for many years. This is the gathering place for yearly international rocket research and launch events and is incomparable anywhere in the world. The proposal will effectively restrict rocketry events to outside of the Burning man preparation and shutdown timeframes. This is prime rocket flying weather.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
338	1	Conflicting uses during Event	204.0500.00	N/A	If Option A or Option C are selected, the following launch events would be impacted each year (dates are for 2019; similar dates are used every year): ARLISS (A Rocket Launch of International Student Satellites): September 9 to 12 XPRS (eXtreme Performance Rocket Ships): September 13 to 15 BALLS (Big Ass Load Lifting Suckers): September 20 to 22	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
338	2	Conflicting uses during Event	204.0500.00	N/A	Burning Man's desire to expand should not prevent other existing use of BLM-managed lands. Note that due to regulations on clear space required for high-powered rocket motors and high-altitude flights, and the need for flat surfaces for safe rocket launch and retrieval, it is not easy to move these rocket launches to other nearby locations. The Black Rock area is ideal for launches in terms of isolation and geography. The Burning Man festival, on the other hand, does not have the same geographic restrictions and could more easily move their event to another location or change their permitter to not impact the rocket launches. If the Burning Man SRP does go through and thus their event dates and area do overlap the established rocket launch areas, then at minimum the BLM and Burning Man organizations should ensure that the rocket launches could still be held within the Burning Man perimeter during the affected dates. Rocket launch attendees should be able to travel unimpeded on the appropriate access roads and use the launch area without interference. In past years special access permits have been provided, and the launch area was not otherwise used by Burning Man personnel during launch times. If our event dates and areas must overlap, then at the very least we should be able to maintain this system of shared use.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
366	1	Conflicting uses during Event	204.0500.00	N/A	It would be sad if Alternative C was implemented and punished many of the less intrusive uses of the area. The extend occupation of the area by Burning Man pre-event, event, and post event activities does conflict with some of the most enjoyable weather on the playa. I strongly recommend that one activity does not restrict the access for other activities.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
550	1	Conflicting uses during Event	204.0500.00	N/A	Any adopted rule should minimize the time before and after the event where access to the playa would be restricted. I do not know what that acceptable limit would be but anything more that 1 week before and 2 weeks after should be considered bordering on unacceptable.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
323	1	Conflicting uses during Event	204.0500.00	N/A	While the privilege of using the lakebed by BRC should be extended, the impact on other legitimate users of the lakebed should be taken into consideration and this impact minimized. Individuals who use the lakebed for legitimate purposes such as astronomy and Amateur Radio Service activities, should also be accommodated. These uses normally occur outside of the BurningMan event duration and are primarily impacted by the extended closure orders before and after the Burning Man event.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
323	4	Conflicting uses during Event	204.0500.00	N/A	BRC Control of, and limiting access to, the general lakebed area and access via the 12 mile gate road should be limited to "build week", the event duration, and the initial 5 day demobilization period after the event. See page 2-2 of the "Burning Man Event Special Recreation Permit Draft Environmental Impact Statement", dated March 2019, for description of these time periods. Outside of this window approximately 21 days access to the lakebed, including access to the 12 mile gate and road, should be available to any legitimate users of the lakebed without impact or interference from BRC. Traffic outside of this period needed by BRC to construct and remove their structures, materials, and waste products is substantially less than during the actual event, and should not be hampered by the small amount of traffic contributed by other legitimate users of the lakebed.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
644	1	Conflicting uses during Event	204.0500.00	N/A	Alternative A, C or E will affect adversely for ARLISS. Alternative B or D will make it possible for Burning Man and ARLISS to coexist.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
1282	1	Conflicting uses during Event	204.0500.00	N/A	As evidenced by the past outcomes, it is very obvious that ARLISS will continuously contribute to the development of state-of-the-art space technologies. Therefore, UNISEC strongly wants to continue the collaboration with AeroPac to keep holding ARLISS in every September at Black Rock. "Alternatives B or D" will enable ARLISS and Burning Man keep co-existing in next 10 years; otherwise, the values of ARLISS will be significantly degraded or completely lost. UNISEC requests the choice of any alternative that enables the continuation of ARLISS supervised by AeroPac. ARLISS has accumulated 20 years of history at Black Rock. Once the opportunity should be lost, there will be huge impacts in space-technology education and research in universities. Thus we, members of UNISEC, plead to allow AeroPac to continuously hold ARLISS in Black Rock desert.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
663	1	Conflicting uses during Event	204.0500.00	N/A	If Alternatives A, C, or E are chosen, ARLISS will be discontinued or significantly downsized. This is an amazing loss in space technology research and education for all over the world. Please choose any Alternatives that allow the Burning Man and the rocketry event keep co-exciting.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
1262	1	Conflicting uses during Event	204.0500.00	N/A	In case that the alternatives A, C, or E are chosen, the ARLISS event cannot have enough safety area for rocket launch.	See Public Concern Statement CU-I	See Public Concern Statement CU-I.
445	1	Air Quality	205.0100.00	AIR-1	I would like to add to this document.. A small segment regarding carbon emissions found on <a href="https://journal.burningman.org/2018/03/black-rock-city/leaving-notrace/burning-mans-2018-environmental-check-up/">https://journal.burningman.org/2018/03/black-rock-city/leaving-notrace/burning-mans-2018-environmental-check-up/</a> dated March 28 2018. They stated that "There's no way around the fact that Black Rock City has a substantial carbon footprint. Tens of thousands of people camp on site each year and many thousands use generators to supply power for air conditioning, sound, and refrigeration. We have an impact beyond the playa as well, driving and flying to Nevada and to the event site, some of us hauling literally tons of art and equipment with us. Based on the analysis we conducted in 2006, Black Rock City's carbon emissions impact today is estimated to be 91 million pounds for the seven days of the event, or 1,400 pounds per person. For perspective, a round trip flight from San Francisco to Washington D.C. emits about 1,474 pounds of CO2, and the average American's weekly carbon footprint is 846 pounds".	Commenters called for more detailed analysis of the carbon footprint from the Burning Man Event.	Table 3-9 of the DEIS described greenhouse gas emissions from vehicle travel and generator use. These are the sources that were quantified in the air emissions inventory prepared in support of the air modeling performed for the EIS. As noted by the commenters, greenhouse gas emissions could be attributed to other direct sources on the playa during the Event, such as burning effigies, as well as indirect sources, such as travel to the Event. Because such activities would vary from year to year they are difficult to quantify; however, a qualitative acknowledgement of such sources has been added to the FEIS.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1606	1	Air Quality	205.0100.00	N/A	Bringing in barriers would create huge environmental impacts on the playa surface and would also require an enormous amount of fuel to bring these heavy barriers to the site. The barrier would result in huge 10-mile-long dunes that would require heavy machinery to undo and repair, which in turn would require even more fuel to the already large amount burned to place the barriers in the first place. It would dramatically increase the event's carbon footprint and has no place as a recommendation in an EIS.	See Public Concern Statement AIR-1.	See Public Concern Statement AIR-1.
1951	7	Air Quality	205.0100.00	N/A	The EIS fails to analyze the impacts of travel to Burning Man on the climate. Over thirty thousand vehicles and thousands of plane trips mean that event participants are accumulating a significant amount of carbon emissions, resulting in impacts to our climate from Burning Man. BLM must give estimates on overall carbon emissions of participants and include mitigation for such impacts into the conditions of the permit. Burning Man should consider purchasing carbon offsets to compensate the environment for the damage the event causes to climate.	See Public Concern Statement AIR-1.	See Public Concern Statement AIR-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1951	2	Air Quality	205.0100.00	AIR-2	<p>Air quality issues are probably one of the most severe environmental impacts from the Burning Man event identified in the EIS. The numbers for particulate matter releases disclosed in the EIS (at 3-39) are truly terrifying - PM2.5 peaking at 367.7 micrograms per cubic meter and PM10 peaking at 803 micrograms per cubic meter, some ten times and five times EPA national air quality standards respectively. This air is more hazardous to breathe than air in the most polluted cities in the world. Annual emissions in Pershing County are 189.95 tons of PM2.5 and 885.05 tons of PM10 - emissions from Burning Man at 119 tons of PM2.5 and 814 tons of PM10 would increase the County's emissions by 63% and 92% respectively. While the EIS is rigorous in its analysis of air pollutants released by the event, it is lacking in an analysis of the ultimate fate of those pollutants - how far are they traveling before depositing out of the air? What communities might be impacted by these pollutants? An online source from Pima County, Arizona states that PM10 can travel as few as a couple hundred yards or as much as 30 miles, and that PM2.5 can travel hundreds of miles.<sup>3</sup> Meanwhile the National Weather Service in 2018 documented an enormous dust plume visible from satellites extending outward from the Burning Man event.<sup>4</sup> Particulate matter is known to have significant effects on human health including asthma, chronic lung disease, and cancer. The levels of PM2.5 and PM10 observed at Burning Man qualify as the most dangerous air possible to breathe under EPA standards - the "Hazardous" category of air pollution. While we understand that BLM wants to allow for freedom of action on the playa, and that, subject to the provisions proposed in the EIS in mitigation measure AQ-4, participants will be warned of poor air quality conditions. Nonetheless, it seems unacceptable to intentionally create and accept a level of pollution worse than the dirtiest cities in the world. This is an unacceptable impact to public lands and human health. In order to better assess the impacts of Burning Man on human health in adjacent communities, BLM needs to refine the analysis in the EIS and model where the plume of particulate matter from Burning Man goes, where the particles are being deposited, and what communities may be affected by this. This will likely necessitate additional monitoring, including Burning Man setting up air quality monitoring stations in areas remote from the event, particularly downwind.</p>	Commenters requested a more robust analysis of air quality impacts in the EIS.	<p>To assess the potential impacts on air quality from the Burning Man Event, an air modeling study was performed. The study modeled criteria air pollutant concentrations from each alternative that would occur at the closure boundary fence line. The results of this study were documented in the AERMOD Modeling Report to Assess Direct and Cumulative Ambient Air Quality Impacts, provided concurrently with the DEIS on the BLM's ePlanning project website. Table 8-1 of this study presented the modeled plus background concentrations of each criteria pollutant and compared these levels against the national ambient air quality standards (NAAQS). The annual PM2.5 concentration, 1-hour and annual nitrogen dioxide concentrations, 1-hour and 3-hour sulfur dioxide concentrations, and 1-hour and 8-hour carbon dioxide concentrations were below the NAAQS for each pollutant and time-averaging period. Because these concentrations were below the NAAQS at the fence line, there would be no significant air quality impact at other receptor locations.</p> <p>The air modeling showed that 24-hour PM10 and 24-hour PM2.5 pollutant concentrations exceeded their respective NAAQS at the fence line under all alternatives; however, as described in Section 3.6.1 of the DEIS, on average, particulates in the size category of PM10 will deposit out of the atmosphere within 30 miles of the emissions source. As noted by the commenter, PM2.5 can travel greater distances; however modeling showed that annual PM2.5 concentrations remain below the NAAQS under all alternatives, indicating that the pollutants would disperse and settle such that they did not cause exceedances of NAAQS at downwind locations.</p> <p>In addition to modeling the direct impacts of Burning Man Event emission sources, the study modeled cumulative air impacts from additional mining-related emission sources in the project area. The results of this modeling, shown in Table 10-1 of the AERMOD Modeling Report, showed similar results to Table 8-1, with only 24-hour PM10 and PM2.5 above the NAAQS and with the highest concentrations occurring at the closure area boundary. In regard to the impacts of an increased Event size, Table 3-7 of Section 3.6.1 of the DEIS showed the increase in air quality pollutant concentrations from a 100,000-person Event.</p>
445	2	Air Quality	205.0100.00	N/A	<p>Another factor to be considered is the amount of sculptures being built solely for burning man, and their practice of dousing them in fuel and burning them, releasing various toxins into the environment. This number will surely see a further increase as the the number of attendees and artists increase. Let's not forget the 80+ foot effigy of a man being set on fire.</p>	See Public Concern Statement AIR-2.	See Public Concern Statement AIR-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1799	31	Air Quality	205.0100.00	N/A	Table 3-10 (AERMOD Maximum Model) assumes in Alternative A that all particulates are due to human activity. However this assumption is not justified by the measurements shown in Table 3-6 which is uncorrected for wind and human activity in and out of the event perimeter and thus cannot determine the contribution to particulates from human activity at the event.	See Public Concern Statement AIR-2.	See Public Concern Statement AIR-2.
1799	29	Air Quality	205.0100.00	AIR-3	Table 3-6 shows very high levels of dust but appears to consist of one-time measurements and does not correlate the level of airborne particulates with wind speed or location. Experience has shown that when it is calm there will be little dust on the playa, when windy it will be dusty. Maybe this is due to human activity or maybe not but the table does not allow this to be determined. If the dust levels are just the prevailing natural conditions on the playa it becomes the individual's choice to be there or not and it's not necessarily the responsibility of the Burning Man Organization or BLM to change the natural conditions. A proper measurement of the impact of human activity on the dust level would measure dust levels immediately upwind of the event perimeter and in the heart of the event area at about the same time. Wind speed must also be measured so dust levels as a result of participant activity may be determined with assurance.	Commenters pointed to inadequacies in the methods by which dust measurements were used in the EIS to reflect impacts from human activity and suggested measuring dust levels inside and outside of the event perimeter to more properly measure the impact of human activities on dust levels.	Because BRC is applying for a special recreation permit for this Event, it is necessary to evaluate the impact of Burning Man Event activities on air quality and on human health, which must consider overall pollutant levels during the Event. Data were collected to assess both current Event air quality impacts as well as the air quality environment within which the Event exists. The intent of the dust abatement measures presented in the DEIS was to minimize particulate concentrations to the extent possible to minimize health and safety impacts associated with high particulate concentration levels. Based on public comment and further discussions between BLM and BRC, mitigation measures AQ-1 and SPEC-1 to reduce dust events that are twice the NAAQS for PM2.5 and PM10 have been removed in the FEIS due to the ambiguity of the measure. The dust-reducing components of the proposed action, described in Section 2.2.2 of the DEIS, are retained in the FEIS.
521	1	Air Quality	205.0100.00	N/A	No amount of water pumped from the local groundwater and trucked to the closure area will prevent the alkali dust clouds that arise every morning, when BM participants arise, and last until very late at night. Allowing the number of participants to increase 20% will make this public safety hazard substantially worse.	See Public Concern Statement AIR-3.	See Public Concern Statement AIR-3.
1806	1	Air Quality	205.0100.00	N/A	Furthermore, the playa will be home to dust aerosols independent the Burning Man event. It is naturally occurring phenomena. It's therefore egregiously unreasonable for the Burning Man Project to be responsible for the related costs of such monitoring. If the BLM has needs to monitor of dust beyond their already published Air Resources Baseline Technical Report, that should be at the BLM's cost. Monitoring dust aerosols (a well understood element of the Black Rock Desert) seems very much unnecessary, poorly justified, misguided, unproductive, prohibitively costly, and not at all something the Burning Man Project should be required to fund.	See Public Concern Statement AIR-3.	See Public Concern Statement AIR-3.
1372	1	Air Quality	205.0100.00	N/A	I would like to see improved data that suggests airborne dust is worthy of study. As for dust as an ecological concern, it seems that the EIS states little more than dust exists and may have impacts. This seems thin evidence that deeper study is required, regardless of who funds it.	See Public Concern Statement AIR-3.	See Public Concern Statement AIR-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1547	2	Air Quality	205.0100.00	N/A	am also concerned regarding air quality but so many of these proposals require very heavy infrastructure which would significantly increase the PM2.5, PM5 and PM10 from additional disruption of the playa surface which seems highly contradictory to the state goal. Additionally the large machines required for installation would release large quantities of polycyclic aromatic hydrocarbons from their own gas/diesel usage, further injuring the air quality. We can all agree that Black Rock City is very dusty but just as it is my god-given right to ride a motorcycle without a helmet, thereby risking my health, it is all my right to choose to place myself in the middle of BRC. There are multiple functional options for protecting your lungs which are available to all attendees including but not limited to N95 masks. Additionally BRC has several self-initiated measures to improve air quality which are in place already and do not require BLM oversight as they are already a successful and deeply integrated and upheld part of the Burning Man culture (e.g. speed limits, wetting down of the roads, etc	See Public Concern Statement AIR-3.	See Public Concern Statement AIR-3.
942	2	Air Quality	205.0100.00	N/A	A reference to air borne silica as a carcinogen was presented on Page 3-27 of volume I. A determination of the concentration and crystal morphology of the air borne crystalline silica observed at the event was not presented anywhere in the documents provided.	N/A	Air monitoring data were collected during the 2017 Burning Man Event to provide baseline information for the air modeling analysis performed in support of the EIS. In addition to particulate concentrations, the chemical constituents of the monitor filters were analyzed for two of the filters collected on the Black Rock Playa. Measured constituents were shown in Tables 2-4 and 2-5 and filter speciation laboratory reports were included as Appendix C of the Air Resources Technical Baseline Report. The report was made available in conjunction with the DEIS on the BLM's ePlanning project website for this EIS.
1003	1	Air Quality	205.0100.01	N/A	the Nevada Division of Environmental Protection, Bureau of Air Pollution Control (NDEPBAPC) is not to be found among detailed discussions. This presents problems: assessing air quality, issuing contingent permits, and measuring against criteria. Specifically, the EPA's Clean Air Act (CAA) would have an influence on EIS air quality planning, but the state permit(s) may authorize activities and provide specifications. This lack of discussion clouds the BLM document as readers cannot fully ascertain the contingencies of that part, and related parts, of the EIS,	N/A	State regulatory requirements were described in Section 3C of the AERMOD Modeling Report to Assess Direct and Cumulative Ambient Air Quality Impacts, provided concurrently with the DEIS on the BLM's ePlanning project website. In addition, the air modeling protocol took into consideration the precedents set forth in the Nevada Division of Environmental Protection guidance document "General Air Dispersion Modeling Guidelines" (NDEP, Bureau of Air Pollution Control [BAPC] Guidance, September 2008) (see Appendix D of the Technical Air Baseline Report, also provided on the BLM's ePlanning project website).The NDEP air permitting process is outside the EIS analysis being done pursuant to the National Environmental Policy Act. NDEP's authority and responsibilities derive from the federal Clean Air Act and State law. The NDEP will issue any required permits within its authority after the BLM issues a special recreation permit. The BLM has a wider responsibility to evaluate the effects of its actions and authorizations on air quality, such as those that derive from the Clean Air Act, the National Environmental Policy Act, and the Federal Land Policy and Management Act; the BLM's implementing regulations; and the requirements of the land use management plan in which the action will take place.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1799	30	Air Quality	205.0100.00	N/A	Table 3-9 shows the total CO2 emissions for the various event alternatives. The scope of the analysis does not consider the CO2 emissions the participants would generate if they were not at the event. It is completely plausible that visiting Burning Man and not driving for a week (the case for most participants) results in less CO2 emissions than the ordinary day to day to work commute when living off the playa. Also not considered is the impact of alternative activities participants might pursue while not at Burning Man. What if all the population in Alternative B (Reduced Population) drove or flew somewhere else, would the CO2 emissions increase or decrease?	N/A	An analysis of carbon dioxide emissions that would be produced from participants who were not at the Burning Man Event would be speculative and is outside the scope of the EIS. The information in Table 3-9 allows for a reasoned comparison of greenhouse gas emissions that could occur under each alternative from activities that would be authorized by the BLM's granting of a permit pursuant to each alternative, or a No Event Alternative defined in Section 2.6 of the DEIS. The assumptions used in estimating emissions for a No Event Alternative were included in the footnote to Table 3-7 of the DEIS and have been added to Table 3-9 in the FEIS.
936	5	Cultural Resources	205.0200.00	CULT-I	I have never seen any evidence of these resources, NHTs, artifacts, or fossils on the event playa. This stands to reason as the playa itself tends to destroy or bury any items, since it liquifies in wintertime. Any evidence of a historical trail, for example, would be completely wiped out by a few years of the winter conditions. Does BLM have any evidence that any of these items may have been disturbed by Burning Man participants?	Commenters questioned whether National Historic Trails or any other cultural artifacts exist at the event or have been disturbed or impacted by Burning Man participants. Other commenters are concerned that the proposed mitigation would not protect what artifacts have been discovered on route to the Event.	Mitigation measures contained in the EIS include educating participants regarding the protection of sensitive historical/archaeological artifacts and ensuring that Event staging areas are at least 200 feet from the playa edge buffer zone. The general terms and conditions of a BLM SRP require the permittee to notify the BLM Authorized Officer of any accidental discovery of human remains, cultural artifacts, or paleontological fossils.
1907	2	Cultural Resources	205.0200.00	N/A	Concerning National Historic Trails In my 20 years attending the event. I've never seen a historic trail. Or any trail of any sort. This is the deep desert remember. I'm not even sure why this section was thought to important enough to include in the EIS.	See Public Concern Statement CULT-I.	See Public Concern Statement CULT-I.
1902	4	Cultural Resources	205.0200.00	N/A	3.4.3 - Disruption of sensitive paleontology sites on the edge of the playa: not only does the assessment mention that there is extremely low risk, in my nine years of experience, participants willingly and/or by existing security measures stay in the borders of the event area. There is little to no reason to leave the event area. Additional searches of cars above and beyond the mandatory searches of every vehicle already done: My car is already searched very thoroughly by gate crew for contraband including weapons, illegal substances, and general illegal contraband, and additional security is an onerous requirement that will cause exponentially increased backed up traffic and local community traffic stress on already stretched-thin local communities.	See Public Concern Statement CULT-I.	See Public Concern Statement CULT-I.
445	3	Cultural Resources	205.0200.00	N/A	The Black Rock Desert has not been fully excavated or explored, leaving the possibility that there is still a number of artifacts out there being trampled and crushed under foot by people and vehicles. Artifacts and evidence that may even change history for Nevada as we know it. Also with the increase of population, there is no possible way to protect what has already been discovered on route to the Burning Man event.	See Public Concern Statement CULT-I.	See Public Concern Statement CULT-I.
1799	4	Cultural Resources	205.0200.00	N/A	It is not obvious that the BLM through the DEIS values Burning Man as social institution, art venue or cultural asset of international significance that deserves its protection and nurturing. To put it in historical perspective, the total number of people who have attended in or participated in Burning Man is probably comparable to the number who crossed the Black Rock Desert in the westward migration. Devaluing the Burning Man Culture is a serious omission in the DEIS.	N/A	The BLM has conducted research to identify and take into account all known cultural resources including archaeological resources and traditional cultural properties. Under NEPA, cultural resources are considered to be human remains, tangible material culture, or traces of an activity or event that is 50 years old or older. The fifty-year mark comes from the NHPA.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
521	3	Cultural Resources	205.0200.00	N/A	Cumulative Impacts and 3.4.1 – Cultural Resources: My husband and I were archaeological Site Stewards for the Nevada Site Stewardship Program for many years in the Black Rock area. We monitored the hot springs and the surrounding areas for visitor damage, looting, artifact collection, digging and other inappropriate damage to the pre-contact and historic era sites. After the BLM allowed the Burning Man event to grow exponentially during those years, we saw more and more burners holding their “mini BM events” year ‘round out there. The DEIS notes that the event now is the source of 12,800 to 16,000 additional visitors to these sites. These fragile sites cannot sustain this level of visitor use. Artifacts sit on open ground in these areas. We watched people set off kerosene bombs, shoot wildlife, build bonfires, drive in the dunes (which are sites), and dig “cat holes” for their morning feces deposit. Every time we visited, we brought out their trash. Yet, the DEIS does nothing to mitigate for these impacts.	N/A	Mitigation measures CULT-1 and CULT-3 include education of participants through various means on the importance of cultural resources protection.
1568	3	Cultural Resources	205.0200.00	N/A	The Pyramid Lake Museum and Visitors Center is adjacent to the intersection of highways 446 and 447. We would like to encourage a creative collaboration that would enhance the journey to and from Burning Man. Indeed, instead of spending so much time and resources on BLM and BIA law enforcement presence to curtail negative impacts perhaps dedicating that money to cultural, archeological and art tours could employ tribal members while constructively directing and educating the public. The possibilities are significant, if the focus changes to enhancing the positive attributes this land and its people have to offer.	N/A	While the BLM can analyze proposed activities in the direct and indirect study areas and can offer proposed mitigations, it is outside the jurisdiction of the BLM to dictate specific mitigation measures involving the PLPT. The BLM does propose very general mitigations for BRC to implement with the PLPT.
936	7	Environmental Justice	205.0300.00	N/A	Environmental Justice and specifically impacts on low-income and minority populations in the area. My understanding is the economic impact of a larger number of visitors who purchase items at local stores, restaurants, and other businesses, is substantial. To mention there is some adverse impact, without considering the huge positive economic boost provided by visitors, is wrong.	N/A	Executive Order 12898 requires that federal agencies identify and address any disproportionately high and adverse human health of environmental effects. The environmental justice section of the FEIS analyzes the potential negative impacts on social values on minority and low-income communities. The economic contributions are considered and described in Section 3.7.1.
1359	1	Environmental Justice	205.0300.00	N/A	There is a large environmental justice concern with large BMEs, despite the “Not applicable” status deemed to it in Table 3-1. Low-income and minority residents would have to suffer adverse environmental impacts during the event and before/after the event. In addition to high increases in amounts of traffic to the area during the event, which can be up to an 160% increase on roads according to Table 3-3, significant amounts of pollution (air, noise, light, solid waste, and many other forms) and soil erosion (Table 3-13) will disproportionately affect people that have no means to control it. Air pollution changes are summarized in Tables 3-7 through 3-10, and noise pollution changes is in Tables 3-11 and 3-12. There is also a great potential that the social values and traditions of BME conflict with the values of the surrounding communities, creating a disconnect between BME and the local communities, and BME can interfere with other recreational uses in the Black Rock Desert Playa. However, the EIS deems Native American religious concerns, Public health and safety, Social values and economics, and many other justices issues as “Present and Affected” but “Not Applicable” for the EIS. Anyone making an action on the environment needs to consider the “Triple Bottom Line:” people (e.g. social impacts), profit (e.g. economic analyses), and planet (environmental protection and public health and safety). Reducing the size of BME by reducing the amount of participants is the best way to minimize these impacts.	N/A	The “Rationale” column in Table 3-1 is to describe the rationale behind removing a resource from further analysis. If a resource is kept for further analysis, rationale is not required. Environmental justice impacts are described in Section 3.7.2 of the EIS and in the Assessment of Economics, Social Values, and Environmental Justice stand-alone report.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
788	1	Environmental Justice	205.0300.00	N/A	ticket costs have narrowed the demographics of the event, and I feel certain that if costs were raised further, there would be no means by which those from disadvantaged backgrounds could experience this important cultural event. Please consider alternative solutions.	N/A	The purpose of the EIS is to address all significant environmental impacts and to ensure reasonable alternatives are considered in connection with the Proposed Action.
1902	3	Migratory Birds	205.0400.00	MIG-1	3.3.1 - Birds are a comparably rare sighting on playa, and don't just run into visible objects, either native or foreign. Bird strikes are generally common in cities on tall glass skyscrapers that reflect the sky. We don't have those, so a non-issue.	Commenters stated that the DEIS does not provide supporting evidence to substantiate a discussion of impacts to migratory birds. Commenters stated that migratory birds do not exist on the playa during the event time period, that phenomena resulting in impacts to birds had not increased with increasing event population, and that the possibility of birds strikes and other impacts does not rise to a level of importance necessitating analysis in the EIS.	Information related to the affected environment for migratory birds is presented in the Biological Resources Baseline Report. The CEQ regulations require an EIS to "succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration." The BLM complied with these regulations in describing the affected environment. The requisite level of information necessary to make a reasoned choice among the alternatives in an EIS is based on the scope and nature of the proposed decision. The affected environment provided in the Biological Resources Baseline Report is sufficient to support the environmental impact analysis resulting from the alternatives presented in the DEIS. The DEIS further provides an analysis of the environmental consequences, including the cumulative impacts, associated with each alternative in Section 3.3.1. As required by 40 CFR 1502.1, the DEIS provided sufficiently detailed information to aid in determining whether to proceed with the preferred alternative or to make a reasoned choice among the other alternatives so that the public could have an understanding of the environmental consequences associated with the alternatives. In summary, these documents provide the appropriate information for the scope and scale of the project and sufficient information to support the impacts analysis in the DEIS.
1799	6	Migratory Birds	205.0400.00	N/A	The DEIS does provide any evidence for bird migration or breeding activity in or near the playa at the time of the event. Nor is any evidence presented for bird strikes on aircraft on the slow moving vehicles. There is very little trash on the playa and no predatory animals to attack them. At least at the time and place of the event there is no food source for birds.	See Public Concern Statement MIG-1.	See Public Concern Statement MIG-1.
1841	8	Migratory Birds	205.0400.00	N/A	While there may be a visible impact of light, this light is no more than would be found in a city. Birds are rarely encountered on playa. There is not sufficient and current data about the species and types of birds affected, nor proof of a problem.	See Public Concern Statement MIG-1.	See Public Concern Statement MIG-1.
387	1	Migratory Birds	205.0400.00	N/A	"Migratory birds would be affected by Burning Man Event activities under all Event alternatives. The intensity of impacts would correspond to the number of Event participants. Noise, light pollution, emissions, dust, traffic, and playa soil degradation would become more intense as the number of Event participants increased." Need data to support idea that intensity of impacts has increased over time as event participant number has increased. There is no data to support this idea, although time series data from past events could support or refute this claim.	See Public Concern Statement MIG-1.	See Public Concern Statement MIG-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
605	2	Migratory Birds	205.0400.00	N/A	Further, previous and additional environmental studies of bird migration in Black Rock Desert area have demonstrated that migratory birds are not on the playa during the hot summer months. Any belief by BLM to the contrary should be supported with independently verified and additional data about bird species and quantity alleged to be affected.	See Public Concern Statement MIG-1.	See Public Concern Statement MIG-1.
1407	3	Migratory Birds	205.0400.00	N/A	As the report acknowledges there is almost no wildlife local to the event area. Migratory birds have far more to contend with in towns and cities throughout America than in a single one-week festival – thus, this argument seems highly overwrought.	See Public Concern Statement MIG-1.	See Public Concern Statement MIG-1.
612	1	Migratory Birds	205.0400.00	N/A	Take, for instance, concerns about migratory birds, that, "Noise, artificial nighttime lighting, and decreased air quality could displace birds or alter foraging or movement." There is nothing to forage on the playa. The copepods that spring from the playa after heavy rains, sure, can be eaten by birds. But that's not more likely to happen during Burning Man than any other time period when any other event would be disrupting birds.	See Public Concern Statement MIG-1.	See Public Concern Statement MIG-1.
1157	1	Migratory Birds	205.0400.00	N/A	The mission of the Tribe is to promote conservation, with protection and enhancement of Tribal natural resources. The plan under Alternative A magnifies the impacts of the Burning Man Event in a way that greatly conflicts with our mission. This Environmental Impact Statement (EIS) notes that, "Migratory birds are likely to experience the greatest impacts under Alternative A (Proposed Action), due to the increased Event population and the expansion of the Closure Area on the playa." The impacts of most concern to migratory birds are vehicle collisions in the Assessment Area, the impacts of trash, and shorebirds feeding on brachiopod eggs. Moving forward with a plan that is anticipated to cause the most anticipated impacts to migratory birds is not acceptable.	N/A	The DEIS addressed impacts on migratory birds in Section 3.3.1. All alternatives are subject to applicable laws, as described in Section 2.1 of the DEIS. These include, among many others, compliance with the Migratory Bird Treaty Act (MBTA). The CEQ regulations (40 CFR 1502.1) require that the BLM consider reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment.
987	1	National Conservation Area	205.0500.00	N/A	In 1992 the California Trail was designated by Congress as a National Historic Trail, a component of the National Trails System under the National Trails System Act. As such, discussion of the California National Historic Trail belongs in this section, not in the cultural resources section.	N/A	Thank you for your comment; no change is needed. The National Historic Trails discussion will remain in the Cultural Resources section of the FEIS.
1897	1	National Conservation Area	205.0500.00	N/A	Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area was established in 2000 to conserve, protect, and enhance the historical, cultural, paleontological, scenic, scientific, biological, educational, wildlife, riparian, wilderness, endangered species, and recreational values and resources associated with the Applegate-Lassen and Nobles Trails corridors and surrounding areas. It also supports and manages recreational use and special events. We, the public, rely upon BLM to protect the NCA's natural resources including wildlife, archeological and cultural resources, to manage recreation use, and to preserve geological and visual values. The EIS and the subsequent permit must provide assurances that damage to these resources will not occur.	N/A	Appendix E of the DEIS lists mitigation and monitoring measures to reduce potential impacts on the values of the National Conservation Area.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1157	6	Native American Religious Concerns	205.0600.00	NARC-1	Of great alarm to the Tribe is the manner in which increasing the population under Alternative A is, according to this EIS, likely result in a greater impact to Native American religious concerns. We are concerned both for ourselves given that the ancestral lands of the Tribe includes areas within the Black Rock Range and for our fellow Northern Paiutes, the Pyramid Lake Paiute Tribe. We anticipate greater impacts in the area with traffic, noise, litter, road impacts, traditional cultural uses and practices, trespass, traditional cultural integrity and setting, increased visitation and impacts to spring locations, and unauthorized artifact collection. It has also been brought to our attention that human remains are often burned as a part of the Event activities. As the honor and cultural right to repatriate illegally or accidentally exhumed human remains on federal lands that are part of Northern Paiute's ancestral homelands has been refused to other tribes in the area, allowing this practice of burning human remains by Event attendees, with no connection to the Black Rock Range, is particularly offensive and must be ended. We recommend moving forward with Alternative B as a reduced population will reduce the likelihood of these impacts.	Commenters expressed concern over the effects of increasing event participation and cited specific activities that pose cultural and religious issues, given that they occur on Northern Paiute ancestral homelands.	The FEIS has been revised to include Mitigation measure CULT-5, which forbids the disposal of human remains at the Event. Through government-to-government consultation with the Pyramid Lake Paiute Tribe and letters from cooperating agencies, there is an issue with trash along SR 447 and traffic near and within the reservation. The unauthorized dumping of trash in Reno has been documented by the Reno Gazette-Journal and other newspapers.
389	1	Native American Religious Concerns	205.0600.00	N/A	"Population increase could increase effects from Event activities, including traffic, noise, litter, road impacts, and traditional and cultural uses and practices integrity and setting." Again, the concept that more people leads to more noise, litter, road impacts, traffic, and traditional and cultural uses and practices integrity and setting needs to be supported with evidence.	See Public Concern Statement NARC-1.	See Public Concern Statement NARC-1.
1157	3	Native American Religious Concerns	205.0600.00	N/A	As stated, the Reservation is located adjacent to the Black Rock Range. Although the roads passing through the Reservation are not known to be major routes for Event participants it has been our experience that some do pass through the area. It is reasonable to postulate that an increase in population at the Event with Alternative A, could bring more travelers through that route as they attempt to avoid the even more congested major routes. The Tribe is concerned about how this could potentially impact Tribal resources. Road damage, trespass, vandalism, unauthorized artifact collection, harassment of fish and wildlife, noxious weeds, and illegal dumping are a few of the Tribe's major concerns.	See Public Concern Statement NARC-1.	See Public Concern Statement NARC-1.
1648	4	Native American Religious Concerns	205.0600.00	N/A	The tribal communities (Nixon, Wadsworth, and Sutcliffe) experience a significant spike in the number of vehicles passing through the neighborhoods and state routes connecting the three communities. The school zone and walking path to Natchez Elementary have been of increasing concern and the proposed action will further increase this traffic and danger to our citizens. The Tribe has been working on a plan to construct a bypass route that would alleviate the traffic from Wadsworth's school zone. Funding is currently unavailable for construction for this project, but the project should be included in the EIS's Recommended Mitigation.	See Public Concern Statement NARC-1.	See Public Concern Statement NARC-1.
812	3	Native American Religious Concerns	205.0600.00	N/A	The Pyramid Lake Paiute Tribe generates significant revenue from acceptance and disposal of participants' trash and recycling at temporary waste stations along SR 447 during and after the Burning Man event. In The BLM's proposal fails to account for the Tribe's loss of revenue were trash to be disposed of on-site at the event rather than off-site as has been customary for twenty-eight years.	N/A	Through government-to-government consultation with the Pyramid Lake Paiute Tribe and letters from cooperating agencies, there is an issue with trash along SR 447. The unauthorized dumping of trash in Reno has been documented by the Reno Gazette-Journal and other newspapers.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1799	16	Public Health and Safety (including law enforcement)	205.0900.00	N/A	The reported number of sexual assaults was 11 at Burning Man for the same year 2016, substantially above the number expected in the general population and probably higher than the rate for the neighboring counties in Nevada. However without correction for demographic differences in the distribution of age and gender it is not possible to compare these rates directly since attendees Burning Man tend to include more younger adults than are in the general population. The DEIS is inadequate because of the following: * it provides no context to compare the rate of sexual assault at Burning Man with anything else because corrections for differences in distribution of age and gender are not applied * more importantly there is no meaningful remediation to reduce the levels this crime * the DEIS does not stress prevention of sexual assault	N/A	The BLM, through the concept of adaptive management, may implement similar measures in the future after discussions with BRC. It is not necessary to compare the rate of sexual assaults at Burning Man to any other event or population, since the BLM is required by NEPA to analyze all impacts on the human environment.
1799	17	Public Health and Safety (including law enforcement)	205.0900.00	N/A	The US Federal CDC has studied this problem and has developed a set of prevention strategies described as below: <a href="https://www.cdc.gov/violenceprevention/sexualviolence/prevention.html">https://www.cdc.gov/violenceprevention/sexualviolence/prevention.html</a> These include the following strategies, summarized briefly, a complete descriptive document is on the CDC website. * Promote Social Norms that Protect Against Violence * Teach Skills to Prevent Sexual Violence * Provide Opportunities to Empower and Support Girls and Women * Create Protective Environments * Support Victims/Survivors to Lessen Harms	N/A	It is recommended by law enforcement agencies generally and cooperating agencies with expertise in the area that a comprehensive security plan should begin with screening for banned items at the points of entry and a hardened perimeter. For the Burning Man Event, BLM has recommend a systematic screening process to provide participant health and safety at the Event site, as required by FLPMA and the BLM's SRP regulations and policy. DHS publications recommend designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands. NEPA requires the BLM to consider and discuss the human environment in environmental impact statements (40 CFR 1508.8 and 40 CFR 1508.14).
1059	5	Public Health and Safety (including law enforcement)	205.0900.00	N/A	EIS Chapter 3 and underlying Public Health and Safety Report Section 1.3 Comparable Environments, Section 1.3.2 lists Electric Daisy Carnival ("EDC") as a comparable environment. This is definitely not a comparable environment as EDC is held at the Las Vegas Speedway which is an impervious surface environment of asphalt. The campground at EDC has 2 (two) entrances and the event itself has 7 (seven) entrances facilitating the ingress/egress of participants. The EDC campground environment is a mix of asphalt and asphalt covered in artificial turf. In no way is this a comparable environment other than by population figures.	N/A	The BLM, through the concept of adaptive management, may implement similar measures in the future after discussions with BRC.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1011	1	Public Health and Safety (including law enforcement)	205.0900.00	N/A	Public Health and Safety at the Burning Man Event, Section 1.2.11 Controlled Substances, Page 14 states: "Attempting to stem violent participant behavior without addressing illegal drug use will not have a significant impact on participant or law enforcement safety." This appears to be an opinion that is not based on collected/observed data or a cited reference. Nowhere in any of the documents submitted are statistics on violent participant behavior nor is any data relating drug use to violent behavior. Table 2 shows medical incidents with 76 to 325 incidences per year of altered state-influence of drugs/alcohol. Table 2 also shows the reported levels of combative patients is comparatively low, counter to the argument that participants under the influence are violent. It is well known that alcohol is by far the lead cause of violent behavior. Illegal drugs that may also lead to violent behavior are methamphetamine, PCP, bath salts and crack cocaine. These drugs are not the drug of choice among burning man participants. Marijuana, MDMA, psilocybin, LSD, ketamine and nitrous oxide are the drugs typically used at the event. None of these drugs are know to cause an increase in violent behavior.	N/A	The Public Health and Safety at the Burning Man Event report uses first-hand observations from qualified law enforcement of past events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistent with CEQ regulations. The 2019 Burning Man Theme Camp Symposium recounts an incident of a participant being gifted a substance that contained fentanyl. The 2019 Burning Man Theme Camp Symposium Facebook video includes a discussion from a camp lead about preparing for fentanyl exposure by equipping the camp with Narcan (because of a fear that campmates could become exposed to fentanyl) and relates an important life altering experience for a campmate who was gifted a substance with fentanyl unbeknown to the individual. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all Special Recreation Permit events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during environmental impact statement preparation.
1799	10	Public Health and Safety (including law enforcement)	205.0900.00	N/A	No statistics are presented in Table 3-5 to indicated the types of substances possibly consumed by participants or if alcohol was the primary substance. No statics are presented to compare the rate of intoxication at other public recreational events such as professional sports or college football games.	N/A	The BLM used the best available data when analyzing the impacts of the Burning Man Event. The commenter has not provided any other data that the BLM should use in its analysis. This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.
1799	13	Public Health and Safety (including law enforcement)	205.0900.00	N/A	How many of the drug arrests cited in the document are for pot which although federally illegal under the current government is legal in many states now making up a large fraction of the US population including Nevada where the event is held and California where many of the participants live?	N/A	The BLM used the best available data when analyzing the impacts of the Burning Man Event. The commenter has not provided any other data that the BLM should use in its analysis. This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.
1799	12	Public Health and Safety (including law enforcement)	205.0900.00	N/A	The statement: Illicit drug use can result in an urgent need to evacuate one's refuse, resulting in increases of human feces deposited on the playa and left unclaimed by participants in recent years. is questionable and appears to be a hypothetical situation. It is not stated how it is known that this obviously foul anti-social behavior is due to drug use or other factors or how often it happens. Opioids, the only illegal drug specifically mentioned in this paragraph, cause constipation, not the opposite. This is a worst case scenario with no supporting information for either this supposed effect of illegal drug use or how much human waste is a result of drugs. However the playa certainly needs many more porta-potties in convenient locations especially the deep playa and anything the BLM can do to make this happen would be much appreciated by all attendees and improve the environment.	N/A	The PHS at the Burning Man Event uses first-hand observations from qualified law enforcement of past events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistent with CEQ regulations.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1799	15	Public Health and Safety (including law enforcement)	205.0900.00	N/A	No rationale is presented in this section to support the conclusion that 1/ limited access controls are a "critical event vulnerability and 2/ lack of professional security resources are a problem. This is just a statement with no supporting evidence, no evaluation of alternatives and poor statistical support for the assertion that there is limited law enforcement support at the event. The term "Critical Event Vulnerability" is also not defined.	N/A	It is recommended by law enforcement agencies generally, and cooperating agencies with expertise in the area, that a comprehensive security plan should begin with screening for banned items at the points of entry and a hardened perimeter. For the Burning Man Event, BLM has recommended a systematic screening process to provide participant health and safety at the Event site, as required by FLPMA and the BLM's SRP regulations and policy. DHS publications recommend designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands. NEPA requires the BLM to consider and discuss the human environment in environmental impact statements (40 CFR 1508.8 and 40 CFR 1508.14). The constitutionality of the proposed security screening is well supported in instances where the Department of the Interior contracts for or requires security at points of entry to large outdoor mass gatherings.
784	5	Public Health and Safety (including law enforcement)	205.0900.00	N/A	While statistics may indicate law enforcement ratios at 3 to 4 personnel per 1,000 of population, that is inclusive of both sworn and unsworn personnel. It includes personnel dedicated to dispatching, records, school resources and community services. Most statistics hover at some number of 1.5 sworn officers per 1,000; Burning Man's sworn police resource is right on target.	N/A	The PHS at the Burning Man Event uses first-hand observations from qualified law enforcement of past events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistent with CEQ regulations.
1487	2	Public Health and Safety (including law enforcement)	205.0900.00	N/A	No Hand Washing-All that is provided are Port-A-Potties w/ Hand Sanitizer. Increase risk of disease transmission when you don't have hand washing	N/A	The BLM, through the concept of adaptive management, may implement similar measures in the future after discussions with BRC.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1487	9	Public Health and Safety (including law enforcement)	205.0900.00	N/A	9.a. Drugs and car inspections are not worth the battle / do not have a benefit for health and safety of the land or overall public. More time should be spent on fire and environmental compliance inspections which do affect the public's health and safety. 9.b. Car searches are time consuming and routine car/camp inspections for drugs would be time consuming as well. Reprioritize.	N/A	It is recommended by law enforcement agencies generally, and cooperating agencies with expertise in the area, that a comprehensive security plan should begin with screening for banned items at the points of entry and a hardened perimeter. For the Burning Man Event, BLM has recommended a systematic screening process to provide participant health and safety at the Event site, as required by FLPMA and the BLM's SRP regulations and policy. DHS publications recommend designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands. NEPA requires the BLM to consider and discuss the human environment in environmental impact statements (40 CFR 1508.8 and 1508.14). The constitutionality of the proposed security screening is well supported in instances where the Department of the Interior contracts for or requires security at points of entry to large outdoor mass gatherings.
1487	10	Public Health and Safety (including law enforcement)	205.0900.00	N/A	10. Prioritize- City planning- distances between camps - road width and accessibility into camps; fire safety; fuel storage; hand washing education for disease prevention Require BM organizers be available 24/7 at headquarters for planning and addressing issues and ease of communication.	N/A	The BLM, through the concept of adaptive management, may implement similar measures in the future after discussions with BRC.
1573	1	Public Health and Safety (including law enforcement)	205.0900.00	N/A	The analysis fails to identify the primary hazard caused by the event, which is dust getting into the eyes and lungs of participants. This hazard far exceeds any of the proposed hazards discussed in the study, which considers several non-existent hazards such as weapon use in lieu of considering real hazards to health and safety of participants.	N/A	The PHS at the Burning Man Event uses first-hand observations from qualified law enforcement of past events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistent with CEQ regulations. The Air Quality and PHS sections of the DEIS and associated documents discuss these concerns.
1559	1	Public Health and Safety (including law enforcement)	205.0900.00	N/A	In perusing the document provided by BMP, the 'Fact-checking BLM: Draft Environmental Impact Statement Backgrounder' under section Mitigation PHS-1, BMP purports to provide a list of prohibited items for the Festival. In this document they allege they publish a list that precludes weapons, narcotics, and fireworks as well as other prohibited items. However, when you peruse the Burningman.org website specifically the survival guide, the only weapons which are prohibited are Explosives and firearms of any kind. There are so many other devices which can and are used as weapons. There is NO prohibition about narcotics specifically referenced within the 'Prohibited items' section of the survival guide. I would venture to state that the vast majority of the negative issues which occur at this Festival are due to the rampant and unchecked influx of narcotics and other illicit substances which are regularly allowed to come through the entry gates to the Burning Man Festival daily and yearly. I believe this is part of the reason a private security company was recommended as mitigation for this severely lacking task.	N/A	The BLM, through the concept of adaptive management, may implement similar measures in the future after discussions with BRC.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
766	2	Public Health and Safety (including law enforcement)	205.0900.00	N/A	Table 3-5 summarizes medical events at Burning Man Event. The numbers reported here indicate that the rate of off-site transports to number of patient visits is 0.01. Assuming each patient visit to Burning Man Event medical site is similar to an Emergency Department (ED) visit, the rate of hospital admission in the U.S. from ED is 0.09. At an almost ten-fold increase over the rate from Burning Man Event. Perhaps it is this "gifting culture" of food, water, and shelter that prevents more serious injury in the "rugged, austere environment" of the playa. In the world of internal medicine the adage goes, "an ounce of prevention is worth a pound of cure". Before making rash decisions to upend a decades long tradition at the Burning Man Event, I implore the BLM to provide better quality data and justification for the requirement of 65 days of contract for ambulance services.	N/A	The disruption of emergency medical response creates an impact on the human environment, as defined under NEPA, and disadvantages communities impacted in underserved minority populations. PLPT comments state that there is an assumption that PLPT EMS services will support Burning Man operations; however, one call or deployment by PLPT EMS precludes PLPT from supporting any other emergency operations, meaning that the tribal community would have no EMS coverage at times. This measure will be implemented only outside of the time periods ESD is operational with transport resources on the playa.
497	1	Public Health and Safety (including law enforcement)	205.0900.00	N/A	[ <a href="https://www.neighborhoodscout.com/about-the-data/crime-rates">https://www.neighborhoodscout.com/about-the-data/crime-rates</a> , last visited March 29, 2019] The 2017 crime statistics for the Comparable Cities show a range of 7.13 to 75.32 crimes per thousand residents. The average is 31.36 crimes per thousand, and the median is 28.12. I have included a table with this information in an attachment to this letter. The cities and population counts are from the Census Bureau website cited above, and the crime statistics are from NeighborhoodScout.	N/A	The BLM used the best available data when analyzing the impacts of the Burning Man Event. The commenter has not provided any other data that the BLM should use in its analysis.  This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.
1106	5	Public Health and Safety (including law enforcement)	205.0900.00	N/A	The public health threats that the BLM lists in volume I of the draft EIS (section 3-27) as reasons for proposing PHS-I include: 1. Unwitting consumption of drugs in gifted food or drink 2. Combative subject calls related to substance abuse 3. Increased human waste on the playa due to physical reactions to drugs 4. Willing drug users mistakenly ingesting the wrong substance These are legitimate concerns, though I can find no figures given by the BLM that would indicate how many instances have been documented in previous years. #2 and #3 are more commonly associated with legal alcohol consumption and in the absence of strong evidence to the contrary I would expect that even a complete elimination of illegal drugs would not have a significant impact on their incidence. In my opinion, #4 would be better addressed with increased availability of harm reduction measures, which can be made much more effective when they're not actively impeded by law enforcement.	N/A	The PHS at the Burning Man Event uses first-hand observations from qualified law enforcement of past events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistent with CEQ regulations. The 2019 Burning Man Theme Camp Symposium recounts an incident of a participant being gifted a substance that contained fentanyl. The 2019 Burning Man Theme Camp Symposium Facebook video includes a discussion from a camp lead about preparing for fentanyl exposure by equipping the camp with Narcan (because of a fear campmates could become exposed to fentanyl) and relates an important life altering experience for a campmate who was gifted a substance with fentanyl unbeknown to the individual. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all Special Recreation Permit events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during preparation of an environmental impact statement.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
229	2	Public Health and Safety (including law enforcement)	205.0900.00	N/A	In reviewing the Draft EIS I have noticed discrepancies between your data table and mine. Considering some of my source material is from BLM including FOIA requests it is unsettling when there are discrepancies. As I am more interested in accuracy than spin I am requesting a review to insure accuracy. Please advise if my information is incorrect. Dave Skelton See attached comment containing Table-Burning Man Event BLM Law Enforcement Activity Summary (2001-2017)	N/A	The BLM used the best available data when analyzing the impacts of the Burning Man Event. The commenter has not provided any other data that the BLM should use in its analysis. This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.
766	1	Public Health and Safety (including law enforcement)	205.0900.00	N/A	The analysis of "high concentrations" of alkaline gypsum and silica dust as cited in Adams KD, Sada DW. 2010. Black Rock Playa, northwestern Nevada: physical processes and aquatic life. [place unknown]: Desert Research Institute. [accessed 2016 Feb 13] - is not quantified nor explicitly stated as such. Crystalline silica is encountered in the workplace by 2.3 million workers. Common occupational exposures include: sandblasting, rock drilling, and jackhammering ( <a href="https://www.cdc.gov/features/preventing-silicosis/index.html">https://www.cdc.gov/features/preventing-silicosis/index.html</a> ). These occupations include exposure to silica in high concentrations and occasionally indoors. The current permissible exposure limit (PEL) for respirable crystalline silica (RCS) to 50 micrograms per cubic meter of air ( <a href="https://www.osha.gov/dsg/topics/silicacrystalline/">https://www.osha.gov/dsg/topics/silicacrystalline/</a> ) - likely far higher than is typically experienced in a non-occupational environment. Silicosis is uncommon in non-occupational settings and often takes years or decades of continual exposure before development of disease ( <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3683189/">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3683189/</a> ).	N/A	The BLM used the best available data when analyzing the impacts of the Burning Man Event. The commenter has not provided any other data that the BLM should use in its analysis. This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.
1705	5	Public Health and Safety (including law enforcement)	205.0900.00	N/A	The EIS makes a lot of assertions that there are problems, but fails to document specifics. What specific incidents indicate that an event like Burning Man causes an increase in drug trafficking in the area where the event is held, specifically in the surrounding communities?	N/A	The BLM used the best available data when analyzing the impacts of the Burning Man Event. The commenter has not provided any other data that the BLM should use in its analysis. This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.
134	1	Public Health and Safety (including law enforcement)	205.0900.00	N/A	The radio station (Burning Man Radio) noted by the event is not authorized by the FCC; it's pirate. The FCC would be within their right to send federal marshalls into the event and have the station shutdown. It's not licensed such as a university, a registered commercial entity, and the transmission range far past the allowed for small devices such as FM tuners used in your car audio. (refer to FCC for specific license types). The radio station is credited for emergency preparedness however the use is not legal. This leaves the event safety hinging on a pirate radio station for a communications plan.	N/A	Burning Man is required to obtain all pertinent State, federal, and local permits, as stated in Table I-1 of the DEIS.
784	3	Public Health and Safety (including law enforcement)	205.0900.00	N/A	The definition of sexual assault in BRC encompasses not only physical assaults; but includes offenses characterized elsewhere as harassment, stalking, mischief, public indecency, indecent exposure, and disorderly conduct. Rather than relying upon reports of misconduct which result in what is called a Tier I notification, using the BRC expanded definition, any analysis must adjust for the UCR definition of the offense	N/A	The BLM used the best available data when analyzing the impacts of the Burning Man Event. The commenter has not provided any other data that the BLM should use in its analysis. This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
269	1	Recreation	205.1000.00	REC-1	The numbers in tables 3-21 and 3-22 are woefully low in terms of rocket event attendance. Burning Man should not be allowed to monopolize public land for recreational use.	Commenters would like BLM to check the number of rocketry participants presented in the EIS, as they seem to be under reported based on commenters' experiences.	The numbers presented here were developed from post-use reports sent in by other SRP holders. Clarity has been added to address use-number discrepancies for rocketry use on the playa. Text was added concerning the history of rocketry on the playa.
271	2	Recreation	205.1000.00	N/A	The tables on page 3-90, table 3-21 and page 3-92, table 3-22 are wildly inaccurate on the number of rocketry related participants.	See Public Concern Statement REC-1.	See Public Concern Statement REC-1.
561	1	Recreation	205.1000.00	N/A	As a preface, I would like to state that the current usage by Rocketry enthusiasts, especially as reported in Table 3-21, is drastically under-reported. Actual usage is many orders of magnitude greater than reported here; as such, rocketry users should not be given short shrift when it comes to planned and allowed usage of the areas under consideration. Furthermore, it should be noted that rocketry users have traditionally been low-impact and low-cost users of the area, as contrasts with the Burning Man events which are notorious for the amount of trash and debris left behind by their activities. As such, I feel that current rocketry activities should be permitted; other activities (such as Burning Man) should only be permitted to the extent that they do not impact other, historical, low-impact uses of the area under consideration.	See Public Concern Statement REC-1.	See Public Concern Statement REC-1.
562	1	Recreation	205.1000.00	N/A	As an individual that participates in rocketry events at the site I can attest that it used by more than 14 individuals in 2017. Several rocketry groups on the west coast hold events at the location and have documentation of attendance numbers and pictures of the events that conflict with what the document shows.	See Public Concern Statement REC-1.	See Public Concern Statement REC-1.
252	1	Recreation	205.1000.00	N/A	Please also note that the numbers for use per year by rocketry in Table 3-21 ("Model airplane and rocket flying") are grossly low since 2012, as are the numbers in Table 3-22 ("Rocketry") since 2015. The AeroPac ARLISS, AeroPAC XPRS, and Tripoli Rocketry Association BALLS launch attendance is over 300-500 attendees per year. I have no numbers for separate university, amateur, altitude record attempts, and small commercial experimental launches, but those too are vital for development of launch vehicles.	See Public Concern Statement REC-1.	See Public Concern Statement REC-1.
544	1	Recreation	205.1000.00	N/A	Also, the data in the rocketry category of table 3-21, "Visitor Use by Activity, 2010-2017", is WAY off. I've attended September launches in 7 of those years and there were several hundred people in attendance each year. Both XPRS and BALLS have similar attendance and occur in September.	See Public Concern Statement REC-1.	See Public Concern Statement REC-1.
276	2	Recreation	205.1000.00	N/A	With respect to table 3-21, the estimates of participation are ludicrously low. A far greater number of participants will be affected than is shown in that estimate.	See Public Concern Statement REC-1.	See Public Concern Statement REC-1.
278	1	Recreation	205.1000.00	N/A	Rocketry is an extremely important public use of the Black Rock Desert. It is the only place in the United States where large, experimental amateur rockets can be flown, since it is the only place where the FAA has historically been willing to grant an unlimited altitude waiver. It is also one of very few places where large amateur rockets can be flown safely (far away from any populated areas). There are several amateur rocketry groups that sponsor annual events here with many hundreds of participants each, so the data in table 3-22 is certainly incorrect and should not be relied upon for any decisions. I would estimate that the number of annual rocketry users (including spectators) is certainly above 1,000 and perhaps much higher.	See Public Concern Statement REC-1.	See Public Concern Statement REC-1.
293	2	Recreation	205.1000.00	N/A	The event statistics in Table 3-21 are grossly incorrect regarding rocketry and related events. I have been in attendance at BALLS for the last 15 years and the attendance at that one event is several hundred, if not 1-2000. Other events (LDRS, local chapter launches) also have significant attendance. It most certainly is NOT the 14 visitors estimated in 2017.	See Public Concern Statement REC-1.	See Public Concern Statement REC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1799	1	Social Values and Economics	205.1100.00	SVE-1	The DEIS is defective because it does not use any established methodology to analyze or trade off economic value and environmental damage.	Commenters would like the EIS to more fully disclose the economic benefits that Burning Man brings to the region when compared to any potential environmental damage from the Event, including indirect economic benefits not accounted for in the Black Rock Census such as camp supplies and food and hotel use in areas surrounding Black Rock City in Northern Nevada.	Per 40 CFR 1502.23, "For purposes of complying with the Act, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations. In any event, an environmental impact statement should at least indicate those considerations, including factors not related to environmental quality, which are likely to be relevant and important to a decision." As such, the BLM is not required to perform a cost-benefit analysis. This analysis uses an economic contributions approach, via the established methodology of IMPLAN, to identify the potential economic value the Event can bring to the assessment area. Methodology is described in the Assessment of Economics, Social Values, and Environmental Justice report. The considerations of economic costs are also described in the aforementioned assessment report.
1419	1	Social Values and Economics	205.1100.00	N/A	BLM did not properly consider the economic benefit that Burning Man represents to the region of Nevada where the event is held. According to the EIS, the average Burning Man attendee spent \$666.60 in Nevada. With 69,493 attendees in 2017 (source: <a href="https://s3-us-west-1.amazonaws.com/brcensus.public.reports/2017+Docs/05.22.18+2013-2017+Population+Analysis.pdf">https://s3-us-west-1.amazonaws.com/brcensus.public.reports/2017+Docs/05.22.18+2013-2017+Population+Analysis.pdf</a> ) that totals \$46,324,033.80 in spending in Nevada by Burning Man attendees. Most of this spending happens in the Assessment Area. With approximately \$576.66 being spent per attendee in the Assessment Area, this economically struggling region receives a yearly influx of \$40,056,533.58.	See Public Concern Statement SVE-1.	See Public Concern Statement SVE-1.
1672	1	Social Values and Economics	205.1100.00	N/A	ECONOMIC IMPACT: I read that Burning Man is a \$70 million economy. That number comes from The Black Rock Census, who asked individuals how much they spend going to/from Burning Man, and multiplied it by the total attendees. What this number doesn't consider is the amount that theme camps spend, as a "camp" between Reno and BRC (on food, hotels, maintenance, hardware, restaurants, rent, vehicles, warehousing, supplies, trucking, etc). It's quite possible that BM is 2 not a \$70 million economy, but a \$350 million economy. A more accurate analysis of the economic benefit should be conducted.	See Public Concern Statement SVE-1.	See Public Concern Statement SVE-1.
1162	3	Social Values and Economics	205.1100.00	N/A	Second, the socioeconomic impact of the event on nearby towns and businesses being heavily understated, and glossed over by comparing to significantly smaller events.	See Public Concern Statement SVE-1.	See Public Concern Statement SVE-1.
1767	1	Social Values and Economics	205.1100.00	N/A	Nearly all of the measures proposed in the DEIS discount what Burning Man brings to Reno, the Black Rock Desert and surrounding cities. The residents of Gerlach, Empire, Pyramid Lake, Nixon, Wadsworth, and Fernley will all be detrimentally effected if these measures are passed, and devastatingly so if Burning Man is forced to find a new home outside of the Black Rock Desert.	See Public Concern Statement SVE-1.	See Public Concern Statement SVE-1.
1407	1	Social Values and Economics	205.1100.00	N/A	BLM needs to consider impacts far broader than those on Washoe and Pershing Counties, and the Pyramid Lake Reservation. 76.2 percent of the participants/beneficiaries of Burning Man are American. In addition, the infrastructure-tangential strain from the event justifies the grants used for local maintenance, including the maintenance of route 447. While I could see trying to use revenue for vehicle permits on infrastructure spending, I would argue those funds should be used to expand the current stock of infrastructure.	See Public Concern Statement SVE-1.	See Public Concern Statement SVE-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1508	2	Social Values and Economics	205.1100.00	N/A	It's interesting that some San Francisco neighborhoods experience a drop in economic spending in late August because so many SF residents are in Nevada. But I haven't seen an economic analysis that factors in reduced spending by northern NV locals who don't want to shop at WalMart or Home Depot along with Burning Man crowds. Some locals may leave town to avoid what feels like an invasion. For this reason, I'll be in Elko next August. My home in Sparks will be vacant, and my money spent in eastern Nevada.	See Public Concern Statement SVE-1.	See Public Concern Statement SVE-1.
1407	4	Social Values and Economics	205.1100.00	N/A	The economic benefits of event appear to be far underestimated by the referenced report. The \$62 per capita collected in local taxes is an order of magnitude lower than what I would consider to be the benefit of the event. As a Federal agency, it is important to consider the benefits to all Americans, not just the residents of Nevada. The number of foreign visitors that Burning Man brings are a boon to the larger U.S. economy, not just the Nevada one. Moreover, Burning Man is fantastic for the local economy in ways far greater than just the event itself. Burning Man has helped to increase the appeal of western Nevada to a highly-educated skilled workforce, as evidenced by the increasing number of innovative workers that have moved to Nevada. These workers are desperately sought after by small and mid-sized communities, who recognize the value of their innovation and creativity in driving their local economies. Burning Man is making Western Nevada much more appealing to entrepreneurs and workers in important growing sectors involving technology, creativity, and other services. The economic size of the Burning Man festival per attendee can be roughly calculated from its inputs as follows. Burning Man ticket = \$400 Cost of inputs as surveyed by the BRC Census (fuel, food, lodging, travel, etc.) = \$2,000 Opportunity cost of work (40 hours x \$20/hour) to attend the festival = \$1,600, which includes volunteer labor used to build the city TOTAL Input cost (per attendee) = \$4,000 At 75,000 participants, this puts "Burning Man Gross Domestic Product" (BMGDP) at roughly \$300 Million. With 100,000 participants, the BMGDP rises to \$400 Million - roughly equal to that of Tonga, which has a similar number of inhabitants. In comparison, the combined income of the 6,700 residents of Pershing County is \$120 Million. Most of these inputs are from the vast majority of middle-class Americans who use hardware and hard labor to build Black Rock City from scratch. The so-called "turnkey"/"plug-n-play" camps that cater to high-income participants represent only a tiny minority of camps. More importantly, we can put a lower bound on the net welfare created by the festival. This is not a measure of inputs, but rather a measure of pure social gain created by the event. This can be measured by the difference between how much participants are willing to pay to attend versus what they actually pay. Secondary markets are discouraged by Burning Man, but secondary prices for Burning Man tickets average \$1,000, similar to the price sold of higher-tier tickets. This suggests that the surplus created by Burning Man is at least \$600 per participant; thus, a Burning Man of 100,000 participants creates at least \$60 million in net economic gain, on top of all inputs expended to participate in it. In order to justify making the event smaller, policy makers would need to find that each participant in Burning Man causes \$600 or more in damages. Conversely, the event should be expanded so long as the external damages of each participant is less than \$600. Equivalently, to justify shutting down an event of 75,000 participants, over \$450 million in damages would need to be found. I cannot see potential damages being anywhere near that, as they would equal half the total income of Pershing County. In fact my guess is that the net externalities of the event to the environment and culture of Nevada and the U.S. as a whole, are overwhelmingly positive.	See Public Concern Statement SVE-1.	See Public Concern Statement SVE-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1508	1	Social Values and Economics	205.1100.00	N/A	Section 3.7.1 notes that "[s]ome analysis has even suggested that economic spending in San Francisco over Labor Day weekend may be affected by the large number of residents who attend the Event; a Fortune magazine article from 2014 published data indicating that some neighborhoods saw as much as a 20 percent drop in credit card sales compared with a typical week." It's interesting that some San Francisco neighborhoods experience a drop in economic spending in late August because so many SF residents are in Nevada. But I haven't seen an economic analysis that factors in reduced spending by northern NV locals who don't want to shop at WalMart or Home Depot along with Burning Man crowds. Some locals may leave town to avoid what feels like an invasion.	See Public Concern Statement SVE-1.	See Public Concern Statement SVE-1.
1610	1	Social Values and Economics	205.1100.00	N/A	For example, there is little or no financial analysis of the impact of Burning Man that have a positive or mitigating impact on all the communities affected by the Burning Man event. Driving out to Black Rock City, there is evidence of economic activity benefiting the adjacent communities in activities such as bicycle sales, food sales, automotive services, trash removal, etc.	See Public Concern Statement SVE-1.	See Public Concern Statement SVE-1.
1559	5	Social Values and Economics	205.1100.00	SVE-2	As the planner, coordinator, and promoter of this Festival, BMP should be more responsive to provide oversight for vendors they allow at the Festival to obtain proper licensure not only through BLM but also through Pershing County. This would include the vendors BMP uses to erect their structures as well as those they use to fulfill their logistical requirements and the camping services they provide. Pershing County loses thousands of dollars every year from being unable to enforce the camping/rental tax, Pershing County Code 3.12 with no assistance from BMP. This potential assistance from BMP could go towards bridging the massive gap in compensation for the County. Pershing County 'entered' into an agreement with BMP's predecessor, BRC due to a loss of a Federal Lawsuit. Although the litigation would be too long to explain within this document, the negative result to Pershing County is we are currently stuck in a stagnant 'contract' with BMP over costs of providing Law Enforcement services for this ever-growing Festival. Every year the costs of providing and acquiring goods and services rise, however, the payment associated with providing a necessary public safety service from PCSO does not rise accordingly. This strain on Pershing County's resources should not be allowed to continue with allowing for the Burning Man Festival to continue to grow to a point where Pershing County will no longer be able to provide any services to the Festival.	Commenters questioned if vendors at the Event are obtaining all the needed licenses and requested the analysis be updated to include more of the economic impacts from having law enforcement at the Event from various agencies (e.g., Pershing County Sheriff's Office, BLM Rangers, etc.).	The over-budget costs imposed on Pershing County are discussed on page 16 of the Assessment of Economics, Social Values, and Environmental Justice. In 2018, Pershing County notified the BLM that vendors would need a Pershing County business license. The BLM informed the vendors that this was required and shared the list of permitted vendors to Pershing County. The BLM understands that the permitted vendors complied with the Pershing County ordinance. The BLM will continue to require that vendors obtain a Pershing County business license.
1109	3	Social Values and Economics	205.1100.00	N/A	What are the numbers related to court costs and traffic and other fines collected by the various jurisdictions in the Assessment Area under the various Alternatives? No numbers are provided for any of the Alternatives regarding the economic impact on BLM itself though the funds are considerable. The use of those funds, I presume, are used within the District and elsewhere to make significant positive environmental impacts. The impact of these funds needs to be considered for each of the various Alternatives.	See Public Concern Statement SVE-2.	See Public Concern Statement SVE-2.
1466	1	Social Values and Economics	205.1100.00	N/A	I am concerned with the proposed increase of population on the playa for the Burning Man event. In presentations, there has been comments by BLM that the proposed population increase, up to 100,000 participants, would strain the BLM's Law Enforcement employee base across the ENTIRE United States (includes Forestry and Park Rangers). On a local level, in Pershing County and the State of Nevada, we cannot source the amount of POST certified law enforcement officers for the event either. There is a burden upon Pershing County to police the event with limited funds and financial resources.	See Public Concern Statement SVE-2.	See Public Concern Statement SVE-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1799	4	Social Values and Economics	205.1100.00	N/A	It is not obvious that the BLM through the DEIS values Burning Man as social institution, art venue or cultural asset of international significance that deserves its protection and nurturing. To put it in historical perspective, the total number of people who have attended in or participated in Burning Man is probably comparable to the number who crossed the Black Rock Desert in the westward migration. Devaluing the Burning Man Culture is a serious omission in the DEIS.	N/A	The economic contribution of the Event is described in the DEIS and in the Assessment of Economic, Social Values, and Environmental Justice. Under NEPA, cultural resources are considered to be human remains, tangible material culture, or traces of an activity or event that is 50 years old or older. The fifty-year mark comes from the NHPA.
468	1	Soils/Playa sediments	205.1200.00	SOILS-1	Assessment of the data presented in the "Technical Memorandum: NASA Develop Group Study on the Black Rock Playa", as well as the details given in Ch 3-48 does not support proposed changes to the event parameters including activities that result in soil erosion, a change in perimeter barrier, or increased restrictions in activities that cause soil erosion. Moreso, recommendations to replace the current permeable barrier with a rigid concrete barrier have not been properly assessed for their effects on drifted clay/silt compaction and related mitigation of mound formation that would be required following the Burning Man festival. Additionally, it is likely that the change to a rigid barrier from a permeable barrier would result in increased anthropogenic disturbance to the Black Rock Desert playa due to both the temporary mounds created by the proposed concrete barrier, the increased chance of persistent mounding due to a rigid barrier, as well as the intensive mound removal activities requiring heavy equipment that would be necessitated as concrete barriers are removed.	How would soils and playa sediments be impacted if the barriers surrounding the closure order area were made of concrete or other impermeable materials?	The environmental consequences of erosion are described in the DEIS under Section 3.6.3, Direct and Indirect Impacts from Alternatives. Should the proposed mitigation for barriers be selected, there would be additional analysis in the FEIS describing their impact, or another NEPA document would be issued describing potential impacts.
1606	1	Soils/Playa sediments	205.1200.00	N/A	Bringing in barriers would create huge environmental impacts on the playa surface and would also require an enormous amount of fuel to bring these heavy barriers to the site. The barrier would result in huge 10-mile-long dunes that would require heavy machinery to undo and repair, which in turn would require even more fuel to the already large amount burned to place the barriers in the first place. It would dramatically increase the events carbon footprint and has no place as a recommendation in an EIS.	See Public Concern Statement SOILS-1.	See Public Concern Statement SOILS-1.
730	7	Soils/Playa sediments	205.1200.00	N/A	In the EIS, the BLM discusses the Soil impact of increased surface disturbances that would "increase the potential for wind erosion, playa deformation, and mound formation." The K-rails are a significant and seemingly un-necessary increase in the disturbance of soils. Nowhere in this document is there a discussion about the significant number of trucks that would be required to bring these barriers, especially the concrete type, onto the playa. Each increase in the mass of the physical barrier means significantly more trucks needed to bring it on and off the playa as well as more and heavier equipment to move it.	See Public Concern Statement SOILS-1.	See Public Concern Statement SOILS-1.
730	9	Soils/Playa sediments	205.1200.00	N/A	Burning Man has an interest in preventing illegal vehicular access to the event, but it also has an interest in keeping the event participants safe. The EIS states that "Along the Event site/city boundaries, BRC would install perimeter fencing within the Closure Area" and "The perimeter fence is intended to define the Event site, enhance security, and minimize windblown trash from leaving the Event site". There has to be a better solution than the barriers suggested with less impact to the playa. Burning Man and the BLM should work out a solution somewhere between the orange plastic snow fence and the jersey barrier. There are many fencing options and perhaps tighter spacing of the steel posts or some rigid top rails could be implemented and minimize the first perceived problem without causing two additional impacts.	See Public Concern Statement SOILS-1.	See Public Concern Statement SOILS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1524	1	Soils/Playa sediments	205.1200.00	N/A	The requirement to install physical barriers around the perimeter will cause more harm than good and contradicts the purpose of the environmental study. The existing perimeter fence allows air and dust to flow through it while catching things that should not blow out into the open desert. This report has not taken aerodynamics into account. Jersey barriers/K-rails cause an upward draft when wind blows against them allowing non-organic material to blow up and over them. This will have a detrimental impact on the playa beyond the perimeter of the event. Furthermore, the resulting dust dunes will be overly onerous to remove adding a NEW impact to the natural landscape. Please reconsider this mitigation and allow the existing use of safety fencing.	See Public Concern Statement SOILS-1.	See Public Concern Statement SOILS-1.
582	6	Soils/Playa sediments	205.1200.00	SOILS-2	The EIS makes certain assumptions that are not supported. Page 3-53 states, "Assuming there is a linear relationship between population and erosion, and absent additional variables, utilizing the same methodology from 2002, there could be wind erosion resulting in playa deformation of up to approximately 0.66 inch under Alternative A (Proposed Action). Yet is unclear how this assumption has been reached or is supported by the literature. Many articles note the curvilinear relationship between increased use and environmental impacts, which include erosion, "The relationship between amount of use and amount of impact is usually curvilinear (asymptotic)." (Cole, 2004). The city is not currently at camping saturation, and can become more dense, which may cause a nonlinear increase in erosion with the increase in population size, and may not result in the amount of increased erosion as assumed. Please clarify this assumption, and give a range of estimated erosion rates based on more frequent data sampling or use a relationship that is documented in established research.	How are soil erosion and compaction rates affected by participants on the playa and transportation (e.g., vehicles and airport uses) during the Burning Man Event?	The FEIS has been updated to clarify that the linear relationship represents a worst case scenario.
1799	33	Soils/Playa sediments	205.1200.00	N/A	It does not seem that there is much net movement of the playa material into the surrounding area but this requires additional study that is not part of the report. Is it possible the dust from the playa just blows back and forth as the wind changes with no net erosion? Do the rains move the fine material back onto the playa from the surrounding area in the years when they happen. Are erosion features just temporary until the next inundation? Are temporary erosion features problematic? These issues impact total playa erosion and are not addressed the DEIS.	See Public Concern Statement SOILS-2.	The environmental consequences of human activities and erosion on soils and playa sediments are described in the DEIS under Section 3.6.3, Direct and Indirect Impacts from Alternatives.
1850	6	Soils/Playa sediments	205.1200.00	N/A	Section 3.6.3 - "Soils (Playa Sediments)": This entire section, and Appendix C, makes little to no mention of the basic fragility of playa soils. In the case of the Black Rock Desert, the fragile crust of the playa is probably only a few millimeters thick. Heavy damage of similar desert crust can even happen under foot traffic	See Public Concern Statement SOILS-2.	See Public Concern Statement SOILS-2.
1850	7	Soils/Playa sediments	205.1200.00	N/A	What these stipulations and monitoring don't address is the likely larger compaction and erosion on the 2 runways of BRCMA, which are 6,000 feet long and 50 feet wide. The DEIS does not treat this significant element of the erosion potential, and apparently no measurements of erosion have been done in the past on these runways compared to that at the event site itself. Simple physics says that the energy imparted to the runway surface by an aircraft landing is $mv^2$ where $m$ is mass and $v$ is velocity. Both of these factors are relatively large for aircraft versus typical vehicles driving onto the playa; because $v$ is squared, it will increase energy disproportionately. We strongly urge that monitoring be extended to determine the erosion rate on the runways over the course of the event.	See Public Concern Statement SOILS-2.	See Public Concern Statement SOILS-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1850	8	Soils/Playa sediments	205.1200.00	N/A	p. 3-53: The DEIS states that "...there could be wind erosion resulting in playa deformation of up to approximately 0.66 inch under Alternative A (Proposed Action)." This is equivalent to about 17 mm. In a comprehensive study of soil erosion rates in the US, the author shows that, from 448 independent estimates (Fig. 1 in the reference), erosion rates have a median value of just over 1 mm/year. Thus, the Burning Man event causes at least an order of magnitude higher erosion rate (17 vs. 1) than typical annual agricultural use of land.	See Public Concern Statement SOILS-2.	See Public Concern Statement SOILS-2.
1162	2	Soils/Playa sediments	205.1200.00	N/A	First, the lack of cohesive scientific method and analysis, as exemplified by using scientific equipment that is of very limited resolution to attempt and study dune impacts.	See Public Concern Statement SOILS-2.	See Public Concern Statement SOILS-2.
695	1	Soils/Playa sediments	205.1200.00	N/A	Regarding wind erosion caused by the event, the report notes that "These windblown loosened sediments would be subject to transport by rain/water back to the low-lying playa surface during the wet season when the playa is considered an intermittent waterbody." And yet, the report later states that "Continuation of the Burning Man Event would contribute to the irreversible and irretrievable commitment of the playa resource." How can a resource that is blown to vegetative mounds (partly by event activities, partly by natural phenomenon) and naturally returned to the playa every year be irreversible and irretrievable?	See Public Concern Statement SOILS-2.	See Public Concern Statement SOILS-2.
1359	2	Soils/Playa sediments	205.1200.00	N/A	Impacts on other recreational uses include safety hazards for land-surfers and vehicles that take advantage of the playa's unique characteristic of flat terrain. The creation of sand dunes also known as "playa serpents" can be traced back to the perimeter fencing[1] around the event (DEIS 3.6.3). Playa sediment is picked up in the wind and piled up along border fencing, art pieces, and anything stationary on the playa. Easily-moved sediment paired with thousands of people and vehicles leads to large amounts of dust not only leading to "playa serpents" but also decreasing air quality and creating a health hazard (DEIS 3.6.1). Sand-dunes have been increasing in frequency since the early 2000s when event populations began to reach 30,000 people. The sand mounds being temporary and dynamic and increase the hazard of their presence. The location of the mounds are not necessarily known to everyone, and those who use the playa for other recreation may come upon them unwittingly. Allowing the event population to exceed 50,000 people would mean more dumpsters, portable bathrooms, tents, vehicles, barriers etc. that would contribute to the increase in frequency and size of the dunes in turn negatively impacting the other recreational uses of the playa.	See Public Concern Statement SOILS-2.	See Public Concern Statement SOILS-2.
1799	7	Special Status Species	205.1300.00	SSS-1	In the Executive Summary Table ES-1, alternative A-D. No Special Status Species are identified that the event may impact. Bighorn Sheep are mentioned as possibly being involved with collisions with participant vehicles but the playa is not a habitat for Bighorn Sheep since it is too hot and there is no forage. Most bighorn live at elevations from 3,000 to 4,300 m (10,000 to 14,000 ft) in sub-alpine and alpine areas during the summer, according to Wikipedia. This is above the desert floor and the peaks which are only about 1500m. The roads in the immediate vicinity of the event do not attain the altitude where Bighorn Sheep are likely to be found in the Summer.	Why are Bighorn Sheep being considered in the environmental consequences analysis of the Burning Man Event?	The ranges of various wildlife species are depicted on Figure 3-1, Biological Resources, in Appendix A of the DEIS. As shown in that figure, bighorn sheep range overlaps the biological resources assessment area, which includes the areas that could be directly and indirectly affected by the alternatives (see Section 2.1 of the Biological Baseline Report).
936	2	Special Status Species	205.1300.00	N/A	I have never seen a bighorn sheep near the Burning Man event area. Does BLM have any evidence that this is a problem?	See Public Concern Statement SSS-1.	See Public Concern Statement SSS-1.
612	2	Special Status Species	205.1300.00	N/A	I'm a fervent advocate of the Endangered Species Act, but the concern that, "Participant vehicles could disturb or injure bighorn sheep from collision and reduce habitat quality by spreading weeds," is also an invented reason. Is there any evidence of a big horn sheep collision?	See Public Concern Statement SSS-1.	See Public Concern Statement SSS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
936	3	Special Status Species	205.1300.00	N/A	Lahontan cutthroat trout and cui-ui. These are not present in the Black Rock Playa in summertime. Does BLM have any evidence that disruption of these species by the Burning Man event has ever been an issue?	N/A	Section 3.3.3 of the DEIS summarizes impacts on Lahontan cutthroat trout and cui-ui. The assessment area for threatened and endangered species is depicted on Figure 3-1 in Appendix A of the DEIS and includes the areas that could be directly and indirectly affected by the alternatives (see Section 2.1 of the Biological Baseline Report). This assessment area includes spawning habitat for cui-ui.
1157	2	Special Status Species	205.1300.00	N/A	Lahontan cutthroat trout (LCT), a threatened species, are vital to our Tribe. We are greatly concerned about the potential impacts to the LCT in the Assessment Area under Alternative A. The EIS states that LCT habitat is present near travel routes and impacts from vehicle pollutant runoff are possible and the likelihood of such is commensurate with traffic volume. It goes on to say, however, that the potential for these impacts is relatively minor compared with potential impacts outside of the event period under Alternative A. The reasoning is based on a comparison of SRS 447 and 427, "Anticipated Event-related traffic increases on SRS 447 and 427 under Alternative A (Proposed Action), while increased, would still be lower than non-Event levels on Interstate 80 (Table 3-3), which runs near the Truckee River for approximately 25 miles between Reno and Wadsworth." We do not agree with this reasoning. To compare Non-Event traffic volumes of Interstate 80 with SRS 447 and 427 Event traffic volume is meaningless. The only comparison that should be made is a route segment's Non-Event volume to the same route segment's Event volume to truly assess the impact of the Event to that portion of LCT habitat that would be affected. According to Table 3-3 of the EIS, implementation of Alternative A would increase the traffic volume on the Wadsworth portion of SR 447 by 16-fold, the Nixon SR447 portion with increase by 13-fold, and SR 427 will increase by 78%. As the EIS stated, the potential for pollution runoff is commensurate with traffic volumes, meaning that the potential for pollution runoff will increase by the same values in those areas. That is an unacceptable increase in potential impact to a threatened species. It is especially troubling that these 16-fold, 13-fold, and 78% increases in traffic volume and consequently potential pollution runoff that are being overlooked in the EIS by comparing them to Interstate 80, all occur on the tribal lands of our fellow Northern Paiutes, the Pyramid Lake Paiute Tribe.	N/A	Section 3.3.3 of the FEIS has been updated to clarify potential impacts on Lahontan cutthroat trout from increases in traffic volume on routes near the Burning Man Event.
1572	1	Special Status Species	205.1300.00	N/A	Concerns turn now to the Greater Sage-Grouse. That supporting report provides two habitat maps: one from the Nevada Department of Wildlife (NDOW), and the other from the United States Geological Service (USGS). For some reason, the national USGS source was favored over the more localized NDOW. But the cartography intervals of habitat somehow shifted. In the NDOW, they indicate possible "Other," not "General" habitat in the assessment area. But, with nearly the same interval, the USFS reports the habitat as "General." The same erroneous shift can be found in the NDOW "General" habitat, being shifted by the USGS as being "Priority." This overstates the possible proximity of these seasonal birds near the playa.	N/A	The FEIS has been updated to include the most up-to-date maps and data regarding Greater Sage-Grouse habitat.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1944	8	Transportation and Traffic	205.1500.00	N/A	Volume 1, Chapter 3 (3.7.2 Environmental Justice) states that "Moving the Event may result in a reduction in the potential for traffic congestion-related impacts on local communities, especially along CR 34. This is because vehicles would be able to que in the 16-lane on-playa entrance road rather than a comparable distance of the single-lane CR 34." This is an incorrect assessment. The traffic on CR 34 is determined by how many people arrive at peak times. Traffic becomes congested on CR 34 because vehicles must slow to make the turn at 8 Mile. The traffic queuing on Gate Road does not back up to CR 34 with its current length. Therefore, the longer Gate Road proposed in Alternate C would have no improved impact on the traffic on CR 34.	N/A	Comment noted. See the Traffic Analysis Baseline Report provided on the project website.
2014	10	Transportation and Traffic	205.1500.00	N/A	NDOT Aviation recommends Airport Rescue and Firefighting (ARFF) capability and training for airport personal and volunteers. This strong recommendation in any event that utilizes commercial air service operators. Minimal training for extricating passengers from a disabled aircraft on 88NV movement area has been provided in the form of video training specific to the aircraft being operated. We encourage the readiness of ARFF equipment and trained personnel during commercial operations of any kind. NDOT also request the ready availability of fire extinguishing equipment on the aircraft starting, loading, and egress areas.	N/A	Added as a potential mitigation measure. See TRAN-3 Mitigation in Appendix E of the FEIS.
2014	16	Transportation and Traffic	205.1500.00	N/A	The DEIS periodically refers to "permitting" of the airport by the FAA or NDOT. This terminology is not accurate. NDOT Aviation assists BRC in "registration" of their airports and heliports with the FAA. The activation and use of the facility for commercial operations requires the publication of accurate data for inclusion into the National Airspace System (NAS). This task is accomplished with registration of the airport and heliports. NDOT Aviation recognizes the FAA as the owner of all airspace in the continental United States under the FAA Act of 1958. Registration of the 88NV facility does provide certain airspace protections to the BRC as owner and operator of the facility.	N/A	Change made. "Permitting" has been updated to "registration," as needed in the Transportation and Traffic section of the FEIS.
2014	14	Transportation and Traffic	205.1500.00	N/A	NDOT Aviation encourages the continued use of pilot training, qualification, and operational permission in advance of operating at 88NV. As a private-use, private-owned temporary facility the obligation to provide a safe environment for users remains in the hands of the BRC.	N/A	Added as a potential monitoring measure. See TRAN-2 Monitoring in Appendix E of the FEIS.
1989	1	Transportation and Traffic	205.1500.00	N/A	TRANSPORTATION AND TRAFFIC Access to the playa and surrounding area before, during and after Burning Man is very important to FBRHR. In section 3.9.2 Transportation and Traffic alternative analysis for Alternative A page 3-104 it states: "For those attempting to cross the playa, the 9,570-acre Phase 1 and 14,820-acre Phase 2 Closure Orders would reduce access for 78 days. Nonparticipants would only be able to access the playa through the 3-Mile and 12-Mile access roads. These roads would also be used by BRC staff and volunteers bringing Event supplies to the Event, resulting in the potential for delayed access for non-Event travelers." Non Burning Man participants would be able to access the Black Rock playa in three additional locations including: Soldier Meadows Road to the north at Mormon Dan access; Jungo road east at the Trego; and Cholona railroad crossing playa access point (Cholona is high clearance vehicle access). Approximately 95% of the Black Rock playa would still be open for other recreation uses during the closure period. In addition the public could access all 10 wilderness areas and nearly all of the Black Rock NCA as well as millions of acres of surrounding public lands.	N/A	The DEIS analyzes recreational access issues associated with the closure area.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1734	4	Transportation and Traffic	205.1500.00	N/A	<p>traffic management / search operations; Requiring searches on the gate road would be detrimental to the Burning Man event because of several reasons including cost, time, and resources to develop, implement, plan, deploy, &amp; manage such an operation. There is no demonstrated need for searches at Burning Man. There is no evidence that shows the current system inadequate. There is no evidence the current management and operation of Burning Man has failed or otherwise overlooked public safety. Therefore, the DEIS is flawed in its conclusion as to a need for searches as the searches are certainly not the least intrusive method to fulfill the stated need for public safety. Instead, based on evidence, the need to have a secure operation is met through means other than searches. 4/29/2019 DEPARTMENT OF THE INTERIOR Mail - [EXTERNAL] BLM Draft Environmental Impact Statement (DEIS) for Burning Man</p> <p><a href="https://mail.google.com/mail/b/AH1rexSAkRchbyys5anDXI250HoRI2e-NJDbiTBd7212Pan7TCdA/u/0?ik=c99f4c2013&amp;view=pt&amp;search=all&amp;permthid=t...">https://mail.google.com/mail/b/AH1rexSAkRchbyys5anDXI250HoRI2e-NJDbiTBd7212Pan7TCdA/u/0?ik=c99f4c2013&amp;view=pt&amp;search=all&amp;permthid=t...</a></p> <p>4/5 If searches were to be required, the cost, impact of placement, time and resources to plan, deploy, manage, such an endeavor would diminish resources of time, money, &amp; manpower that would degrade other aspects of both the event and the environment. Just think of the deleterious impact caused by requiring searches.</p>	N/A	Comment noted. The BLM is not requiring mandatory searches, and BRC currently does screen at the gate.
2014	11	Transportation and Traffic	205.1500.00	N/A	<p>NDOT Aviation requests that a Temporary Flight Restriction (TFR) Area be established surrounding the event and the airport as a Notices to Airmen (NOTAM). The TFR must also permit the operation by certain aircraft, pilots, and public service agencies within the TFR. In recent years pilot training, authorization, and passenger manifests have been required by BRC and the operators of 88NV to enhance safety. Published traffic patterns and private Air Traffic Control supplement the actual operation. The TFR NOTAM is frequently used at airshows, wild fire, and large gatherings of people to control the airspace. Normally Drones (UAS/UAV) are restricted from operating within any TFR.</p>	N/A	The BLM does not authorize these restrictions; they must be put in place by the FAA. This matter would be between NDOT and the FAA to discuss further.
2014	12	Transportation and Traffic	205.1500.00	N/A	<p>Dust free operating areas are recommended for the loading and unloading of passengers where aircraft are frequently started or shut down. This is highly recommended for helicopter operators and those associated FATO's. Hard operational surfaces (dust free) such as mats, plates, or temporary concrete pads could provide close helicopter access to the event for EMS purposes. The helicopter operator has been operating from hard surfaces in Gerlach to obtain favorable dust free environmental conditions, however heliports could be set up adjacent to the event perimeter with proper preparation.</p>	N/A	The FEIS has been revised to include a new mitigation measure, TRAN-4, to address this concern.
2014	15	Transportation and Traffic	205.1500.00	N/A	<p>88NV is the busiest airport/heliport in Nevada for the 9-day period BRC operates every year. Economic benefit to the region with the participation of General Aviation and those participants who arrive by air is highly prized internationally. EMS access and services provided by the airport are essential and are historically well organized. NDOT Aviation recommends continued emphasis on aviation support activities for any event constrained by the distance and access limitations experienced at BRC. The airport acts as a reliever for both critical ordinary highway access.</p>	N/A	The proposed mitigation SOIL-3 would require BRC to restore the playa's surface as they found it. This mitigation is intended to do what is being suggested.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1927	2	Transportation and Traffic	205.1500.00	N/A	In special Recreation Permit Guidelines and Stipulations section B.2.6, it is recommended that no more than 1000 vehicles per hour be allowed to leave during Exodus, there is mention of LOS, level of service requirements, but it is not stated how these levels are arrived at nor what types of roadways are designed for what level of service. Furthermore there is no indication of the number of vehicles that are on site during the event, assuming it is 20,000-30,000, which seems a reasonable assumption, Exodus would take 20-30 hours at a minimum. There is no data that I could find to indicate the current numbers of vehicles per hour during Exodus and if this was creating an issue that required resolution. While road condition is a viable concern would the increased emissions created by this potentially longer Exodus not create another potentially more significant and long lasting problem?	N/A	Traffic use numbers and current exodus are available in Appendix B.
612	3	Vegetation	205.1600.00	N/A	Take another potential concern: "Event participant vehicles could spread weeds along roads, and unauthorized offroad use could damage vegetation and increase weed establishment." Again, every vehicle entering could introduce exotics	N/A	Change made. The FEIS has been updated to clarify that all Event vehicles could introduce noxious or invasive species.
966	1	Vegetation	205.1600.00	N/A	The reference for Cronquist, et al., 1972 is apparently hidden (see A-1). This obfuscates the EIS source, which impedes scholarship, as well as a full and fair discussion. But, importantly, there is more. The "General Vegetation" description in 2.6 is also wrong. The reference is to Cronquist, et al., 1972 is suggested as "Great Basin Division, Central Great Basin Section." A review of that source's maps reveals the EIS is erroneously referring to lands in Eastern Nevada and perhaps elsewhere (see A-2). Cronquist's book title page is provided on A-3. Page 82 of that volume shows the Black Rock Desert spanning the Lake and Lahontan Basin sections, and not the Central Great Basin Section. A close-up magnification is provided on A-5. Cronquist and co-author's description spans A-6, A-7 and A-8. Specifically, on A-8 they refer to the Black Rock Desert, under the Lahontan Basin Section, as being nearly an "absolute desert" (Cronquist, et al., 1972, p. 87). On A-9--showing p. 111--readers can easily see the white colored Black Rock Desert, marked with this reviewer's *, as well as the cartographic legend reporting "ABSOLUTE DESERT" (Cronquist, et al., 1972, p. 111, capital letters in original).	N/A	Change made. Appendix I of the FEIS has been revised to accurately display the Cronquist 1972 reference. Also, Section 3.3.4 of the FEIS has been updated to clarify the text referenced from Cronquist 1972.
1927	1	Visual Resources (including Night Skies)	205.1700.00	VIS-1	-The duration of the studies concerning light pollution related to the event, while there is increased light pollution during the event itself, what if any are the ramifications of short-term light pollution?	What are the impacts of short-term light pollution on the environment?	Artificial light at night can have negative impacts on the ecosystem, human health, and opportunities for observation of the night sky. The NCA RMP designates this area as a Class II Visual Resource Management area. This means that the BLM needs to retain the character of the landscape, and the permitted activities "should not attract the attention of the casual observer." The on-the-ground, qualitative lighting studies (Craine 2018) done at night indicate that the level of light from the Event does attract the attention of the casual observer. The radiance relative to the zenith study (p. 18) indicates that there is poor shielding on the sources of light at the Event. Mitigations need to be developed to reduce the impact of the night lighting. The BLM compound will also mitigate its nighttime production of light. The light pollution can, for example, affect the enjoyment of the NCA by nearby individuals who are not participating in the Burning Man Event. Also, see responses to comments on the Biological Resources Baseline Report.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
470	2	Visual Resources (including Night Skies)	205.1700.00	N/A	It is highly unlikely that the measures proposed would have any impact on "light pollution" as described, and furthermore the targeted sources are only a small fraction of the light at the event. When looking at burning man, virtually the entire event is very dimly lit, with the exception of some larger camps and vehicles. These are a relatively small area and brightness impact. While the burn itself is fairly bright, it is for a very limited time of just an hour or so.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
725	1	Visual Resources (including Night Skies)	205.1700.00	N/A	With the conditions it is often scorching hot during the day which requires us to do a majority of the build at night. Building at night requires lighting. I see no evidence that there is a problem requiring shields on sources of light at night. I have not witnessed any harm produced by lasers used at the event. Light is a unique component of much of the world class art produced at Burning Man. Restricting use of light harms those artistic expressions and experiences without producing any necessary benefit to anything. What birds are impacted? Why is the BLM compound the brightest spot on the images if it believes this is a problem?	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
928	2	Visual Resources (including Night Skies)	205.1700.00	N/A	I agree lasers are a problem. But you have to demonstrate that birds are actually affected. Perhaps you could do more data collection on where light comes from.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1734	6	Visual Resources (including Night Skies)	205.1700.00	N/A	artificial light at night. It appears BLM relied on very few observations in the Artificial Light at Night Assessment. Please consider lent hinging the period of time to gather more information in consideration of the DEIS and otherwise granting the application to extend operation of Burning Man. Burning Man has shown for more than one decade to be a reliable partner that seeks many, if not most or all of the same goals of BLM as for management of public lands. I would be pleased to provide more info at your request.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1309	1	Visual Resources (including Night Skies)	205.1700.00	N/A	VIS-I above. This requirement is based on highly-questionable scientific analysis, and it leaves the BLM open to stop almost any light source they want. There is no definition in any of the specifications at all, and there is no statistically significant impact to warrant this new requirement. This proposed mitigation is overbroad an under inclusive and its wording opens up the likelihood of arbitrary and capricious enforcement.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
437	1	Visual Resources (including Night Skies)	205.1700.00	N/A	Measure SPEC-2 Require Burning Man Project (hereinafter BRC or BMP) to reduce the amount of light pollution by banning the use of high-energy lasers and searchlights being pointed straight up, and requiring shields on sources of light at night where feasible. This measure is unreasonable and will not be effective in addressing BLM's light pollution concerns. The overall assessment methodology depends too heavily on VIIRS satellite measurements. There is inadequate ground-based data to investigate directly sky glow impacts of the [BRC], particularly those events during the festival that could cause significant increases in sky glow and VIIRS radiance measures. Such data during the future events would address the issue of potential ALAN changes raised by the WRC report.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
506	1	Visual Resources (including Night Skies)	205.1700.00	N/A	As an artist and Theme Camp builder work lights, and the full light from them, are necessary for safety during nighttime work shifts. We work at night due to cooler temperatures and other factors, and BMP staff supports these efforts. "Dimming" lights potentially decreases work safety and has no demonstrable benefit to wildlife or cultural values. The small tower lights used to illuminate these work sites have lights heads that can be angled — and head units that only emit light on one side — like a flashlight. I'm not sure what further shielding would achieve given the default construction of these industry standard supplemental work lights.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
158	2	Visual Resources (including Night Skies)	205.1700.00	N/A	High-energy lasers and search lights being pointed straight up are already rarely found during the Event. Banning them will do little to reduce the amount of light pollution relative to the event overall. This is an ineffective measure.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
526	2	Visual Resources (including Night Skies)	205.1700.00	N/A	Moreover, the proposed mitigation measure would have a significant negative impact on the event and the attendees. First, nighttime lights are a critical component of the art which forms the centerpiece of the Burning Man experience. A reduction in the ability to display light art would undermine the entire event. Furthermore, a reduction in light poses potential health risks to the attendees. Lighting is essential to both avoiding obstacles, fixed and moving, and to orienting oneself so as to avoid getting lost.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1571	1	Visual Resources (including Night Skies)	205.1700.00	N/A	BLM does not have adequate ground-based data to investigate directly sky glow impacts of the Burning Man event. BLM should note that because of the high daytime temperatures and compressed construction schedules – work by artists and Black Rock City Department of Public Works at night is a necessity. Such work requires light towers and other lighting for safety. BLM should note that previous environmental studies have shown the migration pattern of birds is not impacted by light pollution emanating from the Black Rock Desert. Further, it should be noted that birds are rarely encountered on the playa in hot summer months.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
926	4	Visual Resources (including Night Skies)	205.1700.00	N/A	Figure 4.2 in theWRC study documents shows the ALAN of three locations in Nevada 1) the Rochester open pit gold mine 2) the city of Winnemucca 3) Black Rock City. Black Rock City ALAN is zero except for the months of August and Sept, and even at it's highest, is still far below the ALAN ofWinnemucca.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1240	1	Visual Resources (including Night Skies)	205.1700.00	N/A	Compare Burning Man's short-term, transient impact to the long-term, pervasive impact caused by light pollution in any nearby community	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1575	5	Visual Resources (including Night Skies)	205.1700.00	N/A	Opposition to SPEC-2. This mitigation measure, which would require banning the use of high-energy lasers and requiring shield on sources of light, does not take into account the Artificial Light at Night (ALAN) study acquired by the BLM. The ALAN study found that, even though increases to the BRC population are projected to artificial light impacts, BRC would still be one of the most "light efficient" communities in the State of Nevada.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1098	3	Visual Resources (including Night Skies)	205.1700.00	N/A	Measure SPEC-2 The high light reading that occurred on 29 August 2017 was the highest since 2012. This should indicate the potential for the point to be an extreme, an outlier data point, as there was a 5-year lag time between those two dates. If there were a demonstrable trend in increasing light patterns, with multiple points from each successive year being increasingly higher and similar to the highest ones, that might suggest a need to change the management strategy. However, to rely on a single data point that has a strong potential to be an outlier is a deeply flawed approach that would not likely stand up to further scrutiny and does not represent valid statistical sampling. Without additional data to confirm the veracity of this reading, or other data points taken from a very similar period, it should be investigated as an outlier and likely discarded from the overall statistical analysis the BLM should be performing on quantitative data such as these. I would expect the fine scientists at the BLM to be capable of producing peer-review publication quality reports, including statistical sampling methods and analysis of quantitative results demonstrating confidence intervals around their data and likelihood of 95% confidence in the data.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1919	2	Visual Resources (including Night Skies)	205.1700.00	N/A	Measure SPEC-2: The data collected during 2017 does not accurately calculate to true average light emissions from the event. The sample size is far too small to establish actual event light emissions. Additional data must be collected, both on the ground and using a broader data set, to be considered accurate.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1111	1	Visual Resources (including Night Skies)	205.1700.00	N/A	Measure SPEC-2: Independent experts have reviewed the VIIRS data and they found that the 2017 readings were the most poorly sampled (at the Burning Man event) in the entire 2012-2017 satellite database and, in their opinion, the single anomalously high data point is insufficient evidence to produce confidence in a new trend that warrants action to be taken by Burning Man Project (BMP) at this time. I would propose that the BLM undertake a more detailed sampling method prior to forcing these "mitigation strategies" onto BMP.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
812	1	Visual Resources (including Night Skies)	205.1700.00	N/A	BLM subject matter experts determined the Burning Man event's impact on the night sky by examining images produced using VIIRS satellite technology during the 2017 Burning Man event with emphasis on the August 29, 2017 measurement, which was the highest measurement taken since 2012. Chapter 3 is lacking in additional measures, such as a second satellite measure of the same night, or simultaneous or near simultaneous ground-based observations to substantiate its claims of night sky impairment. This raises the following questions: A. Is the BLM's reliance of a sampling from 2017 adequate when a larger sample from the prior six years exists? B. Should ground-based data also be used in the BLM's analysis of night sky impacts? C. How, if at all, did the BLM account for its own contribution to the light sources at the Burning Man event?	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1308	1	Visual Resources (including Night Skies)	205.1700.00	N/A	This entire response is based on a single data point totalling less than 1 second in a five year period. BRC has already confirmed the inadequacy of this analysis with a third party subject matter expert. The lack of real, provable, sustained, repeated impact causes this BLM requirement to collapse.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
501	1	Visual Resources (including Night Skies)	205.1700.00	N/A	Measure SPEC-2: Regarding the ban of lasers and spotlights, and requiring shielding on lights. As an engineer in the satellite industry, I'm familiar with the measurements used to obtain the lighting conditions at Burning Man during the night. The fact that the quoted data is based on a single image causes the problem to be greatly inflated. More data should be gathered to measure the actual average light pollution before imposing further regulations.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1738	1	Visual Resources (including Night Skies)	205.1700.00	N/A	SPEC-2: Reducing Light Pollution is based on Flawed Data The satellite data used to collect light data from burning man is a few brief, poorly-sampled snapshots, and one anomalous high data point should not be used to create a whole new requirement on how participants use lights.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1881	1	Visual Resources (including Night Skies)	205.1700.00	N/A	Concerning Lights, hand held high powered lasers have already been banned at the event, and those on vehicles can not be pointed where they could harm / blind humans. Spotlights happen nearly everywhere, on a daily basis, banning this type of light would probably make little difference to wildlife in the area as there is little to no food on play for raptors to hunt. and so they most likely wouldn't be in the event area, the increased human activity would also keep them away from the event area for the week of Burning Man.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1837	1	Visual Resources (including Night Skies)	205.1700.00	N/A	Adjusting work lights seems reasonable, but is currently undefined and needs clarification. Limiting high-energy lasers does appear to be a reasonable approach, but beyond that, the concern about light from a transient event with 80% occurring over a 15 day period (just over 4% of the year) is not warranted.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
744	1	Visual Resources (including Night Skies)	205.1700.00	N/A	Measure SPEC-2 Regarding light pollution, the data used by BLM does not cite much more than the VIIRS data. The playa is certainly lit up at night but led lights and fire do not pollute the sky with lumens nearly as much as the generator-powered bright white metal halide light towers that the BLM uses on their own compound.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
2002	1	Visual Resources (including Night Skies)	205.1700.00	N/A	Measure SPEC-2 Regarding light pollution, the data used by BLM does not cite much more than the VIIRS data. The playa is certainly lit up at night but led lights and fire do not pollute the sky with lumens nearly as much as the generator-powered bright white metal halide light towers that the BLM uses on their own compound.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
470	1	Visual Resources (including Night Skies)	205.1700.00	N/A	Some of the brightest spots however are the BLM and other law enforcement areas, where large generator powered light towers with multiple 1000W high output lamps are operated, often for no apparent purpose. These light up the ground, the dust, and the structures at extremely high levels, thousands of times brighter than the average in the city. Eliminating these sources would be the most effective way of reducing light pollution.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
855	2	Visual Resources (including Night Skies)	205.1700.00	N/A	re you treating Burning Man Event with a higher standard than other operations on BLM property? I would like to be assured that all operations on BLM that require lighting at night are investigated in the same way Burning Man is since measure SPEC-2 would be potentially dangerous to implement and will be difficult to achieve and enforce. What other operations on BLM have been monitored for light and what is there rating? What is the evidence that the light is too bright?	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I. Both the Coeur Rochester Mine and the Hycroft Mine (at the edge of the NCA) have lighting plans as part of their plan of operations to reduce light pollution in the surrounding area.
891	3	Visual Resources (including Night Skies)	205.1700.00	N/A	Our recommendation would be to continue the use of high powered lasers following the Federal guidelines and possibly develop better communication and a safety plan between the BLM and the laser operators. The direction or degree of non-terminated laser use is already dictated by the FAA, thus we do not need any additional restrictions.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1886	3	Visual Resources (including Night Skies)	205.1700.00	N/A	As someone who enjoys standing under dark skies and the incredible nights we have in the Black Rock NCA, we also should respect the unique one week experience of having art using light, lasers, and fire that while for sure impacts those dark skies, creates a new kind of wonder for one week out of the year. Let's support those light artists and inventors and creators, not try to overburden their creativity with the mitigations proposed in this section that will do little to change the dark skies quality in the long term in the region.	See Public Concern Statement VIS-I.	See Public Concern Statement VIS-I.
1850	14	Visual Resources (including Night Skies)	205.1700.00	N/A	App. G: We maintain that the visual experience of the NCA is near-pristine, remote, and superbly scenic. The DEIS tries to document the visual differences between when the Burning Man festival is or is not present on the playa in App. G. But they are identical for any particular KOP except on pp. G-6 to G-9 where the BM camp is evident. Take, for instance, the pair on p. G-2, supposedly taken during the event and without the event. The cloud formations are the same. Some mixup has occurred here. Are the correct photographs still available? The pair on p. G-8 is curious in its looks, as though the Burning Man stuff has been digitally added in the top one, using the background of the bottom one.	N/A	The visual differences between when the Burning Man Event is or is not present on the playa in Appendix G are not identical for pages G-1 to G-5. For example, the amount of haze and dust in the atmosphere from dust emanating from the Event is different with and without the Event. Also, the Event is visible on page G-2 in only one photo. Burning Man imagery was not added.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1799	34	Visual Resources (including Night Skies)	205.1700.00	N/A	The DEIS Volume I on Page 3-56 makes the statement: The average nightly radiance has been remarkably stable over the recent past from 2012 to 2016, despite a steady increase in the Event average nightly population. This pattern was noticeably changed in 2017 with a significant increase in average nightly radiance. In addition, the radiance per person increased in 2017. Another possible hypothesis is that nightly radiance is mostly influenced by weather conditions on the playa at the time of measurement. It is well known by anyone who has spent time on the playa that visibility can go from clear to zero in minutes and back again. Attributing this observation to human activity is one possible hypothesis but has no data to support it over other hypothesis, including weather and measurement artifacts due to coincidence with natural processes.	N/A	Artificial light at night can have negative impacts on the ecosystem, human health, and opportunities for observation of the night sky.
1799	26	Wastes, Hazardous or Solid	205.1800.00	WHS-1	It would be interesting to determine the following if Burning Man is a major trash contributor to the playa by looking at: * the amount of trash in the event area related to the event immediately post-event * trash in the event area at some other time. It would also be useful to determine if Burning Man is a major trash contributor to the roadsides in the community by determining: * the amount of trash along the local roadways after the event * the amount of trash along the local roadways at some other time * the amount of trash along roadways elsewhere Nevada with similar population density, etc.	How does the amount of waste along roadsides in the vicinity of the Burning Man Event change during the Event compared to other times of the year?	While BRC asserts to keep records of the amounts of post-Event trash, pre-Event trash records are limited.
1655	14	Wastes, Hazardous or Solid	205.1800.00	N/A	Impacts of Trash and Pollution (Mitigation measures NAT-2, WHS-1, VIS-1): There is little evidence demonstrating increased trash in the assessment area due to the BM-event. The evidence is based on public comments but there is no quantitative data to demonstrate this issue scientifically. There is also little to no evidence documenting negative impacts to wildlife of concern due to trash. The main cited information relates to increased predation by crows and coyotes of avian nests (Baker, 2007; Colwell et al., 2015) that are attracted to trash. However, the study by Baker (2007) addresses coyote populations in relationship to mortality to humans and human pets, not avian species, and is completely irrelevant. Further there is no documentation of increased coyote populations related to the BM-event that I could ascertain. The report by Colwell et al. (2015) is site specific to coastal northern California, and again has little relevance to the impact of the BM-event in Pershing county and nearby counties. Further there is no documented evidence of increased crow populations and increased predation of plovers in the assessment area. Further there is no clear evidence that the snowy plover has breeding sites within the assessment area. Finally, there is no evidence to suggest that minimizing trash on road sites will minimize crow populations or risks to snowy plovers in coastal northern California (Colwell et al., 2015), let alone a site where these issues have not been documented (i.e. the assessment area). Other cited studies deal with trash in urban environments and not roadsides and have little relevance to the assessment area, or the species of concern in the assessment area.	See Public Concern Statement WHS-1 .	See Public Concern Statement WHS-1 .
1705	4	Wastes, Hazardous or Solid	205.1800.00	N/A	Did the EIS account for local trash issues throughout the year and the fantastic efforts by BRC to mitigate trash and even clean up trash that was clearly dropped in the area prior to the event?	See Public Concern Statement WHS-1 .	See Public Concern Statement WHS-1 .

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1037	3	Wastes, Hazardous or Solid	205.1800.00	WHS-2	Trash has littered the playa and the highway post-event from the beginning. And it still hasn't been adequately addressed or resolved. BRC should be required to have a Waste Management Plan for the event. Dumpsters at the entrance that are emptied daily (or more often), contracted garbage collection that camps can subscribe to (similar to the existing RV mobile gray black water clean-out services), or any other means they can devise that creates a true LNT event. How many large trucks bring supplies into Burning Man on a daily basis and leave empty? That's an untapped resource. BRC should also have a method for recycling plastic. By continuing to promote LNT to their participants, the majority of people, particularly the theme camps, should continue to take responsibility for cleaning up after themselves and pack out their own garbage.	A Waste Management Plan for the Burning Man Event should be prepared that includes methods and opportunities for recycling.	Appendix E of the DEIS lists mitigation and monitoring measures to provide trash receptacles to reduce potential impacts from trash.
1850	22	Wastes, Hazardous or Solid	205.1800.00	N/A	BRC should be required to have a Waste Management Plan for the event. It should entail dumpsters at the entrance that are emptied daily (or more often), contracted garbage collection that camps can subscribe to (similar to the existing RV mobile gray/black water clean-out services), or any other means BRC can devise that creates a true LNT event. How many large trucks bring supplies into the Burning Man festival on a daily basis and leave empty? That's an untapped resource. BRC should also have a method for recycling plastic. By continuing to promote LNT to their participants, the majority of people, particularly the theme camps, should continue to take responsibility for cleaning up after themselves and pack out their own garbage. This would diminish the garbage collection burden on BRC, but it doesn't negate BRC's responsibility to solve the problem in toto .	See Public Concern Statement WHS-2.	See Public Concern Statement WHS-2.
1495	2	Wastes, Hazardous or Solid	205.1800.00	N/A	e 79 of the PDF on the Draft EIS that "It is not possible to characterize the exact quantity or composition of solid waste potentially released into the environment" and go on to say on page 80 of the PDF that "For 2018, the density of debris left behind after clean-up was 1.15 square feet per acre" These two statements are in conflict with each other. What was the composition of the waste left behind?	See Public Concern Statement WHS-2.	See Public Concern Statement WHS-2.
1850	19	Wastes, Hazardous or Solid	205.1800.00	N/A	Although waste management is written into the Event Operations Plan, we recommend that BLM require BRC to develop a comprehensive waste management plan, including needed or suggested improvements to address offsite trash and waste dumping.	See Public Concern Statement WHS-2.	See Public Concern Statement WHS-2.
842	1	Wastes, Hazardous or Solid	205.1800.00	N/A	Section 3.5.2 of the EIS also describes the affected environment for waste. Again, a big part of Burning Man is the 'Leave no Trace' philosophy that is embedded in the culture. The organisers for Burning Man work hard communicating, monitoring and enforcing this on a daily basis. I would encourage you to consider the number of participants and waste generated versus the rubbish illegally dumped throughout the event. My experience is that almost all participants actively participate in this philosophy and believe that benchmarking against similar events would provide a suitable metric to ensure that the highest standards are being maintained.	See Public Concern Statement WHS-2.	See Public Concern Statement WHS-2.
445	4	Wastes, Hazardous or Solid	205.1800.00	N/A	There is also the increase of trash being dumped along highways, at the back of businesses and in the yards of nearby towns, and it is left to the residents and small local businesses and the State to pay for the removal and the disposal of such items. We must also add the distress it has been causing to residents of the nearby towns, who have to deal with not only the trash being left in their yards, and the increase in traffic, but also people defecating in their yards, sometimes leaving a pile of excrement covered underwear on top.	N/A	Appendix E of the DEIS lists mitigation and monitoring measures to provide trash receptacles to reduce potential impacts from trash.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1505	1	Wastes, Hazardous or Solid	205.1800.00	N/A	Burning Man has had a long policy of "leave no trace," otherwise known as "pack it in pack it out" in the camping context. Attendees are instructed to take their trash with them when they leave the event. Having dumpsters on site would encourage participants to leave trash behind. It will result in overflowing dumpsters, where uncontrolled trash and debris cause damage to BLM and surrounding lands that has not existed before.	N/A	Appendix E of the DEIS lists mitigation and monitoring measures to maintain the trash receptacles and their effectiveness to reduce potential impacts from trash.
1157	5	Wastes, Hazardous or Solid	205.1800.00	N/A	The Tribe is greatly concerned about the increased risk of improper waste disposal associated with Alternative A. An increase in population will result in an increase in generated waste materials and will consequently increase the risk of improper disposal such as illegal dumping. The EIS states that, "most of the illegally dumped materials.. tend to be found along authorized and unauthorized transportation routes". As stated previously, it is reasonable to postulate that an increase in population at the Event could bring more travelers through that route as they attempt to avoid the even more congested major routes bringing with them increased risk of illegal dumping occurring along the transportation routes running through the Reservation. What is especially troubling is that although there are patrols planned to prevent such illegal activity, no such patrols are planned for Soldier Meadows Road; the connector between the Playa where the event is held and the Reservation. The Tribe supports the BLM's proposal of having dumpsters on site at the Event as that does have potential to curb illegal dumping.	N/A	Impacts from wastes are described in Section 3.5.2 of the DEIS.
972	1	Wastes, Hazardous or Solid	205.1800.00	N/A	The BLM EIS reports that human waste otherwise known as "black water" is being deposited and dumped on the playa despite being specifically prohibited. This is unhealthy and unacceptable. When is this dumping taking place? During or after the festival? If during, what health hazards are participants being exposed too? If after, what kind of health risks will this pose to those individuals who come along when the festival is over to enjoy recreational opportunities on the playa?	N/A	DEIS page 3-35 states that "Event participants unintentionally or intentionally dispose of wastewater on the playa. This activity is prohibited by the BLM and BRC, but it still occurs." BRC does not monitor the playa for wastewater disposal outside of the Event time frame.
1799	28	Wastes, Hazardous or Solid	205.1800.00	N/A	The Black Rock desert is obviously below the surrounding area and roadways. Much of the oil from all the roadways will run off and collect there and has been doing so as long as cars have passed along and through the desert. No analysis is done to measure this effect, oil drip onto the playa is objectionable but it can't be determined if this is more or less than the oil entering the playa from the surrounding drainage unrelated to the event.	N/A	Analyzing the deposition of oil on all the roadways surrounding the playa since cars have passed through the desert and the migration oil to the playa is beyond the scope of this analysis. Oil dripped on the playa during the Event is cleaned up by Event participants and BRC.
621	1	Wastes, Hazardous or Solid	205.1800.00	N/A	I would favor providing all participants with motorized vehicles to receive specific guidelines on grey and black water management, as well as be provided the ability to schedule blackwater pumpouts in advance. The organizers have set a grounding principle of this management to happen autonomously, it is impractical to expect them to individually counsel 75K participants, but additional resources that provide best practices as well as a report on water damage (if any) during the end-of-event cleanup survey would benefit the playa as well as enhance expectations for self-reliance for participants.	N/A	BRC promotes "leave no trace" principles, which include not allowing the release of wastewater onto the playa. Recreational vehicle (RV) servicing, such as wastewater disposal, is available at the Event for a fee.
1483	1	Wastes, Hazardous or Solid	205.1800.00	N/A	What will be the difference in environmental impact and the local communities traffic flow and accessibility with increased transportation and wait times? If participants have much longer wait times how will the local flora and fauna cope with the environmental impacts? If the Burning Man organization is tasked with transporting trash in and out, how will the addition to traffic be absorbed by the local community and environment? There is already a structure in place to absorb people and their needs within the event but every hour spent on the way to the event has its impacts. The longer the wait times the more marked the impacts. What are the impacts of longer wait times and if the environment is paramount then wouldn't it be ideal to expedite wait times?	N/A	BRC has not been tasked yet with transporting trash and recycling. If BRC is tasked with transporting trash and recycling in and out, it is assumed the waste vehicles would use a different entrance/exit for the Event than that used by the participants; thus, wait times should not be notably affected.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
50	1	Wastes, Hazardous or Solid	205.1800.00	N/A	BRC operates seven fuel depots at the airport: JOC, Department of Public Works Fuel Depot, Point 1, Golf Cart Service Yard, Heavy Machinery Yard, and Hell Station with tanks ranging from 1,500 to 12,000 gallons. Under previous permits, all fuel must be stored in a designated fuel storage area located at least 10 feet away from any flammable materials, including vehicles and camping trailers. All fuel containers must have secondary containment that can hold 110 percent of the largest container. By this comment, does BRC intend to use secondary containment with all fuel stations to include 12000 gallon tanks?	N/A	Through public health and safety and wastes, hazardous or solid mitigation and monitoring measures, the FEIS addresses the potential impacts and mitigations for fuel storage.
1799	24	Wastes, Hazardous or Solid	205.1800.00	N/A	However the DEIS erroneously states on page 3-34 that Burning Man failed the 2018 debris inspection with debris density of 1.15 per acre. Possible the error is related to the erroneous report in the Reno Gazette, subsequently retracted by the Gazette.	N/A	As described in the post-Event cleanup reports, the footprint of the Event is divided into various sections. One section is the City Grid. From 2013 to 2017, the density of trash left behind in each section was averaged for the total density of trash left on the playa. The density of trash left only in the City Grid in 2018 was 1.15 square feet per acre; this was not the total density of trash for the Event footprint.
1799	25	Wastes, Hazardous or Solid	205.1800.00	N/A	The report continues on Page 3-34 to extrapolate the average debris density to an event population of 100000. Since the debris density stated on the page is incorrect at 1.15 ft/acre over the permissible level of 1.0 ft/acre, the extrapolation is incorrect and the conclusions reached from it are invalid. It also does not seem the reference to a time series analysis by Hall and Rorex (2018) is actually in the document, thus it cannot be reviewed.	N/A	The city grid is one of six areas that litter/debris density is calculated for, these areas are averaged together to get the overall average. BRC overall average for 2018 Event was below 1 ft <sup>2</sup> /acre, but the city grid was approximately 1.15 ft <sup>2</sup> /acre. The DEIS has been revised to include the stated reference and clarified analysis.
1613	2	Wetlands and Riparian Areas	205.2000.00	WRA-1	The report often refers to the springs but NEVER mentions several facts. One fact is that the hot springs are closed during the event. Always. Another is that there are NO - none at all - hot springs at the event. Again, miles away from the event site.	Commenters argue that hot springs have not been and would not be impacted by the Burning Man Event. One commenter requests closure of hot springs, while others note that not all nearby hot springs are natural features.	As described in Section 2.2.2 of the DEIS, use of area hot springs would not be allowed as part of the SRP, and participant use would be monitored (Monitoring Measure WET-1) during the Closure Order to reduce the likelihood for impacts.
1799	8	Wetlands and Riparian Areas	205.2000.00	N/A	Closing the springs during the event and one week prior and one week after would solve the hot spring issue.	See Public Concern Statement WRA-1.	See Public Concern Statement WRA-1.
1799	8	Wetlands and Riparian Areas	205.2000.00	N/A	No evidence is presented that the springs have suffered degradation as a result of the event or that the current Burning Man policies and monitoring activities are insufficient to protect them. The DEIS describes worst case hypothetical events that might negatively impact the springs not an observed issue.	See Public Concern Statement WRA-1.	See Public Concern Statement WRA-1.
1799	37	Wetlands and Riparian Areas	205.2000.00	N/A	According to the Friends of the Black Rock Desert there are four hot springs in the area: * Black Rock Springs: Natural, too hot * Double Hot Springs: Natural, too hot * Trego Hot Springs: Man Made, pretty hot * Soldier Meadow Hot Springs: Man Made, not too hot The first two are natural but are too hot to enter. The second two are man made and only Soldier Meadow is cool enough to swim. The status and history of these springs puts their potential use into context. Two are not natural features of the landscape but perhaps have historical significance anyway. The DEIS reads as if the hot springs in the area are a natural feature that attendees are likely to overwhelm and destroy.	See Public Concern Statement WRA-1.	See Public Concern Statement WRA-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1808	6	Wetlands and Riparian Areas	205.2000.00	WRA-2	Update the FEIS to include the status of consultation with the ACOE regarding any regulatory requirements for the Event, such as Nationwide Permits 33 and 18 under Section 404 of the CWA.	Commenters requested that the Final EIS includes more detail regarding wetlands and consultation with the Army Corps of Engineers.	While the playa is dry during the Event, the USFWS classifies it as a wetland, and the USACE classifies it as a playa. As such, in email correspondence in 2018, the USACE noted that it is assumed that the playa is a Water of the US until an approved jurisdictional determination (AJD) is done. The AJD and determination of Waters of the US is under the jurisdiction of the USACE and not the BLM. An AJD does not have to be done if the Burning Man Project does not contest the Waters of the US assumption, in which case a permit can be issued. The bringing in of decomposed granite and the trenching activities may need a Nationwide Permit from the USACE. The need for Clean Water Act permits will not be determined at this time. As described in Section 3.3.5 of the DEIS, the proponent would determine the need for a Nationwide Permit, in coordination with USACE. If needed, the proponent would obtain the permit (see also Mitigation Measure WET-1). In the conditions of receiving a Special Recreation Permit from the BLM, the proponent is required to obtain all other federal, state, county, and local government permits.
1786	1	Wetlands and Riparian Areas	205.2000.00	N/A	Reference paragraph 3.3.5 of the Draft EIS and Appendix E Mitigation WET-1 relative to the Burning Man event needing to obtain a U.S. Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 (404) Nationwide Permit (NWP) 33 and or Nationwide Permit 18. The analysis is flawed. The draft EIS identifies the permit requirement because the Burning Man site is "classified as a Lake under the National Wetlands Inventory." The site may be a former lake bed, but it is no longer a lake and does not constitute waters of the U.S. pursuant to EPA and USACE CWA 404 requirements. The Draft EIS curiously identifies the regulatory requirement pursuant to "other waters of the US." The USACE website at <a href="https://usace.contentdm.oclc.org/utills/getfile/collection/pl6021coll1/id/2309">https://usace.contentdm.oclc.org/utills/getfile/collection/pl6021coll1/id/2309</a> Contains the following: Wetlands Legal Definition Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. (33 CFR §328.3(b)). Burning Man would not be able to have its event, if conditions existed for the event as defined above. There is no way that USACE has jurisdiction over a former lake bed that has no collection of water that supports vegetation under "saturated soil conditions." The text of NWP 33 is as follows: "Temporary Construction, Access, and Dewatering. Temporary structures, work, and discharges, including cofferdams, necessary for construction activities or access fills or dewatering of construction sites, provided that the associated primary activity is authorized by the Corps of Engineers or the U.S. Coast Guard. This NWP also authorizes temporary structures, work, and discharges, including cofferdams, necessary for construction activities not otherwise subject to the Corps or U.S. Coast Guard permit requirements. Appropriate measures must be taken to maintain near normal downstream flows and to minimize flooding. Fill must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. The use of dredged material may be allowed if the district engineer determines that it will not	See Public Concern Statement WRA-2.	See Public Concern Statement WRA-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1786 (continued)	(see above)	(see above)	(see above)	(see above)	cause more than minimal adverse environmental effects. Following completion of construction, temporary fill must be entirely removed to an area that has no waters of the United States, dredged material must be returned to its original location, and the affected areas must be restored to pre-construction elevations. The affected areas must also be revegetated, as appropriate. This permit does not authorize the use of cofferdams to dewater wetlands or other aquatic areas to change their use. Structures left in place after construction is completed require a separate section 10 permit if located in navigable waters of the United States. (See 33 CFR part 322.)" There are no "downstream flows" at the Burning Man site. There are no navigable waters of the U.S. Canoes, kayaks and other vessels are never present at the Burning Man site. It is ludicrous to suggest pursuing a USACE NWP 33. The text of NWP 18 is as follows: "Minor Discharges. Minor discharges of dredged or fill material into all waters of the United States, provided the activity meets all of the following criteria: (a) The quantity of discharged material and the volume of area excavated do not exceed 25 cubic yards below the plane of the ordinary high water mark or the high tide line; (b) The discharge will not cause the loss of more than 1/10-acre of waters of the United States; and (c) The discharge is not placed for the purpose of a stream diversion." The Burning Man site is not on or within waters of the United States. There is no ordinary high water mark or high tide line at the 4/29/2019 DEPARTMENT OF THE INTERIOR Mail - [EXTERNAL] Comment to Burning Man Event Special Recreation Permit Draft EIS <a href="https://mail.google.com/mail/b/AH1rexSAkRchbyysSanDXI250HoRI2e-NJDbiTbDT212Pan7TCdA/u/0?ik=c99f4c2013&amp;view=pt&amp;search=all&amp;permthid=c...">https://mail.google.com/mail/b/AH1rexSAkRchbyysSanDXI250HoRI2e-NJDbiTbDT212Pan7TCdA/u/0?ik=c99f4c2013&amp;view=pt&amp;search=all&amp;permthid=c...</a> 2/2 Burning Man site. To suggest the pursuit of a NWP 18 is improper.	(see above)	(see above)
1951	4	Wetlands and Riparian Areas	205.2000.00	N/A	Playas are unique hydrologic features, draining and evaporating water in a very delicate balance at least partially determined by the microtopography that defines the playa. The Burning Man event includes substantial alteration to the playa's soils. Trenching to lay electrical wire is just one example. Significant compaction of playa soils also occurs through vehicular travel, camping, and foot and bicycle travel. Additionally, construction of art projects, camps, and other elements of the Burning Man event require digging holes in the ground. In sum, there are numerous impacts to the soils of the playa, which in turn impacts hydrology. As such, it seems obvious that Burning Man should require a Clean Water Act Section 404 permit from the Army Corps of Engineers. As with the above recommendations on Air Quality, BLM should require Burning Man to use its event to learn more about how it is affecting the hydrology of the playa, through controlled experiments, monitoring, and other techniques. Ultimately, the better information we have from the actual experience of the event, the better impacts can be addressed going forward. Even if the Army Corps does not require a 404 permit, BLM itself needs to examine the impacts to hydrology from the event's activities and require monitoring and mitigation accordingly. Whether or not these are jurisdictional waters, the playa is a functioning hydrologic system and BLM is obligated to evaluate it in the EIS.	See Public Concern Statement WRA-2.	See Public Concern Statement WRA-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1965	1	Wetlands and Riparian Areas	205.2000.00	N/A	Reference paragraph 3.3.5 of the Draft EIS and Appendix E Mitigation WET-1 relative to the Burning Man event needing to obtain a U.S. Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 (404) Nationwide Permit (NWP) 33 and or Nationwide Permit 18. The analysis is flawed. The draft EIS identifies the permit requirement because the Burning Man site is "classified as a Lake under the National Wetlands Inventory." The site may be a former lake bed, but it is no longer a lake and does not constitute waters of the U.S. pursuant to EPA and USACE CWA 404 requirements. The Draft EIS curiously identifies the regulatory requirement pursuant to "other waters of the US."	See Public Concern Statement WRA-2.	See Public Concern Statement WRA-2.
2006	2	Wetlands and Riparian Areas	205.2000.00	N/A	Similarly, the Clean Water Act Section 404 Nationwide Permit 33 pertains to NAVIGATABLE WATERS. The Black rock basin has never been, and is unlikely to be, navigatable waters. There are no boats other than extremely shallow keeled canoes that can, at any time of year, pass through the few inches of water. Certainly in July, August and September, these waters do not exist in any shape or form. Speaking with ecology colleagues in the Army Corps of Engineers, they find the idea of applying the CWA 404 to the Black Rock desert to be a joke. On a more serious level, in the CWA, Navigable waters of the United States are defined as "those waters of the U.S. that are subject to the ebb and flow of the tide shoreward to the mean high water mark and/or are presently used, or have been used in the past or may be susceptible to use to transport interstate or foreign commerce", specifically with reference to the January 1987 Final Report by the Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1 OF WHICH NOTHING IN THIS AREA IS A PART OF. There is no tide, ebb or flow, nor do the materials have no bearing on this desert basin - there is no basis for these claims, whatsoever. It is, in fact, telling, that most of the ENVIRONMENTAL IMPACT statement has absolutely nothing to do with the environment, impacts of the event upon it, nor facts - rather there are vague suggestions not based on well-sampled data and mostly non-environmental assessments.	See Public Concern Statement WRA-2.	See Public Concern Statement WRA-2.
270	1	Wetlands and Riparian Areas	205.2000.00	N/A	"the playa has been classified as a discharging playa, a result of the relatively shallow water table. Through evaporation and capillary forces, groundwater is discharged into the atmosphere, resulting in a vertical hydraulic gradient." Hydraulic gradient causes flow, not the other way around. Should just remove the part about the hydraulic gradient. I suggest: The playa is classified as a "discharging" because there is a net flow of groundwater out of the playa by evaporation. Water that is applied to the surface by spraying or spilling evaporates rather than infiltrating to the water table.	N/A	DEIS page 3-60 states that "Groundwater in the Closure Area is, at most, 5 to 10 feet below the surface. As mentioned above, the playa has been classified as a discharging playa, a result of the relatively shallow water table. Through evaporation and capillary forces, groundwater is discharged into the atmosphere, resulting in a vertical hydraulic gradient." Change to "Groundwater in the Closure Area is, at most, 5 to 10 feet below the surface. As mentioned above, the playa has been classified as discharging, because there is a net flow of groundwater out of the playa by evaporation. Water that is applied to the surface by spraying or spilling will eventually evaporate."
1487	3	Wetlands and Riparian Areas	205.2000.00	N/A	2.b.i. I believe water testing should be required to check for pathogens in the surface water used for dust abatement. 2.b.ii. The effects of the non-potable water use on the water table should be researched. The effects of the non-potable water on the playa should be researched.	N/A	DEIS page 3-61 describes water quality test of Fly Ranch water used in dust abatement. This includes E. Coli.
1741	2	Wetlands and Riparian Areas	205.2000.00	N/A	Please answer and/or explain: 1. How the BLM has unilaterally decided that the Black Rock Desert is a wetland in August and September.	N/A	While the playa is dry during the Event, the USFWS classifies it as a wetland, and the USACE classifies it as a playa. This is further described in Section 2.7 of the Biological Baseline Report.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1902	2	Wildlife	205.2300.00	WILD-1	3.3.2 - Disruption of wildlife: I've never personally heard of or seen any bats day roosting in structures on the playa, especially at night time (bats active flying time when things are burned). I have never seen in my nine burns any wild sheep or goats, nor even knew of their existence locally. so removed from the event are they. The idea that they might be run into by participants' cars going 5 mph is . The playa at the time of the event is hot, dry, devoid of food and shelter, and inhospitable, an environment animals avoid.	Commenters assert that the impacts on wildlife described in the EIS, such as impacts from traffic, are overstated. The EIS does not explain the likelihood or severity of stated impacts. No evidence is provided in the EIS to show that such impacts have occurred in the past. Detailed monitoring and data collection is needed to discern the true impacts of the event.	The DEIS provides an analysis of the environmental consequences to wildlife, including the cumulative impacts, in Section 3.3.6. As required by 40 CFR 1502.1, the DEIS provided sufficiently detailed information to aid in determining whether to proceed with the preferred alternative or make a reasoned choice among the other alternatives so that the public could have an understanding of the environmental consequences associated with the alternatives. As such, the DEIS provides the appropriate information for the scope and scale of the project and sufficient information to support the impacts analysis in the DEIS.
1655	13	Wildlife	205.2300.00	N/A	The other cited study (Reijnen and Foppen, 1994), cited as a nonconsulted source, relates only to breeding density, not diversity as indicated. This study showed wide variation across species. Thus, any potential traffic impacts to species would need to assess if breeding areas occur in the assessment area, and during the time of the increased traffic due to the event as a minimum, but further should assess actual impacts to species of concern due to increased traffic. Mere increase in volume of traffic does not correspond to negative impacts on specific species of concern (specifically their fitness), and these issues need to be documented more fully if mitigation measures are to be proposed.	See Public Concern Statement WILD-1.	See Public Concern Statement WILD-1.
1235	3	Wildlife	205.2300.00	N/A	I concur that the potential for wildlife collision mortality, potential spread of invasive species and the risk of wildfire in great basin habitats related to human activities, particularly while participants travel to and from the Event is a concern. However, it's unlikely that wildlife collision mortality by participants in the Event amounts to numbers that measurably affect populations. The great basin is already severely compromised by invasive plant species and education measures to minimize future introductions make sense. Likewise, great basin habitats are several compromised by recent wildfires that convert sagebrush to cheatgrass prairies. Efforts to reduce that risk are warranted. What I do not understand about this section is that it presents long bullet lists of all the adverse effects that could occur, with little analysis of how likely they are to occur and what the severity of the impact will likely be. Given statements in the document such as ""Given the lack of vegetation and permanent water sources, the playa's value to wildlife is ephemeral. During dry periods, the playa does not support terrestrial wildlife,...". The obvious question, which the DEIS does not answer, is how can wildlife which are not present during the Event be affected by light, noise, human presence, etc.?	See Public Concern Statement WILD-1.	See Public Concern Statement WILD-1.
1705	1	Wildlife	205.2300.00	N/A	I fully appreciate the potential affect an event of this magnitude could have on biological resources in and around the event area. Your draft EIS mentions many different things that could happen such as migratory birds avoiding the area, bird / mammal collisions with vehicles or aircraft, or other types of habitat disturbances. QUESTION: Have there been any documented incidents where an animal or bird was struck, habitats disturbed, or observations of migratory birds avoiding the area? The draft EIS makes a lot of assertions that these things could happen, but does not offer anything to show it has happened in the many years the event has been held at BRC.	See Public Concern Statement WILD-1.	See Public Concern Statement WILD-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1799	9	Wildlife	205.2300.00	N/A	Page ES-6 says the following activities may displace or kill wildlife or destroy habitat: aircraft traffic, noise, human presence, artificial light, temporary structures, pollution and trash, fugitive dust, and surface disturbance could displace wildlife, result in injury or mortality, and degrade habitat. Although these are plausible worst case impacts, no information or data is presented is indicated that any of these hypothetical events has actually happened to any degree in the many years of Burning Man operation on the Playa.	See Public Concern Statement WILD-1.	See Public Concern Statement WILD-1.
1841	7	Wildlife	205.2300.00	WILD-2	many of the sources for the data on the wildlife and aviary impact were old sources, dating from the 1990s. In addition, many of the titles were termed with "chronic" noise and such problems. Chronic is long-term, which would not apply to a 1-2 week event. While I imagine there is a wildlife impact due the Burning Man event, I do not think the length is long enough to warrant some of the sources used. Can you offer multiple study examples from this century that reference short term affects and have a significant impact on mortality and morbidity of wildlife?	Commenters argue that effects on wildlife described in the EIS, such as from traffic and pollution, are misrepresented due to the references cited therein. Some references cited are outdated, misinterpreted, and/or not applicable to the impacts that would be observed during the event.	The BLM used the best available scientific data to describe the environmental consequences of the alternatives on wildlife. These impacts were presented in Section 3.3. of the DEIS and are described commensurate with the importance of the impact, per 40 CFR 1502.15. The relevant literature is further summarized in Chapter 4 of the Biological Baseline Report.
1655	10	Wildlife	205.2300.00	N/A	The BRBR report claims possible impacts of traffic on wildlife. Most of these possible impacts are generalized impacts occurring from traffic and do not relate o species within the assessment area. Further, the majority of cited publications deal with urban traffic and may not relate to the increased traffic on a rural highway. Further, while some indirect impacts have been noted from traffic due to potential habitat destruction, none of these have been documented for the assessment area or causing impact to species of special status within the impact area. The BRBR summary is misleading because it tries to summarize possible environmental impacts of a temporary event by using studies that assess anthropogenic disturbance to one species and apply it to all species, which is illogical. For example, I could cite a study showing noise impacts ringed seals (Kelly et al., 1988) and then suggest mitigation efforts for reducing noise in the black rock desert - where obviously no seals exist.	See Public Concern Statement WILD-2	See Public Concern Statement WILD-2.
1655	12	Wildlife	205.2300.00	N/A	THE BRBR report cites that noise from traffic can impact avian breeding. Of the studies cited, one deals specifically with the impact of urbanization on bird breeding (Slabbekoorn and Ripmeester, 2008) and thus has little relevance to the BM event. Further the study deals with effects on breeding specifically and calls for mitigation in breeding areas. Of the species of concern, are there breeding areas within the assessment area, and at the time that traffic may impact the event? This was not clear or evidenced in the BRBR report.	See Public Concern Statement WILD-2	See Public Concern Statement WILD-2.
1655	11	Wildlife	205.2300.00	N/A	Only one scientific study was completed within the assessment area, and on local taxa (Sada et al., 2013). The BRBR report is misleading by suggesting the BM event has a negative impact on branchiopod species. However, the study by Sada et al. (2013) clearly states there was no observed decrease in intact eggs or ephippia attributed to vehicle travel or virgin playa. Further there were no significant differences in egg or ephippia levels following the event in road areas of the event, further documenting that vehicles have little to no impact on branchiopod species in the assessment area. While there were significantly lower eggs in camping areas following the event, the study itself suggests that there are many potential confounding factors, including egg dispersal through wind. Given that wind speeds are very high during the event, this may alone account for these differences. Finally, the branchiopod species within the black rock playa are not species of special concern and their use by migrating birds in the assessment area has not been documented.	See Public Concern Statement WILD-2	See Public Concern Statement WILD-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1002	1	Wildlife	205.2300.00	N/A	Reference from the Journal of Crustacean Biology "Effects of recreational use on Branchiopod eggs and Ehippia density, Black Rock Desert-High Rock Canyon Emigrant Trails, National Conservation Area, Nevada, USA" Volume 33, issue 2, 1 March 2013. The limited scope study suggests the egg density in roads was generally mitigated at the Burning Man event by water abatement, however egg density in the camping areas were low following the festival. These camping areas do represent a significant area within the event. The report notes little is known about the influence of these activities on playa life and no previous studies have examined the Black Rock Desert Playa (BRP). A visual display of Fairy shrimp is available on youtube.com posted by Friends of Black Rock High Rock dated May 23, 2017.	See Public Concern Statement WILD-2	See Public Concern Statement WILD-2.
1655	17	Wildlife	205.2300.00	N/A	The impacts of pollution on wildlife in the assessment area are also weak to non-existent and the presented study is misleading. One cited study (Gaylor et al., 2012) examines the impact of PBDE on house crickets, a polymer found in automotive and furniture cushions. The relation of this study is questioned and seems to have no bearing on the types of trash or pollution that may be a result of the BM event, particularly since these PBDE-materials and house cricket populations in the assessment area have not been documented. Further, the study does not address bioaccumulation as cited in the BRBR report from other species feeding on crickets.	See Public Concern Statement WILD-2	See Public Concern Statement WILD-2.
1850	5	Wildlife	205.2300.00	N/A	Sec. 3.3.6, p. 3-18: The discussion on branchiopods is lacking in specifics. There are only vague statements on the impact of the Burning Man event on fairy shrimp and others of this class. Without some details, one cannot know the true impact. In the case of birds, is the quantity of this nutrient severely reduced in the area of the event during and after? We apparently have no hard data to form a good statement on impact. Detailed study could answer some questions such as does the Burning Man event playa area become a "dead zone" due to all the disturbance, similar to ocean dead zones that have been extensively documented? See our comments below regarding more monitoring of the event area with respect to soil.	N/A	Section 3.3.6 of the FEIS has been updated to include additional potential impacts on branchiopods as a result of vehicle traffic. According to Sada et al. (2013), The number of <i>B. mackini</i> eggs occurring on roads after the Event was approximately 30 percent fewer than in virgin playa (control). Although statistical differences were not documented, the impact the Event has on intact egg abundance may be biologically important and influence the abundance of adult <i>B. mackini</i> in subsequent years.
1235	4	Wildlife	205.2300.00	N/A	Nowhere in the DEIS are there descriptions of thresholds of significance, which would be considered as potentially significant by BLM. One example could have been: "A substantial reduction in the population of any wildlife species within the assessment area". If such an impact is determined, based on substantial evidence, mitigation to avoid, minimize or compensate for those environmental impacts would be warranted. Without any objective description of what kind of impact is to be considered significant and how much impact is likely to occur, the imposition of mitigation measures would be both subjective and indefensible. For the record I'll note here that the above applies to NEPA. Other environmental laws, e.g. the Endangered Species Act, have other criteria for determining mitigation. It's worth noting that the DEIS does not make a determination that the SRP will have any potential for significant impacts on biological resources.	N/A	Appendix C of the DEIS details the impacts analysis methodology for all the resources analyzed in the EIS. These include impact indicators for all resources.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1850	3	Wildlife	205.2300.00	N/A	Sec. 3.3.6, p. 3-17: The DEIS states "...wildlife collisions with structures, cars, and aircraft, would become more intense as the number of Event participants increased." We deem this self-evident. What is not given here is the number of observed collisions, whether by anecdote or by official reporting. Wildlife around the playa are normally exposed to very little traffic and are presumably not "street-wise". Higher than normal rates of collisions are likely during the preparatory and cleanup windows of the event and during the week of the event because vehicular traffic at the times of entry to and egress from the event is very slow moving. Yet, "higher than normal" is speculative and is not proven. What data, if any, does BRC or BLM keep on collisions with wildlife? If none, we suggest a monitoring measure be added.	N/A	While data have not been collected regarding vehicle collisions at past Burning Man Events, Section 3.4 of the Biological Resources Report discusses the potential for vehicle collisions and cites best available scientific literature on the subject. Section 3.3 of the DEIS acknowledges that the potential for collisions with vehicles in the Closure Area is minimal.
702	1	Wildlife	205.2300.00	N/A	"Bat species may also use temporary Event structures or art installations for day roosting. Bats that roost in such structures would be at increased risk of direct impacts from disturbance, entrapment, or unintentional injury due to structure work or burning." Do bats typically roost in structures that are in existence only for a few days, when presumably they already have existing shelter?	N/A	Section 3.3.2 of the FEIS has been clarified to qualify the likelihood of the impact described.
1686	3	Wildlife	205.2300.00	N/A	Did the BLM conduct a site survey of the Proposed Area of the event to count exactly how many animals, plants, and other living things exist -- to provide a benchmark for measuring impact?	N/A	At the request of the proponent, biological resources surveys were not conducted as part of this EIS. This is typical of other proponents not wanting to bear the cost of wildlife surveys; therefore, the BLM assumes that wildlife are present. The BLM determined that existing information was sufficient and also reached out to the USFWS, NDOW, and NNHP to supplement existing data (see Chapter 4 of the DEIS).
1589	1	Wildlife	205.2300.00	N/A	NDOW Biologist are frequently out in the field and difficult to contact. Eventually, Shawn and I discussed the discrepancies between the NDOW and the United States Geological Survey (USGS) regarding the Greater Sage-Grouse. The supporting BRBR report provided two habitat maps: one from the NDOW, and the other from the USGS. He said it was "confusing." For some reason, the national USGS source was favored over his more localized NDOW. But the cartography intervals of habitat somehow shifted. At NDOW, they indicate possible "Other," not "General" habitat in the assessment area. But, with nearly the same interval, the USFS reports the habitat as "General." The same shift could be found in the NDOW "General" habitat, being shifted by the USGS as being "Priority." This reviewer admitted no real dispute regarding the "Priority" Sage-Grouse areas—near or adjacent to the mountain tops. We discussed one or more basins a bit closer to the Black Rock Desert. But, he admitted, he was not concerned with Sage-Grouse, or Sage-Grouse habitat being near the playa during the time of the Event. But, this reviewer believes the USGS representation badly overstates the possible proximity of these seasonal birds near the playa. Next, this reviewer phoned Supervising Biologist Mark Freese. We discussed the possibility of California Bighorn Sheep being in the area of the playa. He, like Shawn with regard to Sage-Grouse, said it was very unlikely at that time of the year. According to Mark, the same could be said for Mule Deer and Pronghorn Antelope. This reviewer respects the work of the NDOW Biologists. If there is a possibility the wildlife may be there, it may be best to be conservative—despite the timing of the year.	N/A	The best available scientific information was presented for each species in the DEIS. The FEIS has been updated to include the most up-to-date maps and data regarding Greater Sage-Grouse habitat.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1002	2	Wildlife	205.2300.00	N/A	In summary, Fairy shrimp have survived over the last 12,000 years and represent an important aspect of the Black Rock Desert ecosystem providing an important food supply for migrating birds including Avocet, Sand Piper and Phalaropes. Burning Mans use of the playa over the last 32 years may have impacted the historical ecological use of the of the area. The BLM EIS, discussion in chapter 3, page 18, fails to fully address the impact associated with the Fairy shrimp and further study is warranted due to the fact the species has been isolated in an endorheic basin for 12,000 years and could potentially warrant listing under the ESA due to its unique genetics.	N/A	Section 3.3.6 describes the environmental consequences to listed branchiopods from each alternative. These impacts are further described in Chapter 3 of the Biological Baseline Report.
730	1	Editorial (grammar and formatting)	208.0000.00	N/A	In the EIS, you suggest that "Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing, would reduce the risk of vehicle entry through perimeter fencing (BLM 2018b)." This measure references BLM 2018b which is Public Health and Safety at the Burning Man Event, however the only version of that report available for review with the EIS documentation is a 2019 document, not 2018. BLM should provide the cited document for review. The 2019 version of the Public Health and Safety at the Burning Man Event document cites a single instance of a car driving through the current perimeter fencing, which is composed of snowfence on steel posts.	N/A	The references in Appendix I have been updated to accurately cite supporting studies.
730	8	Editorial (grammar and formatting)	208.0000.00	N/A	The actual need for the k-rails is completely unsupported by any evidence presented in the EIS, the only reference I could find for why it is proposed is in a 2019 document called Public Health and Safety at the Burning Man Event, which does not match the reference given in the EIS.	N/A	The references in Appendix I have been updated to accurately cite supporting studies.
1426	2	Editorial (grammar and formatting)	208.0000.00	N/A	The source for the image entitled "Diagram I. Migratory Bird Flyways" cannot be found. Specifically, "Hunter Allen, 2010" cannot be found in the references, nor can that source be found in Google Scholar or other internet-based searches. A more reputable source may be the US DOI Fish and Wildlife Service. Consider, instead, their image on their website for "Bird Migration Routes" (USFWS 2019). That image is attached. Inspection reveals a gap between the Pacific and Central Flyways. Unlike those which are color-coded, this gap includes a white north-to-south, south-to-north swath of emptiness over western Nevada, including the Black Rock Desert.	N/A	The references in Appendix I have been updated to accurately cite supporting studies.
1850	27	Editorial (grammar and formatting)	208.0000.00	N/A	App. B, p. B-2. You mean "2019 Burning Man Event", not "2018...". Also see following text for other 2018 corrections to 2019.	N/A	The references in Appendix I have been updated to accurately cite supporting studies.
730	2	Editorial (grammar and formatting)	208.0000.00	N/A	In the EIS, you suggest that "Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing, would reduce the risk of vehicle entry through perimeter fencing (BLM 2018b)." This measure references BLM 2018b which is Public Health and Safety at the Burning Man Event, however the only version of that report available for review with the EIS documentation is a 2019 document, not 2018. BLM should provide the cited document for review. The 2019 version of the Public Health and Safety at the Burning Man Event document cites a single instance of a car driving through the current perimeter fencing, which is composed of snowfence on steel posts.	N/A	The references in Appendix I have been updated to accurately cite supporting studies.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1474	14	Editorial (grammar and formatting)	208.0000.00	N/A	I found the draft EIS harder to navigate as a reader than I did the 2012 or other previous EAs specifically because they listed the issues and mitigations together. I recommend, and I would be glad to help, that the final have a section that clearly says a, this is the problem/ potential risk, b, these are the potential environmental issues stemming from this problem, and, c, this is the mitigation for this particular problem. <sup>27</sup> Since we are all generally for as much education as possible, I think publishing this list along with any permit that is issued and asking BMP to do the same would be good.	N/A	Comment noted.
723	1	Editorial (grammar and formatting)	208.0000.00	N/A	You mention that ALL structures over 10' to be inspected .... before occupancy can occur. What do you mean by ALL structures? And what is meant by occupancy? Tipi type tents, geodetic camp domes, shade structures, art pieces that are over 10' but not "occupied"? Camp shade structures? I have a personal shade structure made up of 1" EMT and shade cloth that I set over my small camp trailer. It happens to be 10'6" tall and I do "occupy" space under it.	N/A	See updates to the public health and safety mitigation and monitoring measures in Appendix E of the FEIS.
925	1	Mitigation-General	209.0000.00	MIT-1	in general, what will the process be for clarifying additional details to turn these proposed mitigation measures into actionable items for BLM, Burning Man, and other stakeholders? What is the process for coming up with measurable and attainable goals for these mitigation measures? How does each measure have a real and measurable positive change on the environmental impact of Burning Man on the Black Rock Desert and surrounding communities?	Commenters requested that the process for developing mitigation measures be explained in the EIS and suggested that the mitigation measures should be added to the Burning Man Survival Guide. Commenters also asked what the economic and environmental impacts would be if the mitigation measures were implemented.	Some of the mitigation measures have been updated in the FEIS (see Appendix E); other mitigation measures will be updated in the future in response to monitoring efforts. Per 40 CFR 1502.23, "For purposes of complying with the Act, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations. In any event, an environmental impact statement should at least indicate those considerations, including factors not related to environmental quality, which are likely to be relevant and important to a decision." As such, the BLM is not required to perform a cost-benefit analysis. This analysis uses an economic contributions approach, via the established methodology of IMPLAN, to identify the potential economic value the Event can bring to the assessment area. Methodology is described in the Assessment of Economics, Social Values, and Environmental Justice report. The considerations of economic costs are also described in the assessment report.
1885	1	Mitigation-General	209.0000.00	N/A	I urge BLM to evaluate every restriction and mitigation within the EIS with the mission statement in mind and with the past performance of the participants and Burning Man organization in supporting the words in that mission statement. If a requirement is not needed to support that mission statement (or if the track record of Burning Man already supports that mission statement without that permit requirement), it should not be imposed. If a proposed requirement is needed for the mission but adds a large financial or procedural burden to the Burning Man organization and its participants, BLM should consider a more cost-effective way to accomplish the same goal.	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1034	1	Mitigation-General	209.0000.00	N/A	The Department of the Interior's recent order to reduce burdens on those who operate on public lands is in direct conflict with BLM's proposed mitigations, as the Draft EIS will negatively impact Burning Man's capacity to effectively host the event by increasing the requirements for the special recreation permit. The proposed "mitigations" and "monitoring" would have a significant financial burden that would ultimately trickle down to ticket-buyers, thus inflating ticket sales by nearly \$300 per person. This severely impacts multiple aspects of the event, from organization and planning to ability for participants to attend the event.	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.
1568	4	Mitigation-General	209.0000.00	N/A	We at Art Spot Reno want to see constructive mitigation proposals that provide outlets advancing the cultural, artistic and human environment which, in turn, would have a commensurate economic benefits. We want the local communities, including the indigenous ones, educating and enlightening our visitors to Northern Nevada, not necessarily cleaning up their trash.	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.
1496	1	Mitigation-General	209.0000.00	N/A	the document asserts reductions without having a baseline analysis of risk to resources, or indeed for the proposed mitigation. In short, the following mitigation measures lack substantive evidence of benefit, and in many instances, there is no consideration for secondary impacts of the mitigation measures themselves. For example the mitigation measure PHS-3 could conceivably have a host of secondary, indirect, and cumulative effects that are not considered in the EIS. For example trash would easily blow up and over jersey barriers (micro- and macro-trash).	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.
347	1	Mitigation-General	209.0000.00	N/A	After reading through both volumes 1 and 2 of the EIS I was intrigued by the lack of facts to support many of the mitigation suggestion. Normally, there would be factual information cited such as the number of drug complaints, the number of incidents where the perimeter was breached, or the documented burden on residences to clean the highway after the event.	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.
1109	2	Mitigation-General	209.0000.00	N/A	The DEIS nowhere addresses the possible or likely environmental consequences of the Mitigation Measures themselves. These considerations need to be made by BLM in assessing the viability of proposed Mitigations.	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.
1655	1	Mitigation-General	209.0000.00	N/A	The mitigation measures of the EIS are largely based on speculative data and false or misleading scientific information. There should be a clear documented impact to justify a mitigation measure, especially when these measures are costly to implement or place an undue burden on the proponent, financially or culturally. Most of the mitigation measures do not address any specific environmental impact in a meaningful way, and there is no clear documented evidence as to how the mitigation measures reduce environmental impact or help support the mission of the BLM, especially with respect to special status species within the assessment area. Further, several of the mitigation measures are likely to cause increase disturbance (for example jersey barriers, or dumpsters) than help minimize potential impacts.	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1559	7	Mitigation-General	209.0000.00	N/A	One of the glaring mitigations missing from this document is an independent third party population verification. Both the BLM permit and the Pershing County Settlement Agreement are heavily based on the population of this Festival. There are currently various levels of mistrust regarding the numbers provided by BMP. These numbers have never been able to be independently verified as accurate. It has been stated previously, but will be repeated-there is currently no incentive for BMP to provide accurate population numbers, mostly due to the fact that if there is found to be an overage within the population, BMP would be required to pay additional fees, fines and has the possibility of being placed on probation. This is additional mitigation which needs to be added to this EIS in order to keep BMP within the confines of the population allowed by the permit and also to check their vendor to ensure they are providing the most accurate information available.	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.
1560	1	Mitigation-General	209.0000.00	N/A	The construction of a physical barrier of K-Rail or Jersey Barrier (Mitigation Measure PHS-3) is incompatible with other recommended mitigation measures, including SOIL-3 (restoration of playa contours) and TRAN-1 (limiting traffic).	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.
1474	16	Mitigation-General	209.0000.00	N/A	I suggest this goes into the survival guide and into the events booklet. It'll still be more paper but at least not separate loose paper that turns into MOOP. You might also consider asking BMP to print it on the tickets.	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.
1129	1	Mitigation-General	209.0000.00	N/A	if the recommendations are implemented the BLM would impose a set of inappropriate, flawed and unsupported "solutions" for operational processes that by and large have already proven to work, or that the Burning Man Project (BMP) are already addressing.	See Public Concern Statement MIT-1.	See Public Concern Statement MIT-1.
168	3	Mitigation-General	209.0000.00	N/A	Beyond the required measures, BLM has unilaterally changed Burning Man Project's original proposal without consulting or notifying BMP, and they have not included the extensive list of environmental and public safety measures BMP has already implemented every year, including two post-event weeks of intensive roadside cleanup through public and tribal lands.	N/A	Given the page limits imposed by Secretarial Order 3355, the BLM had to summarize BRC's proposed action. Section 2.2 summarizes what BRC proposes to do and includes measures that they propose to take to protect the environment.
192	2	Mitigation-General	209.0000.00	N/A	there seems to be no mention of the extensive Playa restoration effort that occurs after every event. Each camp at the event is dedicated to the Leave No Trace philosophy required by BRC and the yearly MOOP Map ensures compliance. Teams of attendees and staff line walk the site after the event to make sure not a single piece of trash is left. Because of the safeguards already in place, Black Rock City has an established plan for maintaining the Playa for years to come.	N/A	No change; please see page 2-5 of the DEIS.
2014	9	Mitigation-General	209.0000.00	N/A	Based on overall mitigation strategies that are provided by BRC, NDOT request the ability to seek reimbursed for time, equipment and manpower in the future.	N/A	Changes have been made to mitigation measure ECON-1 in Appendix E of the FEIS to address this concern.
1083	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	SPEC-2	SPEC-2 According to a data analysis professional whom the Burning Man organization contacted, the amount of data collected is insufficient to draw meaningful conclusions. Have you correlated the times that the measurements that were taken with events happening in BRC? Have you considered that many measurements would be needed over the course of a single night and over the course of multiple nights in order to establish a robust trend? In addition, the highest VIIRS reading recorded in BRC was a value of 0.44 - which looks like is in the green rating and is also far lower than the nearest permanent town - how is the light pollution emitted by BRC different than permanent cities? Lastly, my experience is that birds are rarely seen during that time of year; could you please specify which bird species would be affected and sources regarding their known migratory patterns? I am in full support of measures to mitigate risk to wildlife. However, if actions are required on the part of BM, I want to know that the effort and resources put into mitigating the effects are necessary and effective.	Commenters assert that the EIS does not adequately describe or quantify the impacts on wildlife, special status species, or migratory birds that could occur, or have occurred in the past, for which mitigation measures are needed. As such, the EIS does not provide justification for the need to mitigate impacts from high intensity lights and lasers. Commenters state that the data used to justify the SPEC-2 mitigation measure is flawed due to its reliance on a single data point. Additional data, taken at multiple times over multiple nights, is needed to establish a trend and to justify the need for this	Sections 3.3.1, 3.3.2, 3.3.3, and 3.3.6 of the DEIS provides an analysis of the environmental consequences to migratory birds, special status species, threatened and endangered species, and wildlife, respectively, including the cumulative impacts associated with each alternative. As required by 40 CFR 1502.1, the DEIS provided sufficiently detailed information to aid in determining whether to proceed with the preferred alternative or to make a reasoned choice among the other alternatives so that the public could have an understanding of the environmental consequences associated with the alternatives. As such, the DEIS provides the appropriate information for the scope and scale of the project and sufficient information to support the impacts analysis in

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1083 (continued)	(see above)	(see above)	(see above)	(see above)	(see above)	mitigation measure. Commenters also note that the artificial light at night (ALAN) measurement in BRC is a short-term impact and is lower compared with other locations in Nevada. Commenters state that the BLM and law enforcement are the source of most of the light pollution at the Event and these sources should be reduced. Commenters assert that migratory bird range in the NCA does not overlap with the timing of the Event, when the playa is not inundated, and therefore impacts on migratory birds would not occur.	the DEIS. Mitigation measures presented in Appendix E are proposed mitigations and are intended to serve as talking points between the BLM, BRC, and the cooperators. Even at the current level of approximately 80,000 participants, there are significant impacts under NEPA that require mitigation; however, the BLM does not want to speculate on which mitigations would be required if the population were to increase. Once the FEIS is published and a decision is made, the BLM will be better able to determine the necessary mitigations to include in the SRP. Regarding Mitigation Measure SPEC-2 (now VIS-2), the number of images used for measuring the light at night is based on the number of images that are cloudless and not impacted heavily by atmospheric effects (p. 10 of Craine). The trends shown in the graphs on pages 20 and 21 are based on using all the data from 2012 through 2017. Further, the NCA RMP designates the Closure Area as a Class II Visual Resource Management area. This means that the BLM needs to retain the character of the landscape and that the permitted activities "should not attract the attention of the casual observer." The on-the-ground, qualitative lighting studies (Craine 2018) done at night indicate that the level of light from the Event does attract the attention of the casual observer. The radiance relative to the zenith study (p. 18) indicates that there is poor shielding on the sources of light at the Event. Mitigations need to be developed to reduce the impact of the night lighting. As noted in the Biological Resources Baseline Report, the potential for migratory bird species to occur in the assessment area was based on a review of protected species under the Migratory Bird Treaty Act, habitat in the assessment area, and information from the NDOW and USFWS. At the request of the proponent, wildlife/bird surveys were not conducted as part of this EIS; therefore, the BLM assumed that they are present. This is typical of other proponents not wanting to bear the cost of wildlife surveys. As noted in Section 3.3.1 of the DEIS, migratory birds that use the playa when it is inundated are not expected to be affected by the Event; however, other migratory bird species may be present in suitable habitat throughout the assessment area during the Event time frame, and these species may be affected, both directly or indirectly, by Event activities. For example, the assessment area includes major travel routes to the Event. This is because migratory birds may be affected by traffic, as noted in the Biological Resources Baseline Report Wildlife Effects Synthesis, and in Section 3.3.1 of the EIS.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1884	3	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	With regards to SPEC-2 from Appendix E, Section E-1 The report failed to identify any specific migrating bird species that may be impacted by high intensity lights during the Event time. Most if not all of the bird migration through the area occur while the Playa is covered in water and is plentiful with food which is not the same time that the event is being held.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1925	3	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC-2: night light As I just mentioned, there is no wildlife on the playa. I have never seen any bird, migratory or not, while attending Burning Man. How can the presence of lights at night affect the flight patterns of birds if there are none? Also, the vast majority of birds are not active at night; they travel during daylight hours. Also, Black Rock City only exists in a significant way for about two weeks total. If there's an impact to wildlife from that then perhaps the lights of Reno should be turned off, too.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1154	5	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	This looks like it is based on a single data point and without data on whether migratory birds are actually flying directly over the playa at this time of year, seems doubtful this is actually an issue. I don't recall actually seeing a lot of lasers or floodlights that even point upward in the 10 days I've been on the playa over the years	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
926	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Having studied bats, and with my veterinary background, I can speak from a unique position of understanding how ALAN affects species. The level of intensity and the duration of peak intensity is not significant enough to require banning of lasers or upward pointing spotlights at BRC. The vast majority of lasers and upward pointing spotlights are used only during the actual event, a 7 day period. For the remainder of the event, the lights are downward pointing for construction purposes, or vehicular traffic, and were measured at level that are far below other small cities in Nevada. It is also worth noting that the brightest light cluster seen on the playa is the area that the BLM occupies.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1067	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	There are NO birds at Burning Man. None, at all. In 18 years of attendance, I've never seen nor heard of ANY birds migrating over Burning Man.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
471	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Assitionally, as a biologist in the region, the threats of the event to migratory birds are minimal. While it is possible that alternative light sources may cause some disorientation to highly mobile species, the disturbance is relatively short-lived and minimal.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
926	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The environmental impact of this ALAN is so small compared to other permanent fixtures such as cities (Las Vegas) or construction projects that have light pollution throughout the year. As a veterinarian, I can comment that the impact of this level of ALAN for the short period of maximum levels will not have a substantial effect on the migratory patterns of the bats or birds in the desert area of BRC.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2. Also, see Public Concern Statement VIS-1.
1072	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	In the case of Measure SPEC-2 and the concern of light pollution, in fact the largest source of light pollution at the event every year is the BLM Compound itself. And in the 8 years that we have attended Burning Man, we have seen maybe 10 birds in Black Rock City or on the Playa. Previous environmental studies have shown that the migration pattern of birds is not impacted by the amount of light which comes from Black Rock Desert.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2. Also, see Public Concern Statement VIS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1798	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Measure SPEC-2 This measure is not in line with other similar light pollution in Nevada. From the "Artificial Light at Night Assessment" used to support this measure from page 24: "Twenty of twenty-three communities with a population greater than 10,000 have a poorer LANI than Black Rock City." Considering 87% of communities in Nevada greater than 10,000 people output more light per person than Burning Man, this measure is improperly applied and irrelevant compared to surrounding areas. The migratory pathways and habitat do not appear to align with the location of Burning Man either.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2. Also, see Public Concern Statement VIS-1.
611	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	As a wildlife biologist, I am always on the search for birds, and I bring my binoculars with me everywhere. In my 7 years and more than 65 days spent on the Burning Man, I have not seen a single bird. I can tell you that the BLM analysis regarding bird migration is utterly unreasonable. The extremely small level of risk to bird species posed by activity at Burning Man does not warrant BLM's proposed monitoring or mitigations.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1459	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Measure SPEC -2 suggests that migrating birds might be affected by light pollution but relies solely on satellite images and did not factor in averages rather than bursts of light from fire effects. Previous studies showed that migrating birds are not affected by BRC lights because birds are rarely seen on Black Rock Desert during summer months.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1715	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC-2 proposes reducing light pollution to reduce impact on migratory birds and wildlife; however, in the hot summer months, there are few species present which would be impacted.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1795	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC-2 Controlling the upward illumination during the event is not environmental necessary. 1)- The documentation provided does not support the conclusion that the events short period of time (roughly 10 days) at the end of summer, when lights radiate upward, cause any adverse Migratory bird environmental effects.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1929	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC-2 Light pollution is a minor issue considering the lack of wildlife in or near the event area. August is not migration season and few birds are ever seen at or near the event. Disallowing bright lights for what amounts to a festival of artistic lighting is prohibitive and does not accomplish anything.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
855	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Measure SPEC-2 seeks to protect wildlife from light pollution. While I believe Burning Man could improve unnecessary light pollution, I think this measure is unnecessary and potentially hazardous. What wildlife is being impacted? While I read a reference to bats, I don't believe they are flying at night on the playa. Certainly not in late August. I get there early and have never seen one in 10 years. This makes sense since the Playa seems naturally barren of bugs, at least at that time of year. In my memory, I have seen * 1 sparrow * 1 Praying mantis (which I took to Earth Guardians and it was taken out of Burning man and released to an appropriate place) I can't imagine a better place to hold Burning Man to avoid impact on wildlife. Is this been taken into account when considering Measure SPEC-2?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
846	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	There are big light events such as burns and shows but there's not a constant light of that intensity that these limited snapshots of data suggests. Also in the many years I've been there I've rarely seen birds, the end of August is too early for most birds to migrate and they aren't out on the playa in the hot summer months when Burning Man takes place.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1636	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Measure SPEC-2 (reducing light pollution to protect wildlife): Was there a study even conducted for this? The Playa during this time of year is barren of life, it is extremely rare to see anything, not even a fly, even during the day or even the first few build days of the burn.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1857	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	regarding bright lights from the Burning Man event possibly impacting Migratory Birds: (1) Migratory birds do not generally migrate through such a vast arid region as the Black Rock High Desert, as there are minimal food resources present. (See Fig 1 - Migratory Bird Flyways pg 2-5 of your Biological Resources Baseline Report - they migrate via regions with much more plentiful water and food - such as the Central Valley of California. Why would they migrate East of the Sierra mountains through the arid Black Rock Desert, when they can migrate through the much more hospitable area West of the Sierra?) (2) As you have commented, these birds might be present at some level during "periods of inundation" (flooding of the playa). But that certainly is not the case during the Burning Man event period when the playa has been dry for at least ~2 months, and will remain dry for another ~2 months following. Basically BM takes place in the middle of the driest period during the year. (3) Birds all roost at night. There is no natural place for them to roost on or near the BM event area. (And I believe there has never been any sign of migratory birds roosting on the human-built structures or vehicles present during the BM event.) I conclude: Migratory Birds are seldom present in that region, and never during the Burning Man event time frame. And even if any birds were present around there, they would be roosting at night far from the noise and activity of bustling BRC, independent of whether are also bright lights present.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
347	5	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	One of the major points in the EIS was the potential impact on birds and other wildlife. I was not aware of a single documented observation of dead wildlife attributed to light impact at Burning Man.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1641	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Measure SPEC-2 Regarding light pollution: There is insufficient evidence that light pollution from this event is a problem. I have rarely seen birds on the black rock desert, and there is no evidence that light from the event affects migration. Lasers, search lights, and other light sources are not only necessary for the artists and creative projects that draw people to the event, but also for safety and timely construction. Additionally, this is a short term event, lasting less than 10 days. Burning Man is not a source for ongoing or regular light pollution, and its brevity greatly reduces any adverse impact that may exist.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1204	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	I fail to see any scientific basis for this proposed requirement. According to the Audubon website, birds migrate north during the spring, and south during the fall. The Burning Man event is held in late August through early September. If BLM can site a bird migration over the Playa during the Burning Man time period, then this proposal would be valid.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2006	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The SPEC-2 analysis concerning bird migration has no basis, as the data lack both the temporal and spatial resolution as well as depth. They constitute a momentary and scant look into the the effects of the event which is unable to demonstrate whether, or whether not, burning man has any effect. I would be strongly persuaded by any data that was collected in earnest. Moreover, the very few observations in the biological realm of the EIS would never stand to demonstrate lack of compliance with the EIS. Instead, I see data that demonstrates a quick pass from which the answer is 1) no effect and 2) nothing o substance could be determined, even if real. Moreover, as (Accidentally) outlined in the EIS, VIIRS has actually demonstrated that the extremely tiny level of risk to bird species posed by activity at Burning Man does not warrant BLM's proposed monitoring nor mitigations.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1235	5	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The DEIS determines that "the playa's value to wildlife is ephemeral. During dry periods, the playa does not support terrestrial wildlife, though some species, ... may occasionally cross the playa when travelling between habitats." It is primarily during the event in the last week of August through Labor Day weekend that lasers and lights are in use. What wildlife species are likely to be affected then by lights and lasers? The DEIS identifies no nexus between the purported impact and the mitigation. Requiring such mitigation without providing substantial evidence of a proportionate impact is an abuse of discretion.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
427	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	According to data reviewed on Cornell Lab of Ornithology's Birdcast ( <a href="http://birdcast.info/live-migration-maps/">http://birdcast.info/live-migration-maps/</a> ), there is no bird migration in this area of Nevada during the event. BLM should specify and give evidence of which birds migrate in the area at the time of the event or withdraw the Mitigation Measure. SEE ATTACHMENT FOR CORNELL U.S. MIGRATION MAP	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
518	14	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	It is certainly true that migratory birds are affected by ALAN and noise pollution. Yet even in your EIS, the impact appears to be very low, as bird species are hardly in the area at this time. Most bird migration in the area is happening in spring and fall, not summer. Is there some evidence of the event's demonstrable impact on a particular bird population?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1703	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The concomitant BLM report summarizes, in a generalized and nonspecific way, potential harm to wildlife from artificial lighting but does not document specific harms that have been caused. The WRC report indicates further monitoring to better understand the effects of lighting at night, not specific mitigation measures. This proposed mitigation measure does not describe the specific reduction in harm or change in hazard that is intended as a goal.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
886	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The data points used to determine impact on migratory bird species were minimal at best, capturing at best seconds of a week long event, with no data to confirm these measurements. Additionally, no evidence is provided that transient light pollution is adversely affecting migratory species.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
936	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	During the event and build week in the 12 years I have attended the event, I have seen at most 1-2 birds per year, and in many years I have seen no birds, whether flying far overhead or low to the ground. The main species of bird that I have seen is the common black crow. I have never seen a migratory bird. It appears that birds do not congregate in summer in the desert, since it is very hot during the day and there is an acute shortage of water and food. Has BLM conducted a study of what migratory birds may be impacted? If not, the mitigation SPEC-2 is therefore completely unnecessary.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
667	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The event wouldn't complete in the necessary timeframe, and safely, without building at night. I have personally worked on numerous playa projects. All of them required nighttime lights in order to complete the project in time and safely. Working during the day would be dangerous considering typical daytime temperatures. Environmental impact on birds should be minimal, as it's rare to see any birds on the playa during the time the event is being built, running, or being removed. If avian impact is noted, please state which species and approximate quantity of birds are affected by this alleged problem.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1971	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	No data is given on the number of migratory birds that transit near enough to BRC to be affected nor is potential effect characterized by magnitude, practical effect to health, or otherwise. What are the amounts during the season and more specifically, during the period of the Event when lights upward-pointing lights are operated? What are the effects on these birds? If it is avoidance, a change in route, how does this affect their health and well-being?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1068	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	I highly doubt that any light, including the lasers, impact wildlife (specifically birds) negatively. The BLM must have a source for the claim, and it may help if that information is shared. Has the number of birds decreased? How is it concluded that Burning Man and night lights are a negative impact? There should be references, an expert's analysis and relevant information and statistics that support this claim since it is difficult to believe otherwise.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1236	6	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Night Sky's problem – Perceived problem – BM produces a lot of light especially on the night of the burn. Concern – 1) Is this an item where concern has been expressed? Or was this part of an EIS boilerplate issue? 2) How is Black Rock City compared to any other city of 70,000 people? 3) During the event construction the only major lights are around the Burning Man figure, the temple, and major art projects. They are used for safety as working at night when it is cool is much less stressful and safer for the build crews. 4) These construction sites all employ small trailer mounted generators with a free-standing light mast with 3-4 adjustable lights pointed down toward the work areas. These are the same units used during night highway construction. Highway construction in any given area can run for longer times than the Burning Man Event. 5) If this is to address migratory bird issues. I am confused. In the 19 years I have attended and worked the event I have never seen an issue with a bird, and in fact have only seen a bird once. I believe the event timing is not during the major migratory bird movement times. 6) If the problem has to do with attendee's not managing laser pointing devices properly address that with attendee's Proposed solution – 1) Address the issue of pointing laser devices. Burning Man has already been prohibiting the hand held devices for several years. I have noted a big decrease in their presence. 2) Do other larger lasers cause issues? If so address that with attendees	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2. Also, see Public Concern Statement VIS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1739	I	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The report appears to make an assumption that banning the use of high energy lasers and spotlights pointing straight up, and requiring shields on lights where feasible has a material impact on certain bird and mammal species. Specifically: The DEIS Vol I states that "several bat species could be affected by anthropogenic light sources...during the event", that "foraging individuals near the closure area could be affected", and "wildlife could be affected". These arguments made for the implementation of this Mitigation measure provide no evidence of direct correlation to actual impacts, but rather these appear to be unsubstantiated projections. Further, the mitigation measure proposed does not have a substantiated basis to the risks involved based on the studies provided: The Biological Resources Baseline Report mentions that ALAN could attract insects, which in turn could attract bats, but it explicitly states that bats would not be affected by the lights, only that "activity near anthropogenic activity" poses risk. This risk does not justify the proposed mitigation measure.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
2001	I	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Measure SPEC-2 Require Burning Man Project (hereinafter BRC or BMP) to reduce the amount of light pollution by banning the use of high-energy lasers and searchlights being pointed straight up, and requiring shields on sources of light at night where feasible. The data provided does not support the fact that light pollution from the event is causing BMP to be out of compliance with the MBTA. The location of BMP is not in a major migration corridor and does not have the characteristics typical of locations that present high risk to migrating birds. Most structures are not more than 200 feet tall, with guy wires, or with steady burning lights, that are often the cause of collisions for nocturnal migrants. Nor is this location a major city filled with skyscrapers. The location also is commonly clear skies at the time BMP occurs, thereby further reducing the likelihood of collisions occurring. To determine if impacts are actually occurring, I recommend that a study be done looking for bird carcasses throughout the time period the structures are in place until they are removed. If the data proves that BMP is not compliant with the MBTA, then limiting some sources of upward facing lights and lasers around midnight may be appropriate since migration is generally peaking around then.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1741	I	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	1. How a scientific method was adequately applied to determine an impact on migratory birds to A) make a claim that Black Rock City makes a significant impact on migratory birds, and B) that the solution proposed - shielding lights - has been proven in other instances to be beneficial to migratory birds. 2. Which species of birds have been impacted? 3. What is the impact on the species of birds? 4. Considering that Black Rock City only takes up a small portion of the Black Rock Desert, and that light pollution is limited to a specific area, how is it determined that birds are not able to navigate easily around Burning Man to continue on their migration? 5. How does Black Rock City compare to other light generating activities sanctioned or not sanctioned on BLM land, and how does Black Rock City compare to other cities in Nevada? 6. Why is Black Rock City being targeted with the burden of shielding lights, when the federal government does not enforce similar measures on mining operations in BLM land, and the federal government does not enforce such measures on cities in general. 7. Considering that the BLM compound that is created during Burning Man is one of, or the largest producer of light, is it not hypocritical that BLM proposes that Burning Man Project and it's participants meet a standard that the BLM itself has never met?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1955	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	<p>The concern for the impacts to migratory birds of the Burning Man Project's activities, especially light effects during the weeks immediately before, during and after the event, are greatly over-stated. The BLM's own Biological Resources Baseline Report makes it very clear that migratory bird populations do not overlap with the closure area or "Assessment Area." Some points the Baseline Report makes: 1. "The playa, covering 198,560 acres in the assessment area, provides seasonal habitat for migratory birds during periods of inundation." (2-5) 2. "When flooded, the playa supports phytoplankton, microbes, and crustaceans that are a food source for these birds; however, the value of this area depends on the availability of water, thus it can vary yearly and seasonally (Wildlife Action Plan Team 2012)." (2-5) 3. "Species occasionally present on the playa may include..." (2-5) 4. Migratory birds stick to riparian areas, scrub, and trees, all of which are well outside and often 10's of miles away from the closure area, aside from the few acres of scrub that exist along the road where people turn onto the playa. In order for Burning Man Project activities to impact migratory birds, those activities have to coexist with migratory birds. In other words, the timing of birds moving through the area and Burn Man Project has to coincide. The BLM has made it very clear that migratory birds do not move through the closure area or even the larger assessment area during the closure period because there is no food or water in the area. The streams and rivers that do feed the Assessment area only run during spring because of snow melt. For the remainder of the year, local and regional rainfall is too low to cause any substantial water accumulation to fall. In fact, many times rain does not even reach ground in the assessment area. During 2017, I observed rain falling in the closure area and also noticed that barely a single drop actually registered on the playa's surface (Attachment: BurningMan137). In calling for SPEC-2, BLM has failed to first demonstrate that any such coincidence between migratory bird movements and BMP activities occurs. As a further comment, The Assessment area, itself, includes the entirety of Black Rock Desert NCA. Compared with the closure area, nearly 100% of any potential migratory bird habitat can be found in the larger NCA far to the north. Nearly none of the potential habitat exists within the closure area. The Closure Area only constitutes 1.7% of the total of the NCA (14,300÷800,000), and 1.4% of the overall Assessment Area (14,300÷1,041,500) (Attachment: BLM Assessment Area.jpg). The northwestern-most reach of the NCA is about 50 miles from the northern most point of the closure area (Attachment: NW Measurement.jpg). The northeastern-most point of the NCA is about 23 miles from the northern most point of the closure area (Attachment: NE Measurement.jpg). All of BLM's critical habitat maps show that the most important habitats are 10 to 40+ miles from the boundaries of the closure area. Any significant overlaps with BMP activities only occur along Rte 447. The Quinn River, itself, deposits water into the Black Rock Desert in the northeastern area of the NCA over 20 miles from the closure area. Again, the Quinn River and all of Black Rock Desert are a complete desert during the closure period, with no water flowing in from snow melt and no substantial precipitation to make the area in the least bit attractive to migratory species. For truth, in my 2 times visiting the playa during the closure period, I have only seen ever crows, which are too large for birds of prey and very far from being protected migratory species.</p>	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1079	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	It is hot and difficult to work in the day. Large projects therefore work at night. Lighting is necessary for that. I see no evidence that there is a problem requiring shields on sources of light at night. I have not witnessed any harms produced by lasers used at the event. VIIRS satellite imaging sampling for the finding leading to this mitigation are inadequate to be statistically significant. BLM has not demonstrated any harm for this mitigation to address. This mitigation is therefore unnecessary. Light is a unique component of much of the world class art produced at Burning Man. Restricting use of light harms those artistic expressions and experiences without producing any necessary benefit to anything. What birds are impacted? Why is the BLM compound the brightest spot on the images if it believes this is a problem?	See Public Concern Statement SPEC-2. Also, See Public Concern Statement VIS-1.	See Public Concern Statement SPEC-2. Also, See Public Concern Statement VIS-1.
1149	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	In regard to Measure SPEC-2, "Migratory Birds, Wildlife, Special Status Species and Threatened and Endangered Species," the EIS does not provide sufficient data about the species and quantity of birds affected by this alleged problem. The report that BLM is basing its required mitigations on uses data obtained on only 4 nights of the 9-day event period from 2017. Can you provide more information of the specific species of birds affected by the light in the night sky?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
773	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Regarding SPEC-2; can BLM provide bird counts and identify species of bird common on the playa (as opposed to the neighboring regions) during the month of August?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
522	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	"POINTED STRAIGHT UP". What justification is there for this assertion for searchlights? What angle has been scientifically demonstrated to be ok? 1 degree above the horizon? 10? 45? 75? The draft lacks sufficient data to permit comment. As-it it would be possible to comply with 45 degree directioning.	See Public Concern Statement SPEC-2. Also, See Public Concern Statement VIS-1.	See Public Concern Statement SPEC-2. Also, See Public Concern Statement VIS-1.
701	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	While lighting at the event has to potential to harm wildlife, has damage to wildlife actually been shown to occur from the presence of Artificial Light at Night?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1408	4	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The Draft EIS fails to mention a single specific species of bird or wildlife being affected by the minimally researched Artificial Light at Night Assessment. Also, the Artificial Light at Night Assessment is lacking in that it fails to indicate at what level of light pollution any specific birds are no longer affected. In short, all light affects birds. The Draft EIS does not require any mitigating measures for Noise - NOISE-I - No recommended mitigation measures. How can the light of BRC be deemed a nuisance to birds, but not the noise? Has there ever been a documented case of a dead or injured bird at Burning Man?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1514	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Has it been established that migratory birds fly over the Black Rock Desert in August/September? Has it been established that lasers disrupt migratory bird flights?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1115	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	There is no evidence that migratory birds are affected by the night time light emitted from Burning Man. Admittedly birds can be attracted to light, however noise is a recognized humane deterrent to birds. Since the light pollution emanating from Burning Man is always accompanied by sufficient noise to deter migratory investigation, SPEC-2 is unnecessary.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
773	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Has the BLM assessed the specific impact on specific bird species of lighting at the event that warrant the mitigation measure SPEC-2? Has the BLM assessed the specific impact on any other human or animal activity of lighting at the event that warrants the mitigation measure SPEC-2? Absent this specific information, is the requirement to change the lighting at the event based on any hard science or it is speculative? If such information exists, can you please publish it specifically?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
773	3	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Regarding SPEC-2; has any attempt or study been made of bird counts at the playa, where the Burning Man Festival is held, during August versus bird counts at similar playa environments in adjacent valleys for an apples to apples comparison of the data?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1791	5	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Regarding SPEC-2: multiple previous studies have found that the migratory pattern of birds is not affected by light pollution from the event. Further, the study referred to in the current DEIS has been independently reviewed at the behest of BMP and found to be scientifically unsound.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
531	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Uncertain of the "problem" with light pollution in this deserted area. The main thrust of the EIS seems to refer to disruption of local fauna (particularly birds and bats), yet such wildlife is exceedingly rare in the area of BRC, particularly in the heat of summer. The interpretation of data collected by VIIRS in this regard has been found flawed.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1133	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Mitigation SPEC-2: Why wasn't a broader sample size of night light impacts used to determine if there is a problem? The sample size used seem woefully inadequate. What is the direct evidence/data that light is impacting birds?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1763	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Firstly, Measure SPEC-2 would require BM to reduce the amount of "light pollution" by banning the use of certain lasers and searchlights, or possibly requiring shields. While I am no fan of any part of BM harming wildlife near it, it would seem that such a minuscule study would not be enough to ascertain that any harm is done. If this measure is to be put into effect, more research would need to be done to know if these lights are actually detrimental to creatures around us. I would consider this year's event span a good time for further research on this matter. As of now, one night's data does not a conclusion make.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1705	6	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC-2 Require BRC to reduce the amount of light pollution by banning the use of highenergy lasers and search lights being pointed straight up, and requiring shields on sources of light at night where feasible. QUESTION: In your own draft EIS the light pollution was as expected. Where is the data in the report to support the assertions that lights affect migratory birds in the area? I do support shields on work lights where appropriate. This applies to the JOC compound as well as this is the largest concentration of work lights during the event and the week before and after.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1857	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	there is absolutely no data or analysis presented regarding: (1) What time of year which (if any) migratory birds are actually present in the assessment area. (2) How lights at night-time from BRC might actually be able to impact bird species.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1794	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The LEA agrees with Black Rock City and independent experts that reviewed the VIIRS satellite data. These experts found that the 2017 readings "were the most poorly sampled (at the Burning Man event) in the entire 2012-2017 satellite database. In the opinion of these experts, this single anomalously high data point is insufficient evidence to produce confidence in a new trend that warrants action by Black Rock City to be taken at this time. It has been noted that previous environmental studies have shown the migration pattern of birds isn't in fact impacted by light pollution emanating from the Black Rock Desert. It has been noted that Birds (or other animal activity) are rarely encountered in the inter-mountain basins during the hot summer months. This could be the reason why the DEIS cannot provide sufficient data about the species and quantity of birds affected by this alleged problem.	See Public Concern Statement SPEC-2. Also, See Public Concern Statement VIS-1.	See Public Concern Statement SPEC-2. Also, See Public Concern Statement VIS-1.
511	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	However, previous environmental studies have shown the migration pattern of birds isn't in fact impacted by light pollution emanating from the Black Rock Desert. In fact, birds are rarely encountered on the playa in hot summer months. On the other hand, EIS doesn't provide sufficient data about the species and quantity of birds affected by this alleged problem, given that to our surprises, by far the brightest light cluster on playa is to be found at the BLM compound.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
34	4	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Mitigation Measure SPEC-2 would require BRC to reduce the amount of light by banning the use of laser and search lights pointed straight up. I question the purpose of this limitation. The EIS does not support the notion that light pollution from the Burning Man has historically had any real negative impact on birds, wildlife, special status, or threatened/endangered species. Indeed, as noted in Chapter 3 of the EIS, artificial light only "may" cause any concerns with avian species. There is no evidence of any adverse material affects on avian species having occurred. As such, this Mitigation Measure seems to target a problem that is, at best, speculative.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1999	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Migratory Birds, Wildlife, Special Status Species, and Threatened and Endangered Species, Mitigation Measure Number SPEC-2- the impacts evaluation from VIIRS were poorly sampled during the past Event. One single high data point is not sufficient to make general assumptions on light pollution produced. VIIRS data of the entire nine-day event should have been measured and assessed, at a minimum, and even multiple-year Event data could be compiled. The average light data should be incorporated, not a one-time outlier event when the VIIRS data was taken. There, the data VIIRS provided and analyzed is insufficient evidence that a warrants mitigation action by BRC at this time.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1043	4	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	In regard to Measure SPEC-2, "Migratory Birds, Wildlife, Special Status Species and Threatened and Endangered Species," the EIS does not provide sufficient data about the species and quantity of birds affected by this alleged problem. The report that BLM is basing its required mitigations on uses data obtained on only 4 nights of the 9-day event period from 2017. Can you provide more information of the specific species of birds affected by the light in the night sky? What other studies have been done to justify this measure?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
65	3	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC-2 limiting laser and light use at night. Light pollution will not be appreciably decreased with this ban and it will only hurt the artistic opportunities for camps and art cars at the event.	See Public Concern Statement SPEC-2. Also, See Public Concern Statement VIS-1.	See Public Concern Statement SPEC-2. Also, See Public Concern Statement VIS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1059	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	According to your Biological Resources Baseline Report, it states that: "the assessment area, provides seasonal habitat for migratory birds during periods of inundation." The Report goes on to explain that inundation occurs when the playa is flooded with water. Burning Man does not take place during this season of inundation for migratory birds. The Report also states when discussing solar arrays: "most avian species would be expected to avoid the Closure Area during the Event." I do not see sufficient data about the specific species and quantity of birds affected by the light source problem you describe and want mitigated.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1931	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC 2 is confusing, as it seems you are trying to ban high power illumination in the vertical axis ("Straight Up"). and the notion of requiring 'shields' is similarly unclear, what is it we are to shield? The burning man community is extraordinarily creative with our lighting talent, please be specific with us as to what it is you would like us to shield and how our lights effect the local wildlife and we will absolutely respond, but we need actual information and not mere prohibition, please.	Change made, added reference to the VIS-I Public Concern Statement in response column.	Change made, added reference to the VIS-I Public Concern Statement in response column.
891	4	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	There could be a small Burning Man specific laser operator's fee and using that fee to hire a zoologist and sharing radios between the BLM, laser operators, and the zoologist. Shared radio communications, spotting wildlife and aircraft as a team of people working together would make the event safer and better for everyone. How to better work with the BLM to ensure everyone is safe during laser operations. Common understanding of what the Federal laws are and how they apply to Burning Man Some background on laser art and why we feel it's important to the event. Understanding our equipment and how we use it. Sharing our procedures that we have already been following.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
427	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	According to data reviewed on Cornell Lab of Ornithology's Birdcast ( <a href="http://birdcast.info/live-migration-maps/">http://birdcast.info/live-migration-maps/</a> ), there is no bird migration in this area of Nevada during the event. BLM should specify and give evidence of which birds migrate in the area at the time of the event or withdraw the Mitigation Measure. SEE ATTACHMENT FOR CORNELL U.S. MIGRATION MAP	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1997	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Measure SPEC-2 Require Burning Man Project (hereinafter BRC or BMP) to reduce the amount of light pollution by banning the use of high-energy lasers and searchlights being pointed straight up, and requiring shields on sources of light at night where feasible. The data provided does not support the fact that light pollution from the event is causing BMP to be out of compliance with the MBTA. The location of BMP is not in a major migration corridor and does not have the characteristics typical of locations that present high risk to migrating birds. Most structures are not more than 200 feet tall, with guy wires, or with steady burning lights, that are often the cause of collisions for nocturnal migrants. Nor is this location a major city filled with skyscrapers. The location also is commonly clear skies at the time BMP occurs, thereby further reducing the likelihood of collisions occurring. To determine if impacts are actually occurring, I recommend that a study be done looking for bird carcasses throughout the time period the structures are in place until they are removed. If the data proves that BMP is not compliant with the MBTA, then limiting some sources of upward facing lights and lasers around midnight may be appropriate since migration is generally peaking around then.	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1628	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Spec-2: Lights & Wild Birds Bringing in more government officials and private security to monitor operations would result in more people, more trailers, more brightly-lit areas, more trucks, cars, power, and materials. Wouldn't this impact wild bird migration and other environmental concerns that are correlated to this type of infrastructure?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1741	18	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Please answer and/or explain: 1. Have BLM staff witnessed or had reports of significant instances of wildlife being harassed, disturbed, fed or watered by attendees of Burning Man? 2. Is this mitigation actually necessary to protect wildlife?3. Considering that BLM is mandated to protect the wildlife, and that BLM already receives 3% of Burning Man's revenue plus millions of dollars in perments, why does the Draft EIS believe that Burning Man should to the BLM's job of educating the public?	See Public Concern Statement SPEC-2.	See Public Concern Statement SPEC-2.
1850	13	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	This mitigation means would help greatly to decrease the nighttime light pollution of the event. Special lighting (VIS-3, Table E-1) for construction of displays or for other event needs should aim at the specific area of work only. In general, the ALAN due to the event should decrease year-by-year when these stipulations are followed, and monitoring by the methods proposed should validate this. BRC should strive to reduce the light pollution of the event by discouraging over-illumination in displays.	N/A	Mitigations and monitoring are proposed to reduce the amount of light pollution coming from the Event. See updates to the mitigation and monitoring measures in Appendix E of the FEIS.
1794	8	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	SPEC-3 and SPEC-4	Mitigation SPEC-4 BRC must educate and encourage participants to report wildlife if found at the event. LEA Assessment: Wildlife during the event is ultimately rare, and very often never encountered. Because of the dry and somewhat remote desert environment, the appearance of an insect is often enough to stir the crowd and create excited discussion. These discussions are noticed and supported by the Black Rock Rangers, and common (and trained to be aware) volunteer base that roams the playa throughout the event. The Rangers are the eyes and ears of the event, and any noticed wildlife is surely reported. It seems the BLM has failed to show direct significant impacts from the Burning Man event related to this above proposed mitigation, and is abdicating its own responsibility for public education about public lands onto Black Rock City. This type of education is part of the LM's federally-mandated (and funded) mission.	Commenters asserted that the DEIS does not provide quantitative evidence of special status species, migratory birds, or other wildlife in the Event area or previous impacts on these species that would require participant avoidance measures. Commenters question why BRC would be responsible to educate participants and why the BLM would not distribute its own public education material.	As described in Section 1.3 of the Biological Baseline Report, the BLM consulted the USFWS, NDOW, and the NNHP to help characterize wildlife resources in the project area. At the request of the proponent, wildlife surveys were not conducted as part of this EIS; therefore, the BLM assumes that wildlife are present. This is typical of other proponents not wanting to bear the cost of wildlife surveys. While surveys were not conducted, the input received was sufficient to characterize the affected environment at the scope and scale appropriate for the EIS. Education requirements have been removed as proposed mitigation measures, but they would be required as conditions of the BLM's Closure Order.
2020	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Measure SPEC-3 : Special Status Species Main concern here seems to be the Big Horn sheep. After many years of attending burning man, I've never seen Big Horn sheep on Black Rock Desert, even from a distance. I also do not find any mention of collision or interaction with Big Horn sheep in any of the DEIS supporting documents. My understanding from the documentation provided is that there are some Big Horn in there area. However, based on the data, the risk of collision with a vehicle appears to be very low and does not require mitigation.	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
1918	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Measure SPEC-3 Migratory Birds: What species of migratory birds have historically been observed in the Black Rock Desert? What species of migratory birds have historically been observed in the Black Rock Desert in August?	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
1067	11	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Mitigation SPEC-3, Mitigation SPEC-4, Mitigation VEG-1: There is no wildlife (other than brine shrimp buried deep in the playa) or plantlife on the playa during Burning Man. These are trying to solve a problem that doesn't exist.	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
1154	6	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Although there is confirmed bighorn sheep habitat near the event, it is very unlikely that they would be using that habitat during the event, especially the lower elevation portions that are closest to traffic and the event and most directly impacted at the time of the event as it is extremely dry during late August and there is little to no forage at lower elevations.	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1079	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC-3, SPEC-4 and VEG-1- If you have been to where Black Rock City is placed at the time of the event, you will know that there is very little wildlife. While efforts to educate the public are welcome, there seems to be no evidence of a problem being addressed by this requirement, and the Burning Man event has done an adequate job of this in the past.	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
1636	15	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Mitigation SPEC-3 (protection of local wildlife), SPEC-4 (reporting wildlife found at event), VEG-1 (noxious weed/fire education safety), CULT-1 (education on Nobles Trail), CULT-3 (education on protection of local archaeological/historical sites) - ALL are already done by the BMORG and has been very successful. In addition, BLM has not shown impacts of the event to these mitigations. BLM also has a fully staffed camp on the playa for these purposes, and should not be holding Burning Man responsible to do their job in public education. It is also completely unfair that a government entity is attempting to regulate and direct how a private entity can communicate with the public.	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
1068	6	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Mitigation SPEC-3 BRC must educate and discourage participants from disturbing, harassing, feeding, or watering wildlife. Mitigation SPEC-4 BRC must educate and encourage participants to report wildlife if found at the event. Mitigation VEG-1 BRC will provide noxious weed and fire education safety information to participants. Mitigation CULT-1 BRC must educate participants of the Nobles Trail through production and dissemination of pamphlets, showing trail maps on the front and trail facts on the reverse to be distributed at the Event. Mitigation CULT-3 Through the website, social media, and other means approved by the BLM, BRC will inform staff volunteers, vendors and contractors and Event participants that collection, excavation, or vandalism of historical/archeological artifacts or sites is illegal. Is there an issue pertaining to the above 5 proposed mitigations?	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
1741	19	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Please answer and/or explain: 1. The value of having participants be educated and encouraged to report the siting of wildlife, and why common sense doesn't already handle the few situations when this may be needed. 2. Considering that BLM is mandated to protect the wildlife, and that BLM already receives 3% of Burning Man's revenue plus millions of dollars in perments, why does the Draft EIS believe that Burning Man should to the BLM's job of educating attendees to report wildlife?	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
710	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Mitigation SPEC-3 BRC must educate and discourage participants from disturbing, harassing, feeding, or watering wildlife. Mitigation SPEC-4 BRC must educate and encourage participants to report wildlife if found at the event. Mitigation VEG-1 BRC will provide noxious weed and fire education safety information to participants. Mitigation CULT-1 BRC must educate participants of the Nobles Trail through production and dissemination of pamphlets, showing trail maps on the front and trail facts on the reverse to be distributed at the Event. Mitigation CULT-3 Through the website, social media, and other means approved by the BLM, BRC will inform staff volunteers, vendors and contractors and Event participants that collection, excavation, or vandalism of historical/archeological artifacts or sites is illegal. Does BLM require other private events held on public lands to develop and provide this type of information to participants? Is this information that is available by the BLM, to be dispersed to the public? It seems that if this is information the BLM feels visitors to the Black Rock Desert should have, they should already have developed education materials on the above subjects that could simply be referenced in communications to participants of the event. Although Burning Man is obviously the largest event held in the Black Rock Desert, there are other parties and members of the public who utilize this land. If these are necessary for informing public on appropriate use and stewardship of this land, shouldn't the BLM have and provide this?	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
1705	7	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC-3 BRC must educate and discourage participants from disturbing, harassing, feeding, or watering wildlife. From the BLM website: "The BLM retains and expends 100% of collected recreation fees for maintenance, improvements and visitor services at the site or area in which they are collected." BLM collects a 3% use fee for the event. This is an unreasonable request to make of BRC in light of the fact that use fees are supposed to pay for this. I do support BRC assisting with education by providing links to BLM produced educational materials. BRC can have them posted on their website as well as promoted via social media links. SPEC-4 BRC must educate and encourage participants to report wildlife if found at the Event. From the BLM website: "The BLM retains and expends 100% of collected recreation fees for maintenance, improvements and visitor services at the site or area in which they are collected." BLM collects a 3% use fee for the event. This is an unreasonable request to make of BRC in light of the fact that use fees are supposed to pay for this. I do support BRC assisting with education by providing links to BLM produced educational materials. BRC can have them posted on their website as well as promoted via social media links.	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
379	4	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The extremely tiny level of risk to bird species posed by activity at Burning Man does not warrant BLM's proposed monitoring or mitigations.	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
1575	6	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	Opposition to SPECT-3 and 4 and VEG-1. In my 7 years of attending, I have seen a bird (flying) once; I have never seen another bird or animal (dead or alive). As well, I have not seen other living vegetation present.	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
1971	3	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	How often has wildlife been found at the Event in the past? No indication is given of the types or frequency of any wildlife that would support such a requirement.	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1235	6	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The DEIS provides no basis for determining that there is a likely impact that warrants mitigation. Instead the DEIS provides sufficient information to conclude that the likelihood of participants encountering wildlife, particularly during the Event, is extremely remote. Even though these requirements are individually feasible to implement, they seem arbitrary and unnecessary.	See Public Concern Statement SPEC-3 and SPEC-4.	See Public Concern Statement SPEC-3 and SPEC-4.
2001	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	SPEC-6	SPEC-6 Review and ensure conformance with the required design features listed in the Nevada and Northeastern California Greater Sage-Grouse Approved RMP Amendment. The BMP is not near any leks, it occurs outside of nesting season, and all structures will be removed leaving no concerns for sage-grouse. I recommend removing this mitigation measure.	Commenters believe this mitigation measure is vague and does not provide specific locations where the design features should be utilized. In addition, commenters assert that the Burning Man Event is not near leks and does not occur within the Greater Sage-Grouse nesting season.	Mitigation measure SPEC-6 has been removed from the EIS. As a condition of the SRP, the proponent would have to comply with direction in applicable land use plans, including the Nevada and Northeastern California Greater Sage-Grouse Approved RMP Amendment (as amended, 2019). At the time the Burning Man DEIS was released, there was not a ROD signed for the Nevada and Northeastern California Greater Sage-Grouse Approved RMP Amendment.
1235	7	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	This mitigation is both overly broad and of probably no benefit for sage grouse. Where does BLM intend for the Required Design Features in the RMP Amendment to be applied? On the playa where there are no sage grouse? Along the access roads from Reno and Cedarville? Which features and where? It's an abuse of discretion for BLM to establish this mitigation measure without demonstrating an impact and for not being far more specific about which design features are required in which locations.	See Public Concern Statement SPEC-6.	See Public Concern Statement SPEC-6.
1655	9	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	California Greater Sage Grouse (CGSG) (Mitigation measure SPEC-6). It is not clear what the specific impacts to the CGSG are, other than there is a used roadway that runs through a small portion of priority habitat. Please document the impacts clearly with valid science. For the proposed mitigation SPEC-6, it is not clear what the BLM is requiring of the BRC. Please clarify so clear conservation guidelines can be followed by the BRC if needed to minimize impacts to this species if needed based on clear documentation of impact.	See Public Concern Statement SPEC-6.	See Public Concern Statement SPEC-6.
2001	2	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC-6 Review and ensure conformance with the required design features listed in the Nevada and Northeastern California Greater Sage-Grouse Approved RMP Amendment (September 2015 or latest amendment). QUESTION: The draft EIS states there are no real concerns about human encroachment in relation to the sage-grouse. Why is this mitigation necessary? It is just an additional burden imposed on BRC that does not appear to offer value.	See Public Concern Statement SPEC-6.	See Public Concern Statement SPEC-6.
1997	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	SPEC-6 Review and ensure conformance with the required design features listed in the Nevada and Northeastern California Greater Sage-Grouse Approved RMP Amendment. The BMP is not near any leks, it occurs outside of nesting season, and all structures will be removed leaving no concerns for sage-grouse. I recommend removing this mitigation measure.	See Public Concern Statement SPEC-6.	See Public Concern Statement SPEC-6.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1951	1	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	We support mitigation measures SPEC-2, SPEC-3, SPEC-4, SPEC-5, and SPEC-6 as ways to minimize impacts to wildlife. However, it is not clear that these measures are sufficient to prevent impacts to wildlife. For instance, the travel routes to the event traverse through greater sage-grouse habitat. This enormous increase in the amount of cars on the road through highest priority habitat has the potential for significant impacts to sage-grouse. Sage-grouse are known to be sensitive to heavy vehicular travel <sup>1,2</sup> and thus Burning Man is clearly going to have some effect on greater sage-grouse habitat adjacent to the Black Rock Desert. As stated in the Biological Resources Baseline Report in the EIS, Highway 447 from California "traverses a relatively large amount of Core Habitat," including six known active or inactive leks within 4 miles of the road. As a mitigation measure, we propose having Burning Man officially discourage participants from traveling to the event on Highway 447 from California. We would also encourage Burning Man to consider participating in the Nevada Conservation Credit System (CCS), wherein Burning Man could invest in conservation activities for the greater sage-grouse to compensate the environment for the disturbance their event is causing.	N/A	Mitigation measures presented in Appendix E are proposed mitigations and are intended to serve as talking points between the BLM, BRC, and the cooperators. Even at the current level of approximately 80,000 participants, there are significant impacts under NEPA that require mitigation, but the BLM does not want to speculate which mitigations would be required if the population were to increase. Once the FEIS is published and a decision is made, the BLM will be better able to determine the necessary mitigations to include in the SRP. Additional mitigation measures could be developed and included for the SRP. Appendix A of the FEIS has been updated to include the most up-to-date maps and data regarding Greater Sage-Grouse habitat. This latest data will help the BLM further elucidate the locations of potential impacts once final mitigation measures are decided.
1951	6	Mitigation-Migratory Birds, Wildlife, SSS, and TES	209.0100.00	N/A	The Biological Resources Baseline Report of the EIS documents that there are significant impacts to playa invertebrates from the event. But BLM has proposed no monitoring or mitigation measures for the impacts to invertebrates, potentially allowing a significant impact to go unexamined and unmitigated. Burning Man should fund a study to examine the impacts of the event on invertebrate populations and how best to mitigate the damage to these creatures. Burning Man has a unique opportunity to inform greater understanding of these enigmatic creatures, their life cycle, and how human activities may impact them. Funding a study of this sort should be part of the BLM's required mitigation.	N/A	As noted in Section 2.8 of the Biological Baseline Report, the branchiopods found within the Closure Area are "common and widely distributed throughout the Great Basin playas"; Section 3.3.6 of the DEIS discloses impacts on branchiopods. Given the abundance of these species, the BLM's proposed mitigation measures would be sufficient to reduce impacts on branchiopods.
1881	2	Mitigation-Vegetation	209.0200.00	MITVEG-1	VEG-1, within the event, there are no weeds, within the current event area, there is nothing that grows. The most we see of any vegetation is near that road as we enter and exit the event, and the traffic is monitored to keep the vast majority of attendees on the vegetation-less road.	Commenters state that this mitigation measure is not needed as there is no vegetation in the Closure Order area. In addition, commenters say that the introduction of noxious weeds is unlikely due to the harsh alkaline soils. Commenters suggest removing this mitigation measure and recharacterizing the floristic zones.	Concerns regarding noxious weeds expand outside the immediate Closure Area. As noted in Section 2.6 of the Biological Baseline Report, the playa is devoid of vegetation, including noxious weeds and invasive, nonnative species; however, noxious weeds occur elsewhere within the biological resources assessment area, which includes the Closure Area, as well as adjacent areas, access roads, and nearby points of interest. As stated in Section 2.6 of the Biological Baseline Report, noxious weeds are commonly found along roads and near other developed areas. Through participant education, the likelihood of noxious weed spread within the assessment area would be reduced.
1929	2	Mitigation-Vegetation	209.0200.00	N/A	VEG-1 There is no flammable vegetation or the risk of introducing noxious weeds to the event area because the event area does not support plant life in any way due to the alkaline environment.	See Public Concern Statement MITVEG-1.	See Public Concern Statement MITVEG-1.
966	3	Mitigation-Vegetation	209.0200.00	N/A	Since BLM obfuscated the Vegetation-based source and, further, mis-characterized the floristic zones, the validity of the requirement for VEG-1 cannot be discerned and should be removed from the Final EIS.	See Public Concern Statement MITVEG-1.	See Public Concern Statement MITVEG-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1230	1	Mitigation-Wetlands and Riparian Areas	209.0300.00	MITWRA-1	Mitigation Measure WET-1 states: "BRC must ascertain with the ACOE if a Clean Water Act Section 404, Nationwide Permit 33, and/or Nationwide Permit 18 is needed. If so, the proponent must obtain those permits and provide copies to the BLM 30 calendar days before the start of the Closure Order." It is not clear why this item is now being addressed. This determination should have been made years ago. It is also not clear why the BLM, with access to a number of Federal Agencies, could not make this determination in the EIS. For the Army Core of Engineers (ACOE) to have jurisdiction over the site area, the site must be located on or intersect "Waters of the United States". The area was identified in the EIS as a wetland using biological definitions. For a wetland to be considered "Waters of the United States" it must be hydraulically connected to a stream or river that is or discharges to a navigable river that crosses state boundaries. A review of the area stream flow data from the USGS stream site: <a href="https://txpub.usgs.gov/DSS/streamer/web/">https://txpub.usgs.gov/DSS/streamer/web/</a> indicates that no streams or rivers flow out of the playa. The playa is the terminus of an enclosed watershed, therefore the intermittent lake formed on the playa during wet years would not be "Waters of the United States" and the ACOE would not have jurisdiction.	Commenters stated that the determination of the presence of wetland on the playa should have been conducted years ago. Commenters mention that because the playa is not hydraulically connected to a stream or river and does not discharge to a navigable river that it should not be deemed a wetland.	While the playa is dry during the Event, the USFWS classifies the playa as a wetland, and the USACE classifies it as a playa. As such, in email correspondence in 2018, the USACE noted that it is assumed that the playa is a Water of the US until an Approved Jurisdictional Determination (AJD) is done. The AJD and determination of Waters of the US is under the jurisdiction of the USACE and not the BLM. An AJD does not have to be done if the Burning Man Project does not contest the Waters of the US assumption, and a permit can be issued. Bringing in decomposed granite and trenching may need a Nationwide Permit from the USACE. The need for Clean Water Act permits will not be determined at this time. As described in Section 3.3.5 of the DEIS, the proponent would determine the need for a Nationwide Permit, in coordination with USACE. If needed, the proponent would obtain the permit (see also Mitigation Measure WET-1). Under the conditions of receiving a Special Recreation Permit from the BLM, the proponent is required to obtain all other federal, state, county, and local government permits.
1049	1	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	Mitigation WET-1 BRC must ascertain with the ACOE if a Clean Water Act Section 404 Nationwide Permit 33, and/or Nationwide Permit 18 is needed. If so, the proponent must obtain those permits and provide copies to the BLM 30 calendar days before the start of the Closure Order. Background: BLM has taken the position that the Black Rock Desert playa during August and September is a wetland and that BMP needs to get a permit from the US Army Corps of Engineers. BMP has researched this issue and determined that no permit is required. If you have special knowledge on this issue, we would appreciate your opinion as well.	See Public Concern Statement MITWRA-1.	See Public Concern Statement MITWRA-1.
1244	8	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	Mitigation WET-1 "BRC must ascertain with the ACOE if a Clean Water Act Section 404 Nationwide Permit 33, and/or Nationwide Permit 18 is needed. If so, the proponent must obtain those permits and provide copies to the BLM 30 calendar days before the start of the Closure Order." In the report, and BLM has taken the position that the Black Rock Desert playa during August and September is a wetland and that BMP needs to get a permit from the US Army Corps of Engineers. BMP has researched this issue and determined that no permit is required. This is a BLM error. After 29 years on the Black Rock Desert, and 22 years at over 10,000 participants what is the reasoning that BLM would suggest the additional required permits at this time? Are the permits required or not?	See Public Concern Statement MITWRA-1.	See Public Concern Statement MITWRA-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1997	2	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	<p>Mitigation WET-1 BRC must ascertain with the ACOE if a Clean Water Act Section 404 Nationwide Permit 33, and/or Nationwide Permit 18 is needed. If so, the proponent must obtain those permits and provide copies to the BLM 30 calendar days before the start of the Closure Order. Unless one has been performed within the last two years, a wetland delineation must be completed to determine if an area is a wetland. Three indicators must be present for a wetland to occur (hydrophytic plants, hydric soils, and saturation at some point during the year). If BMP is on a jurisdictional wetland, then a Nationwide Permit (NWP) to manage potential impacts offers a streamlined approach to obtaining permit coverage. NWPs are designed for projects that have only minimal individual and cumulative adverse environmental effects. If BMP is not on a jurisdictional wetland, then I recommend that this measure be removed. If a permit is sought, then a section 404 Nationwide Permit (NWP) 18 seems more appropriate than NWP 33. NWP 18 is focused on minor discharges of dredged or fill material. NWP 33 is focused on dewatering structures associated with construction projects, which are not emplaced during the event. A 401 Water Quality Certification from the State Water Resources Control Board would need to be obtained in tandem with the 404 permit. Mitigation NAT-2 To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01 a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place. This measure is contrary to the principals that the event has been built on. This is a Leave No Trace event, which puts the responsibility for trash management on each participant. This measure will give the impression that trash management is shifting away from participants and onto BMP. BMPs current trash management plan may need to be supplemented with additional staffing, but requiring dumpsters is a monumental change that may create more of a detriment in the long term. Each camp and large art project that I have participated in includes people diligently removing trash down to the micro level once the project is removed. Furthermore, dumpsters full of trash, improperly closed, attracts avian predators. I recommend removing this mitigation measure.</p>	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1075	1	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	WET-I response: In response to mitigation WET-I and the need to get either a Clean Water Act Section 404 Nationwide Permit 33 and/or Nationwide Permit 404, neither permit is applicable to the Burning Man event. According to the federal definition from the U.S. Fish and Wildlife Service, (Cowardin and others, 1979) "Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water." Since the Black Rock Desert is not covered by shallow water during August or September or near any aquatic systems, it would not qualify as a wetland. In addition, the nationwide permit 33 pertains to "temporary construction, access, and dewatering", where "appropriate measures must be taken to maintain near normal downstream flows and to minimize flooding." This permit is not applicable because Burning Man is not affecting any water flow or adding any temporary fills, removing vegetation from the land, or disrupting aquatic or migratory bird patterns. In addition, Nationwide Permit 404 is not applicable to the Burning Man event since it pertains to the regulation of discharging of dredged or fill material into the waters of the United States, including wetlands. Since it has henceforth been argued that the Black Rock Desert is not a wetland, and no dredging or fill materials are being introduced, there is no need for Permit 33 or 404 to be obtained.	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.
1632	1	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	++ Mitigation WET-I + BRC must ascertain with the ACOE if a Clean Water Act Section 404 Nationwide Permit 33, and/or Nationwide Permit 18 is needed. If so, the proponent must obtain those permits and provide copies to the BLM 30 calendar days before the start of the Closure Order. - If my understanding is correct, the BLM assumes that BRC is on wetland at the time of the event. I challenge this mitigation and the assumption of wetland - simply due to the fact that its the most driest place I have ever been.	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.
1641	2	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	Measure WET-I Regarding wetlands and riparian areas: This area is not a wetland. Why is a special permit required for this? This is not substantially explained or supported.	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.
990	2	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	A permit or two may be required by the ACOE, but their factors are unknown. This lack of discussion has widespread concern.	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.
1635	5	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	WET-I and AQ-I Black Rock Desert is not a wetland in August and September when the event is held. Anyone who is ever been there then knows that it is not a wetland. Indeed, BLM's proposed AQ-I attempts to impose requirements regarding control of dust in this desert. WET-I contradicts AQ-I, and AQ-I contradicts WET-I. The two proposals are logically inconsistent. It appears that BLM failed to assess this logical inconsistency.	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.
1133	2	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	Mitigation WET I: What other users of the area have been required to obtain a permit? If none, why has only BRC being asked to get one? What evidence is there of ANY summer time impact on wetlands and riparian areas of users of the playa, when those users EXCLUSIVELY use only the playa?	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.
2002	2	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	Mitigation WET-I The playa during the summer and early fall (well within the time frame of the event) is a dry caustic lake bed where no moisture is to be found. This is also a time of the year where birds are hardly seen in the harsh desert environment.	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.
567	1	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	According to the US Fish and Wildlife Service's National Water Summary of Wetland Resources, and specifically Nevada Wetland Resources "Wetlands are lands transitional between terrestrial and deepwater habitats where the water table usually is at or near the land surface or land is covered by shallow water (Cowardin an others, 1979)" Black Rock Desert does not fall under this description.	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1636	2	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	(clean water act for wetlands): First of all, the Playa is not even close to being a wetland during this time of the year, and the Army Corp of Engineers aren't even requiring a permit.	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.
1408	5	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	The Draft EIS specifically states "there would not be effects on wetlands and riparian areas at these locations from recreational use". The WET-I requirement that BRC must ascertain with the ACOE if a Clean Water Act Section 404, Nationwide Permit 33, and/or Nationwide Permit 18 is needed is unnecessary, and the Draft EIS indicates no effects on the wetlands are anticipated.	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.
744	2	Mitigation-Wetlands and Riparian Areas	209.0300.00	N/A	Mitigation WET-I The playa during the summer and early fall (well within the time frame of the event) is a dry caustic lake bed where no moisture is to be found. This is also a time of the year where birds are hardly seen in the harsh desert environment.	See Public Concern Statement MITWRA-I.	See Public Concern Statement MITWRA-I.
1985	1	Mitigation-Cultural Resources	209.0400.00	MITCULT-I	Appendix E - CULT-I - "BRC must educate participants of the Nobles Trail through production and dissemination of pamphlets, showing trail maps on the front and trail facts on the reverse to be distributed at the Event." - The BLM has a Visitor Center ( <a href="http://blackrockdesert.org/blm-black-rock-station-visitor-contact-center/">http://blackrockdesert.org/blm-black-rock-station-visitor-contact-center/</a> ) right off of highway 447 and 34 on the main route that Burning Man participants and area visitors drive by on their way to the playa. My understanding is that education about the area is one of the main purposes of the BLM and this center. Asking the Burning Man organization to distribute pamphlets to participants about a local trail is asking the organization to do the work of the BLM which should be carried out by that local and dedicated facility. Requesting the production and distribution of tens of thousands of pieces of paper is environmentally irresponsible in terms of paper production and transportation. In addition, adding that many pieces of paper which may easily blow away in such a windy and unpredictable environment is likely to be counterproductive to efforts to Leave No Trace and responsible environmental stewardship of the area.	Commenters stated that the Burning Man Organization should not be responsible for educating the public on the Nobles Trail and that responsibility should fall onto the BLM. Commenters mention that giving pamphlets to participants would significantly increase litter. Commenters state that it is unnecessary to educate Event participants about the existence of a trail that begins outside of the Closure Order area and that very few Event participants will visit the historic site. Commenters suggested that the Burning Man Organization website link be added to the BLM page explaining the historic site.	Comment noted. The Nobles Trail is identified by Congress as being part of the National Historic Trails (NHT) system. It is eligible for the National Register of Historic Properties (NRHP) under Section 106 of the National Historic Preservation Act (NHPA). Under the NHPA, when a proponent has an adverse impact on a NRHP-eligible property, the BLM, in consultation with the State Historic Preservation Office (SHPO) and, in the case of a NHT, the National Park Service, will develop a mitigation plan to address the impact. The proponent is responsible for implementing the mitigation plan. The BRFO has an active outreach program for educating the public on the historic trails and other resources in the NCA.
1741	20	Mitigation-Cultural Resources	209.0400.00	N/A	I fail to understand why Burning Man is being tasked with an additional expense to create pamphlets about a local trail. Attendees of the event are highly unlikely to leave the event to go for a hike on a trail. Please answer and/or explain: 1. If a significant amount of attendees were to use the trails around the time of the event, wouldn't that have a significant negative impact on the trails? 2. Please explain how this mitigation fits within the scope of the Draft EIS or the National Environmental Policy Act.	See Public Concern Statement MITCULT-I.	See Public Concern Statement MITCULT-I.
1881	3	Mitigation-Cultural Resources	209.0400.00	N/A	CULT -I should not fall on BRC. Educating attendees about the existence of a 150 year old wagon trail that begins on the other side of the surrounding mountains is completely unnecessary. Requiring the BRC to print tens of thousands of pamphlets, what will be discarded or burned is another waste of paper and money. Very few burners come to burning man with extra time to check out the local historical site. if anything, ask the BRC to link to a BLM page explaining the historical site.	See Public Concern Statement MITCULT-I.	See Public Concern Statement MITCULT-I.
65	4	Mitigation-Cultural Resources	209.0400.00	N/A	CULT-I seems completely out of place. Why does BRC and the event have to promote Noble's Trail? What purpose would this serve? This is outside the scope of the event and if it is desired by BLM it should be executed with their resources without impacting the event.	See Public Concern Statement MITCULT-I.	See Public Concern Statement MITCULT-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1049	18	Mitigation-Cultural Resources	209.0400.00	N/A	Mitigation CULT-1 BRC must educate participants of the Nobles Trail through production and dissemination of pamphlets, showing trail maps on the front and trail facts on the reverse to be distributed at the Event. Mitigation CULT-3 Through the website, social media, and other means approved by the BLM, BRC will inform staff volunteers, vendors and contractors and Event participants that collection, excavation, or vandalism of historical/archeological artifacts or sites is illegal. Background: While Black Rock City is happy to share information provided by BLM and advocate on behalf of the environment, BLM has failed to show direct significant impacts from the Burning Man event related to these five proposed mitigations and is abdicating its responsibility for public education about public lands to Black Rock City. This type of education is part of BLM's federally-mandated mission. We pay 3% of our gross revenue to BLM - over \$1 million per year on top of \$3.5 million in permit fees and cost reimbursement - and they are required to use those funds in service of the National Conservation Area (NCA), including public education. BLM also have a large, fully staffed interpretive camp on the playa, centrally featured for these purposes. Burning Man should not be held responsible for doing BLM's job. It's considerably more than disconcerting that a government entity is seeking to regulate how and through which specific channels a private entity may communicate with the public.	See Public Concern Statement MITCULT-1.	See Public Concern Statement MITCULT-1.
1913	2	Mitigation-Cultural Resources	209.0400.00	N/A	Section 3.4 - Cultural Resources Comment: The Draft EIS states that the Nobles Trail LIKELY (emphasis mine) passed through the Closure Area based on evidence from maps, diaries, and other documents but does not state this with certainty. As it later states, "no physical evidence or historic trail artifacts or traces have been exposed" as the portion of the Nobles Trail that passes within the Closure Area (Black Rock to Granite Creek Route) goes over the playa which is a dry lake bed surface that is frequently changing as winds and rains shape and reshape the surface. Why is the BLM requiring BRC to produce a pamphlet containing a map of the Nobles Trail when the BLM isn't even certain of where exactly the Nobles Trail goes through the Closure Area?	See Public Concern Statement MITCULT-1.	See Public Concern Statement MITCULT-1.
33	3	Mitigation-Cultural Resources	209.0400.00	N/A	The suggestion to disseminate pamphlets to educate participants on the trail system outside of BRC also seems misguided; those pamphlets are more than likely to end up on the ground. Signage would be a better option if it is required.	See Public Concern Statement MITCULT-1.	See Public Concern Statement MITCULT-1.
1741	22	Mitigation-Cultural Resources	209.0400.00	N/A	Please answer and/or explain: 1. Why should BLM have authority to determine and approve Burning Man communications? 2. Considering that BLM is mandated to protect the wildlife, and that BLM already receives 3% of Burning Man's revenue plus millions of dollars in permits, why does the Draft EIS believe that Burning Man should do the BLM's job of educating attendees about collection, excavation, or vandalism of historical artifacts? 3. How is this Burning Man's responsibility, rather than the BLM's responsibility? 4. Is there any precedent that attendees of Burning Man are breaking the law by vandalizing, excavating, or collecting historical or archaeological artifacts, and thus this mitigation is needed?	See Public Concern Statement MITCULT-1.	See Public Concern Statement MITCULT-1.
1068	7	Mitigation-Cultural Resources	209.0400.00	N/A	I have never known anyone to go on the Nobles Trail, has something happened that we should know about? Or am I missing the point for Mitigation CULT-1?	See Public Concern Statement MITCULT-1.	See Public Concern Statement MITCULT-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
601	1	Mitigation-Cultural Resources	209.0400.00	N/A	The BLM mitigation action that via a range of media approved by BLM, the Burning Man Project has to undertake a massive public education campaign is arbitrary and capricious and constitutes a flagrant dereliction of duty on the part of the BLM. The BLM receive approximately \$1 million per year from revenue + \$3.5 million per year in permitting fees from Burning Man Project, which BLM is required to use for National Conservation Area activities--which includes public education. It seems unjustified and like dereliction of duty for BLM to place this task on a private institution. BLM already undertakes this activity through a large, fully-staffed presence on the playa, centrally placed to support education of all.	See Public Concern Statement MITCULT-1.	See Public Concern Statement MITCULT-1.
703	1	Mitigation-Cultural Resources	209.0400.00	N/A	CULT-1 BRC must educate participants of the Nobles Trail through production and dissemination of pamphlets, showing trail maps on the front and trail facts on the reverse to be distributed at the Event. This will only serve to increase paper waste at the event, not to mention the environmental impact of creating 70,000+ pamphlets for participants. From a waste mitigation standpoint, this suggestion is ridiculous. Burning Man should be aiming to minimize paper and waste production for this event. If required, online production of required information, supplied by the BLM, should suffice. Does BLM require other users of this area, such as 4x4 tour leaders, etc. to develop and supply this information? Is this information already available to the public somewhere? Isn't it the responsibility of the BLM to develop resources to educate the public on public lands? If this information already exists, wouldn't it be sufficient to just provide electronic copies of such information to event participants?	See Public Concern Statement MITCULT-1.	See Public Concern Statement MITCULT-1.
1304	1	Mitigation-Cultural Resources	209.0400.00	N/A	Mitigation CULT-3 Through the website, social media, and other means approved by the BLM, BRC will inform staff volunteers, vendors and contractors and Event participants that collection, excavation, or vandalism of historical/archeological artifacts or sites is illegal. While Black Rock City is happy to share information provided by BLM and advocate on behalf of the environment, BLM has failed to show direct significant impacts from the Burning Man event related to these five proposed mitigations and is abdicating its responsibility for public education about public lands to Black Rock City. This type of education is part of BLM's federally-mandated mission. We pay 3% of our gross revenue to BLM — over \$1 million per year on top of \$3.5 million in permit fees and cost reimbursement — and they are required to use those funds in service of the National Conservation Area (NCA), including public education. BLM also have a large, fully staffed interpretive camp on the playa, centrally featured for these purposes. Burning Man should not be held responsible for doing BLM's job. It's considerably more than disconcerting that a government entity is seeking to regulate how and through which specific channels a private entity may communicate with the public	See Public Concern Statement MITCULT-1.	See Public Concern Statement MITCULT-1.
1083	4	Mitigation-Cultural Resources	209.0400.00	N/A	CULT-1, Mitigation CULT-3 It appears to me that BLM is attempting to pass on it's duties to that of a private entity, which itself pays >\$1 million to BLM on top \$3.5 million in reimbursements and fees. Could you please provide evidence of harmful impact the BM event has had to warrant such mitigations?	See Public Concern Statement MITCULT-1.	See Public Concern Statement MITCULT-1.
1929	3	Mitigation-Cultural Resources	209.0400.00	N/A	CULT-1 - the Nobles Trail is not in the event area and requiring flyers that will turn to flying waste in the windy environment is harmful and a waste of effort that could go towards productive measures. It is already the job of the BLM to educate the public about public lands on their web site. This information is likely freely available to the public already.	See Public Concern Statement MITCULT-1.	See Public Concern Statement MITCULT-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1847	2	Mitigation-Cultural Resources	209.0400.00	N/A	I, II, E.I CULT-I BRC must educate participants of the Nobles Trail through production and dissemination of pamphlets, showing trail maps on the front and trail facts on the reverse to be distributed at the event. The distribution of these pamphlets will likely lead to additional trash on the playa and incur additional printing costs on BRC. Distribution of this info will be more effectively disseminated through printing in the Where/When guide handed out at the greeter's station, as a link on the BRC website and made available at the BLM and Friends of Black Rock camps on the Esplanade inside BRC. Signage along gate road may also be a	See Public Concern Statement MITCULT-I.	See Public Concern Statement MITCULT-I.
1079	3	Mitigation-Cultural Resources	209.0400.00	N/A	CULT-I - The Nobles trail is not relevant to attendees of the event, so requiring Burning Man to educate people about it is unnecessary.	See Public Concern Statement MITCULT-I.	See Public Concern Statement MITCULT-I.
943	4	Mitigation-Cultural Resources	209.0400.00	N/A	As with many other national preservation sites, pamphlets will quickly become trash or worse litter, and the precious resources used to generate the pamphlets will be wasted. I know of no other recreational event in which the promoting organization is mandated to provide historical education.	See Public Concern Statement MITCULT-I.	See Public Concern Statement MITCULT-I.
735	1	Mitigation-Native American Religious Concerns	209.0500.00	MITNARC-I	NAT-2 requires the placement of dumpsters in and around Black Rock City. I feel that this requirement is misguided. Not only does it add extra weight, traffic and pollution to the roads and environment via the transport, placement and maintenance of large metal dumpsters, it negates one of the core principles of the event: Leave No Trace (LNT). It also falsely assumes there is a lasting trash problem from the event, and assumes there would be no trash blowing out of the dumpsters in the unpredictable wind storms on the playa.	Commenters stated that the addition of trash receptacles could increase impacts on the playa, through soil disturbance and spilled and blown garbage. Additionally, commenters stated that moving a significant amount of trash receptacles would also increase traffic and greenhouse gas emissions. Commenters also noted that adding trash receptacles could take revenue away from the local community, which already offers trash disposal. Commenters are concerned that the addition of trash receptacles in and around the Event site could impact the core principals and desired experiences of Event attendees and may communicate that "leave no trace" is not important.	Through government-to-government consultation with the Pyramid Lake Paiute Tribe and letters from cooperating agencies, there is an issue with trash along SR 447. The unauthorized dumping of trash in Reno has been documented by the Reno Gazette-Journal and other newspapers. See updates to this mitigation measure in Appendix E of the FEIS.
1871	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	dumpsters will also cause significant damage to the Black Rock Desert. The damage caused by having trucks tote 1,500 dumpsters on to the desert, both before and even more so after the event due to the increased weight, will be substantial and quite possibly permanent. It will also cause trash to blow out of the dumpsters and across the desert, creating more litter than past events. Without the trash fence, which allows air to blow through the fence and catches trash, we may have a new issue of trash piles against the proposed jersey barriers. Again, I don't see where BLM has reviewed the environmental impact of placing these dumpsters with a conservation scientist, and this absolutely must be done, along with releasing the results of this study as part of the report, as is required for EIS reports under NEPA.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1615	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Did BLM even consider the fact that these dumpsters will need to withstand dust storms and be 100% sealed yet be available enough for people to use?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1872	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01 a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place. I assume the goal of this mitigation is to reduce the amount of litter from BM that ends up in the surrounding areas. In my experience any litter that I have seen hasn't been a result of a person intentionally littering or leaving something behind. Every year when we leave BRC we and other BM attendees spend at least an hour combing over our campsite, looking for pieces of litter the size of a fingernail. The litter that does escape is usually due to the wind blowing something away on accident, which is bound to happen with a community of that size. I don't think requiring BM organizers to procure dumpsters would have any meaningful impact on the amount of litter that doesn't get picked up, and if anything would have more of an environmental impact due to the amount of fuel needed to transport the requested number of dumpsters to and from the area.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1701	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Creating a conceptual relief valve of dumpsters would damage the event, communicating that LNT is not as important. A significant portion of the debris scattered by the roads is not trash that would have been placed into dumpsters. It is debris from poorly secured loads that don't survive the road trip. The logistics of supporting dumpsters would be large and complicated <ul style="list-style-type: none"> <li>o Staging a dump management area, both in and out</li> <li>o Transfer would likely create lots of escaped trash to be cleaned up, including messy liquids.</li> <li>o Significant additional inflow and outflow traffic would be added to Route 447</li> <li>o Significant bottlenecks would be added to the Exodus flow</li> </ul> The cost of this unjustified addition will have a major impact, making the event more difficult and unaffordable to attend for many participants.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1876	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	What will be the environmental impact of placing dumpsters on the playa during and after the event? What will be the environmental impact of on air quality, road wear, traffic, noise, and playa damage of large, dumpster-hauling trucks driving to-and-from the playa in order to service these dumpsters? These impacts will certainly be adverse and undesirable.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1409	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place. My experience, which includes observation from the road as well as assisting in cleanup and removal of items from along SR 447, is that litter on SR 447 and I-80 is almost never trash which has been intentionally dumped by participants but rather improperly secured items which have fallen off vehicles. Thus providing participants with dumpsters at the event site will not ameliorate the situation. People will still fail to properly secure their loads and there will still be litter on SR 447. What the dumpsters will do is degrade the pack-it-in/pack-it-out ethos of the event, resulting in more litter being left on playa and increasing, not decreasing, the overall environmental impact. A much more reasonable mitigation would be to extend the BLM's cleanup requirements for BRC to SR 447, as well as the playa, and to require BRC to educate event participants concerning proper loading procedures.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1888	7	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Allowing dumpsters to be placed in the city and along the road would strike at the heart of this philosophy, and shift the onus of responsibility not on the individual participants (who have proven they can handle it), and over to the Burning Man Organization. It would diminish the "Leave No Trace" principle and remove any incentive for participants to pay attention and care for their surroundings. If no longer incentivized to minimize their trash and by the social constraint imposed by the 'Leave No Trace' ethos, participants are likely in the future to, perversely, carry with them more disposable items, pay less attention to what they bring along with them, and ultimately create more trash. An event where the shared responsibility of caring for the location is de-emphasized, will in the end result in more degraded environment since apathy will likely become the norm over time. In addition, the use of dumpsters will also involved added costs due to the need to procure the dumpsters, and move them onsite, and then move them offsite during the event (when filled), and then at the end of the event. These costs will result in increased ticket prices, thereby negatively impacting again event participants. The use of dumpsters will also have a negative environmental impact by creating added traffic and carbon footprint through the use of trucks specialized in moving these dumpsters. Air quality is likely to suffer further given that these dumpsters will be left sitting at the event under extreme sunlight and heat, accelerating the decomposition of any organic trash and fouling the air as a result. The use of these dumpsters is also likely to increase the potential for soil contamination through possible leakage of any liquids and pooled material in there onto the soil's event area.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
509	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Requiring dumpsters would be more detrimental to the environment than the status quo by requiring an enormous influx of heavy equipment and vehicles and associated emissions. Furthermore, as a five-time participant, I know that I have to plan in advance to mitigate the trash I will create with at the event, since I will have to pack it out when I leave. Were there dumpsters available, it seems logical to assume that many participants would stop doing this which would result in far more trash to be collected and disposed of than exists currently. I have never been to another festival-type event where the trash was not overflowing and disgusting by the end of the event. Burning Man is the single exception as the vast, vast majority of people take the "leave no trace" principle very much to heart.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
206	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Burning Man's leave-no-trace culture and policies have effectively proven private management without significant federal overreach is the best way to ensure the shared ambition of responsible use. Forcing the Burning Man project to erect miles of jersey barriers or k-rail around Black Rock City, or trash receptacles for all participants in the annual Burning Man Festival, is an unnecessary and wasteful proposal that would generate significantly more environmental impact and cost, and would degrade Burning Man's Leave No Trace ethos and culture.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
35	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I am opposed to NAT-2 requiring the placement of dumpsters along Gate Road. As is mentioned elsewhere in the document, the principle of Leave No Trace is critical to the nature and spirit of the event. Adding dumpsters would erode this principle and is likely to result in more trash issues rather than less as participants see less of a need to take their trash home with them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
860	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Since there is literally no way that any trash service can continuously remove, empty and return 1500 dumpsters to and from the Playa during the event, these dumpsters will immediately look like this [IMAGE] which by the way will only make picking them up that much more difficult if not impossible. Not to mention, is the trash service then going to be responsible for collecting all the garbage that accumulates around the dumpsters which they will need to do by hand? And if so, what are they going to do with it since the dumpsters themselves are full? This will lead to excess garbage placed around dumpsters becoming wind born in dust storms and the liquids that seep out of the dumpsters and extra garbage will then go immediately into the playa. The playa surface reacts to all liquids and becomes a consistency somewhere between solid and liquid-one that could easily trap a dumpster truck. The end result will be dumpsters and possibly dumpster trucks stuck in a growing quagmire.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
874	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	An alternative suggestion to address the trash dumping would be to require participants to take their own trash home with stricter enforcement and issuing tickets rather than education. Trash dumping is already illegal, so stricter enforcement might help participants responsibly address their trash.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1909	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Requiring trash dumpsters for participants has many inherent issues that have not been analyzed in the EIS. This mitigation measure will cause more problems than it is supposed to mitigate. It would require hundreds of large capacity dumpsters to be placed on the Black Rock playa to supply enough capacity to satisfy a population of 80,000 people. The problem of trash littering roadsides after the event, while offensive and a serious concern, is not committed by 80,000 attendees but is committed by a relatively smaller number of people who are unaware they have not secured their load properly upon exodus. Adding hundreds of dumpsters on the Black Rock Desert will cause an enormous amount of residual debris and become way more of an environmental impact than the problem they are trying to solve. Dumpsters leak liquids, birds and insects will obviously be attracted to the waste left behind and may disperse trash even further, the wind will disperse more trash that will be impossible to stop, and would require several hundred people to monitor each location around the clock to avoid things like human waste, paints or other hazardous waste, bicycles, large couches and other large items that would be inappropriate to put in a dumpster. An additional very large area and extra exit lanes would be required along the gate road directly affecting many more acres of playa. If they could even find enough dumpsters to accommodate the population of BRC the EIS has failed to consider the impact of several thousand heavy truck trips on already congested highways as well as the potential for increased road damage as a result of these heavy loads. In addition this increased traffic would create significant carbon emissions from transportation to and from the playa. In addition the Leave Nevada Beautiful campaign is a list of Reno area businesses that offer Trash/Recycling/RV dump services and have reported positive earnings after the event. Some of these businesses such as Love's and Whole Foods donate their proceeds to local charity. Other entrepreneurs also collect trash including the town of Gerlach and the Pyramid Lake Paiute tribe. The proposed dumpsters on playa will negatively affect those businesses and charities. Burning Man was founded on being a Leave No Trace event since the beginning. As the largest practicing Leave No Trace event on public land, providing dumpsters would be in direct conflict with this very important principle that is a part of the Burning Man culture and experience.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1244	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	With Burning Man's excellent track record in Leaving No Trace and having all trash removed from the site as part of the principles of the event - why are dumpsters required at this time? This requirement would be financially and logistically crippling to Black Rock City's operations and would create significant detrimental environmental impacts - including increased traffic on Highway 447 and CR34, increased greenhouse gas emissions from hundreds of flatbed trucks transporting large, heavy loads both to and from the event and increasing fuel consumption. Offering dumpsters for trash disposal would undermine the core principles of Burning Man's culture and cause environmental degradation.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1058	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I know that Burning Man participants faithfully follow the event's Leave No Trace policy because we have never failed a site inspection. Given that, the impact of the trash left on-playa cannot possibly outweigh the impact of the proposed dumpster "solution." This idea utterly ignores the wear and tear on the roads and the impact to the playa surface that comes with trucking so much weight around. It would also cause lost income to many locals who agree to take trash for a fee.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1154	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This would likely lead to more waste fluids on the playa from trash being piled up around overflowing dumpsters. The heavy vehicles that would be needed to bring in and then regularly remove filled dumpsters would increase dust.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1938	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Dumpsters do NOT encourage event participants to dispose of waste properly via the Leave No Trace "pack it in, pack it out" mantra. Instead, dumpsters encourage people to expect disposal services in public lands, and to expect that someone will pack their trash out for them. It removes the responsibility from the participant and places it onto an outside organization, thus undermining the education around Leave No Trace principles that Burning Man provides.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1944	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The challenge for local communities is that even if a small number of participants dump their trash, it has a large impact due to the small size of these communities. However, I believe the trash issue can be addressed in a more localized manner, rather than mitigation measure NAT-2. I suggest the following: Burning Man should provide a trash monitoring/removal service in the local communities starting on Saturday of the Man Burn. This should be done by working with local businesses and residents to identify areas where participants usually dump trash. For example, the Gerlach gas station tends to get trash piled up, and once someone leaves a bag it grows. The gas station does not have the resources to efficiently remove trash to prevent build up. A Burning Man trash team could assist in removing the trash here, and along the roads in Gerlach as needed. While the highway cleanup should not start until traffic has reduced post-event, helping to keep the local community free of trash build up would improve the perception of local residents about the trash issue.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1971	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	For 2018, the density of debris left behind after clean-up was 1.15 square feet per acre. This is in excess of the stipulated amount allowed. Forecasting indicates that at present trends, there is a high probability that the debris left behind would be in excess of 1.3 square feet per acre in less than 5 years." This trend must be addressed. We need to watch and account for it, not anonymize our trash disposal into dumpsters.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1988	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 Requiring that BRC provide dumpsters at Burning Man or along gate road will almost certainly lead to a massive increase in the amount of litter along the highways and on the playa. BLM is likely aware of the studies that show that adding a lane to a freeway ultimately just increases traffic over time. Similarly, forcing BRC to provide trash dumpsters for free will only increase the amount of disposable material attendees bring to Burning Man. The Burning Man community has strong, culturally-enforced norms around the Leave No Trace principal. The knowledge that you are not only expected but required to pack out all the trash you brought with you changes the way you think about packing for the event, how you organize your camp, and how you conduct yourself at the event. Everything is engineered with an eye toward producing less waste. I have served as a camp infrastructure and kitchen lead for three of the seven years I have attended Burning Man, and I have served as Leave No Trace lead for another three years. I can attest to the fact that Leave No Trace forces me to think about the entire lifecycle of everything my entire camp brings to the playa several months out, vastly reducing the amount of trash we bring with us or produce. That material reality, that no waste disposal is available, generates an ethos that permeates everything at Burning Man. I have never been anywhere in my life where picking up trash is more socially rewarded than at Burning Man. And importantly, this has altered how I conduct myself in my everyday life. By forcing BRC to provide trash dumpsters, you will remove one of the key incentives people now have to think about the entire lifecycle of everything they bring to BRC. It's likely that norms around Leave No Trace will continue to be socially enforced, but they will likely become less important to new attendees of Burning Man and fade away in importance over time, which is likely to create even more litter. Large theme camps, of the type that BRC is currently working to reform or sanction, will almost certainly come to depend on this amenity and fill the dumpsters to capacity, to the point that they become useless. This will push their considerably higher costs of trash disposal onto every attendee of Burning Man. BRC already produces high-resolution maps which identify the worst offenders with respect to trash left on the Playa. BLM should pursue a mitigation measure that sanctions those camps, which are clearly identified and which are required to sign a contract making a particular individual accountable for trash cleanup, rather than pushing the cost onto all Burning Man attendees.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1694	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-1 Dumpsters are unnecessary since BRC spends weeks after the event picking up debris on playa and in the surrounding areas.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1704	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-1 Dumpsters are unnecessary since BRC spends weeks after the event picking up debris on playa and in the surrounding areas. Additionally, the ecological cost of transporting so many dumpsters would be incredibly high. In fact, the cost would eclipse the 'good' that this mitigation intends.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1236	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	1) 1500 dumpsters are a lot of dumpsters and that many available dumpsters will be difficult to find in Northern Nevada 2) Managing and emptying all of those dumpsters is going to increase the heavy truck traffic on Hwy 34 and 447. This is already an area of concern elsewhere in the EIS 3) Unattended full dumpsters are going to cause new trash problems on the playa due to the winds blowing the trash about. 4) BM already has a well-tested system of attendee education and post event cleanup control on all playa trash. We do not want to take a step back on this.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1731	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01 a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place. --- This concern (reducing waste and local impact) is reasonable, and indeed one of the stated goals of the organization to which many of us feel deeply committed. The attendees at BRC have been proven to be incredibly diligent in ensuring the playa is returned to its natural state after the event, as those who have visited in the offseason to enjoy the beauty of the park can attest. Indeed, my (few) attendances at Burning Man have greatly increased my own awareness of how poorly many visitors to other national parks treat them by comparison. However, this change will provably achieve the precise opposite of its stated goals - by placing dumpsters near the park, the high winds will without question carry considerable waste back into the area (consider the area around any dumpster in a city, with much less wind to contend with). Moreover, as with the barriers discussed above, these dumpsters will also have a similar impact on the playa, thus increasing the environmental damage this proposal is intended to reduce. A far better solution would be to work with the BRC to improve awareness of appropriate waste disposal amongst attendees. (BRC has proactively changed ticket policies this year in a way that will help with this, by prioritizing tickets on those who take more ownership of the event and the space, versus those who come purely as spectators.) The event can also work with the surrounding region to increase the availability of paid waste disposal far from the park, which has the added benefit of bringing additional revenue to the region, to which BRC already brings in significant income. Many of us already go to great lengths to make sure our waste and those of others is disposed of appropriately, and happily pay for waste disposal with services on the way out - increasing and improving those provides an opportunity for the area.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
487	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	While tasking the Burning Man organization to take over this task is logical in many ways, it is highly problematic not only in terms of the exorbitant cost to implement but also because of the potentially damaging effects of increasing large amount of heavy equipment along the highway and within the city, but also the increased amount of exodus travel time along and idling that will occur if people are stopping to dispose of garbage.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1741	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Considering that Burning Man has passed it's requirement to leave no trace every year, why is Burning Man being directed to take on a new expense that will: 1. Harm the culture of Burning Man. 2. Cause more traffic on the highway, as this measure would require an entire fleet of trucks to manage the waste disposal to and from Burning Man. 3. Create additional heavy vehicle traffic on the playa. 4. Create additional carbon emissions. 5. Hurt the neighboring communities - specifically the Paiute Indian Tribe - that rely on the income from trash collection and recycling. 6. Create more litter in Black Rock Desert. 7. Encourage a culture of convenience where people would throw away reusable items. 8. Be logistically and financially crippling to the Burning Man Project (it is estimated that it would cost Burning Man approximately \$5M a year to implement the BLM's directive).	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2023	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	In that vein, the EIS also includes stipulations that there be trash dumpsters placed around black rock city. What is the value added here? Burning Man is a principled event with a significant Leave No Trace philosophy. The implementation of dumpsters would erode personal responsibility and lead to more mindless consumption.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1640	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	We know from historical BLM environmental audits that the Burning Man event has performed excellent environmental remediation of all remaining garbage and materials out of place. If the desire behind this provision is to reduce the impact of garbage on local communities, including Gerlach and Reno, I believe enforcement outside of the event is your most effective tool. As a volunteer, we already work heavily on education with participants leaving the event, providing them with guides to the local dumps and drop off facilities.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
106	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Setting up a massive transfer station for trash on the playa is a waste of resources and would have a huge carbon footprint. Not to mention that more trash would find its way onto the ground by transferring it to dumpsters.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1706	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Aside from the tangibles of trash disposal, I think you'll agree that we need to be responsible citizen's, not only on the Playa, but in our communities as well. We shouldn't rely on others to clean up after ourselves.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
821	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	In reference to the placement of trash disposal dumpsters on location, I feel that it sends the wrong message to participants who are encouraged to take everything they bring with them when they leave. Should independent contractors wish to set up trash disposal bins at approved locations along the highway, this may be an option and it should be something that is paid for by those disposing of trash at those facilities. Event goers that wish to take their trash home to be disposed of could still do so without incurring additional expense.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
135	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	No to dumpsters on gate road or in the city. One of the greatest part of our ethos as Burners is "leave no trace, and as past BLM reviews have shown, we are very good at that. Dumpsters on gate road and in the city would quickly fill, and unless monitored, add to the problem of loose trash whenever the wind picks up. Also, the Pyramid Lake Paiute make money taking our trash and recycling.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1887	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Under Mitigation Nat 2 BLM would require dumpsters at entry/ exit points and through out BRC. The Burning Man Event is one of the largest Leave No Trace events in the world and has done a good job of picking up after itself. Having dumpsters at this event would just mean that people would not pick up after themselves as they should. More trash would be brought in because people would grow to expect not having to take it back with them when they leave. Having dumpsters would also mean more traffic congestion for the event and surrounding area as trucks would need to enter and exit to service these dumpsters. There are problems with some trash left after the event and scattered along roads, but the Burning Man Organization has a team dedicated to making sure that the Playa and surrounding areas are cleaned up after the event.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
802	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	While it may be desirable to provide some facilities for disposing of incidental trash along Gate Road, due to the long periods of time vehicles may need to wait to be allowed entry by Gate staff, the scale of trash disposal facilities within the Event itself, for a temporary city of even 50,000, much less 80,000 to 100,000 people, is equivalent to the trash removal infrastructure for a medium sized city, without the benefit of the fixed infrastructure a permanent city typically has available. The number and weight of trash hauling vehicles required to enter and exit the Event on a daily basis would both disrupt city traffic, do significant damage to the playa surface in the city and on Gate road and add to the wear on CR 34 as well, and would need to travel significant distances to landfills of sufficient size to handle the volume of trash anticipated. This would concentrate trash in a limited number of facilities that could be overwhelmed by the increased demand, displace landfill capacity needed by local residents, and have a disproportionate impact on cities close to the event, particularly Reno. The current "Leave No Trace" practice of BRC and all Event participants of reducing the volume of packaging needing to be discarded, committing to packing out all trash from camps, and generally minimizing or eliminating disposables, not only avoids the need for trash removal, but distributes the impact of the trash generated across widely separated disposal areas in participants' home cities or at facilities enroute to and from those cities.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
826	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The DEIS Mitigation Measure NAT-2, proposing to position garbage dumpsters throughout BRC- would be an environmental and cultural catastrophe that the DEIS fails to adequately measure. First of all, the logistical, financial, and environmental ramifications of finding, transporting, and maintaining the number of garbage dumpsters proposed by NAT-2 is unrealistic. Literally tens of thousands of trash dumpsters would need to be found and transported to the playa. Has the DEIS considered where or how all these dumpsters would be located and maintained? Has the DEIS considered the impact of the playa's frequent dust storms on spreading rubbish from said dumpsters to the surrounding playa? Has the DEIS considered how the presence of garbage dumpsters might reduce the number of people who are willing to take the extra effort needed to recycle and instead route many more recyclables to Nevada's landfills?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1729	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I suspect that by providing dumpsters, many people would be less conscientious about bringing single-use items, about sorting their trash/recycling and about getting it to a proper disposal site. Should those dumpsters be full, Burners who hadn't prepared to pack it home as they had in the past would then just leave their refuse to overflow. This type of behavior is seen at more typical "festivals". Then there's the question of all the additional traffic - heavy trash trucks that will need to travel over the gate road and the local highways, clogging traffic for locals and visitors, possibly killing more wildlife on the road, and undoubtedly spewing tons more CO2 in the air.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1053	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Placing waste management facilities within and/or in proximity to Black Rock City would undermine the LNT principles, providing an "easy option" for some event participants to dispose of their rubbish without thought. The concept of convenience is also quite at odds with the character of the Burning Man event. Whilst the city is full of wonderment, joy and creativity, it also encourages minor challenges and hardships through the need for self-reliance (i.e. providing all your necessary resources for yourself for a week). This includes individuals being responsible for the waste that they generate throughout their experience. In the interests of preserving the 'self-responsibility' culture of the event, and to promote wider awareness and regard to our waste management practices outside of the event, I support the withdrawal of the EIS proposal to introduce trash receptacles at/around Burning Man. Instead, I would encourage a stronger emphasis on waste management practices for participants. This could be done through: - outreach material, such as the annual Survival Guide - signage at the event and access roads - other targeted means such as emails and notifications on the dedicated Burning Man radio stations.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
209	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Trash fencing has worked to constrain traffic and participants within the exclusion zone. What is the justification for this additional security measure based on historical precedent? In regards to dumpsters for participants, there is no garbage issue that the BLM has to deal with in terms of trash. Beside the fact that the addition of dumpsters would constitute an undue financial and logistical burden to the Burning Man organization, the addition of event dumpsters is diametrically opposed to one of the principles of the Burning Man event, Leave No Trace. Hundreds (if not thousands) of Burning Man and participant volunteers scour the playa and R34 to remove the garbage left by participants. The Burning Man footprint has passed its BLM cleanliness inspection for decades. Why the change now?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1054	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The Leave No Trace principle is one that teaches people to be cautious about what they bring in, the trash they create, and how they dispose of it. It teaches people lessons that they take with them when they leave Burning Man. It helps to reduce littering. It actually helps make people more environmentally conscious. The introduction of dumpsters would have the complete opposite effect. It would, in fact, contribute to people's laziness and bad environmental habits if they knew they could simply throw anything they wanted into a dumpster.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
315	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	permanent barriers and dumpsters will both A) Scar the playa, B.) create a giant sand dune, and C.) encourage participants to leave trash.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1799	27	Mitigation-Native American Religious Concerns	209.0500.00	N/A	However draconian solutions like dumpsters have environmental and economic cost and may not solve the problem. No analysis of these costs is presented in the DEIS.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
65	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 would seem a mitigation for trash, but would only create more problems. Leave no Trace is cultural principle essential to the event experience and would run counter to the event aims. It would also be counterproductive and possibly create huge cleanup issues where trash is dumped instead of carried out. It again would create an issue where there hasn't been one in the past. Several outposts on the way also make money by taking waste from participants at an increased cost.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1938	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2: To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
513	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Placing dumpsters around the event will encourage participants to leave their trash onsite, and dumpsters will quickly be overwhelmed and spill onto the surface.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1970	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	In order to provide dumpsters within the closure zone there would be a large increase in the amount of heavy equipment required. This would result in additional wear and tear on the state and county roads, and damage to the playa surface of the Black Rock Desert. There would also be a not insignificant increase in carbon emissions hauling trash to the nearest transfer station. It is impossible to ignore the fact that there is both trash left along the roads, and inappropriately dumped in urban and rural locales by participants leaving Black Rock City.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1886	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Let's work together to continue the extraordinary LNT program we have instead of altering the very nature of it. Let's not take away the spirit of LNT and make things worse or harm the vendors that can effectively manage the waste stream coming out of the event.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
563	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	One of the more contentious issues on the BLM EIS is the suggestion of a system of dumpsters for trash. This suggestion, if implemented, would wipe out one of the more important core principles of burning man - "Leave No Trace", ie: "pack it in, pack it out". Abandoning this idea in favor of hired-janitors and dumpsters would make the festival participants LESS-environmentally conscious, not more, with environmental repercussions far-removed from the festival itself.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
487	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Instead of cost prohibitive and potentially environmentally damaging garbage removal scheme to address these issues, could perhaps increasing awareness and education with stricter requirements of participants be a solution? Surely the BLM can appreciate that learning and implementing the 'leave no trace' ethos as part of Burning Man, as well as outside the event, will benefit everyone.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
336	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The trash receptacle requirement seems like a trash mitigation strategy, however, those who clean up after music festivals and the like would testify that the presence of trash receptacles does not encourage people not to litter. It is likely that it even encourages apathy.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1071	7	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The best remedies here are education and a local market response. Attempting to bring in dumpsters is expensive and environmentally impactful. However, the greater harm with the dumpster approach is that it undermines the education of the participants and suggests that they can dump garbage at first sight of a container. We must discourage this impression, as it would prove self-defeating in the effort to have participants think through their actions and consequences. A better approach is the local communities who have created a substantial market response and operate successful local businesses accepting trash for proper disposal. Paying for this service makes a participant more aware of and accountable for their actions. Efforts should go into improving and expanding these solutions.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
318	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Anyone who knows anything about Burning Man knows that it is a leave no trace event, in fact the largest one in the world. By adding dumpsters to the exodus line that completely undercuts the values that we as a whole hold dear. It would really backfire as it would change the ethos of the event.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1744	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Requiring dumpsters on gate road. You currently have a 70,000 person event which has succeeded in creating a culture where 99.9% of the trash is packed out successfully. If you invite people to throw trash in dumpsters you're going to deeply undermine that culture and see trash all over the playa, like any other festival. Highway trash is a problem but one that can be much more solved by sending regular cleanup vehicles along the route. Did you consider this option, and if so, what is the cost relative to the cost of operating dumpsters?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1745	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Highway trash is a problem but one that can be much more solved by sending regular cleanup vehicles along the route. Did you consider this option, and if so, what is the cost relative to the cost of operating dumpsters?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
667	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	To place dumpsters along roads or in the event would destroy the aesthetic of the event. Placing dumpsters may lead to people unloading their trash in irresponsible ways and encourage bad behavior, thus having the opposite effect than was intended. It would create an obviously greater economic impact on the event by requiring vehicles to transport the dumpsters to and from the remote event, not to mention the resulting carbon emissions of the transportation vehicles. This would not be a reasonable solution to addressing trash falling off poorly secured vehicles. Falling trash would not end up in a dumpster, and it already removed by exhaustive BRC trash sweeps. Yes, I have seen roadside trash in my years attending the event, but dumpsters are not the solution. Better education for attendees, perhaps better signage pointing to local trash deposit locations, increased hours at trash deposit locations, and the existing trash sweeps should do the job without substantial environmental and economic setbacks. Additionally, members of the Paiute Tribe enjoy a thriving business of accepting and disposing of participants' trash and recycling at post-event waste stations along SR 447, and this lucrative annual revenue source would be decimated by implementation of BLM's plan.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
641	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I have great concern that the placement of dumpsters in BRC and on Gate Road would reverse the efforts developed over 20+ years by BM to painstakingly educate attendees on the LNT principle. Dumpsters I fear would have attendees return to old bad habits of not demonstrating proper respect for the land and leaving their messes behind. LNT is an exceptional lesson in being good citizens and land stewards. Moreover, it makes people look at the trash they create and how they can minimize it by planning ahead, not bringing plastic bottled water, reduce packaging etc...	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1640	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Burning Man is the largest leave-no-trace event in the world, and has an impeccable track record with the BLM environmental surveys taken each year. Our community ethos and cultural enforcement make this suggestion completely unnecessary. The provision, should it ever be attempted, would be against the fundamental spirit of the event, and would be well outside the current logistical capabilities of our staff. Thousands of dumpsters would need to be brought in to service participants if it ceased to be a leave-no-trace event.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
739	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 (BRC to provide trash dumpsters at the event): there is no evidence that the event leaves significant volumes of trash on the playa; in fact, the adherence of attendees and BRC staff to leave-no-trace principles is audited on an annual basis and this event is the most successful LNT event in the world. A big part of the reason for this success is the community pressure to take care of the event site; providing dumpsters on site would dilute this pressure, and in fact would likely lead to more trash on the playa due to trash being left in and around overflowing dumpsters. This side effect was not studied in the EIS report, so there is no evidence that the proposed mitigation would be an improvement over the existing situation. Additionally, there would be impacts to air quality, the lakebed surface, and traffic on surrounding roads due to the dedicated trucks required to manage 1500 dumpsters. The stated purpose of reducing trash created from poorly secured loads is already managed very effectively by BRC, and so this well-intentioned measure would actually create lots of new problems and solve none.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1873	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Consider further the BLM's draft EIS: it does not consider the environmental impact of maintaining the dumpsters and providing space to service 30,000 vehicles to use them. The damage those trucks with their loads of dumpsters and Jersey Barriers will cause much damage to the Nevada roads and to the playa. Driving on rough roads-similar to State Route 447- costs Nevada motorists more than \$800 million annually in extra vehicle operating costs. (www.TripNet.Org/NV). These costs include accelerated vehicle depreciation, additional repair costs, and increased fuel consumption. Traffic congestion-which all participants and vendors would experience if the BLM's proposals are instituted-could cost drivers thousands of dollars in lost time and wasted fuel...to say nothing of the air pollution this congestion would cause.The factual record-which is publicly documented in a detailed annual report from the Burning Man Organization-does not support the need for this requirement.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1394	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Having dumpsters inside the event would not be ideal due to the logistical problems, especially considering that the availability of dumpsters would cause many participants to forego the effort usually put into minimizing the amount of waste produced at the event due to the fact that they have to bring it out with them. Having dumpsters on gate road would be a major safety issue because after a pulse starts, many people would be rushing back from the dumpsters to their cars across many lanes of traffic in low-visibility conditions.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1046	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Access to dumpsters might actually disincentivize this thoughtful stage of preparation for the event which would be damaging to the community's engagement with the LNT principle. This would weaken the diligence and dedication to preventing MOOP. Participants would be less attentive to what they bring to the event and more careless in keeping MOOP off the ground. Furthermore, recycling centers in Reno after the event are accessible, well-publicized, and heavily used.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2022	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	In regards to Mitigation WET-1, that requires BRC to install trash containers throughout the city during the event. It seems the BLM has failed to recognize that Burning Man has successfully been the largest Leave No Trace event in the world and held this trait to be one of its core principles for over 30 years. Participation in Burning Man requires that individuals embody self-reliance and take with them all the trash they produce. This teaches an essential principle that ripples out beyond BRC into the communities and cities the participants inhabit. This principle is invaluable environmentally, to teach the importance of taking responsibility for your footprint and impact upon the world around you. Not only would the installation of dumpsters throughout BRC causes exorbitant cost increases, but it would entirely undermine the valuable culture and work of the BMP to teach and exemplify leave no trace.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
581	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	1. Our community's resounding success in this area is largely due to the fact that there are no trash cans (or dumpsters) on playa, so participants must rely on themselves to Leave No Trace. This measure would undermine a core principle that makes the event so successful. 2. Adding dumpsters to the exodus would add traffic and emissions. It would create significant detrimental environmental impacts including increased traffic on Highway 447 and CR34, increased greenhouse gas emissions from hundreds of flatbed trucks transporting large, heavy loads, and increased fuel consumption 3. Adding dumpsters may invite improper disposal of waste.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
868	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Additionally, the carbon emissions that would result from transporting 15 million pounds of dumpsters (this is weight of the required amount of dumpsters) would be huge and is of great concern to anyone concerned about the environment. This certainly would have a greater environmental impact than any trash that might get left behind on the playa because the Burning Man organization puts a tremendous effort into sweeping and clearing the area after the event each year.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1989	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	If they could even find enough dumpsters to accommodate the population of BRC the EIS has failed to consider the impact of several thousand heavy truck trips on already congested highways as well as the potential for increased road damage as a result of these heavy loads. In addition this increased traffic would create significant carbon emissions from transportation to and from the playa. The Leave Nevada Beautiful Campaign is a list of northern Nevada area businesses that offer Trash/Recycling/RV dump services and have reported positive earnings after the event. Some of these businesses such as Lowe's and Whole Foods donate their proceeds to local charity Burning Man was founded on being a Leave No Trace event. As the largest practicing Leave No Trace event on public land in the country, if not the world, providing dumpsters would be in direct conflict with this very important principle that is a part of the FBRHR and Burning Man culture.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
399	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	To learn about potentially insisting the event introduce dumpsters is dismaying to say the least. This will INCREASE waste and decreases the ethos to leave no trace. Burning Man is the largest user of public lands in the nation and we clean up after ourselves extremely well.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
871	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Moreover the BLM's draft EIS does not contemplate the environmental impact of maintaining the dumpsters and providing space to service 30,000 vehicles to use them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1799	23	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The need for dumpsters cited in WHS-I is not justified by the satisfactory status BLM inspection reports.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1439	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Paradoxically, putting out trash dumpsters invites abuse. If people believe that trash is "someone else's problem," they will make fewer attempts to clean up after themselves. It's not hard to picture overflowing trash dumpsters that would be a bigger problem than the ones that are trying to be addressed.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
484	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This event has long required each participant to haul out their own trash. For those of us who live in the area, we bring our trash and recyclables home and never leave trash on site. For those from farther, there is a thriving economy in local towns where participants can drop their trash and recycling, and locals earn money, all while the garbage ending up where it should. Having dumpsters on site is again, unsightly, unneeded, burdensome and costly.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1050	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I do not see an issue with providing dumpsters along gate road if the following conditions are met: 1. Have an area of gate road specifically for dumpsters so as not to further hinder participant egress. 2. Have a sufficient quantity of dumpsters on hand to accommodate the estimated amount of trash that will be deposited. 3. Charge participants a per bag rate for trash, and allow the various tribes to profit from this. This is already being done, it's just not being done on playa. I have seen numerous trash services offered for \$5.00 per bag. 4. Allow only standard trash bags; no building materia" furniture, etc. 5. Post a Burningman volunteer at each dumpster to ensure there is no overflow and/or spillage. Adding dumpsters is long overdue. I have seen trash strewn over the roads, illegally placed in commercial and residential trash receptacles, and willfully left on playa. If a participant knows there are dumpsters readily available, they will be much more inclined to take a little more effort to pack trash out knowing it can be disposed of as they leave, rather than having to haul it hundreds of miles away. Counting on 70k people to pack all their trash out is simply no longer possible. The benefits of adding dumpsters are many: 1. The virtual elimination of trash along CR34 and SR447. 2. Reduction in the amount of volunteers needed to clean trash from the above mentioned roadways. 3. Increased safety of volunteers by not placing them on busy roads, and thus in harms way. 4. Easing the burden of the playa restoration crews, as there is now an easy, inexpensive option available to participants other than hauling their malodorous, leaking refuse, hours away in the desert heat. 5. Consolidation of dumpsters in one convenient location will ensure only the tribes will be allowed to profit, and eliminate non-tribal entities from providing trash services. 6. Tensions with local communities and cities will be eased, as the illegal dumping in those areas will likely be greatly reduced, if not eliminated entirely. 7. It is environmentally responsible, because regardless of how many volunteers are placed along the roadways, some trash will invariably blow away before it can be gathered.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
486	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	As with the perimeter wall recommendation, BLM is claiming to try to solve a small problem by mandating expenses, adding a stunning amount of extra traffic, noise and wear and tear on the roads and local community, and setting up a major waste management operation in the middle of the very area it is claiming to be protecting. The overwhelming majority of BRC participants 'own' their trash, control their and others litter, and make sure that it finds a safe, legal, and responsible home after the event. This proposal is stunningly counterproductive	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1944	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I am deeply concerned about the impact to the playa and surrounding environment of placing this many dumpsters along Gate Road. The potential for spillage of waste seems significant. I am also concerned about the impact of the number of haul trucks that would be required on the already strained roads and traffic in and around Gerlach. While this mitigation measure has been included due to concerns by the PLPT, there is no discussion of the impact of this on other local communities such as Gerlach, and the impact would be significant.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
573	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Locals along Highway 447 already offer disposal of recycling and trash for a small fee. Requiring dumpsters would take this opportunity for income away from the mom-and-pops, and transfer it instead to a large entity who could handle it.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
965	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I do believe that placing dumpsters within the bounds of the cities limits would gravely affect the intention and precedent set in maintaining a leave no trace environment.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
965	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I find it odd that BLM didn't even assess the environmental impacts from their own initial recommendations, which I am told is a crucial requirement of the National Environmental Policy Act. Had they have done so, they may have realized the negative effects of bringing in more heavy machinery and trucks, specifically around the placing of trash bins and barricades. The removal of such placed items would be even more challenging, with the dust build up accumulating.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1236	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Suggested alternative 1) Try out 20, 30, 40-yard 'roll off' dumpsters placed at the ends of each radial street during the event. These dumpsters typically have 4 to 6-foot walls and a walk-in door at one end. Some come with a flexible cover. 2) To mitigate wind-blown trash, BM could have a 'dumpster crew' manage it and educate Burners on placing trash to not blow. The problem will be unexpect dust storms. 3) Both BM and BLM to monitor the approach and be flexible to changes to keep trash to a minimum. 4) BM to have the dumpsters emptied during the event week. Once a dumpster is placed. The next truck could bring an empty dumpster and take away the full dumpster to reduce truck traffic	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
926	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Requiring dumpsters 1) would undermine the principle of radical self reliance and encourage the opposite of the most important burning man principle 2) would not mitigate the migratory birds or other animals from eating trash The point is that people need to take their garbage out with them, and they do. Putting dumpsters along the road would encourage people to leave trash instead of taking it with them. It would destroy a core principle of Burning Man. And based on my expertise as a veterinarian with a conservation background, the dumpsters would encourage animals to eat trash out of the dumpsters which does not currently occur. More animals would be negatively impacted by the placement of dumpsters than if people continued to pack their garbage into their cars or RVs and take it with them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1734	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	<p>dumpsters on the gate road The event would be negatively affected by dumpsters on Gate Road because of several reasons including cost, impact of placement, time and resources to plan, deploy, manage, remove, and inventory the dumpsters. There is no demonstrated need for dumpsters at Burning Man. There is no evidence that shows the current system inadequate. There is no evidence the current management and operation of Burning Man has failed or otherwise overlooked detrimental impacts. Therefore, the DEIS is flawed in its conclusion as to a need for dumpsters on the gate road as the dumpsters are certainly not the least intrusive method to fulfill the stated need. Instead, based on evidence, the need to manage trash is met through means other than dumpsters. If dumpsters were to be required, the cost, impact of placement, time and resources to plan, deploy, manage, remove, and inventory the barriers would diminish resources of time, money, &amp; manpower that would degrade other aspects of both the event and the environment. Just think of the deleterious impact caused by requiring placement of dumpsters. One of the core tenets of Burning Man is "leave no trace". Another core tenet is "personal expression and personal responsibility". These are the very ideas central to management of all federal land accessible to the public. 4/29/2019 DEPARTMENT OF THE INTERIOR Mail - [EXTERNAL] BLM Draft Environmental Impact Statement (DEIS) for Burning Man</p> <p><a href="https://mail.google.com/mail/b/AH1rexSAkRchbyys5anDXI250HoRI2e-NJDbiTbDT212Pan7TCdA/u/0?ik=c99f4c2013&amp;view=pt&amp;search=all&amp;permthid=t...">https://mail.google.com/mail/b/AH1rexSAkRchbyys5anDXI250HoRI2e-NJDbiTbDT212Pan7TCdA/u/0?ik=c99f4c2013&amp;view=pt&amp;search=all&amp;permthid=t...</a></p> <p>3/5 BLM should EMBRACE these goals of Burning Man as they are the same goals of BLM. Dumpsters would send the wrong message. The message is "pack in in / pack it out". The message is "leave the location in a better condition than when you arrived." Requiring placement of dumpsters fails to meet the stated goal or need. Camps undertake a list of steps to ensure loads are secure and that we leave no debris. It seems the recommendation for dumpsters is extreme and not supported by enough evidence.</p>	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
487	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	<p>I believe this is an undue burden to be placed on an event that has a proven track record of successfully implementing a 'leave no trace' ethos within the community.[...]</p>	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1974	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Operating hundreds of dumpsters at a time inside BRC and/or on Gate road would be a monumental logistical and constantly risky undertaking, particularly for causing another extensive, grid-like footprint to be imposed upon the playa in addition to the city layout, in order to service the entire population within the 4+ days of Exodus. 2. All waste will need to be treated as potentially hazardous during disposal operations, due to the potentially extensive impacts of heat, wind, and rain, the wide variety of waste that participants will dispose of (e.g. food, glass, electronics, batteries, hardware, building materials, urine, and feces), and the need to minimize the overall environmental impact upon the playa. 3. Any inclement weather, as well as accidents occurring during disposal operations (e.g. bag failure, broken glass, leaking solids and fluids), could significantly impact overall disposal and Exodus operational flow. 4. Due to the different amounts of trash and the different packing patterns of participants, there will likely be different rates of trash disposal during disposal operations, likely also leading to random bottlenecks in Exodus flows. 5. The aggregated area of dumpsters during the operation will likely serve as a major attraction for birds, insects, rodents, and other animals from miles around, potentially altering the ecological balance of the region. 6. Trucking 1500 30-yard dumpsters to/from BRC would cause additional traffic, wear, and tear upon Highways 447 and 34, as well as upon the playa. 7. Trucking 1500 dumpsters to/from BRC would also increase air pollution. 4. Finally, given BRC's extensive educational outreach and other mitigation efforts, and given the nearly universal compliance by participants with the principles of Radical Self-Reliance, Communal Effort, and Leave No Trace in managing and disposing of their waste, BRC and the Burning Man citizenry as-a-whole are not at fault, and therefore should not be held responsible for, the roadside trash and illegal dumping events caused by the careless, ignorant, irresponsible, and/or criminal few. Mandating dumpsters is unfair for penalizing all participants for a phenomenon endemic to all communities/areas, and as old as civilization, itself.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1741	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Worse still, I anticipate that the inclusion of dumpsters at Burning Man would actually cause more litter and more waste, rather than achieve the objective of this item in the the Draft EIS. Anyone who has been to the Playa knows that we have to plan for high winds. Dumpsters would surely have items blown out of them. People would try to put objects into the dumpsters when they are overfull, and those objects would blow into the desert. People would likely leave trash next to the dumpsters that are already full, and that trash would get blown into the desert. The reliance on dumpsters would further incentivize people to bring more disposable and wasteful things with them, sense they would know that they could just throw it away on the Playa.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1032	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Knowing that we have to take out everything we bring to the city, most participants 'pre-cycle', i.e. remove packaging, reduce the quantity of items to bring, find multiple uses for things, etc. The only place I've seen that has streets as devoid of litter as Black Rock City is Tokyo. It is hard to find litter in Tokyo; it is even harder to find a trash can on a Tokyo street. Like Burning Man, residents of Tokyo have a strong "pack it with you" ethic. Please don't destroy that ethic at Burning Man. If people know that there will be a convenient way to dispose of trash (i.e. dumpsters as required by NAT-2), there is the strong temptation to bring more than absolutely necessary and/or to discard packaging once in the city.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1747	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	any dumpster or trash can provided ends up over run within a couple days, needing to be emptied regularly, which in hand, means higher traffic up and down the road into BRC.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
320	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The BRC Resto crew does a fantastic job of removing trash every year, and by placing dumpsters in various locations, a huge increase in trash depositing is likely, giving 70,000 participants the option to dump their trash in these bins. The environmental aspect of managing a dumpster program will far outstrip the potential for any increase in cleanliness (which again, is mitigated by Resto Crew's efforts), given that dozens (or more) large trucks will need to constantly be emptying these dumpsters, whereas trash now is removed with the same vehicles that are used to enter playa. This will also remove the money made by local indian reservations that charge money for trash disposal and use this for their communities.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
641	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Hauling dumpsters great distances is more traffic, wear and tear on the roads and playa and a greater carbon footprint.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
735	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 requires the placement of dumpsters in and around Black Rock City. I feel that this requirement is misguided. Not only does it add extra weight, traffic and pollution to the roads and environment via the transport, placement and maintenance of large metal dumpsters, it negates one of the core principles of the event: Leave No Trace (LNT). It also falsely assumes there is a lasting trash problem from the event, and assumes there would be no trash blowing out of the dumpsters in the unpredictable wind storms on the playa.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
737	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Dumpsters- Mr. Hall indicated that the reason for the dumpsters is to mitigate complaints from the surrounding areas that experience an abuse of their garbage facilities. While I understand the concern and issue, bringing dumpsters on playa only attracts more garbage onto the playa, when we want to encourage garbage to be taken away. If dumpsters were placed on playa, it is only human nature to use the facility. It would be absolutely impossible to have enough dumpsters on site to meet the demand of the waste from the population of Burning Man, and again a huge impact on the local roads transporting dumpsters in and out. Mr. Hall indicated that he does not have jurisdictional authority to have Burning Man place dumpsters off playa, but if there is a need for a dumping point, it should absolutely be off playa.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1873	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	My camp- with more than 200 participants from around the world-brings it all in and takes it all out. Our camp generates about 9.5 pounds of trash per person for the week of the festival. Our "garbage czar" estimates that we take home more than 1.2 TONS of trash for the 250 camp participants. We take thorough measures every day to sort and pack our waste, and when we leave, several campmates stay behind scouring our campsite using rakes and other garbage picking tools to make sure nothing-not even a zip-tie or errant piece of fabric remains. So, if the BLM wants to jump that up by 70,000 people and you end up with 32 tons of trash for all the Burners for the week, start by measuring the containers proposed. The 30-yard containers are 20 feet long, 8 feet wide, and 6 feet high-the most commonly-used size for construction debris removal. Maximum legal road weight limit is 10 tons or 20,000 pounds. For 70,000 participants, that's more than 33 dumpsters MINIMUM parked all over the playa and bringing their own dust, noise and air pollution and playa damage. Think of the damage to the playa that not only the dumpsters themselves would create.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1703	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The environmental impact of this mitigation measure remains unstudied. How can the DEIS cite limited environmental impact of the waste that is not properly disposed of under the current regime, but fail to study the environmental impact of an entirely new regime that involves tons of trash being stored on the lands under the study? This mitigation measure could drasatically change participant behavior, and incur significant sots--financial, carbon emission, and traffic. Such a measure should not be recommended until its effects are better understood.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1881	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT -2 dumpsters along gate road is a terrible idea, as mentioned prior the event is a leave no trace event, our trash is bagged and carried out. Large dumpsters would leak, which could cause unnecessary cleanup of the play around gate road. In the years i have attended the event, I have seen a few places on tribal land that would charge attendees for the ability to dispose of their waste in a dumpster on native land. Installing dumpsters along gate road would potentially harm the playa as well as take away money from local tribes that benefit by offering the same service for a cost. The BRC already maintains a Highway clean up team that patrols the surrounding highways for refuse that has potentially falling along the wayside of highway 447 & 446, CR34, and a few others.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
313	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Being forced to supply dumpsters will have the opposite effect to create hygiene. dumpsters will inveriably create and spread disease, they are not to be placed in public places but away from human activity, this is why people are responsible for there own management of their trash, it creates an environment where people dispose much more hygienically with there waste, instead of chucking it in a dumpster.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
860	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Secondly, placing trash receptacles of any kind will on encourage people to leave their garbage on the playa rather than be responsible for removing it themselves today. This is classic diffusion of responsibility. You need to look no further than literally any other festival on Planet Earth to see what happens when you move responsibility for trash collection from the participant to the organizing entity.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
694	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2, are dumpsters at the event. I understand this will be costly and deprive other's of making a buck but can't they bring their dumpsters here and remove them as they fill up? Working closely with BM? This would save BM all that time of policing the highway for trash after the event and save the locals from having to pick it up in Gerlach. BM likes to claim LNT but you go out there months after their inspection and it's all there coming up out of the playa.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
646	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	What is the risk of dumpsters inducing the creation of more trash, particularly by removing attendees personal liability for their litter (tragedy of the commons)? What will be the carbon impact of delivering and servicing dumpsters? How much dust will be created from their delivery? How will the local roads be impacted? If a temporary transfer station is required, how much land will that impact and what will the impacts be? What is the impact of trash that escapes the dumpsters particularly on windy days? How would it impact the festival's culture and survival, which is rooted in radical self-reliance, to introduce dumpsters? Would ticket sales be reduced? Finally, given the festival's own trash sweeps after the event, and their meticulous documentation of the MOOP map, what current impacts are not being accounted for that are cause for dumpsters?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1059	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I do not see any environmental analysis for how transporting dumpsters will affect the playa. These large-scale dumpsters will need to be transported by truck which will have an effect on the playa, on the Nevada Highway systems and leave a heavy carbon footprint.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1938	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I am also concerned about the significant environmental impact of placing, managing, and removing dumpsters for the event. Transporting the dumpsters will increase impact to the road surface through flatbed trucks driving repeatedly over it. Furthermore, transporting large, heavy loads of trash will increase fuel consumption and greenhouse gas emissions.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1951	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	While Burning Man should generally be lauded for its participants' clear dedication to removing trash from the playa, the event has yet to reckon with the immense amount of trash generated by participants, and the effects that the unauthorized disposal of that trash has on adjacent communities. It is well known in northern Nevada that the end of Burning Man signals the beginning of finding dusty garbage bags in dumpsters and alleyways in Reno and Sparks and elsewhere. As such, we support mitigation measure NAT-2. We would encourage forethought into the placement of the required dumpsters, and would suggest that perhaps a lay-down area on the main highway might be a more appropriate location than right on the playa itself.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1796	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Providing dumpsters destroys the "leave no trace" and "radical self reliance" ethics of our culture, by discouraging people from taking personal responsibility for their own environmental impact, which has the opposite effect on the environment than I believe is intended: people are MORE likely to be careless with the environment if they believe that "someone else" will take care of their trash and they are not responsible. Secondly, I believe this mitigation would cause a great deal of extra environmental degradation due to the logistical challenges of separately trucking in all the dumpsters, the creation of a "trash transfer" area, and the trucking out of all the trash collected, thereby causing more traffic, more degradation to the playa and more carbon emissions-has this added environmental impact been adequately considered by the BLM? Thirdly, it is my understanding that the Burning Man organization, in concert with many concerned volunteers, already conduct thorough trash sweeps of all the roads and communities that surround the Black Rock Desert, so placing additional dumpsters is extra unnecessary expense.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1067	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	One mitigation that seems reasonable to me (but not without problems), is to require Burning Man to monitor vehicles exiting the event and pulling to the side those that have suspect loads or tie-down situations. Twine, advice, and help to aid less experienced or responsible attendees better secure their loads would go a long way to reduce the cost of cleanup.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
364	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I am concerned by the proposal to have dumpsters at the event. My camp mates and I went to great lengths and spent hours ensuring we had left no trace. I have often seen dumpsters at events overflowing and spilling garbage and plastic around the dumpster or being carried off in the wind. It seems far more likely that waste would be littered with dumpsters present than by continuing the expectation that we are to remove our own waste.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1994	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Leaving every person responsible to pick up after his or herself is at the core of our ethos. Providing places where attendees can dispose of their own trash will eliminate any LNT responsibilities and shift the mindset of every attendee. The presence of thousands of dumpsters will also require hundreds of hours worked to empty and maintain them adequately. Trash will be left around or on the dumpsters themselves as well when they are full. There will also be increased costs of transporting them in and out of BRC, as well as the negative environmental impact their transportation and maintenance will presence will require. All of these points are unnecessary, as BLM has failed to into account how LNT has been a successful for many years.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1958	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 Emissions: Assumes 1 per truck 6 mpg per truck Diesel is 22.4 lbs CO2 per gallon once burned Just Reno: 100% coming from Reno (125 miles) low= $250/6*22.4*1500 = 1.4$ million lbs CO2 or 635 mTons Mix of locations 40% coming from Las Vegas (507 miles) 40% coming from Sacramento (254 miles) 20% Reno (125 miles) likely= $(0.4*507+0.4*254+0.2*125)*2/6*22.4*1500 = 3.7$ million lbs of CO2 or 1,674 mTons Dumpster placement would lead to another several million pounds of CO2 emissions and associated other criteria pollutants. This is before we factor in tail-pipe emissions of vehicles queuing and idling to dump their trash along 447.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1068	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	It is not acceptable in any way that trash ends up along any highway, but if it is a huge problem maybe trash cams (like speeding cams) is a suggestion? Finally, I am certain that the locals who run the places where burners can pay to unload recycling and trash would be negatively impacted if we implemented dumpsters. In a big way.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
2001	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01 a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place. This measure is contrary to the principals that the event has been built on. This is a Leave No Trace event, which puts the responsibility for trash management on each participant. This measure will give the impression that trash management is shifting away from participants and onto BMP. BMPs current trash management plan may need to be supplemented with additional staffing, but requiring dumpsters is a monumental change that may create more of a detriment in the long term. Each camp and large art project that I have participated in includes people diligently removing trash down to the micro level once the project is removed. Furthermore, dumpsters full of trash, improperly closed, attracts avian predators. I recommend removing this mitigation measure.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1735	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Putting dumpsters around would be redundant as we are expected to clean our area before we leave. It would clutter and disgraced the roads home. We take pride in our area being clean and have absolutely no intent and changing our ways! Dumpsters would not only cost unnecessary dollars but also makes for a larger mess. Rather than communities trash being carried out in a way, Exodus line times will suffer even more than usual, as people stop and unload, and likely leave behind trash they could've been disposed of safely out of the desert.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
33	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The suggestion to place a requisite number of dumpsters along the road and within the city limits is problematic in that it directly conflicts with Burning Man's "Leave No Trace" policy; furthermore, the presence of public waste facilities is just as likely to foster a mentality that assumes waste is BRC's responsibility--whether it makes it to a dumpster or not.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
936	8	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This is directly in opposition to the principle of Leave No Trace. We require participants to haul out their own trash. If the event were to provide dumpsters, this will make the problem worse, since people will bring in more disposable items, not all of which will make it into the dumpsters.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1032	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This discussion doesn't even discuss the extra wear and tear on SR 447 and Highway 34 that hauling all those dumpster back and forth would cause or the possibility of trash blowing out of those dumpsters as they travel. During Exodus, I've seen people stopping to pick up trash left by other cars; I doubt we would see that if a dumpster overturned or otherwise strew trash on the road. Consider the impact of moving all those dumpsters on the narrow roads leading to the city.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
345	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	It would be counterproductive to suggest to Burning Man participants the option of onsite waste collection services. This new option may damage the existing mentality of each and every participant by allowing them to assume their trash and wastewater will be taken care of by someone else. This may in fact result in greater trash collection problems than ever before. The most sustainable option for Leaving No Trace after the Burning Man Event is to keep the responsibility of trash collection and pack-out within each of the individual participants as evidenced by the successful post event inspections since 2012.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1976	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Highway trash is a problem but one that can be much more solved by sending regular cleanup vehicles along the route. Did you consider this option, and if so, what is the cost relative to the cost of operating dumpsters?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1981	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	placing large dumpsters on or near the Black Rock Desert playa brings other environmental risks: How integral and well maintained are these containers, especially if there is significant rainfall? What would happen should one of these containers fail? What will be done to mitigate any leaks or overflow? Large waste containers are typically placed where these risks are assessed. Has this type of assessment been done? How do the risks of collecting all waste in one area compare to individual participants overseeing their own waste? What are the safety risks to participants by having to place their waste in a large bin?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
934	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Additionally, the recommendation to have dumpsters placed in the city and along Gate Road for 80,000 people to deposit their trash will not improve the environmental impact on an already well organized and executed event, simply increase the likelihood that people will feel a sense of lessened civic responsibility and be more likely to embody the core principles of Radical Selfreliance, Civic Responsibility, and Communal Effort. BLM is already required under the National Environmental Policy Act (NEP A) to conduct an environmental impact analysis for any project it permits on federal land. BLM has conducted environmental evaluations of the Burning Man event since organizers first obtained a one-page permit in 1991.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
243	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Dumpsters placed would disregard one of the 10 principles that come along with burning man. By providing dumpster service more trash is most likely to be left in the desert as well as taken to the desert.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1083	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Have you considered the impact if some proportion of the population shifted away from the cultural norm of being responsible for their impact to "the event will take care of my garbage"? Have you considered the impact that additional driving on playa to service the dumpsters would have?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
333	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	dumpsters would send conflicting messages to the event attendees that they are not responsible for their waste, possibly leading to even more issues with trash along County Road 34 and on the Playa.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1089	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Requiring the placement of garbage dumpsters for 80K to 100K BM participants at the exits from BRC is as ridiculous as it is impossible! It also violates and undermines one of the main principle of BM . The "Leave No Trace" principle of which BM has toiled endlessly for decades putting it into practice and educating all participants	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
492	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The issue of having the Burning Man Org run a temporary landfill: I wonder how effective can adding dumpsters to the process be? It seems to me that most festivals that provide trash service end up more trashed than those that do not. This is my personal experience of festivals that do not operate in a Leave No Trace Principle and it seems reasonable this would encourage less mindfulness around picking up after ourselves not more. Perhaps an alternative to dumpsters would playa safe vehicles available as an option and not a requirement for disposal of waste. A dump truck not a dumpster would have less of an impact on the environment given that a truck would need to come haul away the dumpsters anyway.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
410	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	One of the founding principles of BM is "leave no trace" many past burners take great pride in knowing that they did not leave any trash behind. Adding garbage cans around the festival will take away from the a founding principle and the overall aesthetic and attitude of the festival. The dumpsters themselves will greatly effect the playa, moreso than the current structures. There will surely be spilled liquids of all kinds poured into the dumpsters that will then leak onto the playa.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
854	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	In my experience of the event, the participants are incredibly respectful of this rule and I never heard anyone complaining about it, it's a core value of our community and offering people an alternative between a sense of ecological responsibility and the option of just using a dumpster would be renouncing to a chance of educating people for the greater good.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1102	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This is a leave no trace event. Perhaps adding more volunteers to pick up "the accidental spilled trash" during the departure hours versus only post event to help mitigate.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1106	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Trash on the highway from improperly secured loads is a legitimate concern. I believe this can be more effectively addressed through education, aggressive ticketing of violators, and increased volunteer patrols both along the highway and in the Exodus line during pauses between surges.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1107	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	And finally, the Black Rock Desert area is hardly urban or even suburban. Has anyone thought about where such dumpsters would come from? Shall we burden the ecosystem and the roads to Burning Man by trucking in dumpsters from long distances? Think of the costs in terms of gas used and resultant fuel emissions!	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1107	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	If we bring it with us, we take it home. There is no alternative because there is no other option. No trash cans or recycling stations. No dumpsters. And the thought of leaving trash behind is abhorrent to the vast majority of burners because we know what will happen if we leave a trace. Our theme camps won't be placed, or worse, we could lose our BLM permit.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
846	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation Nat-2 calls for BMP to place dumpsters at the event, which besides being a major logistics problem it goes against the core values of BRC which is to leave no trace and radical self reliance.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
353	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Planning ahead about how to deal with my garbage and minimize it as much as possible is part of the experience of BM. Having dumpsters at BM will change this principal completely. The landscape of burning would be forever changed. The added noise of the trucks coming to dump them will also change my BM experience. I would feel as if I'm back in a metropolitan city at some music festival, not in the desert at an art festival.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1914	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	From what veteran burners tell me, lots of trash is handled by paying disposal businesses at the PLPT Indian reservations. Has BLM considered the impact of this mitigation on the loss of income to the PLPT Indian tribes?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1897	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	TRASH: BLM suggests that BRC take ownership of the offsite trash collection and recommends dumpsters on the playa. Dumpsters on the playa will increase traffic and add weight to the playa already suffering from tons of equipment, vehicles, and housing. Dumpsters are also a visual eye sore. However, leasing land from the Pyramid Lake Tribe in Wadsworth and contracting with Waste Management to place dumpsters there to receive BRC trash as burners exit is appropriate.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2028	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The mitigation does not consider the decades of history Burning Man has turning over the land to BLM in pristine condition. Also, there are teams who go out to collect trash on the side of the highways which may have accidentally fallen out of someone's vehicle. There is also an environmental impact of heavy trucks driving around expelling large amounts of greenhouse gasses in order to deliver and remove the dumpsters. There will also be more stress on the highways and the playa itself because of the increase use of the trucks needed to keep the trash operation running. Lastly, the increase in traffic on the playa could also be a safety issue for participants. Please look at Burning Man's history and reconsider removing this mitigation from the EIS.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
220	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	People generally do their best; however there is clearly an impact on the surrounding land as trash dislodges from vehicles or is dumped illegally. However, the provision of dumpsters along gate road and SR447 would undermine the event's leave no trace principle. Adding dumpsters would diminish the culture's leave no trace ethos and may have negative impacts on the event's soils and waste resource areas, an effect which have not been studied. Therefore, I oppose mitigation measure NAT-2.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1635	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Proposal NAT-2 would require that Burning Man place multiple dumpsters in the city and along the gate road. This is unnecessarily expensive and not needed. The vast majority of Burning Man citizens take seriously their responsibility to keep all debris, pick up any debris they find on the plaza and take all trash with them when they leave so that none stays in Black Rock Desert. The few participants who do have some debris blow off of their vehicle are in the great minority. Moreover, Burning Man staff are diligently responsible to pick up and pay for picking up any debris along all the highways in and out from the event. Burning man participants for the vast majority are sincere proponents of leave no trace. Indeed people who come to Black Rock City learn the principles of leave no trace and are able to apply the leave no trace principles to other natural areas that they visit. It appears that BLM failed to access, or failed to adequately assess these clean up efforts and costs and mitigations already in place. Please respond.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1109	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	A potentially more effective mitigation might be incorporating a methodical load inspection point/process incorporated into the Exodus procedure.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
221	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Having dumpsters will encourage persons to PLAN to dump in BRC. Planing to dump in BRC may result in more trash generated overall, persons planning to NOT take their own trash home, and having no plan B when they don't have space to haul their own trash out, resulting in more on-playa or in-community dumping should the event dumping infrastructure prove inadequate.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
335	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The proposal to put dumpsters on the road to/from BM stressed a issue that simply does not exist. I would challenge the BLM to show any need for these facilities. Burning man is and always has been a 'leave no trace' event by definition and in practice. Putting these dumpsters would not only clash with these long established tenants, but would immediately be overloaded and become a problem much bigger than any problem currently perceived by BLM.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
379	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	It seems the recommendation for dumpsters is extreme and not supported by enough evidence. I believe provision of dumpsters would enable refuse instead of the current leave no trace policy.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
531	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	How would these dumpsters be transported to and from the site without damaging the playa surface? How often would they need to be emptied, again causing damage to the land? How much would just the transportation increase the carbon footprint of the event?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
157	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT -2 would require the placement of Dumpsters at the event and the gate road. The event is a leave no trace event people take their trash home with them. Any allegation that this does not take place does not have a basis in fact. The event sends teams the length of the route as far south as Fernley which picks up any debris as it is. This requirement is not based on any problem that anyone could identify - just speculation there is a trash problem.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1835	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mandating the presence of dumpsters onsite is a confusing rule that will lead to more items entering landfills after the event.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
368	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I do not believe dumpsters in the city and along Gate Road is the proper answer to this problem. First, if Burners knew that dumpsters would be available, they would bring more disposables to the event. Right now, Burners remove packaging and limit the amount of items they bring to the event, because they know they must bring everything back with them. In the past, I have sold my secured trash bags to Native Americans. I'm assuming that the amount of trash they are accepting from Burners is too much for their landfills. Instead of having "dumpsters in the city and along Gate Road," BRC should be required to provide dumpsters outside of the event for the Native tribes. They should profit from this event. The Native Americans would profit off of managing the collection of trash bags and BRC would be responsible for removing the dumpsters. The point here is that the dumpsters should NOT be in the city.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
397	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	What about the environmental and social impact of several football fields of dumpsters, and the servicing those dumpsters would require? The Burning Man event is an important example to events around the world on how to allow people to gather in large numbers while leaving no trace. Adding dumpsters would destroy years of positive acculturation.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1847	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This requirement runs counter to Burner principals of Leaving no Trace. While issues of trash and debris along CR 34 and SR 447 are of concern, an alternative, culturally acceptable approach to both parties will be to expand BRC's role supporting community trash collection as defined in B.2.6 Section 6 of volume II of this EIS. This will have BRC expand its current underwriting and promotion of local residents and small business who already collect trash, for a fee, during exodus between BRC and I-80, thus helping to expand their operations. I propose to set up additional trash transfer sites along CR 34 and/or SR 447 in areas large enough and appropriate for vehicles to pull off to dispose of trash in dumpsters for a fee. This would continue Burning Man's ethos of Leave No Trace® while providing additional economic opportunities for local residents	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1655	16	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Qualitative documentation of trash along roadsides should be essential before serious mitigation measures be proposed. Further, any commercial activities from the public that seek to make money from the disposal of trash from the BM-event should ensure that trash is not inadvertently carried away by wind.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
34	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The ethos of personal responsibility and leave no trace would be terribly eroded by the presence of dumpsters to collect garbage. That sends a message that participants should just let someone else take care of their trash. In addition, the cost of including these dumpsters would result in a significant impact on the accessibility of the event to many people. I encourage the BLM to work with the Burning Man organization to find a more effective and targeted way to mitigate the trash impact.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
165	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	By requiring trash collection by the Burning Man Project, the BLM is undercutting one of the fundamental principles of the event: Radical Self Reliance. Radical self reliance means that each citizen is responsible for themselves, including their food, water, shelter, and the removal of all these items from the Playa. By removing the requirement that citizens manage their own trash, the amount of waste at Burning Man will surely rise. As a participant, I am less likely to worry about my trash if I know someone will take care of it for me. This means that instead of reusable cups, plates, and utensils, people will begin to use disposable items instead. More disposable items = more trash = more damage to the playa.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1128	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	As people swerve to dispose of their trash on Gate Rate, this could cause more accidents from those behind them not realizing people are stopping to dump their trash. It would also slow down the Exodus process substantially if every vehicle stops to dump their garbage. Exodus is already a pain point for many attendees and volunteers, and this would only heighten the stress of Exodus. I also believe this would create a negative environment for laziness down the road where people just leave their trash bags at their camps instead of packing it out or dumping in the bins, because of the false assumption that because there are bins, someone must be cleaning up after us.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1664	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	ere are environmental challenges raised by the EIS which propose NAT-2 as a mitigation measure but which would not be improved even if NAT-2 were implemented. First, page 3-4, regarding artificial light at night (ALAN) states "... and shielding lights as feasible (Mitigation Measures NAT-2 and VIS-3; Appendix E), would reduce the impact magnitude; however, it would not prevent impacts." Adding a field of dumpsters to the event exit would not reduce the amount of night-time artificial light, but would instead increase it, since the dumpster area would need to be wellilluminated to help participants ensure trash makes it into the proper container. Page 3-5 raises a concern that "Trash in the Assessment Area could affect migratory birds through ingestion, entanglement, and increased predation from predator attraction" and proposes NAT-2 as a mitigation measure. If anything, a field of dumpsters baking in the sun for at least five days (late Thursday before Labor Day through the Tuesday following Labor Day) sound like they would attract birds which would pick through the trash. Page 3-7 raises a similar concern.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1664	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	although NAT-2 appears to have been intended to benefit the local communities along SR-447, the EIS does not appear to take into account the negative impact of the change on the Pyramid Lake Paiute Reservation communities.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
88	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Making dumpsters available to participants would remove much of the perceived necessity of LNT. If dumpsters are made available for use, the logical conclusion is that they will be used--**heavily**.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
112	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Burning man's principles of "Leave No Trace" is a core tenant of the event that fosters good behaviors among participants. Dealing with one's own waste teaches awareness of the personal waste people create. Removing this core tenant degrades the core of the event's experience and will surely lead to more reckless littering and more arduous cleanup after the event.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1911	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Although seemingly well-intentioned, having public dumpsters would create the opposite of "Leave No Trace". Even with a sufficient amount of dumpsters for the expected total trash load, individual dumpsters near vehicle exodus points would quickly become overloaded, leading to small hills of trash bags, furniture, etc. Dumpster truck access to individual dumpsters would be restricted, leading to slowly manually removing the trash hill by hand to a second trash dump truck.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
324	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I do understand the effort here is to keep SR 447 clean, and littering continues to be a problem, especially after the event. But placing trash receptacles in BRC is not the answer. It will add a huge cost to the event that will be borne by the participants, who already pay big dollars for tickets and for the added Nevada Event Tax. And there are already multiple places to leave trash on the way out of the event, usually staffed by entrepreneurs who charge \$5 to \$10/bag of trash. This is a solution in search of a problem, and is way too big of a burden to impose for the manageable amount of trash that gets left alongside the highway. In my experience, there is considerable law enforcement presence during Exodus, and I imagine ticketing those who do litter would be much more cost effective than placing and servicing trash receptacles inside BRC.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1481	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation measures NAT-2 and WHS-1 propose waste dumpsters for participants to place excess waste during and leaving the event. Washoe County and partners are concerned about the excessive dumping and waste management at the event. The common issues associated with unmanned waste containers including illegal dumping, hazardous waste accumulation and storage, and current capacity of dumpsters in relation to the assumed need. The common issues associated with unmanned dumpsters may outweigh the benefits. An alternative would be to require manned dumpsters and a waste management plan with fines for waste developing accumulated outside the event perimeter and closer to the ultimate landfill locations. Requirements for Burning Man to mitigate waste along CR 447, CR34, and within the town limits of Gerlach while allowing individuals to carry their own waste from the event will lessen impacts to the roadway network would be preferable to the current proposal within the EIS.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
94	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	My last concern is regarding Table E-1 NAT-2; requiring the addition of dumpsters along gate road. I can understand why this may seem like an appealing way to cut down trash that ends up on CR 34. I think this will backfire: some participants who would've otherwise had a plan to pack out their trash, will rely on the dumpsters to get rid of their trash. They will quickly overflow and I think the problem will be far worse than it is now. This would also take revenue away from the local businesses that are disposing of trash for a fee.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2035	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	if dumpsters were at Burning Man, this would lead to many choosing to use the dumpsters rather than minimizing what they bring and leading to recyclables being trashed rather than taken home and recycled.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1705	8	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place. Placing dumpsters on playa will require a large number of truck trips to deliver and pick up the dumpsters. If this mitigation is carried out, the following are potential impacts: Increased truck traffic on the local roads can lead to more wear and tear which has been mentioned as a concern requiring mitigation in the draft EIS. The traffic will also increase on playa and the dumpsters placed on playa could dent the surface or cause dust to pile up requiring more restoration efforts post-event. Dumpsters tend to leak fluids which means there is a good chance of an increased pollution to the playa and then the local roads when they are driven off playa. In the event of rain, the dumpsters won't be able to be moved when they fill up. Dumpsters full of trash on playa could attract vermin, birds, and animals, another concern brought up in the draft EIS. In addition to the physical impacts, this also violates the spirit of the event. The principle of Leave No Trace is a very important part of the ethos of the event. Providing dumpsters on playa will diminish this principles importance. This requirement is NOT REASONABLE and would likely increase negative impacts to the area. QUESTION: Did the draft EIS consider the adverse impacts of this mitigation demand?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
20	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	While I don't have anything against the BLM's garbage collector friends, this is an extremely ill-advised idea. One of the main values of the Burning Man community is to Leave No Trace – leaving the playa as we found it. While BLM may not value the ideal of everybody taking personal responsibility on the playa, we burners do and insist on all attendees respect our environment. Making dumpsters available, while also exorbitantly expensive, promotes irresponsibility of burners – bad for the playa and bad for individuals.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
30	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Requiring Burning Man to provide dumpsters placed in the city and along Gate Road for 80,000 people to deposit trash. Leave No Trace is a tenant of Burning Man culture. This would fundamentally change the event and the culture around it. Providing trash receptacles for participants to leave their garbage behind would cost the non-profit organization behind the Burning Man event an undue financial burden, it would also have damaging financial effects on the local people who offer trash disposal services on the road back to Reno.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
90	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Leave No Trace is a core tenet of this city. Public dumpsters will destroy this and bring more trash to the event than ever before.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
167	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Burning Man already has a strong emphasis on Leave No Trace and to pack out your trash. Having a dumpster will just encourage people to dump all sorts of things in and bring more things than they need to bring. I feel like it would change the entire culture of trying to bring your own things out.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
178	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Providing dumpsters to be maintained throughout the event would encourage more trash. Making waste inconvenient is part of how we force ourselves to better plan and reduce waste.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
191	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This entire mindset would be changed if Burning Man were forced to place dumpsters at the exit of the event. Why? People would come to expect that all of their trash doesn't need to be carted home after the event, but just dropped off at a dumpster on the way out. This would degrade the attitude we're trying to instill in our citizens: bring less, and carry out what you did bring. Dumpsters would make Burning Man seem like any other mass-consumer event where people just attend, but don't participate in the Principles of Burning Man.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
286	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Placing dumpsters in BRC would discourage attendees from packing out their own trash. This would absolutely undermine the very aim that this requirement is supposed to achieve. Overflowing dumpsters would create more litter.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
307	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This requirement asks for Dumpsters to be placed in the city and at Exodus to help reduce litter along SR 447 particularly in the PLPT Reservation. The requirement does not identify how vendors would reduce this and it competes with other mitigations. Nor does it identify how compliance would happen. The likely result is it would be have high environmental impact but not effectively mitigate trash. A better requirement would be to ask BRC to inspect loads during exodus. This is an incremental expansion of current practices using volunteers from the increased persons rather than bringing in more vendors and traffic. There is a large number of vehicles that create an existing trash removal infrastructure. If best practices are followed this infrastructure will scale with adding persons and is highly effective. Adding a second trash removal infrastructure increases the number of vehicles, emissions, impact and wear and tear on roads. Further dumpster locations are sure to be an environmental impact. Dumpster consolidate and leak. This is a high environmental and resource impact that should be considered. There is no guarantee this second system will fix the issue of roadside trash. Dumpster vendors especially bin drops are notorious for having litter leave their vehicles. Further it is not clear if persons at the event will utilize these dumpsters. During exodus there is a high incentive to not stop. During the burn there is a high incentive to not visit a dumpster. There needs to be incentives to address both litter drop from vehicles & an incentive to take enough care during exodus to mitigate. The answer is not a secondary system that will erode attention but a patrol. BRC already has a Gate system in place. Exodus is already a metered flow. During metering it would be simple to inspect loads and ask those who have unsecured loads that will lead to litter drop to pull into a staging area and secure them. BRC is adept at building these systems and has many tools for which to incentivize this. The requirement should be one of inspection not of infrastructure here. Inspection would lead to a better mitigation of this issue and not create a secondary impact to environment and road wear at a higher cost. centive to take enough care during exodus to mitigate. The answer is not a secondary system that will erode attention but a patrol. BRC already has a Gate system in place. Exodus is already a metered flow. During metering it would be simple to inspect loads and ask those who have unsecured loads that will lead to litter drop to pull into a staging area and secure them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
371	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The BLM proposed refuse container requirement will be greatly appreciated by the citizens of Nevada. Debris from out of state attendees is being dumped in our communities as they depart the event. Not exactly in keeping with their purported leave no trace mantra.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
388	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	"To reduce litter and trash in the PLPT's Reservation and along SR 447, BRC would also be required to place dumpsters in the city and along Gate Road before its intersection with CR 34 (Mitigation Measure NAT-2; Appendix E)." In order for this requirement to make sense, is essential to see data on the litter along the SR447 from other times of the year compared with during and right after the event to ensure that litter and trash in the PLPT Reservation is actually being negatively impacted from the event. No data is given here.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
405	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	If dumpsters were placed in the event it would give people little to know reason to take their trash out and dispose of it outside of Nevada, leaving Nevada with more trash. This also has economic impacts that negatively effect Leave Nevada Beautiful campaign, as many different places of business offer trash/recycle services and earn money from this event that goes back to Nevada small businesses.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
420	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Burning man asks for a bit more from its participants than a standard event. The "leave no trace" principle pushes individuals to be responsible for their waste, for example. Requiring the organizers to provide dumpsters would allow participants to ignore the physical impact their consumption can have.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
430	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	On the topic of thousands of 30-yard dumpsters for 80,000 people. This makes no sense. We are a community that practices leave no trace. Dumpsters on site counteract this stated principles of BRC citizens and would have a much greater negative environmental impact. The problem of trash not being properly disposed or recycled, while offensive and a serious concern, is not committed by 80,000 people but a relatively small number of people who are doing it wrong.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
430	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The Leave Nevada Beautiful campaign is a list of Reno area businesses that offer Trash/Recycling/RV dump services and have reported positive earnings after the event. Some of these businesses such as Love's and Whole Foods donate their proceeds to local charity. The BLM's proposed solution will negatively affect those businesses and charities.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
488	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	if you provide dumpsters you provide an excuse for somebody to throw away something in a place that doesn't work. Same with many other cities including NYC and Central Park and other municipalities. The Park dumpsters are constantly and always overflowing and I think that is an issue with the high winds of the desert will be terrible. The behavior in Burning Man is to get people to pick up their own trash and carry it.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
499	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Another item, dumpsters in the city, is antithetical of who we as a group are. We are the largest Leave No Trace Event in the world and it is part of who we are as a group. It would change the nature of our event, we are not a festival like Bonnaroo. The amount of dumpsters needed would be near 1500. The amount of extra truck traffic on CR34 would be staggering. I'm unsure that there are 1500 dumpsters that could be found in over a 100 mile radius of our event. We leave the area clean every year and pass BLMs inspections. This idea has negative economic impact on many of the surrounding communities and Piute Nation.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
517	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Also, this requirement would be logistically and financially crippling to Black Rock City's operations and would create significant detrimental environmental impacts including increased traffic on Highway 447 and CR34, increased greenhouse gas emissions from hundreds of flatbed trucks transporting large, heavy loads, and increased fuel consumption. Offering dumpsters for trash disposal would undermine the core principles of Burning Man's culture and cause environmental degradation.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
537	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	By requiring the event to provide dumpsters for participants it undermines the principle of personal responsibility for one's own waste.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
538	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Garbage dumpsters would diminish the impact of the "leave no trace" principle we cherish.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
547	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2: As an attendee of the event, I am stunned at how clean the grounds are for the entire length of the event in comparison to other commercialized festivals, theme parks, city parks, and other public/commercial places with the only exception of Disney World. The long-standing policy of have no trash receptacles is absolutely required to maintain the principle of leave no trace behind. Secondly, trash bins would likely become a huge liability in sand storms as lids will blow open and trash will fly everywhere, whereas trash maintained on camps is kept secure by participants. I do think a beneficial compromise would be for BM to coordinate with the city of Reno to ensure there is a safe disposal place at a Nevada landfill in order to discourage the disposal of trash at Reno businesses by a very small number of rouge participants. As silly as it may sound, enacting a rule to require dumpsters on the festival grounds would effectively be a poison pill and result in moving of the entire event.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
571	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	he requirement of dumpsters in BRC, a city that requires participants to "pack it in, pack it out", will only create a trash problem. A more sufficient solution to the worry of increased litter and trash would be to provide dumpsters at a controlled location either in Gerlach or Empire, where if the wind picks up it can be in an environment where it is easily recovered, unlike within BRC. NAT-2 is an extremely shortsighted measure that will create a problem that does not exist.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
575	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I think that placing dumpsters within the event would increase litter within BRC. Our community strives to Leave No Trace through a Pack It In & Pack It Out rule. Dumpsters within the event will only encourage unsecured dumping and additional waste being picked up by the winds. Dumpsters within everyday cities are constantly being overloaded and misused, which in this environment would have a large negative impact.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
597	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The mitigation action associated with the finding on litter and trash along SR 447 and the Pyramid Lake Paiute Tribe Reservation proposed by the BLM places undue cost on the environment and public. Further, the finding and mitigation action does not seem to account for existing measures put forth by the Burning Man Project--specifically, exhaustive trash sweeps of Routes 447, 446, and 34 (already required in existing agreements with BLM) but also RT445 and Jungo Road. These actions occur after the event, along with extensive individual clean-up actions that all participants take on-site during the event. The actions requested by the BLM are capricious and seem to disregard the carbon, energy, dust and additional pollution associated with BLM proposal to transport 1,500 dumpsters, each weighing 5 tons to and from the Playa--aggravating local populations, degrading road, and introducing air quality hazards. Has the BLM conducted a potential environmental impact assessment of the mitigation action, to determine the cost of alternatives? Note also that the estimated cost for this mitigation action, if imposed on the Burning Man Project, would place an undue burden on a private enterprise and cost jobs.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
625	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mandating that the Burning Man Organization provide garbage service would be expensive, cause an unnecessary increase in truck traffic on the Black Rock Desert's surface and unnecessarily contribute to the traffic and degradation of CR 34. Additionally, it stands in direct opposition to a core principle of the Event.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
964	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Did BLM consider that high wind events will likely blow garbage out of the dumpsters, spreading it across the playa potentially creating an even bigger problem?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1205	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Dumpsters in the event could have an adverse change to culture at BRC where responsibility for one's waste would be pushed to the event organizers instead of the participants. If participants know that there will be onsite vehicles where they can dispose of trash, it could result in less planning of waste reduction e.g. throwing away excess packaging before the event and other waste reduction practices currently followed by participants. Has the BLM studied whether the availability of dumpsters would have a potential adverse effect of allowing participants to bring more waste to the event? 3) As anyone who has a dumpster outside of their apartment complex would know, the lids on such containers are extremely unreliable. Wind can easily blow the lids open- a concern where winds on the playa can exceed 75mph. Has the BLM carried out studies on dumpster design and effects extreme weather conditions on securing waste? 4) The question then arises on how these containers would be properly secured. Would residents be required to lock the lids? What happens when the bins are full? Again, for those with residential dumpsters know, overflow is an issue that is exceedingly common, not something we want when winds are blowing at these rates. If dumpsters are present, the assumption will be that the services companies will take care of the overflow, instead of the current system relying on residents to secure their own waste. 5) The availability of dumpsters could create less recycling. Current practices by residents is to sort their trash so that when the event concludes they can easily dispose of their trash at designated sites. Since the workload is on residents to take out their trash, there is a great emphasis on proper sorting and disposal. 6) Has the BLM considered the environmental impacts the transportation of dumpsters to and from site would cause? Transporting over a thousand dumpsters to and from site would not only increase air pollutants such as carbon, it would also further exacerbate playa disturbance, increase vehicle petroleum and oil leakage on the playa and increase the chance of killing wildlife to and from the playa. Furthermore, transportation of dumpsters to and from the playa would not only increase the chance of endangering locals through accidents, but would also be a detriment to the LOS on the roads. 7) Servicing dumpsters could cause excessive harm to residents. Simple math suggests that the more trucks in and around the event area will result in an increased likelihood of accidents.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1245	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Additionally, members of the Pyramid Lake Paiute Tribe enjoy a thriving business of accepting and disposing of participants' trash and recycling at post-event waste stations along SR 447, and this lucrative annual revenue source would be decimated by implementation of BLM's plan. Putting dumpsters for 80,000 people within the city and along gate road will destroy BLMs leave-no-trace culture and turn it into a leave-your-trash-at-the-dumpster-event (including disposable Wal-Mart tents, sleeping bags, air mattresses and bikes) like many other festivals. BLM's analysis fails to adequately contemplate impacts to the playa itself from the additional driving and infrastructure required for this dumpster operation. This mitigation would also require the creation, management, 24x7 monitoring, and cleanup of an approximately 360,000 square foot (that's roughly seven football fields) transfer station (1500 8'x20' dumpsters with 4' between each for access) plus space for 30,000 vehicles to pull over in turn and dispose of their trash — in the middle of a National Conservation Area.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1248	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	It could also de incentivise people from having LNT ethics resulting in more trash not less.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1374	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 - Dumpsters We area a leave no trace event, dumpsters are the wrong way to go about this for large crowds. We pack out, and the burning man organization is excellent at making sure we get a MOOP clearance as well as trash pick up after. Aren't you trying to protect the roads? Yet transport all of those dumpsters (if there are even enough to rent in the area, which I doubt) would strain the road system.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1411	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Requiring dumpsters at this event will result in induced demand for trash. Attendees will not have a second thought about bringing extra packaging, beer bottles, disposable chairs, not to mention disposal of 1000s of bicycles.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1489	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	local residents along Highway 447 already offer disposal of recycling and trash for a small fee. Requiring dumpsters would take this opportunity for income away from the mom-and-pops	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1521	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	If it is windy during trash day, trash will blow out of the cans during collection and all over the street and into the adjacent BLM land next to my house. The use of dumpsters would cause massive blowing trash. And the dumping of liquids or rotting organic material would leak onto the playa surface.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1552	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The introduction of trash cans also removes the spirit of personal accountability.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1570	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This plan, in my strong opinion, would have an adverse effect on what it is intended for, and would actually INCREASE the amount of trash. Also, the pollutions from emissions of stopping vehicles, including those dispersing dumpsters and collecting garbage, would be a definite INCREASE in vehicle pollution.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1571	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I also concerned about the significant carbon emissions from transportation of the approximately 1,500 30-yard dumpsters (weighing 5 tons each for a total of 7,500 tons, or 15 million pounds) to and from Black Rock City. This is likely to create additional problems for the road system in the neighboring communities.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1585	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Dumpsters would encourage attendees to lose sight of the care of the land on a personal level. By asking that everyone take care of their own waste, attendees are more careful in planning for their waste needs and thus are likely to generate less waste in the first place.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
396	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I feel that the recommendation for dumpsters is unnecessary and not supported by evidence. If dumpsters are placed in Burning Man this will disincentivize some folks of being good stewards with their trash. At the present time the participants know that they have to take their trash out with them either to their homes or pay trash collection facilities to dispose legally of it. If dumpsters are brought in this may be an incentive for people to bring more unnecessary disposable items and trash.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1553	8	Mitigation-Native American Religious Concerns	209.0500.00	N/A	A heightened education program relating to trash disposal may be warranted. We also suggest that BLM consider an Exodus program that includes exit greeters to assist those who need it, and tie-down stations where participants who have loads tied on vehicles or in open truck beds can be assisted with proper procedures.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
744	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 Burning Man is the largest Leave No Trace, Pack In and Pack Out event on earth and all participants and staff but take care of their own trash, Not only that but BMORG also spends 2 weeks with a crew of over 130 cleaning up each sector of the city meticulously. I can attest as a member of the Resto Crew that we spend 6 days a week working 8 hours a day combing every inch of that playa for trash and litter and we have passed the BLM Inspection every year so the very idea that we need large trash bins and dumpsters would not only put the culture of personal responsibility at jeopardy but would also be useless and is not warranted based on the BLM's very own inspection reports of the past	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
924	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Requiring dumpsters to be installed along highway 447 also poses significant logistical challenges. Emptying or exchanging dumpsters would require trash trucks to navigate a narrow road with soft shoulders and use it for heavy loading and unloading; the road is unsuited for this and will likely cause a danger to trash truck operators. Moreover, this will impede traffic which is a public safety hazard to event participants driving back to I-80 as well as the local public. Installation of dumpsters is also an implicit invitation to the public (participants) to leave trash behind. Dumpsters are a public nuisance and may leaktrash if left open/uncovered, or blown open by the high winds experienced on the desert. By decoupling trash control from individual camps, it decouples the responsibility of people to maintain or clean up after these dumpsters.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
921	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I worry that folks knowing dumpsters are available for their use during the event and within the City, will simply bring more disposable items and not consciously consider the amount of waste they are generating. I worry that as a result of having dumpsters at the event, more waste will be generated and ultimately (albeit accidentally) left on the Black Rock Desert playa.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1785	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I. With regard to Mitigation measure NAT-2 from Appendix E, section E.1 The proposed mitigation is based on assumption that trash in PLPT Reservation and along SR 447 is out of control, while in fact my personal experience of attending 9 consecutive BurningMan events (2011-2018) is quite the opposite: - BurningMan participants maintain high level of Leave No Trace ethics and secure/carry/dispose of trash in a remarkably responsible fashion. I personally have not observed _any_ instances where trash is just littered on the roads, lying around along the route throughout the years. - I believe BurningMan organization's existing system of cleaning up an occasional trash-related accident is already very effective. Do you have evidence to suggest otherwise? - In fact lots of trash is being disposed by paying the trash disposal businesses at the PLPT Indian reservations. Have BLM considered the impact of this mitigation on the loss of income to the PLPT Indian tribes? - Installing dumpsters would erode the Leave No Trace ethos we have in place, incentivizing people to be much less careful with trash - have BLM considered the impact of that aspect? - Installing dumpsters would take away from the sense of responsibility that is integral to the culture of Burning Man and would make me personally question my future attendance.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
203	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Trash bins are not[ needed since the event staff and volunteers clean the roads and accesses after the event. It won't help keep the area clean during the event and invites irresponsible behavior (participants not being responsible for their trash).	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1084	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	We encourage radical selfreliance and our community takes this very seriously; adding dumpsters takes this responsibility off of participants and puts it onto the Burning Man organization, in direct conflict with two of our Ten Principles, and encourages "somebody will clean up after me" thinking. This demand is egregious on two counts: environmental impact and violation of our community's ethics.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1798	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 This recommendation is not applicable to the issues at hand. There appears to be a lack of any substantial evidence that implementing this plan will improve the collection of trash. The amount of trash generated in the event can not simply be handled by a collection of dumpsters. From my experience as a municipal engineer I found that resolving trash and waste issues can not simply be fixed by adding a fixed resource as the problem resides with individual responsibility. Taking responsibility for trash removal away from the participant and placing the oneness on Burning Man is shift of responsibility from a person to an entity. People need to be individually responsible for their own refuse. Per BLM's plan "Leave No Trace" is the best practice for almost every other use of BLM land across the US. This has been a long running best practice because that is what works. Adding trash cans is a simplistic solution that does not even start to consider the actual problem nor how to solve the issue at hand. I strongly doubt there is any statistically significant data that supports the amount of trash littered per person from Burning Man is comparable to any other BLM use area. I have camped at many BLM sites across the US that have dumpsters, and still have excessive trash everywhere, which suggests adding dumpsters is not a catchall solution. This recommendation does not follow BLM's best practices for trash mitigation nor is the trash mitigation plan comparable to other BLM usages in the US. Also this suggestion contradicts mitigation AQ-1 and Mitigation SOIL-3 as it will create more dust.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1277	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	regarding protecting the environment, have the environmental impacts (e.g., carbon emissions) been accounted for transporting the dumpsters that would be used?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1090	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Sites where dumpsters will be located will most certainly end up being locations with concentrated regions of MOOP, as loose pieces of garbage will fly away whenever lids are opened or winds blow. Oils and other hazardous materials will either leak onto the soil directly, or be carried there indirectly on soles of shoes in the event of a tray being located underneath the dumpster that individuals walk on in order to toss their rubbish (and leave it behind for Burning Man volunteers to deal with during and after the event). Dumpsters will negate the Leave No Trace principles - years of efforts to ensure that all participants take responsibility for their own trash will be undermined. New first time attendees will assume that Burning Man is like every other event that collects trash.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1929	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 is not only an affront to the culture of Burning Man it is actually harmful to the environment. Attendees are required to pack out their own trash and should be encouraged to improve in this area instead of dump their trash in the event area in thousands of dumpsters. The impact on the culture and the traffic gridlock that will occur by adding hundreds of trucks to the area both at the beginning and end of the event is profound. I find it astonishing that anyone would suggest this measure. It would harm not only the environment, but it would harm the culture of the event by breaking the civic responsibility ethos that we demand of each other. Leave No Trace is a fundamental part of our culture and leaving tens of thousands of trash bags behind is unconscionable to us.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1098	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The dumpster requirement fails to account for the environmental impact of the strategy on greenhouse gases, traffic, wear on the road that the event is also being asked to pay for, damage to the playa itself, effects on dust dunes / contours related to dumpsters, and financial impacts on the local community. Much of the waste found along the county roads after the event is from unsecured loads, not people deliberately dumping it because they don't have anywhere else to take it. Providing dumpsters has no clear impact on the ability of people to better secure their loads. Additionally, I wouldn't want to stop during Exodus to unload my trash - I just want to get out of there! It isn't clear how providing dumpsters at that location would actually affect the refuse issue.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
854	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The actual logistic of bringing dumpsters on the playa also seems to be incredibly contradictory in the context of an environmental impact statement : how many trucks will need to come over to transport these dumpsters? How much gas will these trucks use? What the ecological impact of hundreds of back and forth, fully loaded trucks?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1628	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	What would happen to the local businesspeople who earn money from Burners who responsibly dispose of trash created on site if there were dumpsters? Where would money made from the dumpsters go? Would it still be funnelled into the local community, or would it deprive the surrounding area of maximum potential benefits of hosting the event?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1106	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	When leaving a bag of trash behind means some neighbor having to haul it off playa for disposal, only the most inconsiderate attendee would do so. Knowing there are dumpsters at the exit would lower that threshold and result in far more bags left behind on the assumption that *someone* will haul it those few miles	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1920	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The addition of dumpsters will undeniably lower the standards by which Burners have been held to leave our playa home clean and free of debris. Liken it to the "broken window" syndrome, the sight of overflowing trash bins on playa at the end of the event will cause irreparable environmental harm, will cause severe unsanitary conditions (trash will be left to rot in the extreme heat, bags will break and spill contents on the playa floor, etc.) and will require enough dumpsters for all attendees to dump all their trash, bringing none home with them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
611	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	BLM's requirement to place dumpsters on the site is absolutely against the Leave-No-Trace principle, and will absolutely create an environmental problem on site. When there are dumpsters, individuals stop taking responsibility of their own waste.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
812	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Native American Religious Concerns Mitigation NAT-2 The DEIS proposes that BRC place a sufficient number of dumpsters in the city and along Gate Road between the city and Highway 34, which BRC would then be required to maintain until the end of the Burning Man event. Not only is this proposal unnecessary, it fails to address the BLM's alleged concern (refuse along the highways, falling from unsecure loads)	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1867	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	putting up dumpsters is going to attract vermin and create a huge mess when there isn't any.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1841	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Have you considered the environmental impact of maintaining dumpsters as well as the cost and manpower required to services 30,000 vehicles and 70,000+ people utilizing dumpsters along the highway	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1847	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The transportation of trash to collection stations inside the city and gate road will likely lead to additional MOOP and spills on the playa surface. would expect this increase in litter and soil contamination as participants are unlikely to secure trash for a short journey to the dumpster as tightly as they would secure trash for the journey off Playa. This idea of adding dumpsters to exodus would fundamentally change a major aspect of how the city operates and should not be attempted without a separate environmental impact study, paid for by the requesting entity. 4. Dumpsters will lead unauthorized driving between campsites and collection points which this EIS seeks to prevent in Vol. 1, 2.2.2. "once in the event, event participants would not be allowed to drive their vehicles other than directly to their camps on arrival and to the exit on departure." 5. I do not see confirmation that enough dumpsters would be available for 1000,000 people to dispose of their trash during the Exodus period from the Reno region. (According to estimates provided by BRC, it would require 1500 dumpsters to meet the potential volume of trash being discarded.) Even if enough dumpsters were available, the impact on other business and construction activity due to the unavailability of dumpsters for a week or more must be considered. 6. Assuming the estimate of 1500 dumpsters is correct, that means at least 3000 additional truck trips, adding considerably more use by heavy vehicles to CR34 and SR 447 which this EIS seeks to reduce through points delineated in Vol 1, 2.2.2 Traffic management and access.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1121	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I would, however, not be opposed to a trash-checking station on the way out of Burning Man. Perhaps it could be a quick check to make sure all garbage and debris is strapped properly to vehicles. I do not believe it is intentional dumping that results in trash on the side of the highways - I believe it is because trash is sometimes not properly attached to vehicles. Thus, even if there were to be dumpsters placed in and around the event, they would not be utilized because no one is intentionally leaving their trash on the side of the road. Double checking that trash is properly attached to vehicles would be a better way to avoid trash on the sides of the roads. Lastly, the amount of wind in and around BRC would make dumpsters breeding grounds for creating more waste in and outside of the event. If people throw their bags of trash in the dumpster, and a bird is attracted to it and opens the bag, then a big gust of wind blows - poof, now all of the trash - paper plates (which I don't see used in BRC, but if trash is accepted in/around the event, people will be much more likely to use single-use items because they don't have to worry about how much waste they're accumulating) - now all of that trash has been blown out of the dumpster and is swirling around in little trash tornadoes all over the playa.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
9	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	nat-2: i think this will *increase*, not decrease, the trash concerns. currently participants limit their generated trash because they must haul it home. if there are dumpsters along the exodus route, this will encourage people to generate more trash. additionally, because they will not budget capacity to haul the trash home, they will come up with half-considered measures to get the trash to the dumpsters, which will result in wholesale trash spillage.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1882	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation Measure NAT-2 Deploying dumpsters at Burning Man and along Gate road is contraindicated given Burning Man's current LNT policy. It appears that Mitigation Measure NAT-2 does not adequately consider the extensive LNT programs already in place at the Burning Man event. Mitigation Measure NAT-2 would also send the wrong signal to Burning Man participants. Part of the social contract for all Burning Man participants is to pack out all solid waste that they generate during the event. Having trash dumpsters would encourage participants to violate the social contract that is foundational to the LNT success of the Burning Man event. It also appears that the draft EIS failed to adequately consider the environmental/traffic impacts of transporting the dumpsters to and from their original storage locations. These impacts include traffic congestion, unsafe traffic stops to deposit solid waste into dumpsters, and greenhouse gas and criteria air pollutant emissions from trucks transporting the dumpsters. Finally, if Mitigation Measure NAT-2 is implemented, there would be significant negative economic impacts on adjacent Native American communities as they currently have a thriving business of accepting and disposing of participant's solid waste.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1721	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	It also appears that the draft EIS failed to adequately consider the environmental/traffic impacts of transporting the dumpsters to and from their original storage locations. These impacts include traffic congestion, unsafe traffic stops to deposit solid waste into dumpsters, and greenhouse gas and criteria air pollutant emissions from trucks transporting the dumpsters. Finally, if Mitigation Measure NAT-2 is implemented, there would be significant negative economic impacts on adjacent Native American communities as they currently have a thriving business of accepting and disposing of participant's solid waste.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
38	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2: This measure is redundant and nearly unnecessary. Dumpsters in the city would de-incentivize the self-reliance of participants, and would result in a decline in participants to care about Leave No Trace initiatives. In addition to the extensive post-Event MOOP sweeps that occur in the city proper, BRC already spends two weeks post-Event going through extensive roadside cleaning. In addition, the addition of dumpsters would take away the lucrative dumping business for many along SR 447 after the Event conclusion.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1125	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place. Requiring Burning Man to provide free waste disposal effectively punishes responsible members of the community, who pack out their trash. Many entrepreneurs nearby accept trash for a fee during exodus. If Burning Man allowed them to set up dumpsters along the gate road, it would allow many vehicles to do their dumping during exodus waiting time. Disposal vendors would be happy, and less trash would end up on the highway. Please consider this as an alternative mitigation,	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1663	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I also noted the BLM's proposed plan for trash collection and solid barriers on the Playa. For both of my Burning Man experiences, we lived with a camp (approx 140 people last year) that takes "leave no trace" very seriously. We have achieved a MOOP score of 100 for many years, and it is my strong belief that Burning Man's outstanding awareness and compliance programs are the better direction to maintain. We work very hard to get the Ten Principles (which includes "Leave No Trace") into the heads and hearts of attendees, and the trash containers BLM proposes would severely undermine the effectiveness of the LNT program. There is a significant risk, in my opinion, that placements of those containers would increase the amount of trash left on the Playa, because of the mixed message the containers would send.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1664	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I am worried that the authors of the draft EIS did not consider the full scope and implications of recommended mitigation NAT-2. For nearly three decades Burning Man has created a cultural expectation that participants are responsible for taking every foreign object they bring and every piece of trash they find away from the Black Rock Desert. This has led to people reconsidering the items they bring, such as a focus on reusable rather than disposable items, separating landfill and recyclable waste, and avoidance of items likely to have many small pieces which break off and get lost in the Playa surface such as sequins or feathers. The presence of a large field of dumpsters at the event exit would likely undo much of the Leave No Trace cultural practice. Participants would lose a powerful incentive to pack responsibly, since they'll be able to drive up to the gate, drop off an unlimited amount of trash, and return to camp to pack for the ride home. This shift in mindset away from "Leave no trace, pack it in pack it put" may also lead to a lessened concern for littering, so the presence of dumpsters may lead to a greater burden for the Playa Restoration team and an increase in windblown trash through the Black Rock Desert.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
767	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Moreover, the EIS fails to consider how and where space will be provided for 30,000 vehicles to use the proposed dumpsters as well as the environmental impact of transporting the dumpsters and their contents to and from the event site.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1133	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Could Dumpsters not be placed on the playa, but instead further down the highway at strategic spots such as Sutclif or nixon.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1698	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This is an unnecessary change because Burning Man is a leave no trace event. My camp mates always pack out all their trash and do not leave it on the side of the road. In fact dumpster could make trash worse because rubbish could blow out of them in a dust storm and scatter widely in the area.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1480	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This will increase trash by giving people a way not to pack it out themselves. Which means bring more since I don't have to pack it out. Which means a place ATTRACTING wildlife, i.e. birds looking to scavenge. Which means overflow and wild blown trash where none is now. this all adds up to smells, trash blowing and an increased mess.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1237	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Burning Man's partners off-playa that accept waste and recyclables also have an important part to play in making the current MOOP disposal system work as well as it does. The proposed mitigation would cost those partners financially, which would be particularly onerous for the involved tribal entities. The draft EIS weighed none of these added costs in proposing this mitigation. It should be eliminated.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1708	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Also, this requirement would be logistically and financially crippling to Black Rock City's operations and would create significant detrimental environmental impacts including increased traffic on Highway 447 and CR34, increased greenhouse gas emissions from hundreds of flatbed trucks transporting large, heavy loads, and increased fuel consumption. Offering dumpsters for trash disposal would undermine the core principles of Burning Man's culture and cause environmental degradation.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1712	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 the placement of dumpsters in BRC and along gate road, is another proposal that would extensively increase the overall environmental impact of the event. Burning Man, possibly uniquely among events of our size, has managed to convince our community of the importance of hauling their own trash out with them. Since our participant's vehicles are going to be traveling out of the event and back to their homes anyway, having them take their trash out with them causes a massive reduction in the number of trucks required to do nothing but haul dumpsters and trash long distances and any potential playa impacts from the dumpster operations themselves.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
32	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I find that the BLM proposals are both outrageous and not well thought out. You can not expect trash bins to be dumped in the middle of 40-60 mph winds as are common there. Your proposal will litter the playa. More trucks needed to round emptying trash no one will use will add oils and traffic to the detriment of the local community.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
47	6	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2: Placing dumpsters along gate road is a massive issue for cleanliness. First off - imagine a serious wind event hitting during exodus and blowing all of that trash across the playa. Secondly - the area considered the exodus road is not protected by trash fence, so anything that gets blown by a minor gust will just float off into the playa. Third - Having no public trash at the event causes participants to have to think carefully about what they bring and how they will bring it home.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
52	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I am opposed to NAT-2 requiring the placement of dumpsters along Gate Road. As is mentioned elsewhere in the document, the principle of Leave No Trace is critical to the nature and spirit of the event. Adding dumpsters would erode this principle and is likely to result in more trash issues rather than less as participants see less of a need to take their trash home with them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
97	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Having a way to dump trash at the event would mean that participants no longer have to think about their environmental impact because would become more "brainless" to get rid of their trash. Today participants are forced to think about how they're going to "pack it out" and end up bringing in less disposable, single-use, trash-generating stuff as a result. With dumpsters, people will no longer have any motivation to reduce how much they bring that goes into the waste stream in the first place. Also, anyone who has ever walked thru an alley or event with dumpsters knows how they'll end up... Overflowing and spilling out onto the playa, including food/hygeine waste.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
113	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation number NAT-2 requires the event planners to provide dumpsters for garbage removal. In nearly any festival situation, such an action would be common sense. However, the unique culture of the Burning Man event is somewhat in opposition. Burning Man is a leave-no-trace event, in which attendees are responsible for removing all of their supplies and garbage. As the event grows, so do the accidental messes, but the vast majority of attendees subscribe wholeheartedly to this ethos. My understanding is that debris along the rural roads surrounding the event is due to material accidentally falling off of vehicles. My suggestion would be to provide check stations at pullout areas near the event and i80, where BLM or Burning Man staff can selectively stop unsafe / unsecured vehicles, and address the problem before debris ends up along the road. I think this would have a positive effect on roadside litter, while costing significantly less, and continuing to encourage attendees to be responsible for their own waste. This would similarly help to address item WHS-5.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
114	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Additionally, the recommendation to have dumpsters placed in the city and along Gate Road for 80,000 people to deposit their trash will not improve the environmental impact on an already well organized and executed event, simply increase the likelihood that people will feel a sense of lessened civic responsibility and be more likely to embody the core principles of Radical Self-reliance, Civic Responsibility, and Communal Effort. BLM is already required under the National Environmental Policy Act (NEPA) to conduct an environmental impact analysis for any project it permits on federal land. BLM has conducted environmental evaluations of the Burning Man event since organizers first obtained a one-page permit in 1991.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
118	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Dumpsters for a week of trash from 80,000 people would require hundreds of dumpsters and all the heavy garbage truck damage would destroy the road. I understand there are some bad apples that throw their trash into random dumpsters in Reno but the vast majority of people are responsible and we're working as a community to discourage this. Perhaps a more reasonable alternative would be to have drop-off points in all directions of the event exit.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
152	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	dumpsters on site would have a bigger environmental impact on the land than not having them. Consider spillage, corrosion from the dumpsters getting into the land.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
153	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Carbon impact: Moving trash bins for 80,000 people from Reno and other staging areas to the playa and back, along with the trash itself would require an army of garbage trucks to drive 150-200 miles round trip.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
170	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Burning Man and its attendees do an extraordinary job of cleaning up the land every year and erecting these dumpsters will just encourage people not to put as much effort into leaving no trace and is not necessary given that the land is cleaned every year by Burning Man and its attendees.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
173	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2: I don't necessarily disapprove of the idea that Burning Man should provide somewhere to dispose of trash, but I strongly disagree with the recommendation that dumpsters should be included on Gate Road or within the city. Burning Man is historically a Leave No Trace event, and participants have a strong culture of packing out their trash. If dumpsters were to be within city limits, it would degrade the LNT culture of Burning Man and I believe it would actually lead to MORE trash/litter. Compare Burning Man to a place like Tokyo - because there are no public trash cans, people have a stronger ethos of taking your trash home, and as a result Tokyo is near-spotless. This is opposed to my city of NYC, which has many trash cans, yet the city is covered with litter. I strongly believe that this measure as written will both increase costs for Burning Man while making the trash problem actually -worse-. If the BLM wants to reduce trash along Exodus, I would recommend you require Burning Man to sponsor dumpsters/trash removal along route 447 instead, so as to not disrupt the LNT culture.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
188	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2: Burning Man does extensive playa restoration after the event including roadside trash clean up along the major routes to the event. The idea that providing dumpster on the entrance road would reduce litter left along highways is a stretch. Also, for an event that for over the past 25 years has been 'pack in and pack out', providing trash receptacles would change its culture and ethos in a negative way and impose an unnecessary burden on Burning Man.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
250	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Adding dumpsters to the event will drive up costs and detract from the ethos of the event. Dumpsters located on playa also create another problem with properly protecting the playa from the waste in the dumpsters.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
290	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 – Providing dumpsters for participants' trash would go against the Leave No Trace principle of the event, where every participant is responsible for leaving no trace and removing all of their trash and recyclable materials completely from the event. Burning Man has never failed it's LNT inspection by the BLM, so it is not clear why the BLM would create a situation where the practices that keep the playa clean would be reversed. Because a very small handful of individuals or groups leave trash on Hwy 34 or SR 447, it is not a problem that would logically lead to large dumpsters along Gate road. The issue would logically lead to a plan for Burning Man to provide post-event trash cleanup along those routes instead. In addition, because of the way that exodus from the event is handled, putting dumpsters along Gate road would create potentially terrible traffic problems and safety issues. If dumpsters would end up being provided by Burning Man, it should be well outside of the event zone, possibly past Empire in a large enough space that it would not create traffic flow issues.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
298	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Maintaining trash bins: This approach is antithetical to the principals of the event, and would likely result in an *increase* in pollution in my opinion by making participants feel a reduced responsibility to leave no trace. Harsher penalties or increased enforcement against illegal dumping would make much more sense, along with additional resources towards pushing self reliance and the importance of LNT.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
385	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Leaving No Trace is an important principle for me and BM culture continues to embody it (BM is the largest Leaving No Trace event), placing dumpsters won't encourage this principle and won't encourage the ownership culture that helps to develop responsibility to the environment and nature without relying on the fact that someone will clean for you.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
417	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation measure NAT-2, suggesting dumpsters be placed alongside Gate Road, is directly opposing our Leave No Trace Principle. Burning Man participants and the Organization itself has a proven track record of being extremely responsible for collecting and cleaning up all waste before, during, and after the event. By placing dumpsters along the road, I believe that it will encourage people to bring MORE trash into the are, to be careless with their waste, and to not embrace our Leave No Trace culture that we've worked so hard to develop.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
467	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I am greatly concerned on the environmental impacts that putting dumpsters at the event and barriers around the trash fence bring up. These factors encourage leaving MORE trash on property as well as create another huge cost in transport and maintenance of the above mentioned.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
481	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The recommendation to force the event to bring in garbage dumpsters is absurd for this reason; sweeps both with and without the BLM have proven, year over year, that the event's track record on Leave No Trace is impeccable.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
507	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Also, the dumpster installation requirement would be logistically and financially crippling to Black Rock City's operations and would create significant detrimental environmental impacts including increased traffic on Highway 447 and CR34, increased greenhouse gas emissions from hundreds of flatbed trucks transporting large, heavy loads, and increased fuel consumption. Offering dumpsters for trash disposal would undermine the core principles of Burning Man's culture and cause environmental degradation. According to BLM, this solution is meant to address trash falling off of cars from poorly secured loads. Bags of trash that come loose from poorly secured loads of individual participants would not be mitigated with dumpster availability. Education to participants about being judicious when securing their vehicle loads may help but not dumpster availability in and of itself prior to exiting the Playa.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
507	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Our community's resounding success in this area is largely due to the fact that there are no trash cans (or dumpsters) on playa, so participants must rely on themselves to Leave No Trace.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
517	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Additionally, members of the Pyramid Lake Paiute Tribe enjoy a thriving business of accepting and disposing of participants' trash and recycling at post-event waste stations along SR 447, and this lucrative annual revenue source would be decimated by implementation of BLM's plan.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
517	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Our community's resounding success in this area is largely due to the fact that there are no trash cans (or dumpsters) on playa, so participants must rely on themselves to Leave No Trace.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
517	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Lastly, not only would this create significant carbon emissions from transportation of the approximately 1,500 30-yard dumpsters (weighing 5 tons each for a total of 7,500 tons, or 15 million pounds) to and from the playa, further stressing the road system, it's estimated that this would also cost over \$5M to implement, causing prohibitively higher ticket prices. This is, of course, assuming that dumpsters are even available in the region. If they are not, which is highly likely, the financial and logistical costs rise even higher. This mitigation would also require the creation, management, 24x7 monitoring, and cleanup of an approximately 360,000 square foot (that's roughly seven football fields) transfer station (1500 8'x20' dumpsters with 4' between each for access) plus space for 30,000 vehicles to pull over in turn and dispose of their trash — in the middle of a National Conservation Area.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
518	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Transporting 15 million pounds of dumpsters (the total weight of the required dumpsters) will result in tremendous carbon emissions.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
527	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I do understand the effort here is to keep SR 447 clean, and littering continues to be a problem, especially after the event. But placing trash receptacles in BRC is not the answer. It will add a huge cost to the event that will be borne by the participants, who already pay big dollars for tickets and for the added Nevada Event Tax. And there are already multiple places to leave trash on the way out of the event, usually staffed by entrepreneurs who charge \$5 to \$10/bag of trash. This is a solution in search of a problem, and is way too big of a burden to impose for the manageable amount of trash that gets left alongside the highway. In my experience, there is considerable law enforcement presence during Exodus, and I imagine ticketing those who do litter would be much more cost effective than placing and servicing trash receptacles inside BRC. I would also like to mention that the increased weight of traffic on the playa surface during placement and retrieval efforts would greatly impact the playa surface and the roadways that are used during the event.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
569	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 calls for onsite dumpsters. I would not object to the event being required to provide dumpsters at an offsite location (e.g. Empire) and for users to pay to dispose of trash. However, event attendees are expected to be self-sufficient on issues like this and removing your own trash is a standard part of the event.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
617	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	There is also a proposal to require dumpsters to the event. Wouldn't these dumpsters leave an impact on both the roads and the desert (heavy loads of trash otherwise dispersed in attendee cars), as they are carried out when already we are carrying out our own trash and ensuring the event is left better than we found it by the restoration team for those items missed during exodus? It seems like this request would move the event from a LNT self-responsible event to having it become a regular festival with the many problems of trash and carelessness that it brings in not keeping people responsible for their own items. I STRONGLY advise NOT requiring dumpsters as this will both change the event and increase the impact of the event in a negative manner as well as hurt the environment in their transportation.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
705	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The placement of dumpsters in Black Rock City (Volume 2, Appendix E, NAT-2) would rob burners of that the Radical Self-reliance, and Leave No Trace principals. It is our responsibility to problem solve as think critically about not letting MOOP escape, picking it up if it does and properly disposing of it at our place of origin. More importantly, by not having easy access to a dumpster within or directly outside of Black Rock City, we must think logically of what we actually bring in, be conscious of the amount of MOOP we have in our lives and work to REDUCE our trash, our MOOP, our unnecessary purchases.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
953	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	By not have dumpsters it creates an ownership mentality amongst participants that they are responsible for their waste and plan for it. Adding dumpsters would remove that perspective.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
964	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Did BLM consider that multiple garbage spills are likely to occur while participants are unloading garbage and carrying it to a dumpster and the related challenges in high winds?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
964	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Did BLM consider the capability of local resources to provide the proposed dumpsters?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
964	8	Mitigation-Native American Religious Concerns	209.0500.00	N/A	If the purpose of NAT-2 is to reduce impact on the PLPT, has BLM done a comparison of the impact between the existing practice and hundreds of garbage trucks driving through their reservation? Has a study been done on the impact these trucks would have on traffic flow through the reservation?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1164	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	dumpsters in the event and in local communities to be managed by BRC will increase the problem of trash scatter and wind dispersal: a. trash trucks will increase traffic and erosion in the management area, on playa and on the roads	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1253	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The placement of dumpsters would cause increased air pollution with the increased exhaust fumes from the trucks to deliver and replace the dumpsters, not to mention the crazy amount of dust that would be whipped up by the extra heavy traffic transporting the dumpsters.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1253	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I believe that the Native Americans in the past have created some income by offering to collect trash from event attendees, although that has not been my personal experience, so the positioning of dumpsters at huge cost to BRC would minimize income to the PLPT from trash collection.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1263	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	the proposal to require BRC to place dumpsters along gate road and even along Hwy 447 is particularly concerning for several reasons. First, from a traffic control standpoint, these measures would encourage vehicles to pull over at their convenience and deposit trash in roadside dumpsters along gate road and 447. While this may seem like a reasonable measure to capture additional waste from the event, it would actually disrupt traffic and cause significant lines of vehicles to form when they are attempting to pull over and then re-enter the flow of traffic on the main roads into and out of the event area. Many drivers will pull over at the first available dumpster and deposit their trash, despite knowing that additional receptacles may be placed further down the road. With the shoulders on Hwy 447 being very narrow and in many cases, nonexistent, I am concerned about safety for drivers and passengers, and curious how the impact of garbage trucks being introduced to the total vehicle count will aid in easing road traffic and greenhouse gas emissions. Second, from an environmental standpoint, past festival experience has shown that attendees are more likely to abuse the convenience offered by dumpsters and subsequently, they think less about the materials that they bring into Black Rock City. In the process of dumping waste into the dumpsters, people will inevitably spill and leave residue on or near the dumpsters, creating additional piles of garbage to clean up. This is additional cost for BRC and causes additional impact to the playa surface by introducing more points of contact for trash to make its way onto the surface. Finally, if we remove the responsibility of participants to manage trash on their own, the incentive to be careful goes away.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1379	6	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Has BLM considered how the addition of dumpsters could increase waste and have a greater environmental impact?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1379	7	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Much of the waste generated is disposed by paying the trash disposal businesses at the PLPT Indian reservations. Has the BLM considered the impact of the loss of income to the PLPT Indian tribes?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1393	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Having to be responsible for every single bit of one's own trash for one week while camping, with no trash bins in sight, causes one to become hyper-aware of one's choices. For example, am I filling up my metal water canister from a reusable 5 gallon jug? Or creating additional waste by plowing through a case of 12 ounce water bottles every other day in the desert heat? Am I buying single use bottles of pre-mixed electrolyte solution, or mixing my own from the jar of electrolyte powder I brought, and the metal spoon from my home kitchen? It is likely that these lessons and insights persist beyond the week spent on the playa, and result in more environmentally conscious citizens overall. Give people trash bins, and they stop being responsible for their own trash. Trash becomes someone else's problem. The proposal on trash bins is not a solution, because there is no problem. Trash is already completely removed by Burners and BRC at the conclusion of the event. BLM acknowledges that BRC consistently passes its post-event inspections. Further improvements can always be made, and are made each year in the post-event MOOP Map feedback process and review of our impact on surrounding geographic areas. Adding trash bins would add to the carbon footprint of the event, and encourage personal irresponsibility, degrading people's relationship with the environment.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1399	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Where is the the data suggests that Black Rock City, LLC, and Burning Man has violated the terms of its post-event inspection process, thereby warranting the required use of dumpsters along gate road post-event? It is my understanding that Burning Man successfully passed its post-event environmental inspection by the Bureau of Land Management in 2018, as it has every year since the standard was established in 2006	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1399	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The inclusion of dumpsters on gate road gives participants permission to stop being vigilant about the trash the create and just take the easy way out by dumping their garbage on the way out. Without that mindfulness and vigilance, participants will inevitably create more trash than they need to because the burden of responsibility is ultimately shifted away from them and on to whoever will haul out the trash.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1399	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Did the BLM consider the significant increase in carbon emissions that would be associated with transporting 1,500 dumpsters to the event site or the impact to the playa surface caused by their placement?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1408	6	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The economic impact on the local tribes has also not been addressed by the Draft EIS NAT-2 measure. Many local tribesman/woman profit as a result of the trash disposal services they offer along SR 447, and the NAT-2 measure would certainly impact the sales of exodus trash disposal services provided by local residents.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1436	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2: To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01 a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place. Response: The BLM is requesting that the community violate its own leave no trace ethos to solve a problem that would only increase our carbon footprint on the environment and do little to solve the problem of trash along the roadside outside of the event. Burning Man already pays to have the debris removed from the roadside and in public and private places outside of event boundaries. This will also remove a thriving business created by the locals to assist burners in ridding themselves of the trash they have accumulated throughout the event helping the local economy and burners alike.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1459	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Specifically, I do not see any cost benefit analyses or research regarding the environmental impact of numerous mitigation measures such as placing items like dumpsters (Mitigation NAT-2) and Jersey Barriers (Mitigation PHS-3), surrounding the closure perimeter, should they even be available.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1474	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	nowhere does the draft EIS say: one dumpster weighs X amount, which may cause playa compression and other forms of environmental degradation, but we assess that the benefits outweigh the cost because the data shows X.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1476	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	aving dumpsters placed throughout the event would create an issue with people discarding copious amounts of trash that is otherwise under control	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1527	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The Burning Man Project (BMP) currently conducts and funds exhaustive sweeps of Routes 446, 447, & 34, along with Route 445 & Jungo Road post-event. BMP also works closely with The Nevada Department of Transportation and the Pyramid Lake Paiute Tribe to investigate and mitigate the sites of any accidental or intentional trash dumping and garbage-related complaints along these routes and in the city of Reno. Section 3, page 57 clearly states that traffic routes 34, 445, 446, and 447 were not analyzed using KOPs but asserts that "Waste, Hazardous or Solid, is intentionally and unintentionally released along roads and in towns." Does BLM have data showing a post-event increase in unmitigated trash on thoroughfares to and from the playa? The burden of proof to show that Mitigation NAT-2 is necessary or warranted is nowhere near being met. With the mitigation measures already conducted annually by BMP, and a lack of clear evidence of an issue with un-addressed roadside trash, Mitigation measure NAT-2 appears to be extremely unreasonable.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1527	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Additionally, the proposed mitigation of placing dumpsters in the city and along Gate Road is in direct conflict with the portions of the Draft EIS seeking to mitigate the effects of vehicles on playa surface quality, carbon emissions resulting from transportation, and impact on road systems surrounding the event.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1571	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Placing trash bins around Black Rock City will change the culture of Leave No Trace and pack-in/pack-out mantra will no longer apply.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
347	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	While the addition of dumpsters might seem like a simple solution it really undermines the whole point of LEAVE NO TRACE responsibility. Further, many of the local communities and organizations currently participate by providing recycling programs for a fee that conciseness participants can take advantage of. This adds to the local economy and provides a controlled way to remove waste.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1488	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Adding dumpsters along the egress rout would be counterproductive to the great example Burning Man has on the global festival community. We clean up after ourselves and we are proud of that. There is no need to add costly dumpsters and disposal fees when we pack up our trash and dispose of it either at the pay for disposal facilities along the road or back at home (my preference). Making BRC pay for dumpsters and disposal would encourage a wasteful attitude and add an unsightly and smelly situation around the dumpsters. It would also add to the already costly ticket price.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1553	7	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This mitigation measure is problematic in a number of ways. First and foremost, the concept violates the very principles of the event, including self-reliance and leave no trace. Not only have these principles met with robust adherence at the event, they directly correlate with the responsible use of our public lands. Second, we believe such an "amenity" would encourage waste rather than alleviate it, if participants knew they did not need to consider hauling their trash away. We know there are bad actors when it comes to trash, but we also know that a key focus of the BMO is to ultimately leave no trace and to use the voice of the organization and its participants in discouraging future problems through the MOOP mapping system.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1612	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 requires a series of dumpsters in the city and along the exit Gate Road. The desired effect would be to reduce litter in the Pyramid Lake Paiute Tribe property. It may or may not do that, because a lot of litter is matter that accidentally falls off a load because it is poorly tied down. Those accidental spills would continue to happen. But a side effect would be to relieve participants of the responsibility of packing their own trash out. You really do not want to do that because it would start to degrade environmental awareness on the part of the participants, which could spread into other environmental carelessness.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
241	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	While it is paramount to protect the desert, the current regulations that the BLM proposes are ridiculous: Moving trash bins for 80,000 people from Reno and other staging areas to the desert and back, along with the trash itself would require an army of garbage trucks to drive 150-200 miles round trip. This is garbage that gets a 'free' ride back to Reno and other points if people pack out their trash like they're supposed to. BM participants are already well trained in leaving no garbage behind and spend weeks cleaning up after.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1752	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 states: "To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01 a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place." As Burners, we pride ourselves in the fact that Burning Man is the largest and most successful leave no trace event in the world. One of the most important factors in the success of Burning Man's track record of leaving no trace is mostly due to the fact that there are no trash cans or dumpsters on the playa, so everyone must be responsible to pack out what the pack in. From my personal experience from the people I camp with, we and most people I know, take great care and responsibility in making sure we remove ALL of our waste in a proper manner. I also know for a fact, that the Burning Man volunteers extensively sweep the lengths of the 447 and CR34 for accidental or intentional waste spills from less responsible participants. The volunteers take a step further to leave the area better than it was before the event by also removing waste and liter from the neighboring cities' inhabitants and from non-Burning Man related traffic. The following statements will offer more support to the notion that Mitigation NAT-2 is a detriment to the environment as well as the neighboring communities. 1. traffic will be increased on 447 and CR34 due to transport of dumpsters as well as removal of the load, causing unnecessary damage to the road way. 2. the increased traffic will increase green house gas emissions and fuel consumption, further impacting the environment. 3. the impact of NAT-2 on the Pyramid Lake Paiute Tribe will financially impair the tribes annual revenue by significantly reducing the fees generated and collected from the service of processing the trash and waste of the participants of Burning Man. 4. Unnecessary negative impact to the playa itself would be increased due to the transport to and removal of the dumpsters from the event, caused by the many vehicles needed to perform the task.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1754	7	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Would you please demonstrate how Mitigation NAT-2 and Monitoring Measure WHS-1 would result in less trash and litter in the PLPT Reservation and along SR 447? How is that better than the current method of BRC picking up not only anything that might have been dropped by attendees, but trash and litter that was there BEFORE the event? It would help if you explain why the Black Rock City monitoring is not adequate. It would help to show that you are trying to actually solve a problem rather than just put additional burdens on Black Rock City. Is it legal for you to single out one organization for requirements like this? To conclude, many of these mitigations are unnecessary, contradictory to BLM's mission statement, and violate our civil rights.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1010	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Placing dumpsters on Gate Road directly negates the Leave No Trace principle and undermines one of the biggest core values of the event. Placing dumpsters during Exodus will see tens of thousands of people ditching their trash into overflowing dumpsters and relinquishing any and all responsibility and stewardship they may have had during the event.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1592	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	As the organizers and participants in the largest "Leave No Trace" event in the world, BMC, as both an organization and a community, has a self policing policy regarding trash and waste. Large trash containers or dumpsters are not only unnecessary, but would complicate the situation and cause confusion (and non-compliance) for new participants, and create more of a removal and disposal problem, again requiring even more heavy vehicles and traffic on the playa.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
924	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The logistics of centralized waste management for 70,000 people would be daunting, and would rival the waste management needs of the largest cities in Nevada in complexity for that week. By enforcing that participants are responsible for their own waste, we have successfully created an event that, in fact, leaves no trace.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1084	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Bringing dumpsters to a Leave No Trace event in which our community places high value on being responsible for our own trash. The transportation of said dumpsters would greatly increase our environmental impact, requiring transportation to and from the event, increasing greenhouse gas emissions and causing additional expenses and unnecessary damage to the playa surface.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1966	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	COMMENTS REGARDING MITIGATION MEASURE NAT-2 Listed in Appendix E Mitigation Measures under NAT-2 (which is also listed as WH-1), "To reduce litter and trash in the Pyramid Lake Paiute Tribe (PLPT) Reservation and along 447 the proponent must place a sufficient number of dumpsters in the city and along-side Gate Road before its intersection with highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR447. These dumpsters must be placed by 12:01 am on the Friday before Labor Day and must be kept in place until the Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place" Main questions: 1. Is it valid that the trash on 447 is coming directly from BRC? a. I ask this knowing that BRC covers over 800 miles within the area doing trash removal after the event. 2. What is the definition of sufficient, how is this calculated, and measured? 3. What is the proposed dumpster type? a. Weight on playa. Gas getting dumpsters into BRC. Space needed for dumpster location. 4. Has there/will there be an environmental study done to look at the affects of the dumpsters on the playa surface? a. Leaking dumpsters, full dumpsters. How often will they be emptied? 5. How will the dumpsters be placed and how will this affect Exodus Traffic? a. Express lanes, longer wait times? 6. What is the effect of multiple dumpsters on existing wildlife? a. Trash accessibility to birds 7. How is the paid collection of roadside trash removal (via PLPT permit) being regulated? a. I've used this service with the sole intention that i was disposing of my trash responsibly, while helping the local commuity.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1936	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Dumpsters From Table E-1, Proposed Mitigation Measures Mitigation NAT-2 "To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01 a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place." Where is the the data suggests that Black Rock City, LLC, and Burning Man has violated the terms of its post-event inspection process, thereby warranting the required use of dumpsters along gate road post-event? It is my understanding that Burning Man successfully passed its post-event environmental inspection by the Bureau of Land Management in 2018, as it has every year since the standard was established in 2006 The systems Burning Man and its community has put in place to protect the land, the event participants, and the surrounding communities are not only effective and efficient, they are a fundamental core principle upon which the event is built: "Leave No Trace."	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1098	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 Dumpsters at this event are counter to the ethos of the event itself and do nothing to teach and encourage leave no trace (LNT) principles.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
858	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Placing dumpsters on site would encourage participants to leave a trace, which is the complete opposite of the fabric of this community.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
854	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The actual logistic of bringing dumpsters on the playa also seems to be incredibly contradictory in the context of an environmental impact statement : how many trucks will need to come over to transport these dumpsters? How much gas will these trucks use? What the ecological impact of hundreds of back and forth, fully loaded trucks?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
567	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	the idea of placing dumpsters and trashcans instead of using the brilliant philosophy of making the community responsible for ensuring the Black Rock Desert is left in absolute pristine condition is a grievous error on your part. There is no policy you can put in place that would be more effective and comprehensive than the Burning Man organization has already put in place.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1919	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2: The BM event has been the most successful event in the United States creating an ethos of Leave No Trace. Every participant adheres to this philosophy from the moment they begin preparing to attend to the event until their arrival back home. If BM were to provide dumpsters in the event or on the Gate Road it would only INCREASE the waste generation and environmental impact of the event. Participants have an outstanding track record of leaving no trace. This mitigation measure would create the exact opposite of the intended effect, and would result in significantly greater environmental impacts of the entire event.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
846	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	By providing dumpsters it would be very detrimental to the community because it will allow people to be less responsible for their actions when one of the major tenets is being radically self reliant. Continuing to have participants carry out their own trash is logistically, financially and environmentally the way it needs to remain to preserve "the leave no trace" mentality.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1914	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I believe BurningMan organization's existing system of cleaning up an occasional trash-related accident is already very effective. Do you have evidence to suggest otherwise?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1903	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The City has reviewed and evaluated the DEIS and has two comments on Appendix E of Volume 2: It is unclear whether the NAT-2 requirement for reduction of litter and trash dumpsters required to be placed in Black Rock City and along SR 447 will mitigate the issues that the City has with trash being dumped in unsanctioned dumpsters. Data collected by the City of Reno regarding illegal dumping is entirely complaint-based. To that end, the City of Reno received 21 service requests regarding illegal dumping in September 2018. In comparison, 26 illegal dumping complaints were received in July 2018 and 21 illegal dumping complaints were received in August 2018. As such, there appears to be no correlation between illegal dumping complaints and the advent of Burning Man in the Reno area. Nevertheless, the City of Reno remains concerned about the trash created by Burning Man attendees, primarily as a result of overflowing trash receptacles on private property for which the City receives few, if any, complaints.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
841	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 Have you considered what the impact to the playa would be if BM were required to place dumpsters in the city and along the Gate Road? In terms of carbon emissions from transporting said dumpsters.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1636	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	You're proposing seven football fields worth of dumpsters. You're also proposing another measure to protect air quality and pollution. How is this not making it worse? This is a massive carbon footprint because of the vehicles required to get these dumpsters out and to remove them after. We do understand the issue of trash littering the highways on the way out, but this is mainly because of poorly secured trash, not because of people purposely dumping their waste. Burning Man already has a post-event trash collection, and trash is also a major economical boost for the surrounding tribal communities who offer trash drop offs for a small fee. So not only does this create more carbon emissions, but also affects the livelihoods of our local neighbors! These dumpsters are also an incredible eyesore in such a vastly beautiful landscape, and undermines one of our greatest principles: LEAVE NO TRACE. This would also be a ridiculous financial burden, and littered with logistical hardships. Black Rock City already has a team that works hard to clean up all trash left on roads and on the Playa, long after the event is over! Transport for these dumpsters would also create even more stress on the roads, which BLM wants us to pay for, and would further impact the traffic backup coming into the event. This is estimated to cost over \$5million which would add a significant amount to the already pricey tickets, pushing even more devoted attendees from being able to attend the event. Are these dumpsters even available nearby? If not, these transportation costs and the carbon footprint would be even higher.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1540	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	BurningMan is a Leave-No-Trace event and as such, participants are strongly encouraged (both by BRC and by the society at large) to minimize refuse and to take any waste home with them. By positioning dumpsters along the Gate Road, participants will no longer consider the event a Leave No Trace event - and deem the removal of trash as part of their ticket price. There will no longer be any incentive for participants to minimize personal refuse and as such, more and more trash will be brought INTO the event and also LEFT BEHIND at the event. This will lead to trash flowing freely over the playa as well as overflowing the dumpsters (and thus leading to a GREATER amount of refuse along the public roads and lands).	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
222	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	dumpsters, which violate our cultural code of leaving no trace and taking our trash with us and would deprive locals of needed revenue from their for-profit trash dropoff.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
536	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The installation of dumpsters will create additional traffic on the roads in and out of the event, if they are maintained throughout the week. The environmental effects of the truck traffic will only worsen the air quality. 40 yard dumpsters typically have no cover until hauling, which makes them an attractive nuisance for wildlife to forage for food and spread the contents around on the ground for the wind to blow around. (Having been in construction management for 25 years, this is a very common occurrence). Most of the rubbish is stored throughout the week and IF dumpsters were going to be of use, it might be that they would be placed along gate road during the Exodus. However, the same conditions for wind-blown waste would still exist. Perhaps a better plan would be to create a task force to police the roadside for lost rubbish as attendees leave the event and lose trash bags from rooftops of cars and trailers, without even knowing that they are doing it.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
589	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I find your proposal requiring Dumpsters at this leave no trace event completely contrary to the concept of a Leave No Trace Event. Would you require a dumpster at one of your Leave No trace Trainings? The event within days of the events closure sweeps the road all the way south to Fernly removing trash and any debries. So their is no basis to conclude trash is a problem to be solved by dumpsters.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
589	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	dumpsters should be prohibited because when they overflow you have a trash problem that would not exist if they were not there.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
800	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 seeks to reduce litter by placing dumpsters in and around Black Rock City is not only a financial burden on the non-profit organization but also does not take into account the impact it would have on the surrounding areas. 28.6% of the Lovelock population and 47.5% of the Gerlach population live below the poverty line compared to 12.3% of the US population. These populations, including the Pyramid Lake Piute Tribe, profit greatly by creating businesses that take responsibility over people's trash and recycling for a fee. When poverty is so staggering in these areas, how would it benefit Pershing county to require dumpsters at the event?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
339	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	It is my impression that the presence of dumpsters on playa would lead to greatly increased litter and environmental damage, since it would reduce the necessity of packing out trash. People would come unprepared to leave no trace. And if dumpsters overflow, it could lead to a large amount of MOOP dispersed across the playa.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
784	7	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Frankly, any participant that litters should be cited by local authorities; their name transmitted to BRC; and, for a first offense barred from the next year's event and thereafter for a subsequent incident receive a lifetime bar.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
228	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Regarding the proposed installation of dumpsters placed in the city and along Gate Road, this is contrary to the importantly held principle of Leave No Trace, of each Burning Man participant caring for and removing his or her own trash. Installation of dumpsters would likely cause a moral hazard - it would likely cause people to be more careless with their trash, and to take less personal responsibility, and I think this could cause damage to the BRC community and environment.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1121	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I would not be as attracted to attending Burning Man if there were dumpsters in and around the event, because I believe this would lead to attracting less attentive and environmentally responsible citizens, and would result in Burning Man being more like traditional festivals, where waste is generated without thought and left for "someone else" to take care of. I would also like to note that the Paiute tribe, who have very few economic opportunities, enjoy the ability to make money with low up-front expenses, during Exodus by disposing of people's trash.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1655	15	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The mitigation proposed to reduce trash (see Appendix E of the EIS) to the PLPT or road SR 447 has not been documented as an effective method to mitigate possible accumulation of trash in these areas. Given that the Gate Road is an area subject to very high winds, the placement of a dumpster(s) may result in the opposite effect and increase the amount of trash in the NRC region.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1664	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	uggests NAT-2 as a mitigating measure following a paragraph about the amount of debris left behind after clean-up. This debris is generally very small, discarded accidentally, and overlooked by both participants performing a Leave No Trace cleanup of their own camp area and by the Playa Restoration volunteers performing a sweep of the event site. Through LNT education and cultural norms, event participants pick up such debris whenever it is spotted, and alert each other to potentials for spilling debris such as an open bag. The debris that is left over after event clean-up is, by definition, not waste which made it into anyone's trash bag. Whether or not dumpsters are present at the event exit, the debris that everyone misses is not going to be in a proper trash receptacle. The best possible mitigation is a vigilant BRC population where each participant prioritizes Leave No Trace work. Burning Man has done a remarkable job building this culture of environmental vigilance; reducing the "pack it in, pack it out" responsibility with on-site dumpsters would erode this cultural nor	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1033	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Burning Man attendees take deep pride in the principle of "Leave No Trace". In short, this principle means that all participants are responsible for "packing out" everything that they bring, and picking up any piece of waste or material that is not naturally present in the environment. Thousands of community members painstakingly scan every inch of the event grounds for items as small as a <1 centimeter pieces of thread. By placing dumpsters within and around the city, the strength of this principle is adversely affected. By providing the option of a 3rd party service taking care of trash, each individual may experience weakened responsibility for their impact and the impact of other attendees. This is especially important as 1st time attendees come to the event, and increasing population size is considered.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
88	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	There are also a number of predictable environmental harms that would come *from* having large, open-top, potentially overflowing dumpsters full of trash that may or may not be bagged properly, including: 1. Have you ever seen ANY dumpster sitting on pristine land? No! Trash flies around, falls out, doesn't "quite" make it in, overflows, etc. 2. Bird and small mammals are drawn to trash, potentially harming themselves or spreading it around. 3. As trucks haul dumpsters away, even more will escape onto the roadway. 4. Tropical-scale winds that can easily beset the playa, and if even *one* dumpster was subjected to these conditions, it could cause a terrible mess. 5. Most dumpsters aren't exactly watertight (nor are bags leak-proof when being tossed in). Considering how much food waste will be included in the BRC trash haul, it is inevitable that many of the sites where the dumpsters sit will be subject to spilled food waste.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
88	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Instead, one alternative would be to further *challenge* burners to take steps to limit the amount of trash they produce on-playa in the first place. This could, for example, take the form of more communication to participants to teach them how to minimize food packaging, or showing them how to prepare to secure filmsy camping equipment. It could also involve challenging them to post photos with their personal trash output for the week and share their own tips on how they minimize what they need to pack out.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
450	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Please consider the environmental impact of: Having to haul in and out hundreds of dumpsters, burning fuel and churning up the playa. The same for the proposed concrete barriers, which would do the same but worse due to their higher weight.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
395	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The requirement for the org to pay for garbage skifs feels entirely superfluous and unduly onerous given burning man's track record.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
344	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Concern #3: requirement for Burning Man to provide dumpsters for trash outside the event. This proposal carries a Greatest Hits of flaws. First, it addresses a problem which is already actively mitigated by the event organizers cleaning the roadside after the event. Second, it only addresses a minor problem of participants dumping trash bags by the road; it would do nothing to address the main problem: unsecured material falling off of exiting vehicles. Third, it undermines what are literally two of the key principles of the event: Leave No Trace, and Radical Self-Reliance. Keep in mind that the availability of a resource creates demand for a resource. The expectation that participants take responsibility for their own waste creates an environment in which violations are marginal. Fourth, participants already use for-pay trash-dumping services; is there really anyone for whom the cost of those services (or carrying trash bags elsewhere for disposal) is prohibitive, such that they would use a free service but don't use a paid one now?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1237	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	A consistent LNT ethic requires that every participant take an active part in implementing waste solutions. Dumpsters directly interfere with the intended means of operation of the larger LNT system.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1708	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	It appears the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter. There is a huge environmental impact just of transporting these to and from the site, which would increase the carbon footprint of the event. BLM's analysis fails to adequately contemplate impacts to the playa itself from the additional driving and infrastructure required for this dumpster operation.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1525	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2: The placement of dumpsters along the gate road is an unnecessary measure whose enactment would lead to substantial detrimental environmental impact due to the carbon emissions of the large vehicles required for transport. There is insufficient evidence substantiating the suggestion that there is a problem with litter and trash along SR 447 due to the event.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
100	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	If you think trash is a problem now, when at least 3/4 of attendees are responsible with their waste and deposit it at approved, designated locations, then you have no idea what a mess this will be with dumpsters available. By stripping away the Leave-No-Trace ethos from BM, you are making the Black Rock Desert vulnerable to unimaginable amounts of matter-out-of-place including black/grey water, tens of thousands of bicycles, hundreds of thousands of plastic water vessels, fire ash, discarded food and beverages, and large pieces of camp infrastructure, all of which people will just leave behind for "someone else" to clean up. This is very obviously a dangerous thing to consider.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
142	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Trash dumpsters placed around the event would encourage people to make their trash the responsibility of the event instead of the Leave-No-Trace personal responsibility.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
148	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I believe that leaving trash can be a problem for the Burning Man event, but providing dumpsters to participants goes against multiple of the 10 Principles that make Burning Man what it is. Leaving No Trace Communal Effort Radical Self-reliance Participation	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
150	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	First of all, Burning Man is proud of being the world's largest Leave No Trace event. This means that all participants handle their own trash and haul it home with them to be properly disposed of. Having dumpsters available at the event goes directly against this principle and would lead to more generated trash and general carelessness from the people.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
154	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	having access to dumpsters on or off the playa would hurt far more than help. I know there are some that are not responsible for their trash but they are the minority. I think if people knew there were dumpsters somewhere, they would become lazy and leave their garbage and it would get out of control, therefore hurting the land.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
159	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Leave No Trace is a central and crucial part of the Burning Man culture. Forcing BRC to provide dumpsters will significantly erode or destroy this culture, giving participants an excuse not to have to worry about packing out and taking care of their own trash. This will have the devastating effect of causing Burning Man to no longer be a Leave No Trace event. Anyone who has been to any other large event or festival knows exactly what happens to dumpsters or trash bins at those events. They inevitably overflow creating piles of trash around them. The high winds found at the playa are guaranteed to carry that overflow trash all over the playa and surrounding areas. A better measure would be to engage BRC in a conversation as to how the organization and the Burning Man community can further work and contribute to direct mitigation of the litter and trash that is caused in surrounding communities by careless participants.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
191	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	* What's the environmental impact of trucking all these dumpsters up (in terms of gasoline burned and exhaust fumes) and back from the playa? * Where would all these dumpsters go after they're filled? Would local landfills be able to support the huge increase in trash from an event that lasts two weeks out of the year? * What would the economic impact be on local tribes that rent out their own dumpsters and earn money by dumping them on behalf of burners?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
326	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Adding dumpsters will encourage participants to not take personal responsibility for packing out their own trash and is likely to lead to less prepared participants and more excess trash being left on the PLPT Reservation.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
343	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Requiring the org to rent dumpsters (when we are trying to promote a Leave No Trace ethos) is an anathema to the event's principles.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
419	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I fear that this mitigation would create more trash than it contains. The Leave No Trace ethic is encouraged greatly by the fact that we say that there ARE NO DUMPSTERS. Because of this experienced burners meticulously remove material from packing before we travel. As we wouldn't be able to say that anymore, I believe that a very large percentage of new Burners would bring a lot of trash to playa on the anticipation of putting it in a dumpster.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
430	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	So let's imagine the lowest number scenario. 80,000 people dump off 3 bags per person. That would be approximately something like 1500 30-yard dumpsters at about 200sq.ft. each, that would be 300,000sq.ft. which is roughly the size of SEVEN FOOTBALL FIELDS OF DUMPSTERS (AT THE LEAST). That's without any space in between! This would turn the Black Rock Desert into a trash operation the size of 7 football fields at the very least. This proposed system of thousands of dumpsters on the Black Rock Desert will cause an enormous amount of residual debris and become way more of an environmental impact than the problem they are trying to solve.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
436	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	By requiring dumpsters on the premises, you are having two obvious, negative effects. First, by reducing the individual responsibility of attendees to be responsible for their garbage you are encouraging people to be less mindful of the stuff they bring in. Reducing the social and ethical responsibility for oneself makes it all the easier to litter. Second, dumpsters are not sealable and certainly not ideal for an environment prone to high winds. Trash is much more likely to escape the event if it is congregated in unsealed bins that cannot be emptied without throwing the trash around instead of being meticulously monitored by the individuals who generated it.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
461	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	[comment:461-1; 209.05]My concerns with this proposed mitigation solution are threefold:1. That the heavy truck traffic required to place and empty these dumpsters would be detrimental to the playa surface, as well as further increasing congestion on SR447.2. That placing a high-volume trash depot on the ecologically sensitive playa would INCREASE environmental impact rather than decrease it. I have never seen dumpsters that did not collect litter, spills, etc in their immediate vicinity, as bags come open during handling, leak, or as loose trash is blown about by the wind.3. That these dumpsters would decimate income to local businesses that have sprung up to assist event attendees with their trash. By centralizing this income stream to a single contract that would likely to go to an out-of-town business, this will only marginally, if best, improve experiences for residents along SR 447 and in the PLPT Reservation, while removing an income stream these economies currently benefit from.[comment:461-2; 209.07][comment end]	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
475	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The event would be negatively affected by dumpsters on Gate Road and I have experienced first hand providing dumpster at leave no trace events has an opposite effect. For example Australia's 2018 Pitch festival did just this and the bins were left overflowing as people assumed the event would be able to handle the waste	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
501	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Internal education is always a good thing to get people to clean up after themselves, but the fact remains that the event itself is very responsible about leaving no trace in the end. Forcing the event to include dumpsters would just let people take less personal responsibility and stands a very real chance of backfiring and creating more of a mess for the Burning Man organization to clean up after the event is over.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
532	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Having dumpsters placed in the city would undermine the strong cultural principle of Leave No Trace, which the vast majority of event participants make a great effort to follow. Placing dumpsters would likely have a counter-productive effect, by encouraging and normalizing the idea that trash can be brought to the playa and left there with no consequences.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
582	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I agree that dumping is an issue that needs to be addressed, but requiring BRC to provide dumpsters at the exit of the event is counter to the culture, and creates an additional pinch point during Exodus, which is already difficult logistically. I understand the plight of the surrounding communities including the Pyramid Lake Paiute Tribe; it is unfortunate how much trash ends up on the roadways and in close communities both intentionally and unintentionally. To address this issues it would be better to have BRC pay for additional dumpsters in these communities, and have it removed to a location like Reno, which is more equipped to handle the increase in capacity. It would also help to have BRC volunteers along gate road pulling over vehicles with loose articles prior to pulsing. It would also be beneficial to have BRC volunteers along 447 recording litter violations via license plates and passing information on to police to issue tickets by mail, and a system of vehicle pass registration for each license plate to make it more difficult to purchase tickets and vehicle passes the following year if found intentionally dumping inappropriately. Also BRC should provide portable toilets along 447 during high volume times, as well as designated areas within deep playa to prevent deposition of human waste on the playa. These alternative mitigation measures would decrease the need for dumpsters at the event, while still meeting the needs of the Tribe and the surrounding communities.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
606	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	As a "Leave No Trace" event, providing trash dumpsters is not well aligned with the principles of Burning Man. It would possibly encourage participants to bring in excessive material if they know they can simply discard it in the dumpsters. The best way to keep the playa clean is to generate as little waste as possible, and keeping participants responsible for their own refuse is one of the best ways to reduce litter generation. I fear the unintended consequences would drastically outweigh any benefit, and the overall carbon footprint of the endeavor would likely be much greater than that expended by the current system that cleans up any misplaced trash.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
658	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Burning Man is the largest Leave No Trace event in the United States. Leave No Trace is a foundational principle of the Burning Man culture. The provisioning of dumpsters is in direct violation of this principle as it gives attendees a reason to evade the responsibility of taking out their own trash. This invention by the BLM would be direct threat the cultural future of Burning Man. More importantly, there is no evidence as to the effectiveness of dumpsters. Anyone who has attended a concert, festival, or other large scale event knows that dumpsters inevitably overflow with trash and cause piles of trash to accumulate around them. If dumpsters overflow at BRC, the high winds would cause the trash to be spread all over the playa and likely outside the playa. This would directly counter the dumpsters very purpose for being there. A counterproposal would be for the BLM and BRC to engage in a productive dialogue on how to further mitigate the litter and garage that is caused by a small minority of thoughtless attendees.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
677	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	By providing waste management by an external provider would reduce attendees responsibility for their trash and I feel would actually result in increase waste floating and blowing around the playa. The cost for this service would also significantly increase ticket costs and I feel this is completely unnecessary when the current system works.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
678	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Was the BLM able to quantify the impact of refuse left by Burners after Exodus and clean-up? Has the BLM considered the environmental impact of installing, maintaining, and removing the proposed dumpsters? Has the BLM consulted with behavioral economists on the likely impact of the dumpsters on the Burning Man Leave No Trace culture? Has the BLM evaluated the effectiveness of that culture, either on an absolute (per-participant average) or comparative (e.g. other BLM-administered events or other events of a similar size) basis? Has the BLM calculated and factored in the expected increase in GHG and other fuel emissions associated with implementing this recommendation?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
703	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	While this event is supposed to be Leave No Trace and it is obviously unacceptable for event participants to overwhelm local resources with all of its waste, putting dumpsters on playa will have a worse impact on the natural resources this EIS is seemingly trying to protect. Large trucks required to transport, place, maintain, and empty these dumpsters will only worsen the impact of traffic on the playa surface, disturbing crust and kicking up dust (another issue this EIS is trying to have BRC mitigate). During the event, participant traffic in personal vehicles is minimal (except art cars), and rounding trucks emptying dumpsters will worsen air quality for participants. The possibility for these large trucks to leak gasoline or oil on the playa is present, and instead, mitigation efforts to reduce hazardous waste and preserve soils should aim to reduce the amount of vehicle traffic. Carbon emissions from these vehicles would also contribute to worsening air quality, an issue that is extensively cited in analysis of increasing participant numbers. Requiring dumping stations along gate road for exodus would only serve to delay traffic exiting the event, an already slow process, which could contribute to civil unrest. Diverting traffic to dumpsters would only serve to increase the area of playa crust disturbed by participants. Providing dumpsters to participants who normally would properly haul and dispose of their trash in the PLPT reservation at stations that are set up by the community and that charge event participants, would take away this potential source of income for nearby communities. In addition, the economic cost of requiring this service on playa would be astronomical to the BM organizers, and costs would inevitably trickle down to participants. If absolutely necessary, a trash collecting system should be set up by BRC off playa, though this would likely inevitably worsen traffic and congestion on the highways and in the communities surrounding Black Rock Desert. This mitigation strategy fails to take into account the track record that exists with the events already set up strategies to enforce proper dumping of trash, investigate violations, scour the playa for debris left by participants, and do roadside clean up along all of the highways entering the event. If this needs to be improved to minimize overwhelming nearby communities, efforts should be targeted to provide systems in these communities, and off the playa. The BM event is the largest Leave No Trace event in the world and the community and ethos of the event is hugely rooted in this tradition. Requiring dumpsters on playa is the antithesis of this ethos and would undermine a community value that is highly important to many participants of the event.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
725	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Adding dumpsters will create enormous expense to the event, as well as chaos for exiting drivers, impeding exits, and negative environmental impacts of spilling trash in the desert and having it blow away and excess greenhouse gas emissions from increased idling vehicles. The problems for which this mitigation is intended are already being better managed than the proposed mitigation. The proposed mitigation would increase CO2 emissions and environmental harms, versus the system that is already in place.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
731	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Providing dumpsters would be a catastrophic change in divorcing participants from their personal responsibilities. It would encourage dumping in those locations and elsewhere. And most critically, it would undermine the very principles of the event and alienate participants who value and identify with these principles.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
943	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Installing dumpsters in the city and along Gate Road would likely result in these unintended consequences: 1) Heavy equipment to install and remove the calculated 1500 trash containers will further impacting the surface of the playa and contribute to the deterioration of public roads between Burning Man and the major freeways. 2) Long delays in Exodus as participants dispose of trash along Gate Road. This will create more emissions and require additional sanitation services along gate road. 3) Servicing trash dumpsters within the city will require heavy equipment to travel on event roads leading to safety issues, generating more dust [consider the larger tire treads] and raises concern of trash blowing out of dumpsters while being emptied. 4) Placement of dumpsters within the city will impact the camps in proximity with the potential for loose trash, obstruction of pedestrian and bicycle traffic and poses a risk of overflowing. 5) Windy conditions make trash containment on such a large scale impractical. a) In such a windy environment, where even trailers can be knocked over by high winds, having large trash receptacle, even with supervision, may result in more litter within the city than requiring each camper to secure their trash in camp. Trash receptacles cannot be emptied or secured timely in advance of wind-advisories and conditions can change without notice. b) We used to have large burn platforms that were unattended which led to ash, debris and garbage blowing across the desert. Now the burn platforms are limited to a few nights, supervised and not ignited if there is a risk of high wind. 6) To remove all the trash to Reno (or designated substation) will overwhelm that facility and create hardship on the receiving community. The current method of distributing the trash back to the local communities from where most of it originated distributes the burden across the United States. 7) Trash collection and removal will also negatively impact the local economy on the reservation that have come to depend on their collection businesses for income. While most of these stations are closed and full when we have exited the event, it is clear to see from the collection piles, they welcome in recycling from campers who support these businesses. For many, paying to offload recycling is a way of supporting the community rather than hauling it home and disposing of it for free.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
948	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The plan would also take away the revenue earned by the members of the Pyramid Lake Tribe who offer trash disposal each year.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
964	I	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Did BLM consider the impact on the playa from hundreds of trucks and roll-off dumpsters, such as scarring, ruts, holes, dune formation, infrastructure needed to reach into the dumpsters (e.g., scaffolding, steps) and their related impact?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1008	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Burning Man has spent 20+ years training and communicating about the importance of Burning Man being a "Leave No Trace" event. By adding dumpster along the entrance of the event, this will immediately communicate the opposite to any new members and it will make that messaging even more difficult to communicate throughout the city. In addition, dumpsters (with the high winds and with human nature being what it is) will undoubtedly lead to an extreme amount of litter being dropped near/around the dumpster and then blown away to pollute other areas of Black Rock.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1150	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	the proposal to add a dumpster area will affect the area as there will be trash piles and can harm the animals of the area	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1197	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The presence of dumpsters would de-incentivize this action, likely generating excess garbage. Further, the act of placing and removing dumpsters would require dozens, if not hundreds, of heavy trucks that would cause wear on the road (I observe that road wear is a concern noted elsewhere in the Draft EIS) as well as enormous fuel consumption and vehicle emissions that produce indirect effects on the local environment. All this is before consideration of the cost (likely in the millions of dollars) and massive logistic issues with renting a number of dumpsters that far outnumbers what is available in the region.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1313	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Every other festival provides it's attendees with dumpsters, and the grounds are still littered with detritus once the event ends. Given the scope of Burning Man, I think the cleanliness of the playa following would speak volumes about how seriously burners view the main tenets. Combined with the care the organizers put into maintaining and restoring the environment should be sufficient proof the against needing dumpsters. Dumpsters would make people less concerned about waste, and leave more refuse in the event's wake.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1342	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I could see that the negative impacts of providing dumpsters could easily offset any positive benefits. Having huge amounts of trash deposited at the Burning Man event will require many additional trips by heavy trucks to remove the solid waste. I could see how having dumpsters available could mushroom into a huge amount of trash that the BLM planner's may not be able to estimate. I wouldn't be surprised if the dumpsters will fill up quickly and large amounts of trash will end up on the ground creating more impacts to the playa. How much more heavy truck traffic will be required to haul all of this additional solid waste to transfer stations locally or to the Lockwood Landfill site outside of Sparks? This additional heavy truck traffic will create more dust on the playa. The increased truck traffic will cause more wear and tear to county roads 34 and 447 (wasn't there a concern by BLM that Burning Man should be funding road maintenance due to the increased vehicle traffic created by the Burning Man event). These trucks will just add to that problem. How will these additional trucks and many trips to and from the event impact the local community?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
1357	9	Mitigation-Native American Religious Concerns	209.0500.00	N/A	BRC makes significant effort to require everyone with a Burning Man profile on the website to acknowledge the Leave No Trace principle. In the spirit of "decommodification," BRC could extend the public outreach from minimizing waste disposal to minimizing consumption and waste creation. Attacking this issue from both angles would be more effective at reducing unauthorized waste disposal than providing dumpsters and encouraging consumption, waste creation, and dependence on unnecessary services.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1399	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	There is also no way to regulate what kind of trash is placed inside the dumpsters. The issue could be as small as food waste being placed in the wrong dumpster and mixing with recycling, rendering it contaminated and requiring it to go to the landfill to potential threat to public health and safety with illegal dumping of hazardous materials.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1408	6	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The Draft EIS does not indicate quantitatively how much trash will not be found on SR 447 if dumpsters are placed in the city and along Gate Road before its intersection with Highway 34. Moreover, the Draft EIS Table ES-1 Migratory Birds states, "Birds could use trash in nest building, and trash could attract predators." The Draft EIS fails to address how having dumpsters of consolidated trash will impact specific migratory birds. It is quite likely that dumpsters of trash will attract birds, and actually result in aggravating circumstances rather than mitigating circumstances. The birds, although unspecified, will likely remove and spread trash outside of the dumpsters.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1474	12	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I also was surprised when I learned, in 2015, that several BMP departments already have dumpsters on the playa, and I suggest that the BLM and BMP together assess the transfer station for its impact on playa compression and other environmental impacts. It should be easy enough to extrapolate data from that regarding how dumpsters affect things. I am surprised, again, that there was no research or data on this proposed mitigation in the draft and think extrapolating from the already-existing transfer station on playa would be an easy way to gain some.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1476	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The dumpsters will deteriorate the engrained ethos of LNT, causing people to just dump their trash wherever they see fit, making a larger issue of trash in and around the event. Festivals like Coachella have massive amounts of trash to clean up because LNT is not a part of their founding principles. Also, where would all these dumpsters come from? The carbon emissions and damage to the roads and playa from the shipment and placement of the dumpsters would further add to the unfounded issue of environmental impact to the playa from the event. I feel as if these mitigations and monitoring proposals were not properly thought through when making this draft EIS proposal, the BMOrg operations that are already in place were not taken into consideration.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1490	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Please do not add dumpsters to the Burning Man event as this goes against one of our ten principles, would completely change the culture for the worse, and would most likely cause more waste and trash cleanup.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1514	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	WHS-1 This measure solves a problem that doesn't exist. BRC staff conducts sweeps and picks up any and all trash (even trash left by local residents) every year following the event all the way to Reno. Additionally, this measure would significantly exacerbate concerns over air particulate and add to traffic loads on the surrounding roads by increasing heavy traffic to service the dumpsters.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1520	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	It seems BLM has not adequately considered the full environmental impact of requiring dumpsters to be placed in BRC and on Gate Road. The transportation of those dumpsters to and from the event would necessitate the use of large flatbed trucks transporting heavy loads. The increased traffic from these large vehicles would have an additional impact on the Playa surface, loosening up more dust, increasing the severity of the already intense dust storms encountered throughout the week, and causing lasting damage to the Playa surface. Additionally, the increased presence of these trucks would result in increased greenhouse gas emissions, increased fuel consumption, and an increased likelihood of fuel runoff or spillage, which would negatively impact the Playa surface, native wildlife, and native flora. Has BLM considered these increased environmental impacts, and has BLM weighed the effects of a small amount of litter — which is generally picked up either by PLPT residents or BRC's Highway Cleanup Team — against the increased detrimental impact of transportation of large dumpsters?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1522	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Also, the number of trucks needed to service a city of 80,000 people for a week would cause further wear and tear on the roads, a factor that is already a concern. Garbage trucks would damage the pavement and further add to traffic congestion all the way up 447 from I-80 to Gerlach. If reducing vehicle impacts on the area are a concern, adding garbage service trucks is not a helpful solution to any problem.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1532	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The decision to require dumpsters would arguably scale back participants' focus on Leave No Trace and force Burning Man to incur additional unnecessary costs. The lack of substantial evidence or thoughtful reasoning available in the EIS lead me to believe that this agency decision is arbitrary and capricious and thus in violation of APA §706(2)(a). How does BLM respond to this concern?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1550	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Likewise, requiring the Burning Man event to provide dumpsters on the Gate Road would definitely lead to more trash being spread around the event, not less. As a Leave No Trace event, Burning Man forces its participants to think carefully about minimizing individual waste as well as develop a plan to dispose of waste properly once they exit the Event. Providing dumpsters on the Gate Road would lead to increased truck trips for trash, but more importantly would also diminish the Event culture of absolutely leaving no trace (pack it in, pack it out). Dumpsters would create a culture where discarding items on the ground would be less frowned upon. Burning Man is a place where trash on the ground is a rarity precisely because of the Leave No Trace culture. It only takes visiting a parking lot tailgate before a sporting event, or any other major outdoor event for that matter, to see how much trash remains on the ground even when there is ample opportunity for disposal.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1575	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Opposition to NAT-2. One of the core values of Burning Man is to leave no trace and to be self-reliant. Requiring BRC to place dumpsters in the city and along Gate Road undermines this principle greatly.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1556	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 Burning Man is the largest Leave No Trace event in the world BECAUSE there is no trash service / dumpsters. It is fundamentally opposed to our culture of personal responsibility (aka "Radical Self Reliance") to prove additional services. In addition, this would drastically increase environmental impact as it would require delivery, hauling, and removal of dumpsters and trash, increasing heavyweight road traffic and greenhouse emissions.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
136	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Dumpsters at the Gate for Exodus - This I could support IF it doesn't cause delay in any way. Perhaps event dumpsters in Gerlach as well. Yes, I know one of our principles is LNT, but some unfortunate souls leave debris, so why not offer more disposal opportunities.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
2004	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 requires a series of dumpsters in the city and along the exit Gate Road. The desired effect would be to reduce litter in the Pyramid Lake Paiute Tribe property. It may or may not do that, because a lot of litter is matter that accidentally falls off a load because it is poorly tied down. Those accidental spills would continue to happen. But a side effect would be to relieve participants of the responsibility of packing their own trash out. You really do not want to do that because it would start to degrade environmental awareness on the part of the participants, which could spread into other environmental carelessness.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
2003	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The BLM's mitigation does not address what I consider the most significant consequence, the impact to the Playa itself. Hauling the required 1,500 30-yard dumpsters (weighing 5 tons each for a total of 7,500 tons, or 15 million pounds) on and off the playa would not only stress the road system and create traffic congestion, it would also cost over \$5 Million (estimated). This is, of course, assuming that dumpsters are even available in the immediate area. If they are not, which is very likely, the financial and logistical costs rise even higher. This mitigation would also require the creation, management, 24x7 monitoring, and cleanup of a transfer station which would be approximately 360,000 square feet. This transfer station would need to accommodate 1500 8'x20' dumpsters with at least 4 ft. between each dumpster for access. Plus, there would need to be space for 30,000 vehicles to pull over, queue up and dispose of their trash, all of this in the middle of a National Conservation Area. In short, this mitigation was not well thought out and would cause more damage to the area than it would render any solution or produce a good outcome.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
2002	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 Burning Man is the largest Leave No Trace, Pack In and Pack Out event on earth and all participants and staff but take care of their own trash, Not only that but BMORG also spends 2 weeks with a crew of over 130 cleaning up each sector of the city meticulously. I can attest as a member of the Resto Crew that we spend 6 days a week working 8 hours a day combing every inch of that playa for trash and litter and we have passed the BLM Inspection every year so the very idea that we need large trash bins and dumpsters would not only put the culture of personal responsibility at jeopardy but would also be useless and is not warranted based on the BLM's very own inspection reports of the past.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1079	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Adding dumpsters will create enormous expense to the event, as well as chaos for exiting drivers, impeding exits, and negative environmental impacts of spilling trash in the desert and having it blow away and excess greenhouse gas emissions from increased idling vehicles. The problems for which this mitigation is intended are already being better managed than the proposed mitigation. The proposed mitigation would increase CO2 emissions and environmental harms, versus the system that is already in place.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1783	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Have you considered the impact the dumpster mitigation idea will have on the following? 1) the culture of the event 2) economic impact on local communities who charge money for people who don't want to haul their trash all the way home 3) and the environmental impact that bringing the dumpsters to Black Rock City would have	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
260	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Having plastic bins all over the burning man site will not only increase the daily traffic required for trash cleaning, but will also add a huge risk to event-goers. As in, you don't want some drunk guy to get run over by a trash truck, do you? Besides, trash trucks kick up the dust in the air and will make the festival impossible to enjoy due to constant white-outs.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
910	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This requirement does not appear to take into account the following: Hugely increased traffic of heavy trucks on SR 447 and the resulting effect on that road, plus tremendously increased pollution due to diesel and other fuel emissions, which would directly and adversely impact the inhabitants of the city and towns of Reno, Nixon and Gerlach before, during and post-event. The additional increased surface area impacted by the effect of these vehicles on the playa surface on Gate Road and the acreage around it. The additional increased surface area impacted by placement of dumpsters on the playa. The availability of the required number of dumpsters, which likely would have to be brought in from well beyond Reno on to out-of-state, and the associated increased traffic, adverse road wear and pollution resulting from collecting and transporting the dumpsters from or through other environmentally sensitive such as the Lake Tahoe area. The Black Rock Desert is subject to frequent high winds. The likelihood of trash being scattered around the SR and playa areas would be INCREASED due to it being blown up and out of the dumpsters A number of small entrepreneurs on the PLPT reservation have taken the initiative of offering dump and recycling services to event participants. This requirement would deprive these local, native entrepreneurs of a good portion of their yearly income.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1542	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2: The inclusion of dumpsters along Gate Road before its intersection with Highway 34 would not be an effective measure to reduce litter and trash within the PLPT reservation. The large amount of dumpsters needed to accommodate the potential refuse of 80,000 to 100,000 people from living in a harsh environment for a week would put an undo financial burden on the Burning Man Organization. Furthermore, the large amount of truck traffic to drop off and pick up the dumpsters would have an additional significant adverse effect on the infrastructure, particularly the roads for the area, as well as causing additional safety issues from increased traffic. Even when monitored, dumpsters still will not prevent blowing dispersal of trash from the during Exodus and the event, or while being transported full from the playa to the nearest transfer station. In addition, several local Native American people make provide trash collection services post event between the event and the interstate. The beneficial economic impacts that they are enjoying would be eliminated under the proposed mitigation measure NAT-2 in favor of a larger contractor who would be able to handle refuse from 80,000 to 100,000 people, who will probably not be local.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1998	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	However, this specious innovation leaves a lot of logistic and financial issues unresolved based upon pure speculation. Let's put this in the albeit limited range of my perspective. Individuals produce an average 4.5+lbs of mixed garbage daily. 70,000 people for 7 days produce 2,205,000 pounds of trash, which rounds out to 11 tons of landfill. We're not talking recycling here. Recyclables average 30 percent of household trash. The BLM isn't concerned at all about recycling!? So BLM wants 11 tons of mixed trash and recyclables collected North of Gerlach, Nevada, 90 some miles from Reno. How clever is that? Especially since now, 99.999 percent is taken away now	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1089	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The Paiute tribe makes significant money by disposing participants trash	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1931	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT 1 is problematic for cultural reasons, absolutely no burner event in the world provides trash service, it's part of the cultural mantra that you handle all of your matters from the moment you arrive until the moment you leave. Restoration crews are then responsible for checking us, and those whom are delinquent are strongly ostracised if not openly denied the opportunity to return. Having trash dumpsters in the city itself would defeat this fundamental cultural practice. That said, I absolutely adore the idea of BRC posting official dumpsters in the exit line or in Gerlach to mitigate moop out of the closure area. In the city, burners have a fundamental responsibility to handle their own matters. Out of the city limits, it should be as easy as possible to dump waste, in my humble opinion.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
864	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Moreover the BLM's draft EIS does not contemplate the environmental impact of maintaining the dumpsters and providing space to service 30,000 vehicles to use them. As someone pointed out during Mondays Q and A at the BLM meeting in Reno - there are not enough dumpsters in NV, OR or surrounding areas available. The factual record -- which is publicly documented in a detailed annual report from the Burning Man Organization -- does not support the need for this requirement. As an expert agency, the BLM is not permitted by law to make policy without evidentiary support.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1926	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	If people dropped trash at a location on playa it would fly away for sure. And did the consultant or BLM review how BM manages trash? Is there any permit holder that does a better job? If so, who?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1628	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Furthermore, the addition of dumpsters would threaten local economic activity and some of the benefits the event brings to the community along Highway 447 and surrounding towns and cities. There are several locals who run trash collection companies, and recycling/waste disposal facilities in Reno that have always accommodated my needs when I'm packing out carefully accumulated and separated trash bags from the theme camps I've participated in. What would happen to the local businesspeople who earn money from Burners who responsibly dispose of trash created on site if there were dumpsters? Where would money made from the dumpsters go? Would it still be funnelled into the local community, or would it deprive the surrounding area of maximum potential benefits of hosting the event?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1107	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Besides being unnecessary given that we already manage our trash, this proposal is also inappropriate from an environmental standpoint. 1,500 dumpsters on the Black Rock Desert floor would substantially change the nature of the desert itself. Each 30 yard dumpster weighs 5 tons, so 1,500 dumpsters weigh 7,500 tons. 7,500 tons equals 15 million pounds! Think about the playa damage that will be caused by trucks hauling 15 million pounds into and out of the event!	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
846	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Besides the tremendous cost of providing dumpsters, having dump trucks transporting trash from the playa will greatly increase the environmental impact as well as putting more stress on the highway.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2028	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2 is the most concerning because the cost of the mitigations will make it unsustainable for the event to operate.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
812	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	the DEIS fails to address the environmental impact of the additional vehicle use and infrastructure required for this proposed dumpster operation, both in terms of damage to the playa surface from the weight and concentration of these vehicles and in the carbon emissions generated thereby.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1643	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	(2) I object to the proposal to add dumpsters onto the playa surface. Adding dumpsters would compact the surface and add leaking fluid onto it. Burning Man has an excellent Leave No Trace policy that camps must follow every year and Burning Man works hard to ensure NO TRACE is left on the playa surface. Additionally, the surrounding communities benefit greatly from the business provided by participants depositing their trash at various sites for a fee.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1867	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	dump trucks will be required for those dumpsters which will eat up highways and the entry road to BLC and cause additional exhaust.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
431	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Year after year, we pass our leave no trace plan. So therefore, the recommendation for dumpsters is not supported by enough evidence and isn't needed at this point.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
715	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Providing dumpsters is not a feasible remedy and will create irresponsible behavior.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
668	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Providing dumpsters would not only be unnecessary, as trash removal by participants works very well (and volunteers take care of the accidentally lost trash along the roads), it would be detrimental to the excellent environmental education opportunity that LNT policies at BM represent.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1639	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigation NAT-2: Placing a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34 will undermine the principal of Leave No Trace, which is fundamentally key to the event's personal and communal responsibility. Participants do not look for an outside entity to clean up after them like other events that are known to have a higher environmental impact. The Burning Man Organization has developed an effective tracking system (Moop Map) and proven secondary clean-up process (Resto). The amount of trucks needed to place these dumpsters will further impact the air quality and playa itself. Alternative solutions could include an inspection upon exodus, to insure that trash loads are securely tied down. Paid dumpster sites placed along detoured routes to Reno would not hinder traffic or damage the playa itself while providing a possible solution to littering and provide value to the local economies.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1124	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	, increased greenhouse gas emissions from hundreds of flatbed trucks transporting large, heavy loads, and increased fuel consumption. Offering dumpsters for trash disposal would undermine the core principles of Burning Man's culture and cause environmental degradation. Ignoring the massive numbers of heavy equipment and transportation to "create Burning Man" suddenly this is a concern?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1124	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Lastly, not only would this create significant carbon emissions from transportation of the approximately 1,500 30-yard dumpsters (weighing 5 tons each for a total of 7,500 tons, or 15 million pounds) to and from the playa, further stressing the road system, it's estimated that this would also cost over \$5M to implement, causing prohibitively higher ticket prices	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1124	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	assuming that dumpsters are even available in the region. If they are not, which is highly likely, the financial and logistical costs rise even higher. This mitigation would also require the creation, management, 24x7 monitoring, and cleanup of an approximately 360,000 square foot (that's roughly seven football fields) transfer station (1500 8'x20' dumpsters with 4' between each for access) plus space for 30,000 vehicles to pull over in turn and dispose of their trash-in the middle of a National Conservation Area	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1659	6	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Measure NAT-2 "To reduce litter and trash in the PLPT Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01 a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place." Again, Leaving No Trace is not simply some advertising ploy for the event. It is a deeply held value that puts the earth's needs before our own in many cases. This is an instance where the proposed mitigation measure would do more harm to the environment. Dumpsters put on the site would completely invalidate the Leave No Trace principle. Once participants no longer have communal pressure to be self-reliant and responsible, other aspects of environmental care (such as cleaning one's camping space, preventing surface damage from liquids and fire, and more) would become less and less valued by the community. By requiring participants to take their waste away with them after the event, the BMP creates the necessary motivation for participants to maintain their passion for caring for the land we use. Additionally, the increase in land usage by the transportation and maintenance of dumpsters, and the unnecessarily increased logistic demands on the BMP would also cause more harm to the land as it compromises physical and financial resources.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1129	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2, it appears that the BLM failed to consider the environmental, cultural and economic impacts, namely: 1) the environmental impact of placing, maintaining and removing approx 1,500 dumpsters in a sensitive National Conservation Area, given the increased traffic on Highway 447 and CR34, as well as an associated increase in greenhouse gas emissions from the large number of garbage disposal trucks required to transport the contents of the dumpsters offsite, and the resulting need for an approx 360,000 square foot transfer station.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1856	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Installing dumpsters removes the incentive to reduce waste, since participants can just dump it all off during or after the event. Packaging materials can be particularly pernicious forms of waste, including Styrofoam bits, small twist ties, plastic bags, staples, etc. More packaging waste will make the cleanup of the playa surface more difficult and time consuming, as well. This would be just one of the unintended consequences of installing dumpsters. Because we have to pack out all of our waste, we become much more aware in general of the waste that we generate, and this can influence behavior at home. One reason participants hold the Burning Man Project in such high regard is because the organizations's actions are in alignment with its principles. It doesn't work to have a Leave No Trace even if you provided dumpsters that invite poeple to to bring more waste. Because they must practice it at the event, the Leave No Trace principle encourages participants to develop new awareness the Leave No Trace principle encourage participants to develop new awareness of the waste they are generating, new environmentally conscious values, and new waste-reducing habits, all of which are brought home with them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
88	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Even if each of 80,000 burners only generated *one* 15-gallon trash bag during the entire week, this would require around FOUR HUNDRED of the largest normal dumpsters I'm aware of (40-yard, 20x8x8). And with potentially hundreds of huge dumpsters spread out over dozens of miles of road, there is no way to limit use to that one trash bag.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1915	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	when people expect to be able to leave their trash rather than pack it out, they bring a lot more of it. Other events which accept participant waste are not only dealing with an additional logistical nightmare, but participants eager to leave rather than wait in line for proper trash disposal are far more likely to dump it on the road side on their way out.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1687	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	With unpredictable weather, trucks traveling to playa to collect the dumpsters may be delayed. If the dumpster is an open dumpster, the high winds can blow apart tarps covering the trash, has the BLM considered that this might mean more trash would be distributed on the playa as a result? If the dumpsters have lids, has the BLM considered that such lids can be dangerous in high winds and present a potential for serious injury or death to participants in an area distant from medical attention?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
592	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The recommendation for dumpsters would likely encourage more accumulation of garbage and is not supported by evidence.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
13	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I am opposed to NAT-2 requiring the placement of dumpsters along Gate Road. As is mentioned elsewhere in the document, the principle of Leave No Trace is critical to the nature and spirit of the event. Adding dumpsters would erode this principle and is likely to result in more trash issues rather than less as participants see less of a need to take their trash home with them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
45	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I am opposed to NAT-2 requiring the placement of dumpsters along Gate Road. As is mentioned elsewhere in the document, the principle of Leave No Trace is critical to the nature and spirit of the event. Adding dumpsters would erode this principle and is likely to result in more trash issues rather than less as participants see less of a need to take their trash home with them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
71	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	dumpsters placed along gate road) would heavily impact our experience at the Burning Man event and would be in direct conflict with one of the most important principles of our ethos that is -Leaving No Trace. What we learn in the playa we then bring to our day to day lives and it is important that this key principle is not jeopardized by the presence of on site dumpsters.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
74	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I do not think that trash bins would be a responsible thing to do, it just shifts the burden to the organization that has worked so hard to teach individuals to be responsible for their own belongings and liter. I know there is also extensive clean up after the event by volunteers and staff,because there always is some leftover debris, but to be responsible for the trash of 80,000 people is a huge task that is unnecessary and would be extremely problematic.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
140	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Trash dumpsters -- TERRIBLE IDEA. Hauling out my own trash sucks but I wouldn't want it any other way. Because I'm responsible for my own trash, I am naturally incentivized to create less of it. If I put my trash in open dumpsters this also may create the unintended consequence of more trash getting out as one person's trash back breaks and then the wind picks up and all of a sudden there is trash everywhere. Not to mention the cost to the environment/air quality if special trucks are designated to haul trash hundreds of miles vs. the "free" cost of simply having us take out our own trash.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
268	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	We are a leave no trace event- mandating garbage cans is like forcing a vegetarian convention to eat steaks. We all work tirelessly to leave Black Rock spotless year after year. So this suggestion is not only unnecessary but also a gigantic conflict of interest.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
302	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Requiring Burning Man to provide dumpsters goes against the principal of leave no trace. This is one of the founding tenets of our community. It's what makes Burning Man different from music festivals. This will change the core of our community.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
351	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	If you provide dumpsters it sends the message that the event and local community is responsible for trash. This would result in greater littering within the event rather than the reduction in littering I expect you aim to achieve.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
363	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The mitigation of dumpsters will have unintended consequences of reducing the population's adherence to the Leave No Trace Principle. The playa restoration team has had a stellar record of cleanup after the event. Giving people an easy place to dump their trash will create more trash because they know they don't have to carry the stinky stuff home.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
403	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The proposed requirement for numerous dumpsters completely neglects the fact that Burning Man participants BY Large do not dump garbage but in fact supplement the local economy of towns along the way but paying for the garbage to be disposed at local centers who are more than glad for the business they receive. Again - this ensures there are no more vehicles added to the road to the land (as opposed to the BLM requirement which will absolutely increase the number of Heavy vehicles, something that is in complete contrast with other section of the report).	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
414	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	providing a dumpster would actually compromise Leave No Trace, which is the most successful participation world-wide.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
415	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Adding dumpsters to the event directly goes against our LNT efforts and undermines current efforts of our Resto team, Exodus team, the efforts of the locals in Gerlach, Empire, and Nixon and their trash disposal services, and every burner in general. Putting dumpsters within the city is not only unnecessary but also a waste of time and money. Looking at our MOOP Map after the BLM site inspections shows that we are always within our limits. The addition of internal dumpsters creates more environmental impact	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
418	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Using dumpsters as mentioned in the Table I of Appendix E seems like it would cause more litter, not less. Dumpsters would shift the mindset from relying on each other to keep our city clean to a mindset where "someone else" takes care of that, and I believe that we're stronger when we act together.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
437	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Also, this requirement would be logistically and financially crippling to Black Rock City's operations and would create significant detrimental environmental impacts including increased traffic on Highway 447 and CR34, increased greenhouse gas emissions from hundreds of flatbed trucks transporting large, heavy loads, and increased fuel consumption. Offering dumpsters for trash disposal would undermine the core principles of Burning Man's culture and cause environmental degradation.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
443	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The event of Burning Man would be negatively affected by dumpsters on Gate Road because due to the high amount of people on that road these dumpsters would likely be overfilled.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
453	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The Burning Man Event has consistently been a leave no trace event for the past 29 years and the placement of dumpsters or alternative waste receptacles is not only unnecessary but HARMFUL to the ethos of the event and to the environment. Encouraging people to throw waste in dumpsters is SIGNIFICANTLY less efficient in waste reduction than the current cultural imperative of having people sort their recycling and compostables and remove all packaging and plastic waste BEFORE leaving for the event. Giving people an easy and catch-all waste alternative is likely to lead to many participants being less mindful of their waste before traveling to Black Rock Desert.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
479	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	As I understand, BM already has very substantial policies and enforcement for its attendees to properly dispose of their trash. What evidence does BLM have that proves this current policy to be inadequate? In the past, participants have been carrying out trash with their private vehicles -- which they are already using as personal transport. How much strain will additional dumpsters and service vehicles put on the environment? How much more strain will they put on county roads and traffic? Introducing dumpsters will create the expectation in attendees that they are not responsible for their own trash -- and at other large public events, we've seen that results in increased use of single-use plastics, overflowing trash bins, and trash left across the event area. So what happens when the prepared dumpsters happen to be over-capacity? What will be the environmental impact of illegal dumping?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
490	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The addition of these dumpsters would be costly and would discourage attendees from taking individual responsibility for Leave No Trace principles.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
507	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Additionally, members of the Pyramid Lake Paiute Tribe enjoy a thriving business of accepting and disposing of participants' trash and recycling at post-event waste stations along SR 447, and this lucrative annual revenue source would be decimated by implementation of BLM's plan. In addition, the BLM analysis fails to adequately contemplate impacts to the playa itself from the additional driving and infrastructure required for this dumpster operation.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
510	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	1) The draft EIS ignores this, and fails to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter, as well as the substantial impact of a waste disposal system for tens of thousands of people. This seems far more egregious than the current impact done by event goers. Adding dumpsters, which eradicates the carefully cultivated Leave No Trace ethos of the event, will likely result in an increased incidence of waste and litter by teaching participants that it's acceptable to leave things on playa. As someone who has regularly inspected post-festival land, I have seen very little visible impact and the EIS seems to grossly overstate the incidence of litter.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
518	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Leave No Trace is essential to the fabric of the Burning Man event, but moreover it is psychologically essential for the attendees to understand that they will not be able to dump trash. Simply put: dumpsters will make more trash, not less. Knowing that Burning Man will take their trash will result in massive littering and less accountability for the 80,000 attendees.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
518	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	In addition, there would be a significant income loss to the local Paiute communities who make a profit from offering their trash disposal services every year. This mitigation measure absolutely needs to be cleared by those local Paiute communities, whose livelihoods would likely suffer as a result of the measure. By implementing this measure, I suspect the BLM would damage the livelihoods of marginalized local groups- and that is out of accordance with the EIS's clearly stated goal of promoting Environmental Justice. In addition, making a 360,000 square foot trash transfer station in the middle of a national conservation area does not mesh with the BLM's goal of protecting the environment.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
572	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	BLM also needs to work with nearby cities to assist them in trash collection. Setting up RV friendly dump sites not far from the event so people can unload here, and not in Reno.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
594	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The recommendation to add dumpsters would seem to discourage and undermine the high level of self reliance that characterizes Burning Man and is likely to lead to more, not less unsecured garbage. Additionally, in recent years I have patronized the PLPT vendors who charge a reasonable fee to take our garbage and recycling. The dumpster recommendation would undoubtedly diminish this revenue opportunity for the tribe which so graciously welcomes Burners.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
659	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	1) It is inconsistent with the Leave No Trace philosophy which requires individual users to take responsibility for removing all of their own -- and others - trash from the event when they leave. 2) Putting dumpsters would increase the amount of trash disposed of on the playa as new festival goers might assume "someone else is in charge of trash." 3) Past evidence shows this is not necessary as most festival goers remove all of their own trash and debris before departing. Remaining items are picked up over a period of months by volunteers after the event concludes. 4) The Burning Man event has a strong record of leaving the playa in very good condition, so this measure is not necessary, and would actually be counter-productive. 5) I have been to many large festivals on public lands and I can say unequivocally that the festival site is left in remarkably cleaner condition than other festival events, or loosely organized events such as 4th of July celebrations. 6) To keep the playa clean and pristine, leave cleanup in the hands of the BMOrg and continue the careful enforcement and permit review that has occurred in the past. 7) At the conclusion of the festival, my husband and I ride the perimeter fence and pick up any blown trash. We see others doing the same. We stop to pick up every sequin we see in the playa dust. This is the ethic the BLM wants to encourage, not the random dumping of trash. 8) Trash removal from the playa would take money out of the hands of local tribes and residents who provide trash disposal services after the event. 9) BMOrg has shown its willingness to enforce against offenders who leave trash on the playa by revoking their group camp permits.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
688	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	The first burner concept one learns is leave no trace. That means public waste receptacles are anathema to burner culture.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
710	5	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Dumpsters on playa are not the answer to addressing issues of trash and dumping in communities and along routes outside of the event area, as they would have a direct, negative impact on the environmental area the BLM should be focused on protecting.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
948	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	This plan would also require large trucks to deliver and haul away the dumpsters, contributing to the emissions of greenhouse gasses as well as increased traffic on local roads. It would also require a large increase in expenses for BRC.	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
964	4	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Did BLM consider impact of the proposed dumpsters on increased exit wait times and the resulting increased vehicle idling and dust creation?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.
964	7	Mitigation-Native American Religious Concerns	209.0500.00	N/A	In Table ES-1 on Page ES-7, NAT-2 is listed as reducing impacts to Native American religious concerns. Considering that placing dumpsters at the Burning Man exit would substantially reduce income for the Pyramid Lake Paiute Tribe's trash and recycling post-event fund raiser, is the PLPT in agreement with this policy? Is there a written statement from the PLPT governance in support of NAT-2? If not, was there consensus amongst the elders in meetings that this is a preferred solution?	See Public Concern Statement MITNARC-I.	See Public Concern Statement MITNARC-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1164	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	c. the volume of trash to be managed and added to local landfills will outpace the current fill timelines, creating a larger issue for local communities.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1201	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	perhaps BLM could require BMORG to redouble their efforts in lieu of a dumpster requirement. I, like many other BLM participants, always choose to dispose of my solid trash with the local entrepreneurs; their fees for putting the trash in their dumpsters is based on the amount of trash to be disposed of. Has BLM assessed this proposal's impact on the local community's economy?	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1259	3	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT 2 - The suggestion of dumpsters placed in and outside the event will exacerbate rubbish dumping. Currently the event boasts leave no trace policy and participants pack their trash home or use the local citizens temporary bag dumps for which they pay a fee which benefits the local community. The vehicle movements needed to place and maintain dumpsters plus traffic management and off road areas created to handle these defeats their use. The event has a clean up policy on local areas during and before the event and a good environmental record. Illegal use of private dumpsters is exactly that and should be enforced elsewhere.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1342	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	As a long term Burning Man participant and retired BLM and Forest Service employee I am opposed to the proposal to place dumpsters at strategic locations at the Burning Man event. Burning Man as well as the BLM have had a Leave No Trace philosophy/policy for years. Providing dumpster would have a negative impact on Leave No Trace. It may actually encourage participants to bring more disposable items with them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1424	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Maybe they need to have dumpsters available for people to throw their trash away for a fee. Plus, it needs to be manned. This will hopefully eliminate the fake trash people who collect the money and the trash and leave the trash for others to pick up. Just because BRC has dumpsters available does not mean you have to use them.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1427	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 Placement of dumpsters in or around the Event site and along Gate Road would encourage their use, and would discourage participants from removing their own trash and other matter ("Matter Out Of Place," or "MOOP"), and taking it home with them and putting it in their personal or officially authorized recycling, composting and garbage bins, as they are required to do. Allowing participants to leave their trash etc. in dumpsters, the maintenance and increased traffic, both on the Playa and on Highway SR 447, would be enormous, given the number of dumpsters that would be required. The number of dumpsters that would be required would dramatically increase over time, as the "pack it in, pack it out" and responsibility philosophies became degraded by the de facto official permission to leave trash on the Playa. In addition, by allowing participants to use BRC dumpsters, it would discourage the participant's pride of the responsibility to "pack it in and pack it out," thereby degrading the mindset of the participants. If a participant (and more importantly any camp) is found to leave trash or any kind of MOOP behind, they are restricted from attending future Burning Man Events.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1445	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	[comment:1445-1; 209.05]For BRC to maintain dumpsters on playa would result in a nasty transfer station which would likely increase the amount of airborne litter. In addition currently because there is a strong anti litter and leave the place better than you found it ethic, adding dumpsters will likely eroud this sense of duty resulting in higher amounts of MOOP on playa. By making people feel that trash is someone else's problem. In addition the tribes will lose money on their own trash disposal operations along 447. Proposed alternative: during exodus pulsing, loads will be inspected for unsecured trash bags that would likely fly off at speed. BMP already does a superb job in collecting any trash suspected of coming from the event.[comment end]	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1458	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Proposing dumpsters placed in the city and along Gate Road for 80,000 people goes 100% against the Leave No Trace ethos and track record. These are wholly unnecessary. I have been to Burning Man five times and my camp does everything we can to ensure our loads are secure and that we leave no debris. The recommendation for dumpsters is extreme and not supported by evidence. Every participant abides by these core principles. We have done a stellar job over 29 years leaving no trace. What possible purpose could this serve? There simply isn't a problem here to be solved.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1522	2	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Introducing dumpsters to BRC would erase that core principle of Burning Man. Participants would become reliant not on themselves, but on an external trash source. This would detrimentally affect the educational aspect of Burning Man in how to manage the garbage we all produce. It would also create an impossibly horrendous trash situation. Would people drive past a full dumpster, or would they leave their trash nearby? Look at what happens now. Much of the trash that ends up at the side of the road was left next to, not in, a dumpster placed on a pullout on the Reservation. To reduce trash on the road, dumpster numbers need to be decreased, not increased	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
1608	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-2 Dumpsters: Mitigation Measure NAT-2 requires BRC to place an "adequate number" of dumpsters in the City and along SR447. How will this number be determined? As stated, this mitigation measure is vague and potentially unenforceable.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
596	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	I also see that Burning Man and the participants do an excellent job of cleaning up, so I don't see any need to increase the cost of the tickets by having dumpsters onsite. If there are issues with trash outside the event, then existing law enforcement should be dealing with that problem by citing the people doing the dumping.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.
2004	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-1: Through consultation with the PLPT, BRC will educate participants via its website, social media, and other means approved by the BLM, on issues of concern to the PLPT. Of course the BRC already educates participants on issues of concern to the PLPT. But it should be the PLPT, not the BLM, who approves the means by which BRC does that. For a few issues, the proposed mitigation is absolutely the wrong solution to the problem.	See Public Concern Statement MITNARC-1.	See Public Concern Statement MITNARC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1850	23	Mitigation-Native American Religious Concerns	209.0500.00	N/A	Mitigations WHS-1 to WHS-8: These alone are not sufficient, and therefore our support of Mitigation NAT-2. BRC's trash management plan in Alt. A is to ask 80,000 to 100,000 people to "Leave No Trace" (LNT). In 2017, only 4,100 participants were from Nevada, which means only 5% of the population had legitimate access to local trash services. What are the rest of the 95% doing? Most seem to be finding a way to put garbage in, or near, dumpsters somewhere between the event and their return destination. Most of it is probably going in the closest dumpster a festival participant can find. Even if only 1% of 70,000 participants dumped their trash illegally or accidentally on the playa or along the road, that's 25,200 pounds of trash. If this event was legitimately LNT, then BRC would not need to employ a large staff to spend a month cleaning up trash on the playa and along the highways after the event. At 70,000 people, this strategy is definitely not working. In fact, this strategy has never worked. Trash has littered the playa and the highway post-event from the beginning. And it still hasn't been adequately addressed or resolved.	N/A	Comment noted.
1612	1	Mitigation-Native American Religious Concerns	209.0500.00	N/A	NAT-1: Through consultation with the PLPT, BRC will educate participants via its website, social media, and other means approved by the BLM, on issues of concern to the PLPT. Of course the BRC already educates participants on issues of concern to the PLPT. But it should be the PLPT, not the BLM, who approves the means by which BRC does that.	N/A	Comment noted.
667	4	Mitigation-Public Health and Safety	209.0700.00	MITPHS-1	Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights?	Commenters questioned how having private security screening everyone entering the Event will affect wait times to enter the Event and suggested that this screening process could increase the wait time to days instead of hours to enter the Event. Commenters also asked the BLM to consider how this mitigation measure violates the Fourth Amendment of the Constitution.	It is recommended by law enforcement agencies generally and by cooperating agencies with expertise in the area that a comprehensive security plan should begin with screening for banned items at the points of entry and a hardened perimeter. For the Burning Man Event, BLM has recommended a systematic screening process to provide participant health and safety at the Event site, as required by FLPMA and the BLM's SRP regulations and policy. DHS publications recommend designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands. The BLM plans to institute this protection measure with the least amount of disruption to existing gate operations as possible. There is no evidence this will increase wait times to days instead of hours. NEPA requires the BLM to consider and discuss the human environment in environmental impact statements (40 CFR 1508.8 and 40 CFR 1508.14). The constitutionality of the proposed security screening is well supported in instances where the Department of the Interior contracts for or requires security at points of entry to large outdoor mass gatherings.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1761	1	Mitigation-Public Health and Safety	209.0700.00	N/A	It appears that the draft EIS does not adequately represent the effectiveness of Burning Man staff at the Gate to control entry of fire arms and illegal drugs. Having experienced first-hand the current firearm and illegal drug screening program for the past 15 years, the Gate staff takes their job seriously. Gate staff are comprehensive in their efforts to ensure that the Burning Man is safe and free from illegal substances. Prior to Burning Man participants arriving at the Burning Man event, the Burning Man organization publishes a widely publicized list of prohibited items that are not allowed at the Burning Man event. This has been the case since I first came to the Burning Man event in 2004.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
1761	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Having a private security force check for contraband in vehicles going into the festival is not necessary. This seems like a very expensive solution to a nonexistent problem, and much more likely, simply a cash grab by law enforcement, since all violators would be required to be turned over to them. There is no hint of an interest in safety, given that the safety track record of the event is incredible given its size. Erecting concrete barriers around the gathering seems to be an unnecessary and arbitrarily expensive solution to a problem that is not widespread.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
737	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Third Party Security, PHS-1 If this measure is implemented, this is likely a 4th amendment violation. There is no probable cause to search a person entering Burning Man. There are no other such searches entering similar federal lands, including national parks, and this measure is unlikely to hold up in court if challenged. It also creates a new safety issue, because now the wait to enter Burning Man would be hours if not days in excess of the already long wait that participants face when entering. If an emergency were to occur, these lines lasting potentially multiple days creates a public safety hazard that should not be ignored.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
1041	1	Mitigation-Public Health and Safety	209.0700.00	N/A	THE BLM'S SCREENING MITIGATION MEASURE (PHS-1) VIOLATES THE FOURTH AMENDMENT The proposed screening mitigation outlined in the Bureau of Land Management's (the "BLM") Draft Environmental Impact Statement ("EIS") concerning the Special Recreation Permit for Black Rock City, LLC is unreasonable and unconstitutional. (I EIS Appendix E proposes specific mitigation measures BLM developed based on public comments and its internal review of the Proposed Action and alternatives analysis. The measures are numbered in Table E-1.) Specifically, implementing mitigation measure PHS-1-that a government-approved third party perform searches of participants, staff, and volunteers at the Burning Man event-would violate the Fourth Amendment's protection against unreasonable searches and seizures. The BLM may not condition the award of the permit on an unconstitutional demand.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1041	2	Mitigation-Public Health and Safety	209.0700.00	N/A	THE PROPOSED THIRD PARTY SCREENING IS TANTAMOUNT TO GOVERNMENT-SPONSORED SEIZURE Although Fourth Amendment protections against unreasonable searches and seizures do not apply to a search or seizure-even if unreasonable-conducted by a private individual, Burning Man participants, vendors, and contractors are nonetheless protected against unreasonable intrusions by private individuals who are acting as government instruments or agents. See <i>Coolidge v. New Hampshire</i> , 403 U.S. 443, 449-50, 91 S.Ct. 2022, 29 L.Ed.2d 564 (1971), overruled in part on other grounds by <i>Horton v. California</i> , 496 U.S. 128, 110 S.Ct. 2301, 110 L.Ed.2d 112 (1990); <i>United States v. Walther</i> , 652 F.2d 788, 792-93 (9th Cir. 1981). The general principles for determining whether a private individual is acting as a governmental instrument or agent for Fourth Amendment purposes have been synthesized into a two-part test. See <i>United States v. Miller</i> , 688 F.2d 652, 657 (9th Cir. 1982). According to this test, courts consider: 1. whether the government knew of and acquiesced in the intrusive conduct; and 2. whether the party performing the search intended to assist law enforcement efforts or further his own ends. The EIS recommendation makes clear that the third party security conducting the proposed screenings would be acting as a government instrument and for the purpose of assisting law enforcement.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1137	1	Mitigation-Public Health and Safety	209.0700.00	N/A	It does not appear the BLM has considered the financial and environmental impact of having a private security company screening each participant and vehicle entering the City: -Wait times are already significant with the current search procedure. Requiring a private security company to conduct searches will vastly increase the amount of time it will take participants to enter the event. Furthermore, the cost to hire a private company will impact the price of the event which will in turn raise ticket prices for participants. This requirement is unnecessary and negatively effects accessibility to participants by increases the cost of the event. -Pollution increase from idling cars. The longer cars remain idling in the line to enter the event, the greater the emissions will be. The increase in air pollution can be avoided by ensuring an efficient and rapid entry for participants. Air pollution will increase not only from vehicle emissions, but also from increased dust as the entry road will be eroded by the increased presence of vehicles.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1803	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Traffic impact for the surrounding area will vastly increase due to wait time increase. Participants will not be able to make an efficient entry if search procedures are increased. As a result, the likelihood of traffic overflowing from the entry road onto highway 34 and into Gerlach and beyond is very high. The erosion to the highway will also increase if vehicles remain idling while waiting for entry. Expanding the entry road to accommodate more vehicles to compensate for traffic overflow will create a larger environmental impact and increase dust and air pollution.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
738	1	Mitigation-Public Health and Safety	209.0700.00	N/A	For Mitigation PHS-I, requiring a BLM approved 3rd party search & screening of all vehicles entering Black Rock City, this is patently unconstitutional on it's face. Essentially BLM is saying that participants are not to be trusted, and are coming with the specific intention to bring in illegal items, as well as perform unconstitutional searches without probable cause because law enforcement are not allowed to. This is attempting an end-run around the 4th Amendment, as well as to cause even worse environmental impact to the area with more cars idling, more belongings unpacked and repacked onto the Playa surface, and increase wait times to DAYS simply to arrive.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
739	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHSI - longer waits for entry, leading to increased idling of vehicles because of the additional screening	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
742	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Neighboring communities already complain about congestion leading up to the event, this will only increase that. Is this a safety precaution, or a way to increase the \$ generated from citations? Burning Man is already highly monitored by a police presence; those who are in violation of the law get caught and police are already able to respond to any threat that occurs on the playa. Does this really need to increase? If there was hard definitive data that would prove it necessary than please elaborate, but as it stands now it is just adding unnecessary man power, expense, traffic and negative environmental impact.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1709	3	Mitigation-Public Health and Safety	209.0700.00	N/A	If you want to properly assess this, unless there is another ulterior motive involved, you need to consider it like a multi-week city of 60,000 - 80,000 people. You wouldn't mandate hardened security fences, private security forces, and search everyone that drives into the city for those types of environments - it would be beyond reasonable cost-wide and completely untenable and impractical operationally.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
372	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Measure PHS-I listed in Appendix-E E-2 Clearly interferes with the right of the people to peacefully assemble, as listed in the 1st amendment, by forcing the people that gather for this event to undergo warrantless searches administered by a private security force. Measure PHS-I listed in Appendix-E E-2 Also directly violates the 4th amendment of the U.S. Constitution by forcing its participants, staff, and volunteers entering the event to submit to an unreasonable search and seizure by a private security force, which diminishes their right to be secure in their persons, and effects.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1048	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I believe that this measure goes well above and beyond what would be deemed acceptable at other similar large events hosted elsewhere. Not only would it prove duplicative of efforts already in place by various law enforcement agencies (local, state and federal) which already devote significant resources to police the event, and monitor for such illegal activities already, but I feel that they would impose an undue financial and burden on the organization of the event, and ultimately its participants. Without even acknowledging the legality of such a proposal, it would accentuate traffic issues into the city, as it would lengthen the entry process into the city by forcing searches to be made, beyond what has been made as past practice during previous years.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1884	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I proposes that third-party private security firm be hired to inspect all vehicles for weapons and illegal drugs. In my 7 years of going to Burning Man, I've have not known of a single incident of a participant bringing a weapon to Burning Man, much less harming themselves or anyone else in doing so. Has the BLM quantified the number of incidents? How does the number of Black Rock City's incidents compare to the rest of Nevada's cities?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1611	1	Mitigation-Public Health and Safety	209.0700.00	N/A	For many years, BRC has published and widely publicized a list of prohibited items that are not allowed into Black Rock City, including weapons, narcotics and fireworks. We enforce these restrictions when items are discovered in vehicles during entry. Operationally, this recommendation would require dozens more lanes on Gate Road to process people in a timely manner while private security agents stop and search every single vehicle and each passenger, unpacking belongings onto the playa as BLM does now, tripling or quadrupling the area of impacted playa surface. With the current number of lanes on Gate Road, the delay from this private security operation would cause entrance times to be extended by days. Not hours, days. We currently estimate this operation, if it were feasible and legal, would cost well over \$3 million.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1888	9	Mitigation-Public Health and Safety	209.0700.00	N/A	The suggested PHS-I Mitigating Action step to screen "vehicles and participants, vendors and contractors, and staff and volunteers" would have variable processing times. Adding a variable processing time step into an operational system can exponentially increase wait time. This public resource outlines some of the theory behind wait times, and its relationship with variability.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
802	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The Mitigation PHS-I requiring BMP to contract a private security company undermines individuals' rights under the 4th Amendment, would result in incredible environmental damage and would cause insurmountable timing and economic barriers to the event. There is no probable cause for each and every individual entering the event to be searched and doing so would invalidate their rights under the 4th Amendment. The BMP has already put into place an effective system to monitor and control safety and law abidance during the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
827	1	Mitigation-Public Health and Safety	209.0700.00	N/A	* Monitoring Measure PHS-I The National Environmental Policy Act cannot be lawfully stretched to cover surveillance of this sort. It is grossly improper for BLM to request it	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
509	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The hypothesis that Private Security can reduce the workload of law enforcement isn't justified in the Draft EIS.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1049	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Searching all people and possessions entering BRC. Does BLM require that all the visitors to the playa during the rest of the year submit to search? The campers, hikers, hunters, etc who visit encounter virtually no monitoring, yet BRC attendees are closely monitored by BRC Rangers, BLM Rangers, and a collection of heavily armed uniformed and undercover law enforcement professionals. I find NO data in the EIS to support the claim that there is a compelling need, or legal precedent, to search people when they travel on to public land.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1049	7	Mitigation-Public Health and Safety	209.0700.00	N/A	We have concerns with the way that BLM appears to be implementing a radical, anti-drug crusade in this EIS. The blanket drug searches proposed are unwarranted and an overreach, and potentially violate the civil liberties of event participants. BLM should show restraint in policing the event, and in general should allow Burning Man to continue the self-regulation that has been a hallmark of the event and has resulted in a remarkable track record for safety. Similarly, the imposition of a requirement to place K-Rail around the perimeter of the event seems like overreach. A simple boundary fence to catch trash should be sufficient.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1892	1	Mitigation-Public Health and Safety	209.0700.00	N/A	First of all, I am unclear what problem this is intended to solve (volunteer citizens of Black Rock City already educate attendees about prohibited items and already enforce those restrictions) and what environmental impact it is intended to abate. Second, this requirement seems to constitute search and seizure without just cause, which is a violation of the 4th amendment of our US Constitution and not within the BLM's legal authority. Third, it would massively impact the ability of participants to gain access to the event, and create additional environmental impact due to long wait times with idling vehicles spewing even more carbon emissions, additional staff and additional use of even more of the playa's surface. Fourth, by requiring that a private company take over the work previously done by an all volunteer group of BRC citizens, it would create a major negative impact on the Burning Man cultural ethics of volunteerism and participation.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1812	2	Mitigation-Public Health and Safety	209.0700.00	N/A	On the topic of drugs: How long would it take to effectively search every tightly packed vehicle entering Burning Man to find small amounts of drugs that some individuals may bring in? Has the BLM considered the costs of running such a search operation at the Gate? Has it thought about the effects on wait times? As it is, people wait for hours in the heat, sometimes 8-10 hours. Has it considered individual rights of US citizens? What gives BLM the right to search every car without any evidence that there are drugs in the vehicle? If they search every car going to one event, shouldn't they search the vehicles of anyone going on to the playa?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
35	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
860	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Where is the data to support that weapons smuggling is a problem that needs to be solved? Clearly, some illegal drugs will make it into the event. But what level of search, other than full body cavity searches + drug dogs (which don't work for all drugs and can be fooled) + vehicle unpacking, are going to stop their entry?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
2022	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Where would one find a third-party private security company that will have any sort of similar experience? What kind of a mess will the mass ingress and egress become in the hands of unqualified people? Who would train a large private company to do such a unique job in such harsh conditions?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1954	1	Mitigation-Public Health and Safety	209.0700.00	N/A	subjecting every single vehicle to search would increase the amount of subterfuge committed by every single person attending Burning Man, whether they have anything to hide or not. That atmosphere will not only create unnecessary tension between Burning Man attendees, BLM and other law enforcement, it will make it harder to separate the truly dangerous from the merely strange.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
728	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Search and seizures would greatly slow down the ingress of attendees and thus cause more congestion and air pollution.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
423	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Increased wait times and traffic due to new search and seizure operations by BLM's private security company would be problematic, fruitless, and are unnecessary. It already takes a long time to get in to the event, and adding extreme searches will only cause a greater environmental impact based on making cars idle longer, will be a burden to everyone attending the event, and will be a waste of resources.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
423	6	Mitigation-Public Health and Safety	209.0700.00	N/A	How does the proposed mitigation measure propose to avoid a clear violation of constitutional rights, given that the proposed mitigation measure reads as a more blatant disregard for protections against search and seizure? There are no considerations in either the traffic analysis document or elsewhere in the document for the impact that the proposed searches will have on traffic on 447 and other surrounding roads. Conservative estimates, lacking any official analysis in the EIS, give that cars will be waiting on the playa and on county roads for days while waiting to be searched and enter the event. This number of vehicles waiting in line will create pollution that runs counter to the purported goal of an environmental impact statement, and in some cases actively undermines some other proposed mitigation measures - for example, VHS-4 will be undermined by the sheer volume of additional cars sitting on the playa while waiting to get parked and turned off. How does the EIS and proposed mitigation measure propose to address these issues and impacts on the surrounding community?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1799	20	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1799	21	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposal that entrance to the event be policed by a private security company is unreasonable, as the Burning Man community seeks to police itself and largely succeeds in doing so. It would also increase traffic and wait times, which would cause their own set of problems, including delaying the delivery of materials important to the safety and infrastructure of the city.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1799	22	Mitigation-Public Health and Safety	209.0700.00	N/A	Furthermore, since weapons are already banned, and historically have not been a problem, this requirement is completely unreasonable and unnecessary. To actually implement such a policy would require for every vehicle to completely unload all passengers and cargo for a lengthy inspection, which is clearly not feasible. The event already incurs huge delays due to existing inspections by Burning Man gate staff, which look for things like non-ticketed persons, and unpermitted mutant vehicles. The line to enter as a result of existing inspections is usually several hours. A detailed inspection as contemplated by PHS-I would increase the entrance line to several days, making the entire event untenable.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1439	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I am very concerned with transitioning security to a private firm, and moving oversight into federal hands. Adding additional security measures to the line will increase the already substantial time to entry (last year I waited in a 10 hour line! And others waited up to 14!)	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1925	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Similarly, regarding PHS-I, which proposes that all portals of entry should be screened for drugs and weapons: I have never felt unsafe at Burning Man. Additionally, this constitutes search and seizure -- what is the probable cause? And more importantly, I am extremely concerned about profiling: security personnel and agents do not have a good track record for avoiding treating certain people differently, as we've seen over and over again in tragic circumstances across America. Finally, the environmental impacts would be enormous! Much more space would be required to stop and search the cars--spreading out and impacting more playa--and many more cars would line up (for hours and days longer), burning more gasoline, releasing more CO2, as they wait for the illegal searches to be completed.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
486	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The PHS-I requirement does not take into account the time, area, logistics, and environmental impact - dust, fuel consumption, windblown waste, etc. - of the screening itself.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1058	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
882	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event. The items listed in the mitigation are already prohibited by the BM organization and are already searched for by BM staff. Requiring a third part to search everyone's personal property upon entry seems to violate my Fourth Amendment rights. I would be targeted for a search based on nothing more than me attending an event. Secondly, the logistical implications of such a policy would have detrimental effects on the environment and safety of people trying to enter the event. It already takes a very long time to enter and these searches would only increase that time. This would mean leaving more people sitting in idling cars for longer periods of time. People will be exposed to the elements for longer, putting attendees well being at risk and placing additional strain on emergency services.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
883	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The utilization of Private security for the enforcement of public safety screenings introduces another mitigation solution that falls short of addressing the intention of its implementation, improving public safety. Black Rock City has always openly and effectively communicated the illegality of certain items such as firearms, fireworks, etc. While monitoring of objects such as weapons are more feasible and less resource intensive due to the nature of their existence (its much easier to notice a gun, ammunition, weapons in someone's possession than a consumable narcotic) narcotics or other illegal substances are more difficult to enforce or monitor. There is a fine line between enforcement of laws and their application in justice or rule of law with probable cause, and unlawful or unprecedented search and seizure. Not only would implementing such a measure undoubtedly increase logistical difficulties, travel time, and resource degradation, the impact on attendance, experience, and adherence to Burning Man's culture of inclusion and volunteering that encourages community-policing and resolution would also render this an ineffective option.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1951	8	Mitigation-Public Health and Safety	209.0700.00	N/A	Neighboring communities already complain about congestion leading up to the event, this will only increase that. Is this a safety precaution, or a way to increase the \$ generated from citations? Burning Man is already highly monitored by a police presence; those who are in violation of the law get caught and police are already able to respond to any threat that occurs on the playa. Does this really need to increase? If there was hard definitive data that would prove it necessary than please elaborate, but as it stands now it is just adding unnecessary man power, expense, traffic and negative environmental impact.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1796	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Furthermore, this mitigation sounds like a violation of my rights under the Fourth Amendment, which prohibits unreasonable searches and seizures. The Fourth Amendment requires "reasonable" governmental searches and seizures to be conducted only upon issuance of a warrant. As a responsible, law-abiding U.S. citizen, how does my choice to attend Burning Man provide reasonable cause for the search of my person, my passengers, or my vehicle by law enforcement or third party security? In the 6 years attending Burning Man, my entry into BRC has been very efficient. My wait time on Gate Road to enter the event has never exceeded a handful of hours, and this includes the time that Burning Man staff and volunteers already spend searching every vehicle that enters BRC. Requiring warrantless searches of all vehicles and persons entering BRC will increase the wait time dramatically. What happens to the effect on air quality when tens of thousands of vehicles are kept idling on Gate Road for many more hours in order to enter the event? How is this adverse effect on the environment accounted for in the Environmental Impact Statement? What happens when, because of the dramatically extended wait time caused by warrantless searches, Gate Road fill up with vehicles, and these vehicles are now idling on Highway 34, potentially as far back as Gerlach? Surely this will have an adverse effect on the ability of vehicles to use Highway 34 and for citizens of Gerlach to commute.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1796	5	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event. The inspection of vehicles entering Burning Man deals with a problem unlike any encountered by typical private security services. The vast majority of vehicles entering Burning Man are completely packed with camping gear, supplies, works of art, and other miscellaneous items. Drugs and weapons are small, and unlikely to be detected by anything other than a lengthy, invasive search. To effectively search 20,000 vehicles coming in over a 48 hour period will be impossible.. A more reasonable mitigation would be to have the BRC Gate Department develop a law enforcement liaison team(much like the BRC Rangers have) and station some BLM personnel in D-Lot (where Gate staff direct problematic vehicles for further processing).	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
897	1	Mitigation-Public Health and Safety	209.0700.00	N/A	With regard to PHS-I from Appendix E, section E.1: In my 4 years of Burning Man, not once have I ever been worried or felt unsafe due to a firearm having been brought into the event. Nor have I ever heard of an incident involving a firearm. The only times on playa that I have seen a firearm are the ones carried by the LEO's. Is there any evidence of firearm/weapon related offenses at Burning Man? Has the BLM stopped and considered the 4th amendment right of Burning Man attendees? To stop every person for a thorough search of them and their vehicle without a reasonable suspicion (other than they are an attendee of Burning Man) would simply be a breach of this right. Also the time required to complete these searches would be immense. This is meaning that the back-up of the running cars at a stop through our gates, would not be worth the carbon emissions for these searches. There are already extremely long waits to get into the event grounds that include disruptive traffic jams through the neighbouring communities. Adding these extensive searches to let's say 89,000 people would be selfish and upset the surrounding population due to the backed up traffic going through towns.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
986	1	Mitigation-Public Health and Safety	209.0700.00	N/A	What is sure, however, is that PHS-I would cause logistical delays at the Gate that would ripple out into other areas not considered by the DEIS. As wait times grew exceptionally long, traffic and its delays at the Gate would ripple back through the Box Office, Gerlach, Empire, and beyond. The DEIS fails to consider these impacts such as all the traffic stuck on State Road 447.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1067	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The number of people arrested and/or injured each year (especially in relation to prohibited items such as drugs and firearms) is far smaller than that of a typical city the size of BLC, leaving me to wonder what the impetus for this recommendation could be. I do know that the result would be entrance lines that would likely exceed 24 hours, resulting in a severe negative impact on local traffic, an excessive number of idling vehicles, and a crowd of angry, exhausted drivers.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1067	5	Mitigation-Public Health and Safety	209.0700.00	N/A	For many years, BRC has published and widely publicized a list of prohibited items that are not allowed into Black Rock City, including weapons, narcotics and fireworks. We enforce these restrictions when items are discovered in vehicles during entry. Operationally, this recommendation would require dozens more lanes on Gate Road to process people in a timely manner while private security agents stop and search every single vehicle and each passenger, unpacking belongings onto the playa as BLM does now, tripling or quadrupling the area of impacted playa surface. With the current number of lanes on Gate Road, the delay from this private security operation would cause entrance times to be extended by days. Not hours, days. We currently estimate this operation, if it were feasible and legal, would cost well over \$3 million.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1067	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Private Security answering to BLM is an odd choice for managing Gate Road and the event, especially considering the number of volunteers, staff, and participants searched illegally by BIA on 447 in 201. Of all those arrests, citations, and illegal searches, there was no evidence collected to insinuate that our population of burners require a burdensome private security force, when we already have highly effective community counselors (in the Black Rock Rangers,) and we are already inundated with multiple police agencies who have difficulty controlling themselves in the event space.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
6	3	Mitigation-Public Health and Safety	209.0700.00	N/A	This mitigation is a wild overreaction and goes far beyond the mission of the BLM and the purpose of this EIS. Your document has not provided sufficient evidence of an issue here to suggest that such a heavy handed response is warranted. You have not demonstrated probable cause to search all vehicles and thus implementation of this mitigation would result in civil rights violations	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1969	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Experience with gate wait times over my last 9 burns growing to the point of untenable and I don't think any kind of increased scrutiny at the gate would help this, at ALL.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
468	3	Mitigation-Public Health and Safety	209.0700.00	N/A	This BLM requirement constitutes search and seizure without just cause - the "probable cause" in this case is exclusively the sole fact that a participant is going to Burning Man, and I, my significant other, and I'll even speak on behalf of my campmates and any future attendee to the Black Rock Desert (ie. public lands), and Burning Man event to say without a doubt that this would be a violation of the 4th Amendment of the U.S. Constitution.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1988	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Private security at all portals BLM proposes to impose contracted BLM-approved, third-party, private security at all portals of entry to screen participants, staff, and volunteers entering the Event. This measure would have little effectiveness in preventing real problems, while it would cause significant additional cost to the organizers and lead to serious environmental and other drawbacks.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1674	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The environmental impacts of this mitigation are huge, as even a slight increase in screening will lead to outrageous wait times that will have far reaching consequences.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
95	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Detailed vehicle searches will lead to extreme delay during entry, resulting in air quality emissions of criteria pollutants and diesel from vehicles idling for hours. This will impact the residents along the highway specifically, and to violations of air quality standards. Has the average delay been calculated based on the average delay it will take to search each car? Has that been delay been applied to vehicle emissions and measured against air quality standards?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1689	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I feel strongly that these new search and seizure operations will further increase wait times and traffic congestion when entering the Event, thereby negatively impacting my experience at the Burning Man Event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1704	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I am submitting a comment for: Mitigation PHS-I I believe this Mitigation is illegal and against the rights of all participants attending BM. As an active employee of the Gate, Exodus and Perimeter Team, I know that currently all vehicles found with contraband are dealt with by the proper authorities. As well as the countless volunteers who are trained to search and deal with participants in a way that allows for traffic to move efficiently and safely. Having a third party perform a task such as described in this mitigation would increase the entry to this event by 100s of hours.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
235	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Implementing hired security personnel risks a loss of that trust and understanding between persons involved with the event. The introduction of third-party personnel, not having been immersed on our culture, may have negative reactions which could cause emotional damage, misunderstandings and conflict.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1723	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Am I reading that an office like BLM can force themselves, through a third party onto people with no justification? What is your probable cause to do this? I have no issue being searched, go ahead, but I demand to know, why?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
925	2	Mitigation-Public Health and Safety	209.0700.00	N/A	As a volunteer with the Gate Perimeter and Exodus Team, I know the trust that we have built with participants allows for the team to smoothly and safely allow for the ingress and egress of participants in a way that respects first-amendment rights and what is now being proposed wouldn't increase safety, as contraband could still be snuck in to the city with no guarantee without extraordinary screening measures that would back up traffic to interstate 80. We have improved the flow of traffic and since we all know searching vehicles with private security would only increase distrust of law enforcement, I believe that while, well intentioned to bring security to the city, just as we don't search everyone's belongings when going to New York, Los Angeles, or Reno, it seems completely overkill to even threaten or attempt to do the limited searches that are proposed in this mitigation.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
925	4	Mitigation-Public Health and Safety	209.0700.00	N/A	If implemented, Mitigation Measure PHS-I would create a multitude of problematic practical issues. Extensive searches would result in undue delays at the Gate and increased environmental pollution from idling automobiles. Wait times at the Gate, already high, would skyrocket. Scheduling, deadlines, contractual obligations and the financial bottom-lines of everyone involved in the festival would globally suffer as a result.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
391	3	Mitigation-Public Health and Safety	209.0700.00	N/A	As was described in the special study titled "Public Health and Safety at the Burning Man Event," under Section 1.2.2, Civil Disorder: "In 2016, a juvenile was reported missing and was not located for several hours. As per BRC protocol, BRC closed the gate for approximately 4 hours, preventing the juvenile from leaving the event with an adult. Unrest ensued from those trying to exit the event site during the gate closure. Supplemental law enforcement responded to the line of vehicles queued up to leave the event to prevent full-scale civil disorder. BRC also deployed more staff to the area to calm the crowd trying to exit. The juvenile was located within the city by BRC staff, and the gate resumed operations, calming the unrest." In this case, a four hour delay on gate road resulted in a major deployment of law enforcement and BRC personnel, and according to the report, it sounds like without this major deployment of personnel, there would have been widespread unrest. Considering that there is no mention in the proposed mitigation measure of addressing the possibility for wide scale civil disorder, and that PHS-I has a very real possibility of creating delays on the order of days, not just four hours, how does the proposed mitigation measure propose to deal with the high risk of wide scale unrest while entering the city?Black Rock City already uses several well-staffed and well-trained volunteer departments, along with sheriffs and BLM officers patrolling gate road and the surrounding roads. There is no mention of the existing volunteer force and existing law enforcement presence, therefore there is no justification presented for the need to escalate the security presence. What is lacking in the existing system, and how would changing the current system to the one outlined in PHS-I have real, measurable improvements to the environmental impact of Burning Man? It is entirely unclear how private security would improve security at the event, let alone any environmental impacts that the EIS purports to address.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1731	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I believe that private security is a mistake because the Gate Crew has unique and demonstrable experience in running this event, and effectively reducing congestion on gate ingress. Violent crime statistics are much lower, per capita, than the vast majority of other cities in the USA, even without private security.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1731	1	Mitigation-Public Health and Safety	209.0700.00	N/A	BM is a participatory environment, and a key part of that participation is volunteering. Requiring a private company to perform this unnecessary and analytically unfounded function at the event would damage this shared value within the community	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1731	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The amount of delay due to these searches is already a major inconvenience that delays entry by several hours. Should these proposed modified searches be required, the delay would not be in hours, but in days. Very few attendees would tolerate such a delay for a minimal reduction in prohibited items. How would all these vehicles, standing in line for this long, be able to have enough fuel to make it through the event? This proposal would require several additional lanes and unpacking belongings onto the playa, which would increase the environmental and economic impact associated with the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1734	1	Mitigation-Public Health and Safety	209.0700.00	N/A	increased wait times and traffic due to new search and seizure operations by BLM's private security company would be problematic, and extremely expensive.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
336	2	Mitigation-Public Health and Safety	209.0700.00	N/A	THE GOVERNMENT IS DIRECTING THE INTRUSIVE CONDUCT Mitigation measure PHS-I directs a third party to screen vehicles and individuals. First, however, Black Rock City, LLC must obtain Government approval of its selection of security firm. Not only is the Government initiating the searches, but the measure functions to empower a third party to conduct the screenings with the Government's authority. The paramount factor in determining whether a search conducted by a private citizen is a police search is whether an officer is involved in instigating or executing it. Even where an officer's role is limited, the Fourth Amendment may still apply. See <i>Lustig v. United States</i> , 338 U.S. 74, 78 (1949) ("[A] search is a search by a federal official if he had a hand in it."). Additionally, a private citizen may be a police agent if he "obtained significant aid from state officials." See <i>Lugar v. Edmondson Oil Co.</i> , 457 U.S. 922, 937 (1982); see also <i>United States v. Jacobsen</i> , 466 U.S. 109, 113 (1984) (private citizen may be a police agent if he acted "with the participation" of an officer); <i>People v. McKinnon</i> , 7 Cal.3d 899, 912 (1972) (Fourth Amendment applies if officers "hired and paid" the person to conduct warrantless searches," or if he were to "open and search a specific package at [their] express direction or request"). Here, the BLM is requiring event participants, contractors, and vendors to submit to screening conducted by a "BLM-approved" third party. Although Black Rock City, LLC is expected to pay for measure, the Government would be initiating the inspections. Moreover, the Government not only knows of the proposed screenings, but actually conditioned the award of the permit on the searches. The Burning Man event could not be held unless Black Rock City, LLC pays for and permits a third party to execute the screening. In fact, the EIS contemplates an audit team would be present at the event to ensure that all of the permit's stipulations are being implemented. See Draft EIS, Vol. 2 at E-1. The BLM is involved in both instigating and executing the private searches. V. THE SCREENINGS WILL BE CONDUCTED TO ASSIST LAW ENFORCEMENT A warrantless search conducted by private individuals that is done to assist law enforcement violates the Fourth Amendment. See e.g., <i>United States v. Reed</i> , 15 F.3d 928, 933 (9th Cir. 1994) (individual conducting a search as a pretext to search for evidence of illegal drugs is unconstitutional if done to assist the police); <i>U.S. v. Ziegler</i> , 474 F.3d 1184, 1190 (9th Cir. 2007) (Fourth Amendment protections apply where FBI agent asked company manager to provide him with a copy of an employee's hard drive). Mitigation measure PHS-I unambiguously articulates that the government-approved security will screen	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
336 (continued)	(see above)	(see above)	(see above)	(see above)	vehicles and individuals for illegal drugs. Moreover, the requirement that the third party security report all violations "directly to law enforcement as violations are observed so that law enforcement can respond" eliminates any doubt about whether the screenings are intended to assist law enforcement. The BLM also requires the event security to provide a summary report to the government 30 days following the end of the event. The security screening and planned reporting is designed to assist law enforcement. Accordingly, the Fourth Amendment's protections apply. VI. THE SCREENING IS NOT A ROUTINE CHECKPOINT STOP Law enforcement may only stop vehicles without reasonable suspicion in limited circumstances. For example, police sobriety checkpoints are permissible if every approaching vehicle is stopped and persons detained are only briefly questioned. See Mich. Dep't. of State Police v. Sitz, 496 U.S. 444, 453-55 (1990). But vehicle checkpoints designed for other purposes may be improper. In City of Indianapolis v. Edmond, the Supreme Court explained that a checkpoint designed to interdict narcotics served only the general interest in crime control, which is not sufficient to justify an exception to the Fourth Amendment's reasonable suspicion requirement for a stop. 531 U.S. 32, 40 (2000). Additionally, even a small intrusion caused by a police stop may violate the event's attendees' and staffs' expectation of privacy. See United States v. Munoz, 701 F.2d 1293 (9th Cir. 1983) (finding although objective intrusion caused by roving patrol's stopping all vehicles in national forest to check for woodcutting permits and possible game violations may have been modest, the public's expectation of privacy while visiting national parks is not so diminished as to obviate need for compliance with recognized Fourth Amendment requirements). Here, the EIS makes clear the government-initiated searches will be conducted to screen for weapons and illegal drugs, which violates the Fourth Amendment's prohibition on unreasonable searches and seizures. Further, the recommendation does not indicate whether all vehicles and people will be screened and does not contain any guidelines for how long they would be detained. As drafted, the BLM's mitigation measure do not pass constitutional muster. VII. CONCLUSION The BLM's proposed third party search is not justified, is designed for purposes unrelated to traffic control or individual suspicion, empowers a third party security force with the authority of the Government, and is planned to assist law enforcement. The screening mitigation measure violates the Fourth Amendment's protection against unreasonable searches and seizures by private individuals who are acting as government instruments.	(see above)	(see above)
1739	4	Mitigation-Public Health and Safety	209.0700.00	N/A	I wish to address one in particular: that the Bureau of Land Management seems to be either unaware or unconcerned with the constitutionality of searches to be imposed upon members of the general public. Last year, we saw searches of vehicles on roads leading to the festival so blatantly without probable cause that the local district attorney declined to prosecute en masse. Now, the DEIS proposes to attempt to circumvent constitutional issues by forcing Burning Man to hire private security contractors to search all attendees. But, there is no doubt that these private contractors would be held to be agents of the government, and therefore no constitutional issues would be solved here. Any attempt to rely on the administrative search doctrine here would also be weak given that the intent is clearly not public safety (cf. an airport search where there is a heightened threat of terrorism) but rather a garden-variety law enforcement search for drugs. I look forward to being the first to file suit should the DEIS be adopted with the search provision included.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1071	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Likewise, searches conduct by private third-party vendors would exponentially increase carbon emissions as vehicles await their turn. Not to mention that private, third-party security would be no better.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
936	9	Mitigation-Public Health and Safety	209.0700.00	N/A	Neighboring communities already complain about congestion leading up to the event, this will only increase that. Is this a safety precaution, or a way to increase the \$ generated from citations? Burning Man is already highly monitored by a police presence; those who are in violation of the law get caught and police are already able to respond to any threat that occurs on the playa. Does this really need to increase? If there was hard definitive data that would prove it necessary than please elaborate, but as it stands now it is just adding unnecessary man power, expense, traffic and negative environmental impact.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
239	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Neighboring communities already complain about congestion leading up to the event, this will only increase that. Is this a safety precaution, or a way to increase the \$\$ generated from citations? Burning Man is already highly monitored by a police presence; those who are in violation of the law get caught and police are already able to respond to any threat that occurs on the playa. Does this really need to increase? If there was hard definitive data that would prove it necessary than please elaborate, but as it stands now it is just adding unnecessary man power, expense, traffic and negative environmental impact.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1743	6	Mitigation-Public Health and Safety	209.0700.00	N/A	The 4th Amendment, if I recall my grade school Civics class, prevents search and seizure without probable cause. Singling out participants of a specific event, or really users of a specifically permitted piece of Federal land (I will note that Federal means belonging to the Citizens who pay taxes for it) is discriminatory, and could certainly be seen as illegal profiling. Choosing to attend a particular event does not constitute probable cause.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1743	6	Mitigation-Public Health and Safety	209.0700.00	N/A	In addition, the environmental impact (this *is* and Environmental Impact Study, is it not?) would be to backup traffic for many many miles, both on a the dirt and gravel road into the event as well as on Highway 34, and to increase traffic possibly as far back as Fernley and Reno.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1320	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I: What is the rationale behind hiring additional security?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
667	5	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS -I BRC already has a private security for the event, as well as numerous state and local officers that have been hired for the event. Requiring another team to be brought in would only further thin out resources in the surrounding localities, and would increase traffic along the entry roads as the independent group potentially searched 40-50 thousand vehicles.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1794	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Having outsourced security will create a situation where no one body will be in charge, will it be the security company or the BM event management. Searching and screening all people will create an impossible situation with regards to getting into and out of the event, it already is a challenge.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
426	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event. -Again, this is a solution to a problem that does not exist. A private security force to search all vehicles and participants at the gate for drugs and weapons would be an outrageous violation of personal space and liberty under the Fourth Amendment of the Constitution. The cost would be huge - up to \$3 mil. Wait times at the gate would be greatly increased, leading to more air pollution as vehicles idle in line. I have been to Burning Man seven times and have never seen a weapon or been threatened by drug use.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1615	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I The proposal to require an independent, third-party, private security business to inspect all entrants seems an extensive overkill and somewhat redundant vs. the current process. Such an operation would not only be inconsistent with the spirit of the event and type of participants, but may be unconstitutional in that no offense has been committed and therefore search & seizure is not warranted. The list of prohibited items is published clearly and all entrants have had to acknowledge this list in purchasing a ticket. There is strict enforcement of speed limits and other vehicular rules onsite.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1872	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Why is BLM proposing the use of a private security firm when BRC has proven an ability to create a safe environment for festival goers? A private security requirement would increase wait times at the entrance and exit to the festival and present an unnecessary financial and logistics burden, increasing ticket costs and decreasing access to BLM land.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
57	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Also, the EIS raises the issue of security, but doesn't cite any crime statistics from the 27 years that the Event has been held in the Black Rock Desert. How many crimes have been reported per 1000 people and how many arrests have been made and for what crimes?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
738	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I am opposed to Mitigation Measure PHS-I. I do not believe requiring private security to screen vehicles and participants entering the event is a good idea. Use of a third-party vendor in this role is not in the spirit of the event. Also, such a vendor is unlikely to do as good a job of screening as volunteers currently do, would be a waste of money, and would likely cause significant additional traffic delays and problems that would negatively affect public safety.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1873	7	Mitigation-Public Health and Safety	209.0700.00	N/A	In addition, there is no physical way to actually search all the individuals and vehicles passing through BurningMan gates in any reasonable period of time. The math is quite simple-it will take a minimum of bare minimum of 15 minutes per vehicle and more likely 30 and possible up to 60 minutes per vehicle. It currently takes an average of 4-8 hours to enter Black Rock City once the vehicle actually exits the road and enters the playa itself. On average, each vehicle will have between 100-500 vehicles ahead of it in line during that 4-8 hour period. If you add an additional 15 minutes per vehicle for search time, then each vehicle will now add an additional 25 hours of wait time and with 30 minutes of search time, an additional 50 hours of wait time-otherwise known as more than TWO DAYS per vehicle. And what do you think happens when you add 2 DAYS wait time to each vehicle the actually on the playa? All the traffic that is coming from Interstate 80 will back up the entirety of Route 447-a 70 mile traffic jam that will ultimately extend onto Interstate 80 itself.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1703	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The requirement to hire a private security company to screen and search all vehicles entering BRC will be construed as seizure without just cause. The "probable cause" in this case is solely and exclusively the fact that a participant is going to Burning Man and would constitute a violation of the 4th Amendment of the U.S. Constitution. FBRHR fears that this standard could be construed as a requirement for all NCA activity. The Draft EIS did not take into consideration that Burning Man coincides with hunting season in Nevada and while firearms are not allowed in BRC a private security company could impose their authority off playa.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1709	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Public Health & Safety, Mitigation PHS-I, private security screenings The requirement to hire a private security company to screen and search all vehicles entering BRC appears to be search and seizure without just cause. The "probable cause" in this case is solely and exclusively the fact that a participant is going to Burning Man and would constitute a violation of the 4th Amendment of the U.S. Constitution.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1709	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The environmental impact of gate-searches is significant: unpacking and repacking full cars in a high-wind, unsheltered, dust-storm environment will produce an unquantifiable -- but substantial -- amount of inadvertent litter, and expose people not suspected of any crime to substantial damage to their personal property, to say nothing of the privacy dimensions of these searches, which will force attendees to expose sensitive medical equipment, personal journals, literary and religious artifacts, and other private, sensitive and constitutionally protected materials to third parties.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1876	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Lastly, the gate volunteers on site are experienced and run a smooth operation, bringing in 80k people. I can't imagine the delays having a third party run it would be. Having been to a few other large scale events, I imagine it would be catastrophic, with people running out of gas in line.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1409	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Given that there is only one entrance, creating another level of search would cause entry times to increase from hours to days. There is an environmental duty to decrease greenhouse gas emissions not increase them. A fair amount of folks would probably run out of gas given this scenario. I do not see any environmental analysis showing how increased traffic wait times would affect the playa surface and dust creation.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1409	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I feel strongly that these new search and seizure operations will further increase wait times and traffic congestion when entering the Event, thereby negatively impacting my experience at the Burning Man Event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1045	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I. Has the BLM taken into account what will be exceedingly long delays into the event if a private security team searches all vehicles? The delay would likely back roadways for miles, well beyond Gerlach or Empire. Creating a slow down to traffic in the region for days that would last the week before and during the event. Air quality in local communities would be compromised by idle vehicle emissions and both the local driver and event participant would be prone to venting frustrations caused by the long delays. The current volunteer system has shown it is effective and that it works with law enforcement when it discovers illegal activity.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1879	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I I believe implementing mitigation measure PHS-I will gravely endanger both the safety and the civil rights of every attendee of Burning Man, and that it is both redundant and punitive. I. I believe adding a layer of private security workers would create an atmosphere of distrust and dishonesty that could seriously endanger all attendees of Burning Man. In addition to the existing high level of law enforcement scrutiny, every vehicle entering Burning Man is already subject to search by trained event staff (Gate, Perimeter and Exodus crew, or Gate) who are searching for illegal drugs, weapons, fireworks, and stowaways. That Gate are not law enforcement officers, and are not seeking to harm, punish, or generate revenue from event attendees through searches and seizures, helps create an atmosphere of trust.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1884	1	Mitigation-Public Health and Safety	209.0700.00	N/A	BRC already searches vehicles at the gate. There are also many law enforcement officers that patrol BRC during the event. Increasing the surveillance for illegal substances would be costly and would infringe on the rights of the American citizens attending the event. Further, BLM's main justification for surveillance appears to be: "From 2012 through 2017, BLM law enforcement issued an average of 196 citations per event for possession of controlled substances, far exceeding the average of six citations per year issued throughout the Winnemucca District Office, outside of the Burning Man Event." What is the population that the Winnemucca District Office oversees outside of BM? Without proper context, the comparison is meaningless.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1888	8	Mitigation-Public Health and Safety	209.0700.00	N/A	The suggested Mitigation Measure PHS-I; Appendix E: Contracted BLM-approved, third-party, private security at all portals of entry to screen participants, staff, and volunteers entering the Event, is not rationally related to any legitimate government interest that can overcome the protections of the Fourth Amendment as it relates to privacy and illegal search and seizure. Warrantless search by a private security company, without consent, probable cause or even reasonable suspicion, violates a fundamental Constitutional Right, and BLM cannot show any sort of compelling or heightened governmental interest that would allow such fundamental rights, guaranteed in the Bill of Rights, to be simply be discarded. Nor can BLM show any heightened history of problems exceeding that which would be expected in a gathering or city of this magnitude. Apart from the cited mere presence of illicit materials, BLM has failed to show that there are any exigent circumstances that would require such severe measures with their obvious undue burdens on basic civil rights.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
827	2	Mitigation-Public Health and Safety	209.0700.00	N/A	A) Primarily it is a clear a violation of the 4th amendment right to freedom from warrantless search and seizure. A federal agency can't abscond its obligation to the 4th amendment by mandating that a private agency conduct the searches and then turn law breakers over to the police. B) It would be impossible for a security team to adequately inspect all of the vehicles that drive into Burning Man. C) It would cause tens of thousands of cars to idle in the hot sun, wasting fuel, creating unnecessary greenhouse gases while waiting for an inspection. D) It would create another unnecessary and undue expense on Burning Man and it's participants.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
828	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding Mitigation PHS-I, the requirement of a third-party security service to search every entrant into the event is not based on research that shows that the participants pose an imminent security risk to the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
509	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS- I Again - the idea of using third parties to facilitate this measure make me very uneasy for the same reasons I stated above regarding third party private security for inspections of persons and vehicles. For profit entities will place undue financial burden on the event and participants. This is also sounds like illegal surveillance of participants, and feels personally offensive to have to undergo. I will no longer participate at Burningman if I will be subject to this kind of surveillance. How are participants to be monitored? What is the acceptance criteria for successful implementation of this measure? How will contractors be used to measure this? If we are to foot the bill for something like this, we have a right to know these things. Otherwise there is no accountability for how the third party contractor is used.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1049	4	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I Search and Seizure: This is just an outright violation of the fourth amendment. Not to mention it would make an already difficult entry into the event much worse, backing up cars and leading again to a larger carbon footprint with the extra pollution it would cause, not to mention again the cost which would be prohibitive to the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1049	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Private security, searching cars- It seems impractical to do a detailed search of every single vehicle that enters the event. It would be a simple math problem to solve in regards to time to search a vehicles: number of cars x's time to search vehicle / number of searching stations. I can only image how slow the vehicular traffic would be. This would create a traffic jam that leads all the way to Reno	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1139	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I: Private security contractors searching vehicles. This is, at its core, a fundamental violation of the Fourth Amendment. Attendance to Burning Man is not probable cause for an unwarranted search and seizure. Use of public lands by American citizens is not subject to these measures; vehicles are not searched going into National Parks, nor are visitors to the Black Rock Desert during the rest of the year subject to such intrusive actions. American citizens participating in the Burning Man event are entitled to their Fourth Amendment protections, and if anything, the federal government should be protecting these rights, not discarding them. Attempting to implement PHS-I will likely result in a lengthy, expensive court battle between American citizens and the federal government, costing BLM valuable resources that could be used for more important purposes.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
35	3	Mitigation-Public Health and Safety	209.0700.00	N/A	What are the expectations of hired security beyond what is being done, and why can't this be accomplished by this crew of seasoned event participants? Time at the gate can already be long, causing backups. Increasing unnecessary inspections to every vehicle will cause traffic to back up onto Route 447. There have already been times, particularly at the start of the event, when the backup has extended past Gerlach and Empire; such delays would likely guarantee this, and more. o Such a backup would hamper access by emergency services to Gerlach, Empire, BRC, and possibly even Nixon. o A backup would delay normal commercial traffic. o Waiting travelers would spend more time outside their vehicles, causing a huge increase in road hazards and likely accidents. o Without access to sanitary facilities (and unknown wait times), waiting travelers would be more inclined to use the side of the road.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
209	5	Mitigation-Public Health and Safety	209.0700.00	N/A	If we add new/addtional search and seizure policies operated by BLM then it will drastically affect wait times and traffic which would cause a lot of upset burners. People fly in from all over the world, and burning man has does their best at monitoring and handling the check in and entrance of the city just fine.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
868	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I (BRC to hire third-party screening for drugs and weapons): there is no evidence presented in the EIS that weapons have historically been a problem at the event, or that drugs at the event present a public safety hazard. There are certainly reasonable concerns raised by surrounding communities about opioid use, but there is no evidence in the report that Burning Man drives any of the trafficking in and around these communities. And, like the proposed NAT-2 mitigation, there is no analysis of the environmental impact of this proposed measure. The best estimates of the impact of this measure indicate that entry to the event will literally take days, with concomitant idling of cars, makeshift camping in entry lanes since people will need to eat and sleep, and huge impacts to sanitary facilities. This finding is in no way in keeping with the intent of an Environment Impact Statement; it ignores the environmental impacts of a suggested action, in the interest of prosecuting a failed drug policy. There is also no measure of effectiveness of this control at even achieving the stated goals; the Transportation Security Administration has been conducting similar searches at airports for many years, and even with x-rays, metal detectors, milliwave scanners (all machines that would not survive the playa environment) their failure rate is 95%.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
868	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I Black Rock City-during the week of Burning Man in August and September-is one of the lowest-crime jurisdictions in the State of Nevada. In fact, the Nevada crime rate is 31.60 per 1,000 citizens.* There are 70,000 citizens of Black Rock City, and there not that many arrests per capita by any measure during the festival week.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
871	4	Mitigation-Public Health and Safety	209.0700.00	N/A	For many years I have spent 8 hours in line waiting for entry. I cannot fathom the unnecessary inconvenience of completely searching the 30,000+ vehicles. The loads on most vehicles, cars and trucks and trailers alike, are monstrous. To completely unload and then reload every vehicle is logistically ridiculous.And an unwarranted search has obvious legal implications.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
876	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Neighboring communities already complain about congestion leading up to the event, this will only increase that. Is this a safety precaution, or a way to increase the \$ generated from citations? Burning Man is already highly monitored by a police presence; those who are in violation of the law get caught and police are already able to respond to any threat that occurs on the playa. Does this really need to increase? If there was hard definitive data that would prove it necessary than please elaborate, but as it stands now it is just adding unnecessary man power, expense, traffic and negative environmental impact.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
423	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Incurring the additional expense of hiring outside contractors does not necessarily improve the effectiveness of these services. The BLM proposal in section 3.5.1 does not set forth any explicit standards for the qualifications for such third-party contractors (though section 2.2 does outline coordination of a central operations team and a post-event debrief). If the proposal set out such standards, the Burning Man Organization should be free to have their existing volunteer security services conform to such requirements in terms of skills and number of resources per resident of Black Rock City.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1376	1	Mitigation-Public Health and Safety	209.0700.00	N/A	We could conclude that a lack of competition would allow for an exploitation of higher price estimates—and ultimately higher contract costs. To this reviewer's knowledge, no U.S. based history exists in a similarly arid environment administered by BLM. And with a yearly periodicity, negotiations would need to be recurring. The strategies that public managers employ to “build and sustain competition for contracts often require tangible investments of administrative resources that add to the transaction costs of contracting in noncompetitive markets” (Girth et al., 2012, p. 887). But nowhere in the EIS does BLM propose to increase their administration. Discussions have been documented regarding increases in patrol staff. However, the bulk of those “on playa” employees would likely not be involved with the administration of privatization. In short, in office or on playa, no additional administration staff are mentioned.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1376	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Because of the likely lack of competitiveness, the ability to generalize and do comparable cost/benefit analyses is limited. An estimate of the proposed privatization costs should be reported. If not, the budgetary impacts—including those discussed within the original EIS Comment—may have wide-reaching consequences. But now, delays in accounting could possibly be attributed to delays in processing an individual and/or the judicial system. And, absent attempts at understanding, the possibility for one or more crises could occur because of the stressful environment and requirements for communications and networking. In the remoteness of the Black Rock Desert, this reviewer believes the attempt at privatizing is very risky. Thus, the mitigation measure of PHS-I should be removed.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
423	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I: What is the rationale behind hiring additional security? I have experienced vehicle searches on Gate Road every time I check in to the event, and there are several layers of security (law enforcement, Black Rock City Rangers, volunteers). I have never encountered anyone with weapons at the event other than law enforcement.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1913	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Under Mitigation PHS-I BLM would require the Burning Man event to hire a 3rd party security team. Under this requirement the security team would report all violations directly to law enforcement. The screening of every car and attendee of the event would create huge traffic delays and pollution around the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
315	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed third-party security screening measures would a) be redundant, and b) potentially drastically impact traffic flow into the Event, with significantly more issues from idling and/or leaking vehicles, both on Gate road and on County Road 34 and other surface roads in Pershing and Washoe Counties. This could potentially have a variety of secondary impacts apart from the increased delays entering the event, involving anything from vehicle breakdowns in congested road conditions to an increase in littering and people possibly inappropriately relieving themselves on the road right of way or trespassing onto neighboring lands to do so. Given that the functions of preventing Closure Order violations and educating participants on Event and BLM requirement are already being handled by BRC Gate staff, why is this proposed mitigation necessary?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
455	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In order to make sure no drugs are brought on playa, the vehicle searches would need to be very thorough indeed and thus take up hours per vehicle, which is absolutely impossible given the number of vehicles inbound. Furthermore, conditions on the gate road are not easy to work under; no matter how well trained external security might be, I foresee serious friction due to exhausted agents, a significant increase in delays which would block up the roads for hours, and a change in tone that would negatively impact the whole culture of the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1799	21	Mitigation-Public Health and Safety	209.0700.00	N/A	What is the probable cause that the BLM is acting under in subjecting every participant to a search of their property merely because they are attending the BurningMan festival? In 2017 there were 58 arrests at BurningMan and in 2018 the number of arrests were 43. Most of these arrests were for drug possession or trafficking. Using the higher rate from 2017, that's an arrest rate of .08% (out of a population of ~72,000). According to FBI statistics, the national arrest rate for drugs is 0.6% ( <a href="https://www.bjs.gov/content/dcf/enforce.cfm">https://www.bjs.gov/content/dcf/enforce.cfm</a> ). Thus the rate of drug arrests at BurningMan is 1.3% of the national average, hardly a case for probable cause.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1799	38	Mitigation-Public Health and Safety	209.0700.00	N/A	he EIS has failed to adequately consider the increased detrimental environmental impacts of this recommendation including increased tailpipe emissions of greenhouse gases caused by delayed idling vehicles, additional staff and staff transportation, increased traffic, dust, and increased playa surface disturbance and delays in building BRC. A key part of the Burning Man experience and culture is participation that includes volunteering. Requiring a private company to perform this duplicative, unnecessary and analytically unfounded function at the event would damage this shared value within the community, and it would negatively alter the experience of thousands of visitors to public lands, since the first experience people would have upon arrival to the National Conservation Area would be an unconstitutional search of their person and belongings.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1050	3	Mitigation-Public Health and Safety	209.0700.00	N/A	If new security protocols are put into place that require all vehicles to be searched, it could leave vehicles sitting on CR 34 for days, with inadequate restrooms, dramatically increased emission of greenhouse gas, not to mention health and safety risks.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1244	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I Every year Black Rock City is one of the lowest-crime jurisdiction in all of the state of Nevada. There is no evidence to support the need for separate, private security forces onsite. Indeed, the Black Rock Rangers -- a experienced, community-based, all-volunteer force -- are among the most commendable and exemplary aspects of the city's management. Several of my campmates are volunteer Rangers, and I have seen firsthand how seriously they take these duties and how well they perform them. The environmental impact of gate-searches is significant: unpacking and repacking full cars in a high-wind, unsheltered, dust-storm environment will produce an unquantifiable -- but substantial -- amount of inadvertent litter, and expose people not suspected of any crime to substantial damage to their personal property, to say nothing of the privacy dimensions of these searches, which will force attendees to expose sensitive medical equipment, personal journals, literary and religious artifacts, and other private, sensitive and constitutionally protected materials to third parties. Without evidence of crimes or risks that justify these high financial, privacy, personal, and environmental costs represented by this measure, this recommendation should be dead on arrival.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1244	4	Mitigation-Public Health and Safety	209.0700.00	N/A	No city in America searches people upon entering, so what makes BRC different than Reno or Sparks? Are the handful of possession citations worth backlogging the county in time and cost from the many appeals that will likely ensue? Aside from the legal ramifications, an extensive search of every vehicle means greatly increased backup onto CR 34 as well as SR 447. These roads are already heavily backed up leading up to the beginning of the event, and slowing it down even further will only serve to increase the ingress traffic problems BMorg has been trying to mitigate for years. Not to mention the environmental impact of all those idling vehicles. Black Rock Desert is hot during the summer months; many people will want the air conditioning on while they wait, and that means leaving their vehicle running.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1231	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I is an absolutely absurd proposal. Entrance is already extremely slow in nature due the limited nature of the entrance road. Creating another roadblock to entrance for a third party to interfere with operation is a recipe for disaster. This will only create problems where none were before. This is already handled by volunteers and has run smoothly in the past.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1154	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I understand the need to protect public health and safety at the event, but this measure would lead to extreme delays at the gate and public roads and would result in a severe increase in air quality emissions while not really mitigating anything. First, I would like to know what the substantial evidence upon which Mitigation Measure PHS-I is based? Please provide a description of the history of gun violence or weapons violations/violent events at the event in the last 10 years. I was unable to find the nexus for requirement for weapons searches in the EIS .	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1939	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS- I An unreasonable search and seizure is a search and seizure without a search warrant and without probable cause to believe that evidence of a crime is present. Therefore, this requirement is a violation of civil liberties and is therefore unconstitutional, as it violates the Fourth Amendment. PHS-3 Concrete barriers – I'm not sure I even understand what perceived problem this is meant to address. The environmental impact of transporting 10 miles of Jersey barriers and K-rail fence would be enormous. Burning Man has a volunteer department of dedicated volunteers who patrol the perimeter throughout the event. I camp with one such volunteer, who states the following: "People sneaking in is an extremely small problem, and due to the proactive measures taken by the Burning Man organization, it has become less of a problem over the years."	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
886	3	Mitigation-Public Health and Safety	209.0700.00	N/A	My second concern is with the high potential of civil rights violations created by contracting a private security firm to act as law enforcement. Specifically: "Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond." Private security workers are not public employees and are not subject to the same degree of accountability as law enforcement officers. Asking a private, unaccountable security force to perform the duties of law enforcement creates an enormous potential for abuse by the private security workers. While the actions of law enforcement officers are subject to Constitutional limits, it's not clear what limits private security workers would be expected or required to follow, or what the path for addressing abuse by those officers would be. It would be flatly unconstitutional under the 4th amendment for BLM to require that every vehicle entering Burning Man be subject to search and seizure by law enforcement without probable cause. It's not clear to me how this is functionally any different -- BLM would be requiring that private security both act as law enforcement, and also be allowed to search any vehicle for any or no reason.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
183	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I BRC already searches vehicles at the gate. There are also many law enforcement officers that patrol BRC during the event. Increasing the surveillance for illegal substances would be costly and would infringe on the rights of the American citizens attending the event. Further, BLM's main justification for surveillance appears to be: "From 2012 through 2017, BLM law enforcement issued an average of 196 citations per event for possession of controlled substances, far exceeding the average of six citations per year issued throughout the Winnemucca District Office, outside of the Burning Man Event." What is the population that the Winnemucca District Office oversees outside of BM? Without proper context, the comparison is meaningless.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
316	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I can't imagine what the lines would be like for entry if every car is searched	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
890	1	Mitigation-Public Health and Safety	209.0700.00	N/A	To search ALL vehicles entering BRC would create an incredible backup of automobiles extending onto single-lane public roads and into the surrounding small towns--a safety hazard that is disallowed by MOST festival organizations. It would also create incredibly long wait times, and correspondingly enhance the volume of fuel expended and exhaust fumes released.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
986	2	Mitigation-Public Health and Safety	209.0700.00	N/A	the Black Rock Rangers are in place within Black Rock City to further assist in the sustainability of safety throughout the duration of the event. If there were however some kind of dangerous or catastrophic occurrence within the event to indicate the insufficiencies in the current security of Black Rock City, it would then be reasonable to suggest the current security in place was insufficient. Privatized security may be necessary at that point but The Burning Man participants have not given reason to suggest they are incapable of providing safety for each other during the event as evidenced by years of safe practice.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
903	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Have you considered how far Mitigation PHS-I might survive legal challenges? Are there other examples where events on public lands require private security firms to search for illegal drugs? How does that not violate the 4th Amendment of the Constitution? I've seen plenty of people drinking beer while camping in National Parks, but rangers are not searching cars entering the campgrounds.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1143	1	Mitigation-Public Health and Safety	209.0700.00	N/A	It already takes a very long time to enter the event, because Burning Man volunteers do an excellent job screening admissions for all forms of contraband. Adding a 3rd party requirement to this service already provided adds huge expense to the event without improving outcomes, a level of expense which threatens the financial viability of having the event at all. It would also likely further delay admissions, adding significant environmental harms due to greenhouse gas emissions from idling vehicles. It will also generate resentment and other bad feelings in attendees that there is no reason to introduce.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1144	1	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM has not demonstrated a public health problem which justifies a need for BLM to monitor illegal substance activity.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1971	4	Mitigation-Public Health and Safety	209.0700.00	N/A	By requiring mandatory, warrantless searches of all vehicle traffic into the event, the event begins on a foundation of mistrust. This mistrust might further exacerbate issues that do inevitably arise during the event. Moreover, the civil liberties concerns raised by these searches could lead to liability for both the Burning Man organization and the BLM	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
468	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Furthermore, this will exacerbate issues of ingress safety. The ingress process is already lengthy and leads to long backups that extend out onto Highway NV-447. A typical Burning Man participant may experience anywhere from 3 to 12 hours delay entering the city based on the current ingress process. Adding a thorough search for weapons or drugs could extend this considerably; if implemented, I would believe reported delays of up to 24 hours for ingress. Burning Man has worked to reduce this traffic by encouraging carpooling by charging for vehicle passes, and incentivizing taking shared transit (buses) to the event. When NV-447 is blocked, it makes it more difficult for emergency vehicles to transit to and from the event space, as well as has an impact on the towns of Gerlach and Empire, NV. Adding the sort of searches described in this EIS to every vehicle entering will cause backups to last considerably longer. These backups will hamper the local towns, and may cause further backups and traffic concerns as far back as Nixon or further if searches take too long to complete. If the backup leads all the way to Interstate 80, and causes an Interstate traffic jam, that would cause a significant safety risk to participants and other highway travelers, as well as impact the Nevada economy, as that highway typically experiences significant throughput of long-haul trucking. These backups are also dangerous to participants experiencing delays on highway NV-447. Due to vehicle pass restrictions, many event participants travel in passenger vehicles containing only people, and are unsuited to carrying equipment; another cargo vehicle from their camp carries their provisions including food, water, and medical supplies. Separating participants from their essential gear for an extended duration poses a health and safety risk to these participants.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
468	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Additionally, I am concerned about the recommendation for a private security company reporting to BLM to be stationed at all entry points and checking all vehicles. While I applaud the desire to keep us all safe from acts of violence, I have not experienced an issue of violence or a problem with drug usage during my five years at Burning Man. I fear that this screening would cause incredibly long lines, longer than we already experience, and that this screening at its core unfairly targets the event. I am concerned about the impacts to the playa soil and air quality caused by vehicles sitting and running for days at a time, perhaps in many more lanes than previously used while waiting for their search to take place, and I believe that searching all attendees simply on the grounds that they are attending this event is not a just cause.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
442	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In reviewing table E-1, I also don't believe that enforcing a 3rd party company for security screening is necessary or feasible. Has the BLM considered the impact of such screenings during entrance/exodus? The burning man community is an incredibly safe and peaceful one, and never in my time attending Burning Man have I ever felt unsafe. Anytime I have been lost or in need of anything, I have found amazing people right by my side to help me. I realize that with a population ~ 80,000 that there are incidents that require authority, but I have never found that our community needs increased security. The entrance/exodus of the event is already a logistical maze with wait time often exceeding 8hrs. Is it really plausible to significantly increase the car screenings during entrance? I don't believe so.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1068	2	Mitigation-Public Health and Safety	209.0700.00	N/A	bringing in an outside private security company will wreck havoc on entrance times and the overall well being of not just rank and file burners but also the BLM rangers and other LEO working out there. The Gate, Perimter, and Exodus people are extreemly well trained and good at what they do. Let them do their job that they have spent decades perfecting. An outside security company will not understand the nuiances of the event. This could cause days long backups on the highway, possibly all the way back to highway 80.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1684	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Both Public Health and Safety Item PHS-I (Table E-1, page E-2), proposing that all portals of entry are staffed by private security to "screen" all vehicles and participants, and PHS-I in Table E-2, proposing constant monitoring of illegal substance activity, blatantly violates the Fourth Amendment and is, hence, unconstitutional for several reasons. The Fourth Amendment of the Constitution clearly states: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." Since the location is public land and not private property, a private security guard has no right to search anyone's car, as a car is considered private property. The exclusionary rule (established by Mapp v. Ohio) specifies that evidence obtained by a private citizen acting on behalf of law enforcement is unconstitutionally inadmissible in a court of law. Were private security enlisted to search the 30,000+ vehicles with law enforcement standing by, any resulting arrests would be an enormous waste of taxpayer money, as in all likelihood, most if not all arrests would be deemed unconstitutional, with all cases being dismissed.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1995	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Gate staff already work with local law enforcement on security and smuggling. It's a proven, effective combination. This DEIS does not consider the delay introduced by time required to unpack and inspect each vehicle entering the event, which has been calculated to require days. Not hours, days. This means a participant would have to arrive at the gate several days before it opens just to wait in line. Then there's the increased pollution and playa surface impacts introduced by the additional vehicles, personnel and shelters required by the private security firms. This also does not take into account the required surface area needed to pull vehicles over, and place their contents onto the playa. Has the BLM calculated this? Do you have any idea as to how much additional acreage would be required to process this?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1886	1	Mitigation-Public Health and Safety	209.0700.00	N/A	At all portals of entry into the Event beginning 14 days before Labor Day, BRC will be required to contract a BLM- approved independent, security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third party, private security will provide an Event summary report to the BLM within 30 days of the end of the event" Main Questions: 1. Has the impact on entrance to BRC and the rebounding traffic on 447 been considered? a. All ready, the traffic is backed up with the level of inspection that happens at the gate. 2. Will the independent security company have the level of personnel needed to search every vehicle? a. Per above comment, if the vendor is required to search every vehicle, this will cause monumental delays. Not to mention detail of packing that occurs takes weeks. Will all of this be searched? This would mean people would have to unpack their entire vehicles, then repack before entering BRC. 3. Who determines that level of personnel? 4. What's to prevent the "approved independent security" from legitimizing their own existence, resulting in an abuse of their positions?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1886	1	Mitigation-Public Health and Safety	209.0700.00	N/A	These comments are directed to DEIS Mitigation Measure PHS-I (Entry Security Screening, Appendix E) and the obvious Constitutional defects of the measure. (The mitigation measure also has nothing to do with the environment or the NEPA statute making it farcical which is another legal defect).	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
563	5	Mitigation-Public Health and Safety	209.0700.00	N/A	It is not appropriate to assume a violation because someone is participating in the event. It is not appropriate to use trivial traffic violations as a pretext for a search/screening of a vehicle. This would include a tire crossing a median line, a tail light out (or supposedly out), etc. Pretextual searches/screening of vehicles may result in disrespect for legitimate law enforcement. The environmental impact of searching/screening all vehicles is considerable Massive traffic delays will occur Air quality will be adversely affected by idling vehicles Frustration levels will be high because of the unreasonable nature of the search/screen and the delays it causes, with the risk of unrest Backed up traffic will adversely affect the local communities	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
925	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Crime in the city is extremely minimum. If you compare arrest to a city of the same size as burning man, our arrest rates are a fraction of what is happening outside of the city. It takes 4-8 hours as is to get into the city, this would atleast DOUBLE if you change it. I cant imagine waiting inline in my car for a day! Imagine the impact of having a car running on idle will do the environment.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1734	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I The requirement for third party "screening" of vehicles is unconstitutional search without cause. It would create an unreasonable traffic jam at the entrance to the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
33	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Looking at crime statistics for the event, Burning Man is a remarkably safer and crime-free place to be than most cities of similar size, certainly in the region. What then, is the purpose of requiring dedicated, private security staff above and beyond the already quite successful Rangers and Gate? Both groups have done a stellar job working both with attendees in deescalation and resolution, and in collaboration with law enforcement over the last two decades.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
186	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The current wait time in line to get into the event is consistently 4-8 hours. Even early entry has significant wait times, and the checks are currently aimed at preventing stowaways, a cursory search for contraband, and to check tickets. I have seen firsthand the impact of the searches along 447 in the lead up to the event in 2018 which resulted in broken art, damaged personal property, infringement on individual rights, and significant delays. I cannot fathom adding 4-6 hours for a thorough vehicle search for every vehicle entering the event-which would have an exponentially greater impact since you can only have so many teams searching vehicles at once. You literally would need additional law enforcement managing the backup on 447 and the highway into Reno since the delay to get into the event would be days-not to mention the safety impact since 447 would be a parking lot and emergency vehicles would not be able to pass. The manpower alone to conduct such searches would be cost prohibitive and unmanageable.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
936	11	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I is not only an attempt to infringe on the basic rights of all people in the U.S. but it is harmful to the environment because the extra days required for people to enter would cause thousands of extra gallons of fuel to be consumed waiting in a line that is already too long. Vehicles should move to their parking spot and shut down as quickly as possible. Violence and drug deaths have not been a greater issue within the event than in any comparable city of its size. We work with public law enforcement and generally have a good relationship with them. A private security force violating our rights is illegal and unproductive for the environment and culture of Burning Man.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1074	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In the case of a third-party private security scanning each vehicle, we are determining that a search and seizure would be justified solely by the fact of going to this event. This is not a justified probable cause and is at the same time a violation of the 4th Amendment of the Constitution. That being said, the actual impact would be considerable on many other points: the environmental impact by forcing the creation on many, many more lanes to enter the event, causing playa disturbance, more likely a grandiose traffic disturbance starting miles and miles away from the entrance of the event and it would force people to wait most likely for days to enter the event. How can we measure the impact of the greenhouse gas generated by thousands of cars running, waiting in lines for days?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1075	2	Mitigation-Public Health and Safety	209.0700.00	N/A	did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights? The increased search operation at the Gate will effect the wait times to get in, which can put the participants in danger of falling asleep on the roads after waiting in lines 12+ hours long to be searched. In addition, this would impede on individual rights as the current law under the Constitution of the United States is that an officer cannot search an individual's vehicle without a warrant or valid reason, and there are limited situations in which police can search a car without a warrant or the individual's consent. Even if an individual does give his/her consent without a valid reason and just for a simple check, this would greatly impact the amount of vehicles on the roads. This would create a ripple effect of noise, pollution, cars idling, etc.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
320	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I: I believe that this mitigation measure is a violation of the 4th Amendment of the U.S. Constitution. There is no reasonable basis to conclude that there is probable cause for search and seizure of any person or vehicle entering the BM event simply because they are attending the BM event. BM has done an outstanding job of communicating what items are prohibited and not allowed into Black Rock City. In my 19 years of attending the BM event I have never seen any of these prohibited items inside the event, including weapons, narcotics or fireworks. This proposed mitigation measure is unnecessary and is a complete over-reach of government authority given the extensive measures BM already does to ensure prohibited items do not enter the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
667	4	Mitigation-Public Health and Safety	209.0700.00	N/A	This proposal does not specify what kind of security searches are expected: is it strip searches, TSA-like screening with metal detectors or something else? Does BLM have any evidence to suggest that such a mitigation would be "better" than the current procedures, or what that criteria of "better" will be?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
667	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Measure PHS-I, for example, empowers BLM, a federal agency, to monitor participants in a private event without any reasonable suspicion that they have committed a crime. This appears to be an overreach of authority. The federal government also seeks to conduct widespread search and seizure, again without suspicion of a crime. Attendees are not subject to government surveillance simply by choosing to attend a private event. This level of intervention from the government, coupled with the prohibitive costs of implementing these proposals, could deter me from attending the event in the first place.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
78	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Burning Man holds a crime rate that is MUCH lower than other cities of its size. What is the reason for spending the extra money and efforts to slow down the flow of Black Rock City residents into the event, possibly causing accidents and horrible backups for not only citizens but also local residents? This is estimated to cause not only more hours, but DAYS. 70,000 people independently searched? This could also cause MORE trash along the road, and even issues with human waste as people are forced to sit in their vehicles for longer than normal, not to mention more carbon emissions and destroyed Playa surface as delicate art pieces, supplies and other items are unpacked and re-packed. This also is search and seizure without just cause.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1616	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1761	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I: I object to the screening or searches without probable cause, as stated in the 4th amendment. This mitigation will lead to countless court cases wasting taxpayer money.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1803	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I. Not only does the proposal not take into account the additional lengthy, potentially days' long waits and the gridlock, pollution, and other environmental impacts they imply, but its reach seriously curtails participants' constitutional freedom.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1910	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding the proposal to require a BLM-approved private security company to screen for weapons and drugs, I think this would make the experience worse for participants and perhaps lead to road congestion due to slower entry times. It would cause more vehicles to run longer during a slower entry, and contribute pollution. It would add stress and fatigue, which aren't good for public safety or environmental stewardship.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1996	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The additional searching in section 3.5.1 will increasingly violate individual rights and increase wait times which may impact the highway for other uses and end up with additional safety impact as a substantial cost and violation of rights.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1996	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I addition of third-party security to replace existing screening system for entry to Black Rock City (BRC). Executive Summary: the negative environmental impact of this initiative appears to outweigh the positive impact of enhanced security in a low-threat environment that is Burning Man (BM). Discussion: This falls under a solution in search of a problem. Black Rock City is an extremely permissive operating environment in that there is little or no threat from terrorism or crime. The attendees are self-selected and the culture is one of openness and inclusion and thus has a low probability of attracting nefarious persons. The difficulty in ticketing and logistics to attend also pose impediments to those intent on wrong-doing, likely high enough barriers that anyone interested in harm/violence/crime would choose a much easier target.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1640	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Increasing security will make entry into Burning Man a longer process than it already is, increasing the load on surrounding communities and the public roads used by participants.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1873	6	Mitigation-Public Health and Safety	209.0700.00	N/A	The BLM does not have the authority (nor should it be given the authority) to monitor individuals for potential illegal activity purely because they are participating in an event. This unnecessary surveillance of Burning Man participants simply serves to create another redundant government contract to financially harm the BMP and gain profit for friends of the BLM who are often given the contracts (due to it being at the discretion of the BLM to choose). Also, there are plenty of law enforcement officers in place throughout the event for monitoring illegal substance activity. "This BLM requirement constitutes search and seizure without just cause - the "probable cause" in this case is solely and exclusively the fact that a participant is going to Burning Man, and we believe this would constitute a violation of the 4th Amendment of the U.S. Constitution." I could not say it better myself. This violation of my rights seriously threatens the legitimacy of the BLM. Increased operations on Gate Road would further harm the land, something completely ignored in this measure.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1703	3	Mitigation-Public Health and Safety	209.0700.00	N/A	even if a lower court upheld the legality of the PHS-I stipulation, I expect it would be ruled unconstitutional by that Court of Appeals. This portends a protracted, highly costly legal battle perhaps all the way to the US Supreme Court. Not only would this incur major costs in TAX-PAYER dollars, but it would be a very negative public relations situation for the reputation of the BLM overall. And then I suppose actual implementation of the new SRP could possibly be held up for a very long time (multiple years).	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1709	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Now for PHS-I to actually be moderately to highly effective in reality - quite thorough searches of most all of the vehicles and people entering the event would need to be performed. The physical challenge is that - basically the smaller the object you need to search for, the finer the sifting mesh that needs to be used (aka "higher resolution" in the detection technology). So searching for a small hand gun, a package of explosives, or a tiny container of an illegal substance, will take vastly more time and effort than for instance searching for a stow-away person.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1709	7	Mitigation-Public Health and Safety	209.0700.00	N/A	The only feasible approach is to limit hand-carried items when people walk through the gates, and have them pass through metal-detecting arches. This just cannot work at Burning Man, where people have vehicles loaded over-full with camping supplies, food, water, beverages, clothes, costumes, cosmetics, medications, tools, lighting, batteries, bicycles, and art projects small to huge in scale, etc. It often takes multiple people a day or more to pack these vehicles full of these items - and to try to search most any such vehicle thoroughly for smaller items would require it be fully unpacked, and then repacked, doubling that time.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1876	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Of course for other situations where its critical to search for e.g. weapons or illicit substances, technology is implemented to replace or augment simple person-power. The case we know well is air-travel, where passengers and baggage are screened with high reliability by using metal detectors, X-ray imaging, explosive chemical analyzers, sniffing dogs, etc. So could these technologies be used effectively on entry to BRC to speed up the searches?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
820	2	Mitigation-Public Health and Safety	209.0700.00	N/A	the multiple existing security teams (county sheriff, local police, and volunteer rangers) do an exceptional job enabling Burners to be safe while also not being a burden on the gate line and entry to the event. The additional cost in money and time to add gate security is both unnecessary and harmful to an already arduous entry process.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
820	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Third is the assertion that Burning Man must provide 3rd party security to search every vehicle entering the event. Not only does the Gate staff do an excellent job already of assessing, triaging, and when necessary searching vehicles arriving, but to search without cause is a violation of 4th amendment rights. Also, if you think the entry traffic is backed up through too many towns now, just wait to see how bad it gets when every single vehicle has to stop to be searched.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
822	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I have particular concern with PHS-I (pg. E-2 of Vol. 2), which says, "At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. ..." Having a private third-party screening company seems unnecessary for the nature of this event. I believe that this will create spill over traffic thus negatively affecting local movement through the area. In addition, no security threats have been noted by BMorg, or participants of the Burning Man Event. This will do nothing to help the event or it's participants, nor does it have any positive effect on the local community.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1718	1	Mitigation-Public Health and Safety	209.0700.00	N/A	This approach would encourage unlawful search and seizure by the proposed private security team, and would violate the 4th Amendment of the US Constitution.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1881	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I - Private security This is a costly approach where the cost would be passed on to participants. Burning Man is already and expensive event to begin with when factoring in travel to the event, ticket charges, and food and supplies. The spirit of the event is to be able to include everyone. Everyone deserves a chance to experience Burning Man, and not just the wealthy. By increasing ticket fees this will price out lower income participants. There is already a list of prohibited items published for the event, and the event already does an good job of enforcing this.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1881	7	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I: At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers during the event. Third-party, private security will report closure order violations including weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third-party private security will provide and Event summary report to BLM within 30 days of the end of the Event. This mitigation would be a violation of our 4th amendment constitutional rights and a massive overreach of this federal agency. This poorly through-out mitigation measure has obviously not been reviewed by proper/qualified personnel at this federal agency and is an embarrassment for the BLM that it was even published.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1881	9	Mitigation-Public Health and Safety	209.0700.00	N/A	This proposal is troubling for many reasons, primarily the environmental impact, not seemingly considered in the proposal of the significant increase in wait time and road with that would be required were this enforced. I consider the significant emissions caused by short delays found in such events as ferry lines, drawbridges, or school pick-ups were people are requested to turn off their cars to minimize exhaust emissions for idling cars. The emissions for a search line would be significantly greater as in the aforementioned events there is a build-up, then a release; a search line would be a slow march of cars moving car lengths a time, so even the most conscientious driver would be turning the vehicle off and on a tremendous number of times. Also, the increase in dust would be significant, and reduction of dust and maintenance of air quality is an important and positive effort by BLM through the proposal.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
313	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Any search beyond that necessary to ensure that people are not sneaking into the event is a clear violation of the 4th amendment.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1727	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation Measure PHS-I. I do not believe requiring private security to screen vehicles and participants entering the event is a good idea. Use of a third-party vendor in this role is not in the spirit of the event. Also, such a vendor is unlikely to do as good a job of screening as volunteers currently do, would be a waste of money, and would likely cause significant additional traffic delays and problems that would negatively affect public safety.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1729	3	Mitigation-Public Health and Safety	209.0700.00	N/A	My comment is about the proposed mitigation measures regarding physical health and safety. In particular the proposal to hire private security to perform search of participants and staff at all entry points to the event. This, while well intended, is not particularly practical, and in my opinion will not result in significant reduction of, for example, the number of illegal substance related medical reports. It will greatly increase cost, and result in extraordinary traffic congestion as the large portion of participants arrive at the venue. A much better approach, in my opinion, would be to increase monitoring on playa, during the event. Money and energy expenditures in the direction of outreach, awareness training, and harm reduction would be a much more effective mitigation measure.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1812	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Private security force to search all vehicles and participants (will make the already very long lines even longer, will impose a police state layer, and will not make the event safer)	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
206	6	Mitigation-Public Health and Safety	209.0700.00	N/A	None of the environmental impact analysis in the EIS even mentions any problems that are supposedly mitigated by E.I PHS-I, which imposes a costly, unnecessary, and unconstitutional search and seizure requirement on citizens.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1139	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The likelihood of a private security company being able to effectively screen all vehicles and individuals to search for and find weapons and illegal drugs is extremely low. Further, this screening attempt would dramatically increase the wait time to enter the event. The entry time would likely increase multiple fold over what is already experienced when entering the event. This increased wait time would lead to dramatically increased lines and traffic in surrounding communities. Traffic in surrounding communities is already the most significant concern, and this measure would make that much worse. The cost for this measure would also be extremely high.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
35	1	Mitigation-Public Health and Safety	209.0700.00	N/A	increased wait times and traffic due to new search and seizure operations by BLM's private security company would be problematic.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
860	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The screening process currently has been sufficient to protect public health and safety and hiring an outside firm to do this will increase costs and increase wait times significantly without increasing public safety. There is no demonstrated need for this.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1053	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I: Weapons have never been a problem at Burning Man since the event banned them years ago. I believe this requirement would create an unconstitutional search in violation of the 4th Amendment, creating a run-around of probable cause by "offloading" the search to a 3rd party. This is trying to solve a problem that does not exist, and would infringe on the civil liberties of all attendees.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1989	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I - Currently gate is controlled and monitored by BLC volunteers. They properly inspect and control access to the event. Adding a third party security to the event adds a substantial amount of cost and inefficiency to the access to the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1909	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Third party security/search&seizure crews would unnecessarily increase gate times and traffic.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
423	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Do you have any studies on the Electric Daisy Carnival that demonstrate a reduction in contraband entering the event and reduction of incidents associated with such contraband? If not, how can you be sure implementing private security at all points of entry into Burning Man will have the desired result?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1050	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Search and seizure operations by BLM's private security company will lead to increased wait times, traffic, and civil rights violations.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1932	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Requirements for independent security at the event are also outrageous as there has never been a demonstrated need for more or different handling of the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1244	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The environmental impact of gate-searches is significant: unpacking and repacking full cars in a high-wind, unsheltered, dust-storm environment will produce an unquantifiable -- but substantial -- amount of inadvertent litter, and expose people not suspected of any crime to substantial damage to their personal property, to say nothing of the privacy dimensions of these searches, which will force attendees to expose sensitive medical equipment, personal journals, literary and religious artifacts, and other private, sensitive and constitutionally protected materials to third parties.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1140	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I do not see any disconfirmatory evidence presented in the report that the Burning Man event is at any level of increased risk for violent crime, civil unrest, or terrorism than attendees would otherwise be exposed to in their day-to-day lives, or that they could reasonably expect to be exposed to in visiting any small American city with a population of around 70,000.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
441	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I find it not only insulting, but find that this mitigation ignores my Constitution rights that bar illegal search and seizure of my mobile home. I do not carry weapons (with the exception of a cannister of bear spray for hiking in the mountains), but if I did, this would be my second amendment right, as long as I keep it inside my mobile home for self defense.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1059	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Can the BLM please provide evidence for the existence and danger of such weapons? Do they have injury reports, confiscations, or certificates of death from the BM event due to firearms which have somehow escaped the greater public? Has the BLM considered the massive increase in time and possible infringement on personal rights that this would lead to? Once again, the BLM has proposed a costly and prohibitive solution to a non-existent problem.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1059	6	Mitigation-Public Health and Safety	209.0700.00	N/A	From the data available in the Draft EIS, it appears BLM's experts failed to adequately consider the increased detrimental environmental impacts of this recommendation. Deleterious impacts to the environment would include increased tailpipe emissions of greenhouse gases caused by idling vehicles and additional staff transportation, increased traffic, dust, and massive playa surface disturbance. The Draft EIS speaks about the risk of civil unrest, which has not happened in Black Rock City, but does not consider at all the potential for frustrations to boil over when event entry is impeded by a private security force reporting to the federal government and the delays it will cause.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
883	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The Fourth Amendment to the U.S Constitution protects citizens from unreasonable search and seizure, and there have been a wide range of Supreme Court cases that have interpreted those protections. Some of those cases that may be applicable in this context include the following: * Terry v. Ohio, 392 U.S. 1 (1968): Holding that a police officer may stop and frisk a suspect based on a reasonable suspicion that the person has committed, is committing, or is about to commit a crime and a reasonable belief that the person may be armed and presently dangerous. * Rodriguez v. United States, 575 U.S. ____ (2015): Holding that an officer cannot constitutionally extend the time required for completing the stop for any period of time-no matter how brief-to conduct a dog sniff in the absence of consent or a reasonable suspicion of criminal activity. * City of Indianapolis v. Edmond, 531 U.S. 32 (2000): Holding that the Constitutionality of sobriety checkpoints (as upheld in Michigan Dept. of State Police v. Sitz, 1990) does not extend to the "general interest in crime control" as justification for suspicionless stops	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
176	1	Mitigation-Public Health and Safety	209.0700.00	N/A	According to the specific language in proposed mitigation PHS-I, the private security firm contracted must be "BLM-approved" and is obligated to "report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement..." This language clearly and unambiguously demonstrates that the Government is not only affirmatively encouraging but outright demanding the behavior at issue and that any private security agency accepting such a contract would be intending to assist law enforcement. As such, it appears that the private security personnel would likely be considered agents of law enforcement, subject to the same prohibitions on unreasonable searches and seizures that apply to law enforcement personnel.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
316	1	Mitigation-Public Health and Safety	209.0700.00	N/A	First, the call to increase security by requiring Burning Man to contract a private security service (PHS-I) is unnecessary and unjustified by the evidence presented. The "screening" foreseen in this claim is a search that is patently unconstitutional under the Fourth Amendment. The National Environmental Policy Act cannot be lawfully stretched to cover surveillance of this sort. It is grossly improper for BLM to request it.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
986	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The problem specifically noted here is that there is not enough visibility of law enforcement at gate points. This means that it is unnecessary to require private security to take over the screening of individuals and vehicles entering the event. A mitigation measure more in line with Event impacts would be to require the applicant to hire private security to augment the visibility of law enforcement at the gates. However, these private security officers should not be used to replace law enforcement personnel as that is beyond the scope of impacts.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1944	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I: Government-mandated search of vehicles for a private event is in direct violation of the 4th amendment. There are some festivals that conduct searches of vehicles for campgrounds on the basis that their goal is to restrict what you are bringing on the campsite for safety (i.e. no glass) or commercial reasons (i.e. limit alcohol so they can sell more). These other festivals contract with 3rd parties because they have no need to maintain full-time gate staff, are better served financially using contractors, and do not have volunteers willing to work for free. Burning Man is a volunteer-based event that keeps the cost as affordable as possible by using volunteers for activities such as gate check; therefore there is no need to hire and pay for 3rd party contractors to do the same task.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1814	2	Mitigation-Public Health and Safety	209.0700.00	N/A	i know that there have been isolated cases of seizures but seriously question whether that small amount of drugs is worth infringing upon the rights of citizens and the tremendous cost to law enforcement.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1991	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The beauty of the festival is it is self governed for most if not all of the week. If there is a conflict these are remedied by the rangers and as a last case the already existing law enforcement is able to assist. At the current time this has handled all issues with ease. There is no example present that shows that an outside service is needed for this and it seems to be approaching a violation of the 4th Amendment of the U.S. Constitution and probably other laws. All issues experienced at the event are currently able to be handled properly with existing services, so this seems highly unnecessary and instead a force to intimidate the Burning Man event in a way to cause more issues than it will resolve such as increased wait times, unlawful searches, and a negative relationship with an otherwise peaceful and welcomed presence of the existing services.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1991	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The finding and mitigation action for a BLM-mandated third-party private security to screen and search all vehicles without probable cause is a violation of the 4th Amendment of the Constitution and a shameful overreach of Federal authority. Further, the action associated would be estimated to cost an additional \$3 million to the Burning Man Project, representing an undue burden on the organization. Has the BLM conducted an environmental impact assessment and alternatives calculation for this recommended action, considering increased tailpipe emissions, gasoline consumption, dust, traffic, soil disturbance, and road deterioration from the additional time cost of Government mandated and unconstitutional search?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
513	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Past evidence shows that private security is not needed. It would create a hostile atmosphere, would likely slow down entry times (increasing traffic and other adverse community impacts), and could lead to civil rights violations.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1959	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposal attempts to address public health and safety issues, that, while important, are already incredibly well managed--currently better managed, in fact, than in any other comparable US city. Additionally, it strikes me that demanding a private entity hire private security guards who are required to search all individuals without warrant and then mandated to report all infractions to law enforcement is just ripe for civil rights violations.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1969	1	Mitigation-Public Health and Safety	209.0700.00	N/A	It took a good 10-15 minutes just for our party to clear the gate. This was the last part of an eight (8) hour line to process through the gate. If there was additional screening, this would push the line into a 16-24+ hour experience that would destroy the event more surely than any other change being discussed.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1972	1	Mitigation-Public Health and Safety	209.0700.00	N/A	- Entry into the event is an extremely slow process, with BM organization searching vehicles for prohibited items already. Having a third party organization increase screening, pull items from vehicles and search all participants will only serve to lengthen this process, without any guarantees of increased identification of contraband items. Prolonging the entry process will also increase wait times in vehicles for participants, which may have several impacts on the playa that run contrary to the other goals of the EIS. Increased wait times increases the number of vehicles running while waiting, especially during the day when the weather is hot, increasing emissions. The increased waiting times will also increase the number of participants walking along gate road, potentially increasing the amount of disturbed playa crust/increasing amount of dust in air, possibly increasing dumping of substances on playa along the road, or increased activities like urination along the road. Most importantly, if the one of the public health/safety goals is to limit cause for civil unrest, increasing wait times for participants to enter the event is going to do the opposite. - With the already contentious presence of law enforcement and BLM officers performing unlawful searches on participants along highways and gate road, this mitigation will only serve to increase the potential for unconstitutional search and seizure without probable cause. This has already been an issue in previous years.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1988	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Probable cause requires a reasonable belief that a crime HAS BEEN or IS BEING committed, based upon FACTUAL KNOWLEDGE, not just upon suspicion. What is BLM's definition of probable cause in this case? Is the mere act of attending Burning Man to be considered probable cause? If so, what legal precedent can BLM cite for the attendance of a large-scale, privately-run, arts festival or event to be considered probable cause in a court of law?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1988	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Adding a 3rd party requirement to this service already provided adds huge expense to the event without improving outcomes, a level of expense which threatens the financial viability of having the event at all. It would also likely further delay admissions, adding significant environmental harms due to greenhouse gas emissions from idling vehicles. It will also generate resentment and other bad feelings in attendees that there is no reason to introduce.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1694	1	Mitigation-Public Health and Safety	209.0700.00	N/A	5. These searches will cause extreme delays, which will back up the roads. Such backups will cause safety hazards and negatively impact local businesses, causing hardship to surrounding communities. Has the BLM considered the negative financial impact to local businesses in the consideration of this requirement?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
563	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Where is the nexus between the safety of people at a temporary event and the physical effect on the environment caused by the event? I do not believe the state of Nevada has enough qualified inspectors to conduct the inspections required by this mitigation measure. This mitigation measure would bring an undue burden to the event. Do Nevada building inspectors normally inspect structures on BLM land?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1236	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Bringing in a private, outside group could create serious issues. If the group is for profit and not volunteer, their motives will be focused on what's best for increasing their revenue and not what is best for the people attending the event. This could discourage BM attendees to avoid reaching out to security - for fear of some undo punishment - and would great increase the number of harmful activities happening that are not being reported.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1734	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I'm not sure of the constitutional legality of this proposed requirement, but it seems to me that by using private security as a "proxy" for official law enforcement to conduct searches of vehicles without probable cause, this proposal is just an end run around the Fourth Amendment.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1737	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
318	2	Mitigation-Public Health and Safety	209.0700.00	N/A	First it will have a deleterious impact on roadways and will significantly stagnate traffic. PGE staff already search vehicles and do great job of doing this contracted task while also keeping traffic moving quickly and efficiently. There is no private security company large enough, or trained well enough to do this proposed task. For example, the mitigation proposed here would require every full packed box truck to be completely searched, this kind of extensive search would require a great deal of time. Participants pack vehicles extremely full, doing a search like the ones referenced would require vehicles be fully unpacked and packed; the time to do that with one vehicle could be more than 2 hours. Multiply that by thousands and the effect on Gate Road, the highways, and over stressed drivers all make entry more difficult. Gate staff and volunteers work tirelessly to search vehicles and make sure participants have tickets, vehicle passes and other required documentation.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1741	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Other more reasonable measures could be included as Mitigation Measures to address some of the discussed threats of terrorism. For instance, additional DHS training for BRC volunteers and employees responsible for screening incoming vehicles and monitoring the event grounds would be a lower cost alternative that would both preserve the collaborative relationship between BRC and BLM as well as improve screening procedures beyond successful past practice without a high likelihood of violating civil liberties.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1741	7	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM has not provided data regarding the number of unauthorized firearms, explosives, or other weapons that get past existing security measures, other than two specific examples. A more comprehensive review is necessary to substantiate the need for additional third-party searches. (Public Health and Safety Special Study, Section 1.2.19.) If BLM includes these Mitigation Measures in the Final EIS, additional data must be provided to adequately justify these requirements.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
936	12	Mitigation-Public Health and Safety	209.0700.00	N/A	Has the BLM considered the environmental effects of traffic delays caused by the proposed security searches?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1032	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The Burning Man event takes place on public lands. We as American citizens have the constitutional right to peacefully assemble on public lands. I will not consent to a search of my vehicle without a warrant. I am speaking as a citizen of the United States of America when I say the 4th amendment should be respected. "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." Additionally, the 14th amendment states: "... nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." Gathering on public lands is not a probable cause for a search. Additionally this mitigation proposal will be disastrous for traffic will add significantly to our carbon footprint. The traffic wait from road to gate is rarely less than a 4 hour wait.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1072	2	Mitigation-Public Health and Safety	209.0700.00	N/A	In Appendix E of Volume 2, the DEIS proposes the federal government replacing, overseeing, or managing areas of Black Rock City's operations. The expert, dedicated staff and thousands of volunteers have handled this with unmatched professionalism, safety, and skill for decades. What purpose could this possibly serve? How and why would one posit this is necessary? Or that the federal government could do a better job?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1981	4	Mitigation-Public Health and Safety	209.0700.00	N/A	I am also concerned about the recommendation to hire private security to search every vehicle and person entering the event (Mitigation PHS-I). This constitutes unreasonable search without probable cause with no environmental justification offered. There appears to be no environmental nexus except that it will invariably add to the air pollution from hundreds of vehicles waiting an unreasonable amount of time to enter the gate.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1751	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I am concerned about the significant environmental impact the delays will cause if every vehicle is stopped for untold minutes (hour for RVs?) and searched; the traffic would be horrific and unmanageable. Thousands of running vehicles for miles would negatively impact air quality. People waiting for countless hours are more likely to need to use facilities outside of gate road or between towns where they are not available. How would BLM propose to resolve these issues? How would BLM mitigate the traffic issues and environmental hazards caused by this proposed requirement?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
204	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I is unconstitutional overreach, dangerous, and impossible anyway. Does the Federal government search every vehicle entering Washington DC? Of course not. It's illegal. (See the 4th Amendment to the US Constitution). Compelling someone else to break the law for you does not absolve you of guilt or lawsuits. A parking lot the size of Manhattan will be required for all the vehicles waiting to be searched. Thousands of people will be trapped in hot vehicles without sanitation or emergency medical care. Thousands of engines will be running to keep occupants warm or cool. Then thousands of people will run out of gas a hundred miles up a two lane road. The "footprint" of Burning Man would be doubled during this action, and that will be an environmental impact created by this EIS.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1871	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I don't see the net benefits of more screening. The opposite seems true in longer wait times, wasted gas, and money in general. Sure, more jobs would be created and more revenue for the BLM, but the goal of the BLM ultimately is to the stewardship of the land and the people that use that land. In the end the people who the BLM are suppose to serve are not benefiting from the proposed mandated screening. There are many laws probably being broken that probably would effect true safety, like overloaded vehicles, driving with dirty /cracked windows, and all the things that people do....many of these could be argued to have greater importance for of safety. For instance, I didn't read about weighing vehicles to determine if they're overloaded. Why try and drug screen(very hard to do) but not weigh vehicles (very easy)?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
737	3	Mitigation-Public Health and Safety	209.0700.00	N/A	We have significant concerns with this proposed measure, not the least of which are the constitutional ramifications of its implementation. One wonders whether we've learned anything from last year's influx of federal law officers throughout the Pyramid Lake Paiute Tribal lands. As was widely reported our local prosecutors refused to prosecute a majority of the arrests because of the statutory and constitutional concerns raised. If federally trained law enforcement officers could not consistently protect the individual constitutional rights of those stopped for trivial matters, can we realistically expect private security guards to do so? We believe the answer is no.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1803	3	Mitigation-Public Health and Safety	209.0700.00	N/A	In perusing the document provided by BMP, the 'Fact-checking BLM: Draft Environmental Impact Statement Backgrounder' under section Mitigation PHS-I, BMP purports to provide a list of prohibited items for the Festival. In this document they allege they publish a list that precludes weapons, narcotics, and fireworks as well as other prohibited items. However, when you peruse the Burningman.org website specifically the survival guide, the only weapons which are prohibited are Explosives and firearms of any kind. There are so many other devices which can and are used as weapons. There is NO prohibition about narcotics specifically referenced within the 'Prohibited items' section of the survival guide. I would venture to state that the vast majority of the negative issues which occur at this Festival are due to the rampant and unchecked influx of narcotics and other illicit substances which are regularly allowed to come through the entry gates to the Burning Man Festival daily and yearly. I believe this is part of the reason a private security company was recommended as mitigation for this severely lacking task.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1779	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I also realize BMP will not be able to stop everything from happening, however not hiring a security force to attempt and at least slow the flow of illicit substances from entering into the Festival is irresponsible. After all, what other major event-concert, sporting event, large gathering-does not have a contingent of personnel who are searching bags, clothing and other items for the contraband which is actually listed as being prohibited for the safety of not only the participants but also the employees? I do not believe this security force should be at the direction of or within the chain of command of the BLM or any other Law Enforcement agency for the reasons BMP references within their document. I believe if a person or entity is performing searches at the direction and under the supervision of Law Enforcement, they could be construed as working under the color of law and such searches may be deemed Unconstitutional. With that said, I believe this is a mitigation that should be further explored for the future welfare and safety of the entirety of the population of the Festival.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1701	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I The implementation of a 3rd-party private security party would not only be extremely costly and damaging to the surrounding lands but would also provide a disconnect between participants and the organization. Such a 3rd-party entity would be under little accountability and is currently unnecessary. There is no need to search the participants anymore than the finely thorough Gate Crew already do and any participant can attest to that because the wait to get into Burning Man can take 12-20 hours.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1701	2	Mitigation-Public Health and Safety	209.0700.00	N/A	As far as requiring a police search of each vehicle goes—besides the fact that it is against our Constitutional rights—think of all the exhaust you would be allowing to go into the sensitive environment with all those idling vehicles waiting to be searched. Think of the additional backup of vehicles on CR34 this would create. Burning Man has a record of being an incredibly low-crime event, and has its own Black Rock Rangers who have effectively handled any problems within Black Rock City, making things much easier for the BLM and county officers. Volunteer security screens are effective in keeping out illegal items in ways that no city of a comparable size could ever hope to achieve. And because Burning Man is a largely volunteer event, this burden of hiring outside police officers would be a totally unnecessary expense. I urge you to remove the requirement of forcing Burning Man to hire outside officers.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
57	3	Mitigation-Public Health and Safety	209.0700.00	N/A	This proposed mitigation is based on assumption that there is a significant problem with illegal weapons and/or drugs at Burning man to be concerned with public safety and existing system of gate checking by BurningMan organization is inadequate. I believe that assumptions is erroneous. My personal experience of attending attending 9 consecutive BurningMan events (2011-2018) and volunteering last two years ('17-'18) as Black Rock Ranger showed that Burning Man community is remarkably safe: not once during my attendance and my shifts as a Black Rock Ranger walking the city and responding to calls I've encountered a weapon (except those worn by law enforcement officers of course). Have BLM looked into evidence as to if the number of weapons related offenses at Burning Man warrant the measure proposed?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
879	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The new "Search and seize" operations proposed by BLM to let a private security company screen all the cars for weapons and drugs is absolutely not needed as well. There were almost 0 accidents where weapons were involved. And the queue times are already horrible the way they are. For example, in 2018, we had to sit almost 10 hours during the cold night (sunday to monday) in the queue waiting to be allowed in. If you increase security measures at the gate, this can easily be bumped up to 30 hours which will completely paralyze the event. It will also add a extra risk to human lives. You don't want somebody to die at the gate queue because his car ran out of gas in the middle of the night?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
739	2	Mitigation-Public Health and Safety	209.0700.00	N/A	egarding PHS-I: implementation of this mitigation would cause significant additional deleterious impacts to the surrounding environment, culture of the event, and civil rights of those attending. The additional staff, time vehicles spend idling in intake checkpoints, and increased infrastructure would cause increased playa disturbance and significant greenhouse gas emissions (hereinafter GHG). The mitigation would cause significant negative cultural impact to an event that considers participatory environment a key cultural pillar and be financially onerous to the event. Further, this mitigation constitutes search and seizure without just cause, a violation of the 4th Amendment of the US Constitution.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1873	3	Mitigation-Public Health and Safety	209.0700.00	N/A	While the activities described in the mitigation measure PHS - I are obviously searches, the more important question is whether the searches are reasonable. The Fourth Amendment does not proscribe all searches, "but only those that are unreasonable." <i>Skinner v. Ry. Labor Executives' Ass'n</i> , 489 U.S. 602, 619 (1989). "[W]e must begin with the basic rule that searches conducted outside the judicial process, without prior approval by [a] judge or magistrate, are per se unreasonable under the Fourth Amendment-subject only to a few specifically established and well-delineated exceptions." <i>United States v. Hockenberry</i> , 730 F.3d 645, 658 (6th Cir. 2013). The government bears the burden of demonstrating an exception to the warrant requirement. <i>United States v. Jeffers</i> , 342 U.S. 48, 51 (1951).	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1706	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The BLM also cannot hide from the Constitution by claiming that searches by private parties are not subject to Fourth Amendment protection. "Although the Fourth Amendment does not apply to a search or seizure, even an arbitrary one, effected by a private party on his own initiative, the Amendment protects against such intrusions if the private party acted as an instrument or agent of the Government. . . . Whether a private party should be deemed an agent or instrument of the Government for Fourth Amendment purposes necessarily turns on the degree of the Government's participation in the private party's activities" <i>Skinner v. Railway Labor Executives' Assn.</i> , 489 US 602, 614 (1989).	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1706	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Further, your agency is specifically attempting to bypass and illegally violate the requirements for searches to be performed under circumstances of "probable cause" and with a warrant defining who is to be "searched" and/or what is to be "seized"! This requirement is completely "unreasonable" for to do such complete searches would require days and would in practical terms prevent most participants from ever entering BRC to participate in the BM event!	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1709	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Preemptively assuming criminal intent without just cause feels like an abuse of power. From an environmental standpoint, the additional wait times that this measure would entail must increase the carbon cost of this event significantly. Wait times are already long, and when it's hot out, people will have the engines and air-conditioning running. Extending the wait time for idling vehicles must be considered, especially for such a large event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1711	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The recommendations related to increased levels of vehicle search would only increase wait time for those entering the event, and with that vehicle emissions, this is to allegedly address a problem that I don't see any evidence exists. My understanding is that there were no arrests from 2014-2018, what is the particular illegal activity that is happening that this increased level of inspection is proposed to address	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1047	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I have seen entrance times impacted by rain and other operational delays, and find it very hard to imagine that anyone in the surrounding area or along Highway 447 would appreciate severe bottlenecks involved in extensive gate operations run by inexperienced crews and involving laborious searches. There are very few violent incidents inside of Black Rock City. What is the point of causing immense strain environmentally, to the community, and the participants of the event by expanding, rather than streamlining, gate operations?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
820	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Entry into Burning Man is already a slow process, with many attendees waiting up to 12 or more hours in line to enter the closure area. Requiring screening of all attendees, staff and volunteers by private security contractors would by all estimates increase wait times, traffic delays and the environmental footprint of the event dramatically. Comparisons to events like Electric Daisy Carnival are largely invalid due to the differing participation requirements, specifically that EDC attendees are not bringing a week's worth of food, water, camping equipment, tools, large scale art installations, bicycles and related equipment into the event while Burning Man attendees most certainly are. As firearms are specifically called out, does the BLM have statistics available showing high rates of firearm violations, incidents or seizures at the Burning Man event that would justify such increased security searches? Also, has the BLM taken into consideration the civil rights of attendees to be free from unreasonable search and seizure as guaranteed by the 4th Amendment?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1880	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Why does it have to be private security? Are you just trying to get around the law?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1881	8	Mitigation-Public Health and Safety	209.0700.00	N/A	Because the requirement for private party searches in PS-I is newly proposed, the Reno Police Department is unable to quantify the impact that the practice may have on the general Burning Man area or nearby communities. One potential impact may be traffic congestion in the Reno area caused by delays in entry to Burning Man as a result of searches.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
584	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The addition of a third-party contractor tasked with searching all entering vehicles would conflict with the self-governance model developed by BM LLC to manage the gate, dramatically slow traffic into the City, the effects of which on air quality, noise, transportation, and traffic resources, have not been studied under any of the alternatives, and add an additional and untested entity to the existing law enforcement collaboration.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
313	2	Mitigation-Public Health and Safety	209.0700.00	N/A	ot discovered by law enforcement by probable cause, but instead a private security guard. It is an illegal attempt to get around the unreasonable searches of the US Constitution. It appears that BLM failed to access this issue. PHS - I would also cause significant delay on entering and leaving Black Rock City. That would thereby also increase emissions from vehicles and other contamination of the environment. It appears that BLM failed to access this issue. Searching for illegal weapons is also unnecessary and unnecessarily intrusive. Burning Man has a long history of being a peaceful place. The lack of violent incidents at Burning Man is remarkable compared to the number of violent incidents at many other events, such as sports events. It appears that BLM failed to access this issue.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1720	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The DEIS proposes that BRC be required to contract a BLM-approved, independent, thirdparty, private security company to screen vehicles, participants, vendors, contractors, staff and volunteers for weapons and illegal drugs. This proposal is unconstitutional. The DEIS cites no probable cause, which is required prior to search and seizure under the Fourth Amendment of the u.s. Constitution . Attending the Burning Man event itself is not probable cause for a governmental search.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1887	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Does BLM have evidence that the current system (BRC volunteers and staff searching all entrants) is insufficient for identifying and seizing contraband? Has there been a significant year-over-year increase in contraband confiscated by the federal law agents already policing the event, or a significant rise in health and safety issues (e.g., drug overdoses, firearms discharged), taking into account the increased overall population size over the last decade?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1887	3	Mitigation-Public Health and Safety	209.0700.00	N/A	the use of private security flies in the face of an amazing track record of the existing system. Incidence of gun violence and drug abuse are far below cities in Nevada of similar size.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1726	1	Mitigation-Public Health and Safety	209.0700.00	N/A	This is a gross overreach of the scope and authority of NEPA and has nothing to do with protecting public land or the natural environment. Additionally, this will negatively impact the participant experience in the form of much longer wait times at the points of entry, constitutional rights violations of the people to feel secure, and potential harassment - no one likes to be treated like a criminal without probable cause.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1727	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I if you force the event to hire a security company to search vehicles coming into the event they still act under color of state law. IE have to have probable cause for any search. This is redundant and unnecessary given current security measures.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
802	1	Mitigation-Public Health and Safety	209.0700.00	N/A	There is no statistical grounds for increased security. Point in fact, law enforcement agencies across the country use Burning Man as a training opportunity, working in tandem with the Rangers, to resolve social in less combative, destructive ways. Searching vehicles without just cause is an infringement on the rights of attendees and increases the likelihood of litter, as vehicles are searched. The BLM claims their goal is to protect the environment, but what about the environmental impact of installing 19 million pounds of concrete jersey barriers?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
828	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I can assure you that the delays of having private security who are trained to search a festival the size of Burning Man would not scale to the conditions and restrictions that the Burning Man event faces. This would introduce a non-metered ingress congestion which would block CR34 to SR447 at peak loads of 10,000+ attendees attempting to enter the Gate Road. Table 3-23 on of DEIS_VolI is contraindicative to the successful execution by Burning Man to meet these requirements; this statement could be construed as one made in bad faith.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1494	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The idea of hand searching every vehicle or even random vehicles for contraband would have profound collateral impacts on access delays and be overly costly for minimal risk. Think of the level of search required to find a target that is 2" x 6" x 8" as compared to looking for a 180 pound, 5'10", stowaway. Recognize, as in my case, packing for this Event encompasses perhaps a week of very precise packing of a Chevy 3500 and a 40' horse trailer with living quarters. To truly and comprehensively search a vehicle of that nature would take hours. And, how do we distinguish a kitchen knife, a maul, an EMT rescue knife, contents of my ALS jump kit (drugs, syringes, needles, etc.), a pick and adz, and a host of other items from contraband weapons and drugs?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1890	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation Measure PHS-I It appears that the draft EIS does not adequately represent the effectiveness of Burning Man staff at the Gate to control entry of fire arms and illegal drugs. Having experienced first-hand the current firearm and illegal drug screening program for the past 15 years, the Gate staff takes their job seriously. Gate staff are comprehensive in their efforts to ensure that the Burning Man is safe and free from illegal substances. Prior to Burning Man participants arriving at the Burning Man event, the Burning Man organization publishes a widely publicized list of prohibited items that are not allowed at the Burning Man event. This has been the case since I first came to the Burning Man event in 2004. The draft EIS does not adequately represent the negative traffic or environmental impacts of Mitigation PHS-I. The proposed mitigation measure would greatly increase traffic congestion, both on- and off-playa. This congestion would also 2trigger significant increases in transportation criteria air pollutant and greenhouse gas emissions.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1729	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding PHS-I, what is the legal basis and justification for performing this blanket search of all entrants to the public land when this kind of search is not done at other times of the year or at other events held on the playa. What is the probable-cause to initiate such searches? Are ranchers and rocketeers who use the playa at the same time as the Burning Man Festival also subject to the same search?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
588	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Bringing In private security to screen every participant, employee and volunteer and vender would drastically change the atmosphere of Burning Man. Each entrant would be greeted with suspicion, If not hostility. With extremely long waits, the desert heat, and intrusions into personal privacy, It is very easy to foresee altercations and other adverse events, which would lead to increased police activity, tying up the time of law enforcement officials.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
672	1	Mitigation-Public Health and Safety	209.0700.00	N/A	This is a very significant imposition by BLM in at least two respects. First, it is a costly measure and will impact what is already a lengthy process of accessing the Event. Even more problematic, for me, is that there is no probable cause for such a search	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
860	3	Mitigation-Public Health and Safety	209.0700.00	N/A	he mandatory and outsourced gate management and search requirements upon entry violates our 4th amendment right and should be left to the private event to handle. This is part of our ethos as a community and part of our civic duties which we take seriously. There are always bad apples in any crowd but a violation of rights would certainly not make situations better or more conducive to cooperation. This process would slow entry to the event creating more of an issue with the traffic congestion along the public roads which are already past their life expectancy and for which the event goers contribute in taxes to their upkeep. Hours are spent packing most vehicles precisely and this would create an entire breakdown for entry to the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
694	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Furthermore, it appears that the proposers of measure PHSI have either disregarded or failed to consider the logistical impact of such a measure on event operations. As a 7 time event attendee and former professional event planner, I can promise that such a measure would have an astronomical negative impact on wait times to enter the event. In previous years, I have waited 8+ hours from the back of the line to reach my camp site. Implementing the search outlined in PHSI would without a doubt push this wait time to above 24 hours, keeping participants stuck in their cars with limited access to restrooms and adequate sleeping accommodations. These conditions will increase the risk for other safety and environmental detailed in the draft EIS such as driver safety and managing the need to defecate/urinate in the designated restrooms.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1900	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The lines for entering Burning Man are already one of the highest costs of attending the event, for the exact reason that Burning Man is already inspecting all entering vehicles for both unauthorized entrants and materiel. The only reason to employ a private firm would be to ensure that NO vehicle has ANY illegal substance in ANY of the vehicles and across all the material required to build a city. Without question, this would not only present a staggering monetary cost to the event over which the event has no control, it would impose a staggering cost in time on innocent participants--to say nothing of the civil liberties issue.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1989	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The requirement of 3rd party security screening seems to be an additional burden that would only serve to increase vehicle wait times during entrance and exit. Given that access to other public lands (forest service, national parks and BLM) for large events does not require 3rd party screening, this seems to be an infringement of rights opening the BLM to legal action. If search and seizure is to be conducted on public lands, it should be fully the authority of BLM conducting such practices and with the public having a judicial avenue.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
446	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Though arguably PHYS-I has good intentions, thw basis for thw mitigation is unnecessary and overly costly for participants and a waste of resources on a problem that does not exist. 1) Wait-times at the event would be extraordinarily long considering the amount of time needed to search each vehicle. Assuming at the height, 34,000 vehicle passes have been issued (not to mentoon the thousands of support vehicles coming in and out during the week) wait times for participants would be exuberant. Let's say the average time needed to search each vehicle is 1 min, the total time needed for security personnel to search each vehicle would be an additional 566+ hours or 23.5 days. Even with the proposed action will having 16 lanes, the extra impact on each motorist would be an additional 35 hours per lane.- and this only assumes 1 min per search. 2) Wait times would create more idling per vehicles thereby causing more CO2 emissions and oil/gas spillage from vehicles. 3) Wait times would only create further strain on the level of service on roads, especially the two-lane highways surrounding the event such as CR 34. 4) The precautions are unnecessary considering BLM's own data that "at the Event. In 2016, there were 46 arrests and 559 citations issued by the Pershing County Sherriff's Office and BLM."	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
871	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
871	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Entrance security: I spent many hours packing my vehicles. If private security search is taking place, how long will repacking take. Entrance line will be days long. Will there be gas trucks refilling vehicles stranded on the highways and entrance roads? Trash/dumpsters: How often does one see MOOP blowing out of dumpsters/garbage trucks? If implemented is BRC responsible for any trash found between BRC and Reno or Lakeview, or is it totally the garbage haulers responsibility?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1909	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Also the added security force being inexperienced with this event would without a doubt cause longer lines, waiting times and frustration, more carbon emissions from vehicles being in line longer, and potentially creating a need for a wider gate road, imposing a larger impact to the playa.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
876	1	Mitigation-Public Health and Safety	209.0700.00	N/A	QUESTION: Does the draft EIS take into consideration the implications of this mitigation such as possible lawsuits for Fourth Amendment violations? QUESTION: Does the draft EIS take into considering the implication of a slower gate process and how that will spill over onto the local roads, environment, and lead to potential civil unrest?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1050	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights? Operationally, this recommendation would require dozens more lanes on Gate Road to process people in a timely manner while private security agents stop and search every single vehicle and each passenger, unpacking belongings onto the playa as BLM does now, tripling or quadrupling the area of impacted playa surface. With the current number of lanes on Gate Road, the delay from this private security operation would cause entrance times to be extended by days. Not hours, days.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1050	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I guess I just don't see how this is a) reasonable, b) feasible, or c) something that you can even expect. What you're proposing here is the replacement of nearly 5300 shifts, made up of nearly 32,000 man-hours, all of which are currently provided by free volunteer labor. At a federal minimum wage of \$7.25 an hour, we're talking about nearly a quarter million dollars, and considering the conditions in which these supposed individuals would have to work is extremely likely to yield an unacceptably high attrition rate, and/or a considerably higher labor cost to provide reliable security coverage. Neither of which are acceptable situations.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1050	4	Mitigation-Public Health and Safety	209.0700.00	N/A	I have concerns about mitigation measure PHS-I. I do not like the idea of attendees having their vehicles subject to searches without cause simply because they are attending the event. I do not like that these searches would be conducted by a third-party with required violations being reported to LEOs. The potential for abuse is large, including mishandling evidence, misidentifying substances, and seizure of property by third parties. There is also the danger of violence during holding people for searches especially with a 3rd party enforcer. I'm also gravely concerned about searches without cause as a basic violation of the 4th amendment.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
486	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I am opposed to Mitigation Measure PHS-I. I do not believe requiring private security to screen vehicles and participants entering the event is a good idea. Use of a third-party vendor in this role is not in the spirit of the event. Also, such a vendor is unlikely to do as good a job of screening as volunteers currently do, would be a waste of money, and would likely cause significant additional traffic delays and problems that would negatively affect public safety.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1231	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I is an unnecessary proposal. This is because there is already a large amount of security at the event including local, state and national level law enforcement officers. This unnecessary additional law enforcement will prevent the existing law enforcement officers to perform their duty at and around the event, require undue organizational and logistical resources used by BLM, and be an unnecessary strain on the Burning Man event, participants and organizers.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
65	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Burning Man has far less violence and drug deaths than any other American city of a comparable size. Requiring external security searches is an attempt to circumvent the 4th Amendment rights of all Burning Man participants, nothing more, nothing less. It will increase entry times to the point that traffic will almost certainly reach Fernley, and maybe even Reno, putting a massive strain on resources for the entire State of Nevada.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
65	6	Mitigation-Public Health and Safety	209.0700.01	N/A	I am concerned with the recommendation that Burning Man Project contract and pay for a BLM-approved private security company reporting to BLM, to screen for weapons and drugs all vehicles and participants, vendors, contractors, staff, and volunteers at all points of entry to Black Rock City. I believe that increased wait times and traffic due to new search and seizure operations by BLM's private security company would be highly problematic to an operation that is already a long and congested process.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
177	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Entering the event is already a big difficulty, it's not uncommon for attendees to have to wait 10+ hours in their car to get in. Adding additional screening on attendees would further slow down this process. Perhaps a better alternative would be to add additional security during the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1058	3	Mitigation-Public Health and Safety	209.0700.00	N/A	A third-party inspection and screening service at the entrance would result in much longer lines and not increase the safety of the participants at the event. For example, alcohol would still be legally consumed, and the bad judgement from such would still lead to accidents which may require medical attention. However, the longer lines would grow and potentially stretch out to SR34. It is not unusual for some event participants wait for several hours due to dust storms and other circumstances. These problems will become amplified if people who are unfamiliar with the event, and are not culturally knowledgeable and physically prepared (it is a grueling environment), are faced with the task of inspecting vehicles and cargo in unusual configurations.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1154	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Another issue I have a huge problem with is the BLMs suggestion to completely remove our own infrastructure and replace with BLM approved businesses for security and searching cars upon entry and replacing our rangers and dpw. Has there been trouble with the way things are ? Have there been shootings from people bringing in weapons ? No- absolutely not - there is far less crime at this event than at similar "festivals"- and those festivals that have higher rates of crime DO use outside sources for their security - to no avail in a correlation to improving crime rates. The people in place now have an in depth understanding of this event and there work is helpful and important. If the BLM changed this- there would be no way to let this number of participants in the event without making people wait in line for extensive hours- even days. The infrastructure of the city couldn't even be built with this kind of timeline.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1939	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Finally, it's completely unreasonable to require a paid security force. Burning Man has provided a volunteer security force for decades that has done an admirable job of keeping our community safe.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
890	2	Mitigation-Public Health and Safety	209.0700.00	N/A	My only serious concern regards the hiring of private security. While I realize that this is to mitigate illegal weapons and substances, it would make entry into the event much slower than it already is. The Rangers and undercover agents already do a stellar job at finding and confiscating illegal items from attendees. Like I said, the deployment of a security company that searches vehicles ffrom top to bottom would throw a wrench into the entry process. I've seen people fall asleep at the wheel waiting in line overnight which proceed to rear end other vehicles. In my opinion: the faster that the front gate can get vehicles into the event, the safer the entry process would be. If alcohol or other substances can be smelled from the car, then by all means, search that vehicle.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
890	3	Mitigation-Public Health and Safety	209.0700.00	N/A	more seaching will only make the entrance longer and the environment essentially more hostile. Although it goes against everything you probably believe, controlling and policing our culture actually creates violence and hostility that is not present without a policing standard.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1796	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Did the BLM fully consider the problems that would be caused by their recommendation to run a private security force at Burning Man? The delays entering the event are already measured in hours. Any increase in screening would only exacerbate the wait times and jeopardize the event from actually occurring. Not to mention the increase in stress on the environment (idling vehicles emitting greenhouse gases, garbage and human waste on the roadsides) leading up to the event site as attendees are forced to wait in their vehicles. More importantly how do you propose to safe guard people's Fourth Amendment rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1944	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Then hiring a private force to inspect all vehicles and the people within them? This will lead to VERY increased wait times, more cars waiting out on the road, more fuel burned, more irritated people, etc. Not to mention the fact that we will have to allow ourselves to be subjected to civil rights abuses and permit our things to be inspected without committing a crime, without a warrant, without just cause, all because we've chosen to attend a large scale pop-up social experiment in the desert.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
394	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Dont have heightened security. the line ot get in is already super long and getting more search will make it too long.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
573	2	Mitigation-Public Health and Safety	209.0700.00	N/A	A third party contractor hired by a private event does not have the constitutional authority to conduct unlawful random searches of individuals who are simply entering onto public lands.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1994	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Additionally, requiring searches of every attendee, volunteer, vendor, staff member, and contractor would lead to potentially days (yes, days) long lines along gate road, backing up onto CR34 and into Gerlach. Not only is that a potentially dangerous situation for emergency vehicles not being able to pass, but also for people who run out of gas and cannot use their car's air conditioning in the blistering heat and bright sun. This would also create a huge amount of greenhouse gas emissions from idling vehicles, further harming the environment.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1958	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding Private Security at Portals of Entry: The level of traffic created by adding this one protocol would negatively impact the surrounding counties significantly. It would add more opportunity for stopped traffic to litter (something you are attempting to reduce). The traffic would contribute to poor air quality in the surrounding region by increasing the time and number of cars on the road. It will also increase aggravation in attendees. Increased aggravation leads to more occurrences of conflict, which leads to BLM Rangers and other law enforcement being stretched thinner with calls that are avoidable. This does not create a more orderly process.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1988	3	Mitigation-Public Health and Safety	209.0700.00	N/A	In reviewing table E-1, I also don't believe that enforcing a 3rd party company for security screening is necessary or feasible. Has the BLM considered the impact of such screenings during entrance/exodus?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1988	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Private security would also be a problematic change to the event. Burningman as an experience offers a temporary relaxation of the standard hierarchies social control. While it is obviously extremely important to promote safety and well being of the participants, the current organizers have an excellent track record of participant safety with their volunteer rangers. I believe it it worth allowing the organization to proceed as-is until they demonstrate that some larger intervention is required.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1704	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In particular, there is absolutely no need for the level of security, barriers, or law enforcement personnel proposed. These requirements, because of the cost and complexity of implementation, would de facto amount to a fundamental abridgment of burners' right of free assembly.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1704	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The EIS also suggests that the BMORG fund and support the addition of a private security detail that would search every vehicle entering the event. Such an effort would be costly, invasive, time consuming and unnecessary. While I understand the BLM's concern for the safety of participants- I would encourage the BLM to consider the lack of firearm issues in the past and the potential negative effect on the individual rights, privacy and freedom of the attendees.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
235	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Burning Man is founded on participation and volunteers and requiring an outside agency will damage the fabric of the Burning Man culture. I would also like to reiterate that Burning Man Festival is held on public land and therefore participants should be free from unfounded searches - again without just cause.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
391	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The security measures that are currently in place with respect to those entering the Event work as evidenced by the fact that BRC crime statistics are as much as ten times lower than comparably sized cities in the country. The proposed Security Mitigation would impose a disparate and undue burden on the residents of Black Rock City that is not applied to residents of other cities with higher crime rates or to attendees of other events that take place on public land.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1236	5	Mitigation-Public Health and Safety	209.0700.00	N/A	I have never seen or heard of a weapon at Burning Man. If there are any, they are extraordinarily rare. In addition, vehicles are currently screened for drugs, including with drug-sniffing dogs. What is the evidence that further measures are necessary? Is it legal? If the government requires a third party to search a vehicle without any grounds for suspecting that there is contraband in it, is that different from carrying out such an illegal search directly? In addition, this would pose an extreme burden on the entry and exit from the event, increasing already long wait times to many more hours. This burden harms the experience for the law-abiding citizens who attend. The idling vehicles would also have a negative environmental impact do to the idling vehicles on the entrance road being searched.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
33	4	Mitigation-Public Health and Safety	209.0700.00	N/A	I'm deeply concerned about the efforts to search every vehicle approaching the Burning Man Festival. As a long time attendee the journey to enter the festival grounds from the public road is already hours long.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1071	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The organization's own security does a great job of checking vehicles at the entrance, although this already presents a large challenge in terms of wait times during peak entry hours. A secondary, more extensive and unnecessary security screening would make already long wait times even more extreme, increasing traffic and motor vehicle pollution, as well as violating the civil rights of participants.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1741	6	Mitigation-Public Health and Safety	209.0700.00	N/A	By far the most concerning and gross overstep of powers within the document is located within the measures of "Public Health and Safety". PHS-1 is setting up for a myriad of problems related to unconstitutional searches and seizures, as well as internal corruption of "BLM-approved" third party security that the BLM will no doubly use for personal gain. PHS-3, which is requesting a physical perimeter barrier, provides no insight into how much a Jersey barrier could potentially impact the environment. This is an environmental document that is now providing a so-called "solution" that has more damaging environment impacts than what is in place, showing that the creators of this EIS are blatantly using and abusing this EIS for personal gain and control against BRC. PHS-4 is one of the most blatant measure to attempt to control every aspect within BRC in the entire document. First off, it provides no insight as to who these "Nevada-certified building inspectors" will be coming from, and how any building inspector can manage this or sign off on anything within the City. This measure yet again has nothing to do with the environment and is using the broad spectrum within "Public Health and Safety" in order to wreak havoc within the organizers of BRC.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
345	1	Mitigation-Public Health and Safety	209.0700.00	N/A	It's already a very slow process getting into the event. Any additional delays because of a more intense search is going to exponentially increase the wait time to get in, and create days long backup.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
320	2	Mitigation-Public Health and Safety	209.0700.00	N/A	1. This BLM requirement constitutes search and seizure without just cause — the “probable cause” in this case is solely and exclusively the fact that a participant is going to Burning Man, and we believe this would constitute a violation of the 4th Amendment of the U.S. Constitution. 2. The Gate team has always been an effective and efficient element of the entry process and in my experience, I have never encountered anyone getting any banned items (weapons, fireworks, etc.) into the city. I have always been safe there. 3. Time. Searching every single vehicle and each passenger, and unpacking belongings onto the playa would cause delays of days for people entering the event. Gate lines can already last hours. 4. Black Rock City is a participatory environment, and a key part of that participation is volunteering. Requiring a private company to perform this unnecessary and analytically unfounded function at the event would damage this shared value within the community, and it would negatively alter the experience of thousands of visitors to public lands, since the first experience people would have upon arrival to the National Conservation Area would be an unconstitutional search of their person and belongings.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1754	1	Mitigation-Public Health and Safety	209.0700.00	N/A	On page 41, the EIS states that, "The BLM is aware that BRC is pursuing options for retaining private security at the Event. The scope of services that BRC is soliciting is unclear, so the BLM cannot analyze potential impacts at this time." Yet mitigation measure PHS-I seems to make this a requirement of the event under all alternatives analyzed in the EIS. If this is a requirement under all alternatives the impacts should also be analyzed. I agree that security can be increased to mitigate the potential for public health incidents, but requiring BRC to hire a private company is an undue burden on the event given that all costs are already reimbursed under current circumstances. I would think it would be better to increase volunteers at the gate, and increase permanent law enforcement paid for by BRC both at the local and Federal level. This mitigation measure also creates a reduced vehicle amount for event participants since contractors are included in the number of vehicle passes. If used, the private security should not be included in the vehicle pass total.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1441	4	Notice of appeal or litigation	502.0000.00	N/A	please remove DEIS Mitigation Measure PHS-I (Entry Security Screening) from the final EIS since it recommends searches which are illegal and will be challenged by lawyers in the Burning Man Community. Also, please arrange for BLM law enforcement rangers working in your District to undergo additional training on search and seizure law so that they do not violate peoples' rights while working at the Event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1754	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Enhanced screening of oversized vehicles may be a reasonable step, but could likely be undertaken by the BRC. The vast majority of vehicles pose no threat and the additional time and expense of screening would have terrible environmental and social consequences.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1079	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Private security: Does the BLM have a Constitutional basis for the vehicle searches contemplated in this recommendation that does not violate the Fourth Amendment? With this recommendation, is the BLM responding to actual occurrences of harm to public health and safety, and if so, can it quantify the incidence of these occurrences and compare it to U.S. populations of similar size?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1079	14	Mitigation-Public Health and Safety	209.0700.00	N/A	I am mostly concerned about Mitigation PHS-I, which says, "At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event." Not only do I believe this to be a waste of money to hire a third-party private security for an issue that I have never been concerned or felt worried about, it is also against my 4th amendment constitutional right to unreasonable searches and seizures. I do not believe a full search of every participant is a reasonable request, as we are not criminals just because we go to burning man. I have never broken the law, I do not have a criminal history, there is no justification for searching my property just because I am attending the event. Not only is this measure illegal, it would require massive amounts of man power and money to undertake, and would put unnecessary strain at the gate. The gate line going into Black Rock City is already long enough, this search would cause the line into the city to be way longer, putting a ton of strain on the city of Gerlach, state route 34, as well as Hwy 447 and all native reservations along the way. Also, every vehicle is already checked upon entry into the city for weapons at the gate. This measure is unnecessary and extremely problematic.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1961	2	Mitigation-Public Health and Safety	209.0700.00	N/A	A third-party private security firm would have detrimental impacts on the costs of running the event, and would lead to increased negative environmental effects as traffic comes to a standstill due to longer event entry times.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1186	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I work in EMS and an ER. I saw only 3 overdoses/toxicities in a whole week, out of 70,000 participants. Thats INSANELY low. I have never seen people laying on playa OD-ing. BLM's insistence on monitoring illegal drug use is unwarranted, unfounded, and impossible to police effectively, not to mention the drugs that BLM was searching for last year are not generally found in BRC.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
924	3	Mitigation-Public Health and Safety	209.0700.00	N/A	This mitigation proposes an unwarranted search of individuals and their effects, which is expressly prohibited in the Constitution of the United States. In addition to that legal issue, such a process would elongate entrance times - which personal experience shows can span as many as twelve hours - by several days at an enormous cost. Environmentally the damages would be several: Gate Road would need to be dramatically widened to accommodate the stagnated vehicles (creating more impact on the playa), all of which would be idling and producing emissions for a much greater period. At the core of the BM experience is shared trust; indeed it is the lynchpin on which the entire community pivots - and with great success. While the "purpose" of the event is often the subject of debate, all would agree that creating an environment of trust and mutual respect is one part of it. Greeting participants with an automatic attitude of distrust and disrespect undermines that, fundamentally.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
924	4	Mitigation-Public Health and Safety	209.0700.00	N/A	It would also require more lanes of traffic entering the event which would have an increased environmental impact on the road way entering this event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
921	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The EIS does not address the cost of this third party, private security. It further does not address their scope, authority or restrictions.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
918	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The ride-sharing, as well as the grouping of participants in vehicles, may cause an undue clustering of arrests by law enforcement. But, what if the driver is innocent and the new ride sharing rider commits an infraction? Further, the EIS envisioned talking, communicating, and networking between third party, private security and law enforcement may be lacking. Unintended searches may result. This could be made more problematic by an uncontrollable outdoor environment.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
104	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The BMOrg already has volunteers that screen all vehicles that come into the event looking for unticketed persons as well as contraband including weapons, drugs, and other prohibited items. The BMOrg enforces these restrictions by voiding the tickets and entry to any person who is found to have contraband. Having a third party do this job in the detailed manner requested (by removing everything from the cars, trucks, and RVs of every single participant, staff, volunteer, vendor, etc.) will not only cause longer wait times (of not hours, but days), but it will negatively impact the issues that the BLM is trying to avoid. The wait times of vehicles entering the event will cause higher greenhouse gas emissions from vehicles idling. More lanes will be needed on playa to prevent traffic backups on the roads, leading to more issues to the playa surface from unpacking every vehicle. Not only that, but it would void the communal participation of the event by taking away the volunteer jobs of the participants who take their jobs very seriously, and replacing them with a security company who reports directly to the Federal Government.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1787	1	Mitigation-Public Health and Safety	209.0700.00	N/A	his "mitigation" is unfounded and unnecessary, and will cause more harm to the event, people, and Playa surface than it will good. Wait times at Gate Road are already long and taxing; our first year we waited on Gate Road for more than 12 hours. To require a search of every single person and vehicle — which is probably packed to the gills, and will need to be unpacked, searched, and repacked — would increase wait times at Gate Road beyond anything that could be considered reasonable. Imagine waiting at Gate Road for days. Days, not hours, where your car is idling on the Playa surface, or dripping fuel, oil, antifreeze, or other such unsavory chemicals onto the Playa surface, causing serious and irreparable harm to the environment. Has BLM considered the impact of exponentially increased wait times, idling vehicles emitting greenhouse gasses, and increased stress on the Playa surface?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1791	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Police search, seizure, physical restrictions on movement are only justified in cases of threats to public safety. No clear threats to the surrounding community have been documented. There has been no public outcry for increased surveillance and curtailment of activities at Burningman.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1791	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I proposal stating 'BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Thirdparty, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. ' does not circumvent the 4th Amendment of the Constitution. It still falls in the category of a government mandated search with no warrant or probable cause. In addition to violating the rights of citizens, searching each vehicle would drastically increase traffic and wait times in line. This in turn increases vehicle emissions, and goes against the whole stated purpose of this draft which is decreasing the environmental impact of the event. The Department of Energy has an article speaking to the effects of idling which is attached. (SEE ATTACHMENT)	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1795	3	Mitigation-Public Health and Safety	209.0700.00	N/A	As far as I can tell, the only "cause" that BLM would have here is that people are attending Burning Man. This, to me, appears to be systematic and willful discrimination against a single group of people whose only crime is to attending Burning Man. BLM should note that Burning Man organization already has volunteer gate staff who screen vehicles for illegal activities as appropriate. BLM should also note the proposal is likely to have significant adverse environmental impact because the areas of the playa required to perform such searches will need to be increase. Further, the wait times at the gate will increase by days, which are already hours long.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
910	2	Mitigation-Public Health and Safety	209.0700.00	N/A	While many private security companies are well versed in screening participants for concerts and even travel with minimum supplies, are they experienced in screening the arrival of people constructing an entire city? Further what will a private security firm be able to improve on verses the current volunteers? The number of contraband issues that arise each year are small as documented in the Ranger logs. The level of search that would be required to reduce the influx of illegal substances given the volume of materials arriving is not feasible. As someone who has reviewed inmate visitation processes and high security facility access I understand just how difficult it is to prevent an influx of illegal substances when there is limited baggage let alone all the materials to build a city. The current process does a great job of mitigating contraband such as weapons, fireworks, and stowaways while making the entry as fast as possible. I would have expected to see facts to support the need for the additional security along with a clear cut set of objectives that the private security was to improve upon.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1966	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Order 3366 from the interior secretary was intended to increase and streamline recreational opportunities. Have a private security firm reporting to the BLM does neither of these things. Instead it will make the process of coming into Burning Man more time consuming and difficult.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1441	1	Mitigation-Public Health and Safety	209.0700.00	N/A	this proposed mitigation would likely substantially increase wait time at gate - and I have twice spent sixteen hours waiting at the gate over the past four years. Has BLM explored how increasing gate wait times from half days to multiple days could negatively impact public health (considering additional vehicle exhaust, lack of exercise, possible lack of access to food or water for those whose camps bring these items, etc.)? Has BLM explored the environmental impact of people camped in their cars while waiting for entry?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1147	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I: Weapons have never been a problem at Burning Man since the event banned them years ago. I believe this requirement would create an unconstitutional search in violation of the 4th Amendment, creating a run-around of probable cause by "offloading" the search to a 3rd party. This is trying to solve a problem that does not exist, and would infringe on the civil liberties of all attendees.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
62	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Check point and searches are no justified. Where does it say citizens can be searched at private events?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
2013	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I requires a third-party independent private entity to screen all entry into the event, starting a week before the Event opens. Is this intended to replace the existing Gate team? Or to duplicate their efforts? In either case, it would slow down an already slow process, and would increase the traffic congestion that BLM and BRC are both trying so hard to reduce. There are two mitigations that I expect might get a lot of complaint, but I think are good ideas:	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1089	3	Mitigation-Public Health and Safety	209.0700.00	N/A	In regards to screening of weapons and drugs, is also another unnecessary protocol. There is high security around and throughout the festival 24/7, isn't that enough? No city has laws to have screening when entering it. Understandable for boarder crossings but this is a festival that is within the same country.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1850	11	Mitigation-Public Health and Safety	209.0700.00	N/A	Searching all vehicles for drugs at the gate would cause cars to wait in line for DAYS - and would back up traffic on highway 447 for miles, causing hazardous conditions. This demand would increase greenhouse gas emissions due to thousands of cars idling at the gate; In addition, searching vehicles without probable cause is a civil rights violation of the 4th Amendment of the U.S. Constitution, and a colossal waste of money (over three million dollars) and time.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
492	1	Mitigation-Public Health and Safety	209.0700.00	N/A	longer waits at Gate Road result in greater emissions from vehicles	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
58	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I: The third party security measure for screening vehicles entering the event would constitute search and seizure without cause. Such requirements are not regularly done for other people camping or accessing the BLM outside of the Burning Man event. The security screening would potentially increase wait times at the gate, increase emissions as well as contamination from vehicles that do leak fluids, and imposes an undue cost on the Burning Man org who already have trained, volunteers to do these duties.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
58	3	Mitigation-Public Health and Safety	209.0700.00	N/A	It appears the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers I have not experienced problems with firearms or drugs at Burning Man. Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1091	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I involving hard barriers around the perimeter seems unnecessary. Quite importantly, the implementation of PHS-I would bring environmental impacts that, by themselves, would seem to require an Environmental Assessment. Sizable wind-blown soil collection at the barriers, compaction of the playa due to hauling 1,900 loads of concrete barriers (per BRC estimate), increased traffic, and improbability of locating such a large quantity of barriers in northern Nevada all make this an unrealistic requirement. A continuous, hard barrier could exponentially exacerbate a catastrophic event by stopping people from leaving the playa via alternate routes should it be necessary. Please document the rationale for this barrier plan and the environmental impacts of placing the "hard" barrier. If there are areas of concern where security is an issue, then BRC should address those specific areas, not the entire perimeter fence. Surely there are alternate solutions if the problems are real. What's being used now for fencing seems to work and doesn't need to be made more complicated. None of these problematic matters are discussed in the DEIS. Even though the intention is to increase the safety of those at the event, the various costs seem to undermine this purpose when keeping in mind that BRC is already monitoring the perimeter with means that will deter intrusions.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1091	3	Mitigation-Public Health and Safety	209.0700.00	N/A	An outside security force will only cause good-willed law abiding participants to perceive as their their fourth amendment rights are being violated if the government is requiring that all vehicles are to be searched.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1929	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Conducting mandatory, unwarranted searches of 80,000 or more Burning Man participants poses significant practical and constitutional concerns. Did the BLM consider the extreme cost and delays at the gate of requiring these searches? When extreme weather or BLM-mandated gate shutdowns require Burning Man to close the gate to the event (as happened in 2019 on Wednesday of the event), the traffic impact on Highway 447 and CR 34 is tremendous and dangerous. In those cases, the traffic has sometimes backed up all the way to I-80. Not only does this impact surrounding communities, it also requires multiple agencies in both Nevada and California to coordinate together to prevent participants from heading towards the event location during long wait times or gate closures, including the Nevada Department of Transportation, Washoe and Pershing Sheriff Departments, the BLM, Burning Man, and Cal-Trans. Did the BLM consider the violation of individual rights and the 4th amendment when making the recommendation for mandatory gate searches? These stops would amount to a government-mandated search and edge dangerously close to a violation of the 4th Amendment which guarantees the protection of every citizen against unreasonable search and seizure.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1929	5	Mitigation-Public Health and Safety	209.0700.00	N/A	My big concern with PHS I is that burning man already taxes me a large fraction of my income, and up to 20 hours some years in time waiting in lines to ingress or egress the city. I simply cannot see how any competent search of fully loaded and kitted out vehicles can occur without significantly multiplying the time involved. Keep in mind this is only a 192 hour total event that's costing me almost a quarter of my yearly income. How many days of that total do you want us to sit in our cars burning gas for AC in the entry line? It also feels like we, as an entire culture, are being treated as a criminal element without cause. Please reconsider	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1929	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I This appears to be a violation of my constitutional rights protecting me from unreasonable search and seizure. I am not searched at other times I go out to the Black Rock playa, including Black Rock Rendezvous - times when I could bring and use guns and drugs in the very same place! I am also not searched when I go to other federal lands, such as national parks. People going to illegally camp out at Trego Hotsprings (where I have helped with cleanup and conservation efforts) are not searched for guns or drugs, and their illegal campouts frequently involve shooting, as evidenced by the numerous ballistic casings I have cleaned up in the area. If BLM is so intent on enforcing public health and safety of the Black Rock Desert, why don't they crack down more on the folks illegally camping at, shooting around, and swimming in Trego (the water is almost certainly a public health risk!). If they have a constitutional right to carry guns out there, why is that constitutional right being respected but unlawful search and seizure of Burning Man participants would not be?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
864	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Searching cars. How is this an environmental impact item? I am confused. Items will blow away as cars are searched and it will delay entrance and cause more emissions. How is this an EIS item?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
864	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Adding more security will decrease this already painfully slow flow of traffic to the detriment of the customers/burners.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
169	3	Mitigation-Public Health and Safety	209.0700.00	N/A	How can the local traffic not be completely jammed, creating local populations disturbance, frustration? How can security be guaranteed for thousands of people waiting endlessly, once again building frustration?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
854	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Why ever would BLM have any interest or have any jurisdiction to monitor the participants as they enter the event? This is highly dubious in nature. What is the intention and does the intention have any basis for the land use. Historically, what are the issues with guns at this event and how have they impacted the land use. What are the issues with drugs at this event directly impacting the land use?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
854	4	Mitigation-Public Health and Safety	209.0700.00	N/A	As mentioned in the Section 1.2.19 Terrorism, have you consider the costs of setting up and running a proactive gate searches to mitigate active shooter incidents, physical barriers in crowded areas within the city, and a hardened perimeter security measure?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1102	6	Mitigation-Public Health and Safety	209.0700.00	N/A	As it is now entering BRC takes many hours, any increase in the level of searching vehicles will be greatly increase the gate wait time further impacting the highway, increasing car emissions etc. The Draft EIS speaks about civil unrest as being a reason for private security searches, I've never even seen a fight a Burning Man much less anything that qualifies as civil unrest. Increasing gate time waits, and having their cars, trailers and RV's unpacked to be searched for no cause will definitely make everybody angry and may then cause civil unrest.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
447	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Did BLM consider the waiting time "costs" of running an increased search operation at the Gate, and the effects on individual rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1491	2	Mitigation-Public Health and Safety	209.0700.00	N/A	This also is estimated to cost over \$3 million to implement, which would kill attendance for so many people who have called Burning Man their home every year as ticket prices become even harder to obtain.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1919	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Monitoring Measure PHS-I Regarding monitoring for substance use: This is a form of surveillance and has nothing to do with environmental impact. It is not the role of the BLM to monitor people who use the land.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1919	5	Mitigation-Public Health and Safety	209.0700.00	N/A	The report does not indicate any rationale for requiring that all participates and their possession be screened for drugs and firearms. First, clearly drug use does not have any direct impact on the playa much less a negative impact on the playa; therefore, drug use should not be an issue raised or considered in any environmental impact statement for the playa.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1918	4	Mitigation-Public Health and Safety	209.0700.00	N/A	I do not see the need for a "third-party, private security at all portals of entry to screen participants, staff, and volunteers entering the Event." I am extremely concerned that this option of screening will increase gate time exponentially. Since the temperature is high, Burners must use their air conditioning during wait time at the gate. Screening that takes longer will negatively impact the environment by increasing carbon emissions.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1914	3	Mitigation-Public Health and Safety	209.0700.00	N/A	hird-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event. Calling this BLM-imposed mandatory search a "screening" does not change its fundamental character, which is a search for evidence done without probable cause under the direction of BLM law enforcement officers in violation of the Fourth Amendment of the United States Constitution.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
839	1	Mitigation-Public Health and Safety	209.0700.00	N/A	First and foremost, this is a violation of a person's rights to unlawfully search an attendee without evidence of a crime. This BLM requirement constitutes search and seizure without just and probably cause, and I feel this is a violation of the 4th Amendment of the U.S. Constitution. People who are not suspected of any crime will not only be emotionally impacted, but also may experience damage to property and invasions of privacy.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1636	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Measure PHS-I: The NEPA does not afford BLM the legal authority to surveil an event under the presumption that attendance requires monitoring. Neither does the US constitution. Plus, the event is under plenty of surveillance as is [2].	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1636	6	Mitigation-Public Health and Safety	209.0700.00	N/A	The addition of a private security company, however, would be disastrous. It would not only add greatly to an already long entry process, but would put security guards in positions where they would interact with participants in authoritarian ways that are antithetical to the democratization of Burning Man.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1636	11	Mitigation-Public Health and Safety	209.0700.00	N/A	This BLM requirement constitutes search and seizure without just cause -the "probable cause" in this case is solely and exclusively the fact that a participant is going to Burning Man, and we believe this would constitute a violation of the 4th Amendment of the U.S. Constitution.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
611	4	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I: This measure would only increase the already arduous process of event entry, and would result in a significantly decreased experience for anyone entering the event. The Gate staff and Greeters are teams of dedicated volunteers led by expert staff who have decades of experience managing the Event's entrance. Any private security company, no matter how skilled, would be wholly unequipped to conduct searches at the Gate with any remote sense of efficiency. The lines would be backed up likely half the way to Gerlach, as event entrance can already take 12 hours or more at peak times.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
379	3	Mitigation-Public Health and Safety	209.0700.00	N/A	This measure requires the event organizers to contract with private security to screen everyone entering the event for weapons and drugs. This amounts to a highly intrusive and widespread violation of participant's fourth amendment rights. I am frankly astonished that the BLM is willing to treat constitutional requirements so casually. As noted in the EIS, the number of drug arrests and incidences of intoxication requiring medical attention amount to much less than 1% of the Black Rock City population. This mitigation measure seeks to impose a massive cost and a gross violation of civil rights in order to address a largely hypothetical problem.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1547	1	Mitigation-Public Health and Safety	209.0700.00	N/A	As pointed out by Dr. Mark Hall at that meeting, this measure requires for incoming participants to be "screened" for weapons and illegal substances, not to be searched. However, the measure does not define what sort of "screening" is intended. Will incoming vehicles be subject to canine screening? Is there some kind of technological solution proposed to screen for chemicals associated with explosives? Or will a screener simply ask politely whether or not the incoming vehicle contains weapons or illegal substances? Given the lack of definition regarding the meaning of the word screening, it is impossible for anyone to assess whether this proposed mitigation measures will (1) be effective (2) be consistent with the limitations imposed by the 4th amendment, and (3) be feasible. Moreover, the EIS does not support the idea that the presence of illegal substances presents a significant public health risk that is not more effectively addressed through on-site medical services. The number of medical events involving substances amount to a couple hundred per year -- thus, less than one percent of the population is negatively affected by the presence of illegal substances.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1547	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I "At all portals of entry in the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the event." This strikes me as an extreme overreach and again seems a Solution in search of a problem? Does the BLM think it is even constitutional to search every participant arriving at the event? Last year the Tribe's Police Officers stopped and searched a large number of participants as they passed through Gerlach and some other areas before the gates. The Reno District Attorney declined to prosecute any of the arrests. Does that not tell you something about this level of harassment? And what will be the impact on the progression in through the gate of searching 35,000 vehicles? It already takes many of us 8-10 hours to get in the gate from highway 447. This could potentially increase the entry time to days from hours which is a serious threat to people's health and safety. The level of law enforcement presence in BRC is already considerable, and entirely adequate in my experience.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
536	2	Mitigation-Public Health and Safety	209.0700.00	N/A	In 2018, only 44 arrests were made, out of 70,000 attendees [2]. That is 0.06% of the population, well below the average US crime rate [3]. Burners have not done anything that warrants the involvement of a third party security company that may or may not understand Burning Man culture and would likely exploit their power during searches. Moreover, having more thorough and dedicated vehicle searches at entry would dramatically and negatively impact the already long entry time. The one year my party did not have early entry, we waited 9 hours in line until we reached Gate, and that is not even considered a long wait time as compared with other stories I've heard. Having to wait any longer due to stops and searches would pose health risks on participants. Many of us, especially those from out of state or out of country, come to the event packing light, having coordinated food, water, and shelter with our camps beforehand, and would not have the necessary supplies to wait out 12+ hours to get through Gate. I strongly suggest BLM reconsider this measure not only from a personal liberty but also from logistical and health standpoints.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
536	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Lastly, increased wait times and traffic due to new search and seizure operations by BLM's private security company would be problematic for many reasons. First of all, this is a serious privacy issue. People come to the event for a week and the contents of their vehicles are no one's business but their own. This is especially true on Federal Lands - this is America, where we celebrate our freedoms! The local communities also need to be respected, and this is best achieved by having the roads move quickly so that traffic does not effect them negatively. An overabundance of search and seizure operations negatively impacts not only Burning Man participants but the local towns, as well.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
589	1	Mitigation-Public Health and Safety	209.0700.00	N/A	My second concern is regarding Table E-2 - PHS-I; requiring BRC to contract a private security company. This looks like a blatant attempt at simply extracting more money from BRC. My assumption is that this clause is justified with the idea that BLM, Pershing County, and Washoe County will not need to provide law enforcement because this will be served by private security. I find it highly doubtful that any of these 3 law enforcement agencies would not be on premises for enforcement and give up the huge amounts of revenue generated from fines during, regardless of the presence of private security or not.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
715	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Increasing security presence at the event and increasing the amount of vehicle searches would simply make getting into the event untenable. In addition, the BLM hiring a private security who will then make money off Burning Man just seems so gross and counter to the decommmodification of the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
715	1	Mitigation-Public Health and Safety	209.0700.00	N/A	increased wait times and traffic due to new search and seizure operations by BLM's private security company would seriously undermine the event, which is already subject to exorbitant wait times along the Gate Road.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
787	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation number PHS-I proposes instituting mandatory searches for all vehicles entering the event. I am concerned mostly for the undue added expense and time involved in implementation of these searches. The event draws roughly 30,000 vehicles within the week, each packed full of food, water, shelter, and shade. Spending even five minutes searching these vehicles, each of which is carefully packed and secured in a complex and unique way, would incur 115 man-days of labor, resulting in massive delays along an already massively congested arterial, which currently can include over 12 hours of waiting for entrance.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
785	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed addition of private security teams to search every vehicle entering the event is problematic for the following reasons: The 4th Amendment of the constitution guarantees the right of not being subject to unreasonable search. Requiring people attending an event on public land to go through mandatory searches is a violation of our constitutional rights. There isn't a documented problem with drug or weapon violations during the Burning Man event at higher rates than in cities of a comparable size. Logistically searching the tens of thousands of vehicles entering the event would be very difficult. There are already traffic backups and multi hour waits to gain access to the event site. Adding private security teams would make these wait times significantly longer.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1841	5	Mitigation-Public Health and Safety	209.0700.00	N/A	It already takes an incredibly long time to get into the event without an outside security team checking every vehicle, the volunteers do a perfectly good job of screening everyone as it is and there are police inside the event to keep watch for anyone who is being dangerous.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1846	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Secondly, having additional paid security at each port of entry would greatly increase cost and hurt the cultural experience because right now that role is filled by volunteers with volunteerism being central to Burning Man. It would also greatly increase traffic and wait times which would aggravate other challenges of the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
228	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The gate is efficient and has been working effectively, developing along with the city. An outside hired security would cause conflict and would be economically unfeasible.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
413	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Enforcing a requirement for private security at all entry points with the mandate for a search would turn entry points into taking astronomically long. How would there be accountability done by a private firm that would need to search 70,000 participants. Traffic already is horrendously slow for Burning Man on the high traffic days. I can only imagine it backing the road up all the way back past Gerlach if there was a search in place. This also seems to be assuming all participants are guilty until proven otherwise. Burning Man currently works with their own security as well as law enforcement with few incidents occurring. This change seems unnecessary and not viable.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1319	1	Mitigation-Public Health and Safety	209.0700.00	N/A	increased wait times and traffic due to new search and seizure operations by BLM's private security company would be problematic.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1124	5	Mitigation-Public Health and Safety	209.0700.00	N/A	If the proposal for more extensive searches with a private security group is accepted, these wait times will likely increase significantly. There will be more cars idling for a longer period of time and likely more damage to Gate Road, which will extend the duration of post-event restoration.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1149	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The section refers to the hiring of a private security force for inspection at the BRC gate. This seems to be an expensive and problematic requirement that is at odds with other mitigations and likely will not accomplish the stated goals for improving public health and safety. The more likely outcome based on effectiveness comparisons is likely to be dilution of Law Enforcement Resources, an increase in Environmental Damage & the unneeded creation of a second zone of control. For these reasons it seems a more effective strategy would be to simply scale the current law enforcement protocols commensurate with the increase of event persons. It is unclear from the requirement how a private vendor can mitigate the public health concerns listed or even the concerns called out specifically by this section of illicit drugs & illegal weapons.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
772	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Because of new security requirements, the participants will have extra hours entering to the festival. It means that people will produce a lot more CO2 by car engines and AC while waiting their line.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
165	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The addition of private security at portals of entry and additional barriers around the city perimeter would be very costly and provide almost no extra benefit. There is no history of weapons being brought into Burning Man and last year, there were only 43 arrests for drug possession and traffic of drugs. Out of approximately 70,000 attendees, this is 0.06% of the population. In 2017, there were only 58 arrests for drug related charges, just 0.08% of the population. (reference <a href="https://www.rgi.com/story/news/2018/09/03/43-arrested-burning-man-2018/1185529002/">https://www.rgi.com/story/news/2018/09/03/43-arrested-burning-man-2018/1185529002/</a> ). Therefore, there is no data to support increasing security to this event as there is negligible problem currently. Additional security would however, significantly increase wait times to enter the event and provide much greater stress on highway 447 and the communities in the area. There would be an increase in human waste, trash and idling fumes from longer wait times.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
165	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The suggestion to have a third party searching all vehicles feels draconian and does not seem to be commensurate with the level of incidents occurring. I am sure others have already commented on the amount of traffic build up that would exponentially affect the local areas as humans wait to get in.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1659	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Additionally, new search and seizure operations by BLM's private security company would be problematic, leading to increased wait times, traffic, and civil rights violations as well as the possibility of civil suits brought against the BLM and therefore would be of detriment to all the interested parties.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1673	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Not only would this be a gross violation of each participant's 4th Amendment rights against search and seizure without just cause, the amount of extended time this would add to the event entry process would grossly inflate vehicular carbon emissions. It would also dramatically decrease driver and event-staff safety; many drivers are making well over 12-hour journeys to the main gate. Requiring vehicles to wait even longer to access the event, likely by days, would result in widespread driver fatigue and would be a safety disaster. I strongly recommend leaving security and entry exclusively to the Burning Man staff and volunteers, which is currently handled professionally and safely.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1673	2	Mitigation-Public Health and Safety	209.0700.00	N/A	This will lead to a much lengthier process on the way in, which ultimately negatively impacts the roads going from Reno to Black Rock City. The line will become so long and unmanageable that people may not get into the event until days after arriving. This could cause many issues with fatigue from driving, increased issues related to having enough gas in order to leave at the end due to using it all while waiting in the line as extreme heat in a car would force many to keep their car on, as well as cause disgruntled patrons who ultimately could become hostile in the line.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1673	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The time involved in entering the festival is already nearly-prohibitive for attendees. Adding another checkpoint with searches will add an incredible burden on those entering. The cost will be transferred to me and to other attendees. There will also be additional environmental impact of attendees idling their vehicles for hours in the hot sun in order to keep their air conditioners going.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1673	5	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I, requiring that Burning Man contract a BLM-approved private security force is extremely offensive. At Burning Man, our principles of Radical Self-reliance & Civil Responsibility are essential. By forcing a bureaucratic approach to security & safety on the Playa, participants will be discouraged and will not engage with Radical Self-reliance or Civil Responsibility as much.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1560	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I Every year Black Rock City is one of the lowest-crime jurisdiction in all of the state of Nevada. There is no evidence to support the need for separate, private security forces onsite. Indeed, the Black Rock Rangers -- a experienced, community-based, all-volunteer force -- are among the most commendable and exemplary aspects of the city's management. Several of my campmates are volunteer Rangers, and I have seen firsthand how seriously they take these duties and how well they perform them. The environmental impact of gate-searches is significant: unpacking and repacking full cars in a high-wind, unsheltered, dust-storm environment will produce an unquantifiable -- but substantial -- amount of inadvertent litter, and expose people not suspected of any crime to substantial damage to their personal property, to say nothing of the privacy dimensions of these searches, which will force attendees to expose sensitive medical equipment, personal journals, literary and religious artifacts, and other private, sensitive and constitutionally protected materials to third parties. Without evidence of crimes or risks that justify these high financial, privacy, personal, and environmental costs represented by this measure, this recommendation should be dead on arrival.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1235	9	Mitigation-Public Health and Safety	209.0700.00	N/A	I also have deep concerns about the extended wait times for the event (and added CO2 to the air with idling cars) that having more search and seizure will create. In my experience, drugs have not been a serious problem at burning man. The relative peace I have witnessed is unparralleled in most cities. More often I have witnessed unnecessary profiling by the police and it concerns me that more of this will occur with the suggested search requirements. How will the government make sure that profiling is eliminated at burnind man? How will the added search measures keep our participants safer? Do you have reports that back up any of these claims?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1759	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
91	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I am very concerned about racial profiling and discrimination if screening was to be instituted.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
730	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Such a mandatory screen would also put an enormous pressure on county roads and traffic -- having a significantly negative environmental impact due to vehicle emissions, and blocking local residents from using their own roads due to the additional traffic.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1131	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I have never experienced, or heard of, problems with drugs or firearms at Burning Man and understand these requirements to be unnecessary and unconstitutional. These requirements are a strain on resources and will increase entry delays exorbitantly. This is also estimated to cost upwards of \$3M to enforce - a huge and unnecessary expense.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1131	2	Mitigation-Public Health and Safety	209.0700.00	N/A	During the public meeting held in Sparks, Nevada on April 8, 2019, several comments were made by BLM representatives that there is a difference between screening and searching; however, despite numerous requests to provide the definition of each, none was provided. Neither a review of Black's Law Dictionary nor a basic Google search yielded anything definitive.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1131	4	Mitigation-Public Health and Safety	209.0700.00	N/A	While I will leave comments about the environmental impacts to those who are better versed in such matters than I am, it is obvious on its face that subjecting Event attendees to even a TSA-type screen on entry would either require a significant expansion of the number of traffic lanes (thereby creating greater impact on the playa surface) or extend wait times at the gate well beyond what can already amount to six or more hours per vehicle. Even if drivers turn off their ignitions while waiting, the additional pollutants resulting from the extended wait times would be detrimental to the environment.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1915	3	Mitigation-Public Health and Safety	209.0700.00	N/A	In 2018 BIA under the auspices of the DEA conducted random inspections on numerous vehicles and the traffic jam was over 7 miles long and had traffic stopped on I80 for up to 2.5 miles and that happened before the event opened. Another consideration is that almost no-one would be at the event due to the length of time it would take to search each vehicle and then get everything back onto said vehicle before entering the city. With this is the number of people that will run out of fuel and or have to bodily relieve themselves on the roadside due to excessive wait time.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1481	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Requiring private security to screen everyone at the entrance of the event would delay lines even further than they already are and cause an enormous cost for the event. My question is: what problem is the BLM trying to solve? Are there event goers complain of feeling unsafe? Is there an unusually high rate of violence, injury, etc? If the private citizens attending the event on public land that their tax dollars go towards preserving don't have complaints, then this is a "solution" without a problem. As a private citizen, I believe it is unconstitutional to use the "private security" loophole to forcibly search every person entering the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
760	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In section 1.2.11 of "Public Health and Safety at the Burning man Event" (BLM 2018b), it is noted that BRC does not search vehicles for illegal substances upon entry. Rather than have the applicant hire private security for the purpose of searching individuals and vehicle under PHS-I, it would be easier to require the volunteers, who are already search vehicles, to begin searching vehicles for illegal substances. This reduced cost to the applicant and maintains the current speed of ingress, thereby reducing the risk of civil disorder at entry gates.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1767	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I calls for searches of people/vehicles entering the site. It's not clear how this proposed mitigation relates to environmental protection.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
94	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Monitoring Measure PHS-I by BLM constitutes an overreach of Federal authority and potential violation of rights provided to all Americans under the 4th Amendment of the Constitution.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1697	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The BLM's attempt to mandate extensive searches of every attendee of Burning Man is the very definition of government overreach and could likely result in expensive litigation against BLM for violating participants 4th Amendment rights. It is also certain to increase entry times to Black Rock City (BRC) by at least hours if not days, which will lead to increased emissions from cars, and, as a result, will lead to increased environmental harms.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1697	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I am concern that the new search and seizure operations by BLM's private security company would be problematic, leading to increased wait times, traffic, and civil rights violations. I have never seen or heard of any issues that would require this type of control measure for people's safety. Again this is a significant resource resulting in increased ticket costs and major delay in time for enter into the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1698	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Also, longer entry lines will stress the relationship with local communities as there are longer lines of people in their neighborhoods for longer. BLM has not demonstrated any harm being produced which this mitigation addresses.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1390	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The unintended consequences of hiring a third-party, private security team would create a negative impact on the environment of Black Rock and surrounding communities: 1) Each staff member would either require housing, sanitation and food services [increasing the number of people camping in the desert] or return to Reno after each shift. Currently after each shift, the 300 or more Gate volunteers are reabsorbed into the city and camps requiring no further human impact on the desert. 2) The delays caused by the 100% screening proposed would extend the wait times to enter the event leading to issues such as increased pollution due to idling vehicles, hazards such as vehicles running out of gas, dehydration, heat-exhaustion and increased need for more portable toilets and perhaps even a medical center out at Gate. a) With longer gate times, a mitigating solution would be to expand the number of gate portals creating more dust and damage to the desert surface.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1773	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Deleterious impacts to the environment would include increased tailpipe emissions of greenhouse gases caused by idling vehicles and additional staff transportation, increased traffic, dust, and massive playa surface disturbance. The Draft EIS speaks about the risk of civil unrest, which has not happened in Black Rock City, but does not consider at all the potential for frustrations to boil over when event entry is impeded by a private security force reporting to the federal government and the delays it will cause.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
12	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed aggressive search regimen at the entry gate seems unnecessary. I never experienced or observed any problems with drugs or firearms at the Burning Man event. I've never even heard of firearms being present at the event in any capacity. There's a very significant chilling effect to being forced to submit to a search by federal law enforcement. Also recall that most non-white populations do not have a positive association with any interactions with law enforcement. Has BLM considered the impact on individual rights and the increased wait times resulting from the proposed searches? How do you intend to avoid discrimination, of the sort that are frequently seen in checkpoint and stop-and-frisk scenarios?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
13	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The effect of a 24/7 private vehicle search will necessitate increased staff traffic, temporary habitats, catering and sanitary facilities etc., on site and transport and removal of those facilities before and after the event. The environmental impact of that has not been considered in this suggestion or the Constitutional rights addressed properly.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
13	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Additionally, the requirement to search EVERY SINGLE VEHICLE will slow entry to a crawl. You're talking about tens of thousand of vehicles. That isn't even getting into the invasion of privacy issues. From the government's end I'm not sure you have the manpower to make this practical.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
13	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Increasing the searching of cars for contraband items (specifically drugs) would cause delays measured not in hours but days. This would cause significant risk to persons using highway 447 and CR 34 for travel to the event or simply past it. Keeping people in a days long traffic jam in a desert in the summer would result in injury, death and significant waste on the highway (both human waste and human-generated trash).From the data available in the Draft EIS, it appears BLM's experts failed to adequately consider the increased detrimental environmental impacts of this recommendation. Deleterious impacts to the environment would include increased tailpipe emissions of greenhouse gases caused by idling vehicles and additional staff transportation, increased traffic, dust, and massive playa surface disturbance. It would also significantly increase the likelihood of civil unrest, which has heretofore not been an issue in Black Rock City.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
32	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Forcing BRC to hire third-party security vendors is an unnecessary fee that forces them to violate attendees 4th Amendment rights.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
45	3	Mitigation-Public Health and Safety	209.0700.00	N/A	In regards to PHS-I from Appendix E, section E.I: "At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Thirdparty, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond." This proposed mitigation presupposes that the current system of gate checking by the Burning Man organization is ineffective. The efforts of the Burning Man organization, Rangers, and the BLM have been exemplary to maintain a safe and controlled environment. I have not witnessed any weapons in Black Rock City other than the ones carried by Law Enforcement Officers at the event. Has the BLM provided any evidence as to weapons related offenses at Burning Man? Considering the large size of the event and the comparatively low number of annual arrests, how does the BLM justify such austere new security measures?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
96	I	Mitigation-Public Health and Safety	209.0700.00	N/A	<p>Conducting mandatory, unwarranted searches of 80,000 or more Burning Man participants poses significant practical and constitutional concerns. Did the BLM consider the extreme cost and delays at the gate of requiring these searches? When extreme weather or BLM-mandated gate shutdowns require Burning Man to close the gate to the event (as happened in 2019 on Wednesday of the event), the traffic impact on Highway 447 and CR 34 is tremendous and dangerous. In those cases, the traffic has sometimes backed up all the way to I-80. Not only does this impact surrounding communities, it also requires multiple agencies in both Nevada and California to coordinate together to prevent participants from heading towards the event location during long wait times or gate closures, including the Nevada Department of Transportation, Washoe and Pershing Sheriff Departments, the BLM, Burning Man, and Cal-Trans. Did the BLM consider the violation of individual rights and the 4th amendment when making the recommendation for mandatory gate searches? These stops would amount to a government-mandated search and edge dangerously close to a violation of the 4th Amendment which guarantees the protection of every citizen against unreasonable search and seizure. As author, Brian Doherty, points out in his recent article in Reason.com, published on March 26, 2019, "Even TSA agents are not operating under a mandate that they must be searching for illegal drugs." There has been precedent for local agencies rejecting federal government prosecution of cases that involve unreasonable search and seizure of Burning Man participants. In 2018, there was a spate of traffic stops performed by the U.S. Bureau of Indian Affairs and the tribal police in and around the towns of Wasdworth, NV, and Nixon, NV, with participants on their way to the Burning Man event. These stops were used as an opportunity to search those vehicles for drugs and firearms. As cited in the Reno Gazette Journal in an article titled, "Prosecutors reject Burning Man traffic stop cases citing probable cause, search issues," published October 30, 2018, the Washoe County District Attorney's Office rejected seven out of the nine cases that came before them "citing uncertainty over probable cause in the searches by federal agents and tribal police."</p>	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
113	I	Mitigation-Public Health and Safety	209.0700.00	N/A	<p>The Draft EIS PHS-I measure fails to justify the need for excessive searches. At the same time, the traffic issues that would result from such searches would actually cause more environmental harm than mitigating of any measure. The Draft EIS PHS-I measure also violates probable cause search and seizure laws of the United States of America. Additionally, the Burning Man Event Special Recreation Permit Draft Environmental Impact Statement: Public Health and Safety at the Burning Man Event indicates in Year 2017 a total of 413 BLM Citations and 0 arrests were issued, and 196 of those being drug citations. During the same Year 2017 PCSO issued 125 Citations and 64 Arrests. In total, 538 citations were issued and 64 arrests were made. Therefore, out of 79,432 participants ONLY .67% of attendees were issued citations, and ONLY .24% were issued drug citations. LESS THAN 1%! Moreover, ONLY .08% of 79,432 attendees were arrested for an actual crime. These statistics do NOT warrant the need for excessive searches. These statistics indicate drug possession and crime are actually much lower at BRC than in any other American city.</p>	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
122	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I could find no provision made in the DEIS regarding the important issue of how BLM intends to protect the Constitutional rights of entrants under PHS-1. Furthermore, this Mitigation Measure is not supported by any documented factual finding as to the present or projected ineffectiveness of public law enforcement or the present or projected efforts made by BRC and volunteers like the Black Rock Rangers with regard to public safety at Burning Man or any factual documentation as to present or projected incidences of criminal activity at Burning Man. Nor does there appear to be any consideration of impacts to entrants with regard to added time and burden entering or leaving the event.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
140	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Vehicle searches create a back up in traffic causing cars to idle and create more pollution. Further more leaving people in hot weather for an unknown time can lead to dehydration, being stuck in an emergency situation, and make it difficult for first responders to get to.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
147	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-1 is very troubling for a number of reasons, besides the obvious fourth amendment concerns regarding search without probable cause to access public lands. It is also not necessary, not practicable, and not effective. Did the EIS consider the practicality of this or the effect on participants? I see no consideration of the effect of this measure on wait times to get into the event. Wait times are already routinely on the order of 5 to 10 hours when searching only for dogs and humans without tickets. Moreover, the comparison to other events like EDC is completely invalid; at festivals, participants are typically bringing in nothing more than a backpack, if that, for a day-long event. At Burning Man, people are bringing in huge, complex loads that involve food, shelter, and art for an entire week. I have a relatively small load, and it still takes us 7 hours to pack our load. I do not see how this can possibly be searched in any reasonable amount of time, even with an inordinately large number of security personnel. Any such search is likely to create huge headaches and ultimately be completely ineffective at stopping illicit substances getting into the event.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
149	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-1 BRC currently has volunteers who inspect each and every vehicle that enters the city. The difficulty with having outside third-parties to conduct vehicle searches is two-fold. First, staffing the entries 24 hours a day, for three weeks, would cause a substantial increase in the operating budget. Second, ingress to the event is already unduly burdensome, ingress sometimes taking 8-12 hours. Having a third-party contractor would likely significantly increase wait times for patrons.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
160	1	Mitigation-Public Health and Safety	209.0700.00	N/A	As for the checking cars issue, that is against unreasonable search and seizure and would be a huge problem for the organizers. If you have never been to the event you would not understand the hours of waiting in traffic just to get into the event due to the tireless efforts taken to preserve the playa. To add car checks to this process would be overwhelming to organizers and participant's.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
168	2	Mitigation-Public Health and Safety	209.0700.00	N/A	In addition, the increased searches would massively exacerbate the traffic issues that you claim to be attempting to mitigate.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
170	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Every time I entered Rock City I felt that there was proper supervision and searching of our vehicles as to make me feel safe. The guards at the door were thorough in the searching of vehicles. I ask BLM if they have considered the expense and the limitation of Individual rights that will come with the implementation of enhanced search operations at the gate?	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
170	3	Mitigation-Public Health and Safety	209.0700.00	N/A	enforcing a requirement for private security at all entry and exit points, with the mandate to search vehicles and persons, would be the end of Burning Man. No attendee would subject themselves to search and seizure by a privately run security firm. Accountability mechanisms would be almost impossible to implement and enforce, traffic would come to a standstill, and noone would risk their personal property and safety to the hands of such an entity. There is no reason to believe that such an arrangement would improve the health or safety of participants, given the incredibly low rate of death and injury at the event, and the cost would be astronomical	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
173	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I The implementation of a 3rd-party private security party would not only be extremely costly and damaging to the surrounding lands but would also provide a disconnect between participants and the organization. Such a 3rd-party entity would be under little accountability and is currently unnecessary. There is no need to search the participants anymore than the finely thorough Gate Crew already do and any participant can attest to that because the wait to get into Burning Man can take 12-20 hours.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
173	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I hereby object to BLM's draft proposal which would require a third party to conduct warrantless searches of attendees to Burning Man. As someone who does not intend to partake in illegal drugs, I'm extremely concerned with the unjustified addition of cost to both taxpayers and event managers.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
173	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I This mitigation violates the 4th amendment, which prohibits search and seizure without just cause. The implementation of the unwarranted search of all individuals attending the event would cause massive delays in entering the event and would force additional driving lanes to be opened in order to accommodate this proposal. Have you considered the impact that thousands of idling vehicles and additional driving lanes would have on the environment?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
250	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I & E-2/ PHS-I, TRAN-2 The requirement for a "third party" screening of participants entering the event is unnecessary. 1)- Current gate protocol & technology used by BRC personal is more than adequate to ensure participants are not in violation of safety issues, and provide adequate protection of the NCA and public lands. This has been empirically proven over many years. 2)- All searches specific to drugs is a Disregard of civil liberties and constitutional rights. This is a direct violation of Federal and State laws related to reasonable search. The intensity of the "screening " proposed is not consistent with any other public lands use. No other event sited in or on Federal or State lands with similar general open environment, requires the "screening" as proposed. 3)-There are thousands and thousands of participants that are NOT using illicit pharmaceuticals, searching their vehicles is not legal. 4)- There are no documents indicating negative environmental impact to NCA and Public lands specific to the use of illicit pharmaceuticals. No NEPA concerns are indicated. 4)-I could not locate in any of the BLM mission statements, the direction to specifically focus on drugs. It appears to be a waste of staff resources. Researched BLM Web site.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
250	4	Mitigation-Public Health and Safety	209.0700.00	N/A	There is already a significant police presence along gate road, stopping and searching vehicles for weapons and drugs. Burning Man also has gate staff which stop and search every vehicle for weapons and drugs. These measures have proven adequate for the past decade in keeping people at the event safe.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
286	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Having a private security team searching every vehicle entering the event will be extremely cumbersome and add to that wait time. It will also result in the traffic being backed up onto Road 34 which will pose a hazard to emergency vehicles and local residents. There is already a significant police presence along gate road, stopping and searching vehicles for weapons and drugs. Burning Man also has gate staff which stop and search every vehicle for weapons and drugs. These measures have proven adequate for the past decade in keeping people at the event safe.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
286	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I Fourth amendment rights are violated in this mitigation. Having a third party inspection directly report to BLM is still an unconstitutional search. Other BLM lands are not managed in this manner either. This rule is impractical time wise. This mitigation directly contradicts mitigation AQ-I and Mitigation SOIL-3 as more dust would be created.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
329	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I would go as far to say I believe having the vehicle I travel in searched, my things carelessly tossed on the playa (as I have seen being down by the local police just last year on the side of the road of someone who was pulled over) violates my first amendment right and the "Free Exercise Clause, which allows individual citizens freedom from governmental interference in both private and public religious affairs." In this way, this process would violate my right to religious freedom.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
342	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Measure PHS-I: At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event. In my 7 years attending Burning Man, illegal substances and weapons have never caused me any concern. Car searches at the gate by the burning man organization and ample law enforcement presence within the event already provide a substantial deterrent to any illegal activities. The US Constitution protects citizens from unwarranted search and seizures. I fail to see how as a tax paying resident of the US who has never had a criminal record	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
343	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I Every year Black Rock City is one of the lowest-crime jurisdiction in all of the state of Nevada. There is no evidence to support the need for separate, private security forces onsite. Indeed, the Black Rock Rangers -- a experienced, community-based, all-volunteer force -- are among the most commendable and exemplary aspects of the city's management. I have seen the rangers in action, mediating conflicts so they do not escalate into problems. The environmental impact of gate-searches is significant: unpacking and repacking full cars in a high-wind, unsheltered, dust-storm environment will produce an unquantifiable -- but substantial -- amount of inadvertent litter, and expose people not suspected of any crime to substantial damage to their personal property, to say nothing of the privacy dimensions of these searches, which will force attendees to expose sensitive medical equipment, personal journals, literary and religious artifacts, and other private, sensitive and constitutionally protected materials to third parties. Without evidence of crimes or risks that justify these high financial, privacy, personal, and environmental costs represented by this measure, this recommendation should be dead on arrival.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
385	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Public Health and Safety, PHS-I- this action would require unnecessary and illegal searches and seizures without probable or justified cause, thus violating the 4 th Amendment of the U.S. Constitution. In addition, from the data provided, no assessment or inclusion of increased negative impacts to the environment were provided, including large number of additional driving lanes required on Gate Road to process participants. In addition, no environmental assessment of the significantly increased idling of vehicles driving into the Event was provided, nor impacts to the playa from additional lanes. These unnecessary impacts to the environment, including air quality, were not included in the DEIS. From examining past horrendous terrorist attacks throughout the world, provided security often was no deterrent; this Event would be no different. BRC has been very effective in expecting vehicles and restricting items not allowed at the Event. BRC should be allowed to continue oversight on vehicles entering the Event and BLM should not hire unnecessary third-party private security.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
403	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Federal security and car searches- there are already very long wait times getting in and out of burning man, this will increase those times by many times.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
408	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Preventing the entry of illegal drugs is an impossible task. Increased searches would undoubtedly result in a few more convictions, but the impact in terms of labor costs, traffic disruption, and the inevitable wind-blown trash resulting from hurried searches in less than ideal conditions would certainly outweigh the benefits.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
409	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I - The Burning Man event already has a robust law enforcement presence inside the event aimed at deterring illegal activities. In our experience, after 9 years of participation at the Burning Man event, we have always found it to be an environment in which children would be safe and thrive. There are already searches and they are already robust. Introduction of an even more robust search policy would leave vehicles in lineups for an excessive amount of time considering the great expenses and lengths many Burning Man participants make to attend the event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
412	1	Mitigation-Public Health and Safety	209.0700.00	N/A	What is the BLM trying to fix by having a private security company to screen for weapons and drugs in all vehicles and to search participants, vendors, contractors, staff and volunteers at all points of entry to Black Rock City? Where is the evidence of violence and danger, supporting the need for extra security?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
421	1	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM's proposal for the Burning Man Project contract and pay for a BLM-approved private security company reporting to BLM, to screen for weapons and drugs in all vehicles, and to search participants, vendors, contractors, staff, and volunteers at all points of entry to Black Rock City is absolutely not based in evidence. Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights? Or, did BLM consider how these screenings would incur an incredibly high added cost on the individual participant?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
424	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I The requirement for enhanced security at the gates strikes me as a "solution" without a problem. Not only is it unjustified, but it is extremely ill-advised. The negative environmental impact of intrusive searches at the gates cannot be overstated. The delay at the gate is already quite long. Such searches will create additional delay, which will require people to remain in hot cars for additional hours, either turning their engines on and off or idling their engines for hours on end (on a hot day, I have noticed that car windows are often kept closed - with air conditioning on - to keep out dust). Either way, the extra delay would create significantly greater carbon emissions, while people are waiting for their vehicles to be searched. Moreover, once vehicles are opened up, the ever-present wind is likely to create blowing trash, as light objects get blown from their cars and into the environment.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
436	4	Mitigation-Public Health and Safety	209.0700.00	N/A	this search proposal is disastrous from an environmental standpoint. Harmful environmental impacts include: massive expansion of lanes on Gate Road to timely process people vehicles; damage to the playa surface from the repeated unloading of vehicle contents onto the playa; increased greenhouse gases from emissions from idling vehicles; increased traffic and increased dust.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
437	3	Mitigation-Public Health and Safety	209.0700.00	N/A	(1) I object to the hiring of private security contractors and the searching of every vehicle. This proposal would create days and days of delays, cause thousands of cars to pollute the air while waiting to be searched, and violate the constitutional rights of every participant. It's egregious and unconstitutional.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
437	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The unloading/loading of every vehicle would not only be time-consuming, it would have to contend with the elements: i.e., the ever-present dust, often with high winds. With increased emissions due to vehicle idling and further disturbance to the playa surface, the environmental impact would only increase.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
469	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Third party private security screening of all vehicles and participants, with direct reporting of any violations to law enforcement) This proposed mitigation is both unwieldy (operationally not feasible) and of questionable legality.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
497	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-I: Requiring the Burning Man Organization to hire a private security force to search all vehicles and participants at Gate for drugs and weapons is not only a direct violation of liberties and personal space under the 4th Amendment of the Constitution but also a redundant effort defeating the purpose of the EIS. Not only would the cost of manning such a force be immense, implementing this 14 days prior to Labor Day would hinder those building the infrastructure of the event who are vital to the environmental impact of Burning Man, its logistics, as well as safety.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
497	4	Mitigation-Public Health and Safety	209.0700.00	N/A	the Burning Man organization has developed a team of highly-trained and dedicated event staff that handle entrance and perimeter security. They understand who is coming, what they are bringing, and what the risks are. The current team of paid staff and volunteers is professional, agile, and quick to respond to concerns and incidents. There is no way a third-party, for-profit company can be effective, due to the staffing issues. It will be impossible to find and train enough individuals, so they will probably have only a limited knowledge of urban events.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
503	1	Mitigation-Public Health and Safety	209.0700.00	N/A	There is no evidence to support separate or private security forces onsite in Black Rock City. Black Rock City crime rate is exceptionally low, especially when compared to other cities and counties in the state of Nevada.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
518	9	Mitigation-Public Health and Safety	209.0700.00	N/A	2. Searching vehicles and people without probable cause still violates the U.S. and Nevada Constitutions.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
533	1	Mitigation-Public Health and Safety	209.0700.00	N/A	While the BLM and other law enforcement entities are not directly searching persons and vehicles entering public lands without probable cause, their demand that someone search persons and vehicles without probable cause and then deliver violators to law enforcement amounts to the BLM requiring unlawful search and seizure for a private citizen to use public land. The security requirement is unconstitutional.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
533	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Assume one person searching an average-size vehicle for one stowaway takes about 5 to 10 minutes (at least). (This is the established base case at BRC.) This person could be as small as 10 cubic feet, which is 17,280 cubic inches. (2) Having a person search for a smaller weapon of say 50 cubic inches, would scale as the ratio of the cubic volume: so 5 to 10 minutes would stretch to (5 to 10) times 17,280 = 86,400 to 34,560 minutes. That is 288 to 576 hours per vehicle. Or 12 to 24 days per vehicle.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
539	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed gate searches would also pose significant threat to both the environment and the event-goers. Attempting to unpack, search, and repack thousands of vehicles on Gate Road is logistically/financially unrealistic, unnecessary, and potentially dangerous.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
569	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The BLM does not - and should not - have the legal authority to surveil staff, volunteers, nor attendees on their way into the event, during their attendance at the event, and as they exit from the event. My participation does not require being my being monitored. Does the U.S. Constitution give the BLM this legal authority? It does not. This is an unconstitutional measure, a violation of my 4th Amendment rights, and should be removed as such. My attendance does not constitute probable cause, and subjecting me to search and seizure without just cause is unconstitutional.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
593	1	Mitigation-Public Health and Safety	209.0700.00	N/A	the environmentally impact of slowed arrival and waiting to be searched, as well as the impact to the playa surface of unpacking a 15-foot truck to be searched. Do you know that it takes us anywhere from 4-6 hours to pack one of those things?!? It will take so much time to unpack and pack right there on the playa, blocking a lane of traffic for hours as we try to Tetris everything back in. Unloading each vehicle is not practical and is not supported by sound theory. If you want to implement this, test it -- rent a truck, pack it up, unpack it, and pack it again. Time yourself. Each truck will take you hours to repack. It will exhaust you and dehydrate you. It hurts. Scale that out to the size of the Burning Man community, and you have an immense hurdle that has financial, environmental, and personal health implications. People will get hurt, the surface will be impacted, and overall, this mitigation idea lacks a realistic understanding of gate traffic flows and BM participants. Did BLM consider the costs of running an increased search operation at the Gate and the effects on wait times and individual rights? Did the BLM consider the hiring challenges of the private security sector in its analysis, including the likelihood that any security firm can find enough qualified, trained security workers to support such a large event? Did the BLM talk to other major event organizers, such as Coachella's Golden Voice, to understand the challenges of private security for festival entry? Did the BLM pursue a factual analysis by piloting a study on the impact of unloading/loading items for inspection on lane traffic, playa surface, or civil rights? Did the BLM consider recommending the expansion of technologies that can secure the site at a much lower cost with a higher accuracy?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
617	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Performing drug searches, even if drug sniffing canines are used, will significantly extend the time per vehicle to enter the event. It already takes too long to process each vehicle's entry, resulting in excessive (and dangerous) backups on 447.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
632	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-1, private security is a response to no confirmed threat, historically per capita Burning Man has less issues with weapons and illegal drugs than any other event in the United States.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
633	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Furthermore, the proposed gate search and seizures by private security would arguably constitute a fourth amendment violation, since the only "probable cause" offered as a reason for widespread searches is that the targets are attending Burning Man. Finally, the proposed concrete wall around the festival is an entirely unnecessary expenditure - the existing trash fences and perimeter monitoring work just fine at a much lower cost and lower impact on the land.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
655	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The stipulation that Burning Man Project contract and pay for a BLM-approved private security company reporting to BLM, to screen for weapons and drugs all vehicles and participants, vendors, contractors, staff, and volunteers at all points of entry to Black Rock City. The BLM already performs searches throughout the Burning Man event for contraband of all sorts. In addition, Burning Man already provides a trained 700-person Gate, Perimeter, and Exodus team that searches for stowaways, weapons, and safety hazards. This requirement would also cause immense traffic jams far worse than what already exists, with the possibility of traffic backing all the way to Reno at peak traffic times.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
658	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I am opposed to Mitigation Measure PHS-1. I do not believe requiring private security to screen vehicles and participants entering the event is a good idea. Use of a third-party vendor in this role is not in the spirit of the event. Also, such a vendor is unlikely to do as good a job of screening as volunteers currently do, would be a waste of money, and would likely cause significant additional traffic delays and problems that would negatively affect public safety. I am opposed to Mitigation Measure PHS-3. Very few attempts of unauthorized entry to the event currently happen and are already more than adequately handled by BRC volunteers. Jersey barriers or K-rail fencing would be an unnecessary eyesore and expense that adds no additional value. I am also opposed to Mitigation Measure PHS-4. Historically, the event has had a very large number of structures over 10 feet and a very small number of corresponding accidents associated with these. Adding a requirement that these structures be inspected would imposed an unreasonable burden on the event and its participants associated with the cost of inspections. It is also highly unlikely enough Nevada-certified building inspectors will be available to service the event in so remote a location.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
659	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Increased wait times and traffic due to new search and seizure operations by BLM's private security company would seriously impact the experience of the event and seem quite unnecessary, as Burning Man Security already does an excellent job with this.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
659	4	Mitigation-Public Health and Safety	209.0700.00	N/A	I disagree for the need to have a private security firm screening people entering Burning Man. In order for weapons and illegal drugs to be a significant public threat worthy of this requirement, it should be proven that enough harm has been caused by weapons and illegal drugs in past years. There is no evidence to justify that harm rates are higher by these means than in the US as a whole.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
677	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Screening by a security company is unnecessary, will add unneeded costs to an already-too-expensive event for zero reason, will cause delays at the gate (which can add dangerous delays to the road), and would change the tenor of the event so that entering would feel gross.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
681	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Screening all vehicles for weapons and drugs -- While I support the intent here, I also value privacy and believe strongly that screening everyone goes well beyond what is reasonable. It also just isn't practical to search every vehicle given that it already takes several hours to get into the event. And, of course, a private security company to screen every vehicle can have numerous unintended consequences in terms of misaligned incentives. Either they are paid for their time, which means they are incentivized to go slow, or they are paid by how much they seize, in which case they may end up planting items (let's not pretend like that doesn't happen -- we all know it does!) OR they are paid a flat fee, in which case they are incentivized to go as quickly as possible and look the other way if they do find anything (since that inevitably takes longer).	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
684	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-1: The proposed requirement of a 3rd party security company to screen vehicles. Burning Man has for over 25 years managed its front gate and security detail with minimal issue. There is no need for this extreme change to a system that is already in place. I have never heard of an altercation involving a fire arm and have never heard of this being a concern of agencies policing the event. A search of every vehicle (especially the way they are packed for this event) to discover contraband will impact wait times into the event causing traffic overflow onto the highway and numerous other negative effects.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
688	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I feel strongly that these new search and seizure operations will further increase wait times and traffic congestion when entering the Event, thereby negatively impacting my experience at the Burning Man Event.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
699	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The mostly likely scenario here is paying a very high dollar cost to create a severe bottleneck. The past has shown the very real environmental and public safety costs of these kinds of bottlenecks to the gate. In terms of environment the air pollution is massive. The pollution on the playa is also increased. In terms of public safety Gate is outside of the patrolled and controlled space of BRC. Therefore crimes & disturbances are less effectively patrolled. The impact to Law Enforcement Resources would be one of dilution. Further it creates a target and new zone of control to terrorists & mass casualty scenarios (one of listed public safety concerns). While Nevada has experienced a high profile attack on a festival this attack was elaborate and somewhat more unique. Nationwide and world wide more attacks have happened in the zone of control representing entry/exit or staging to events and have even happened at airports in the same zone of control.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
710	4	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I – There is absolutely no justification for the idea of hiring a third-party private security contractor to screen vehicles at the Gate. There is no data or evidence that any illegal weapons are entering the event, and there is no evidence that there are more illegal drugs at Burning Man than at any other place in Nevada. This mitigation measure would be the equivalent of road blocks on every road entering Las Vegas with deep vehicle searches of every single vehicle entering Las Vegas. That would never be proposed and should not be proposed for Burning Man. The Gate, Perimeter, Exodus (GPE) department at Burning Man has approximately 500 volunteers who staff the gate and perimeter of the event 24hrs/day for over a week. Every vehicle at the gate is searched for individuals without tickets, firearms and fireworks, pets, and plant materials. The type of vehicle searches that would be required to search every inch of every vehicle (many of which are medium to large trucks filled to the brim with supplies) for illegal drugs would create a situation where it would take anywhere from 10 hours to 2 days to get from the highway through the gate. This would cause traffic stoppage from the Burning Man gate all the way to Nixon and would completely shut down the highway in all directions. In addition, it would take hundreds of paid staff working round-the-clock shifts.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
711	1	Mitigation-Public Health and Safety	209.0700.00	N/A	1. There is already security at the entrance of Black Rock City that is effective. My experience at Burning Man last year was very pleasant, I never once felt unsafe because what other event goers had brought to BRC. 2. In order to survive in a dessert for 9 days, we have to bring a lot of items, pack it and organize everything in very special ways so that we can efficiently run our camps. It would be impractical to check every vehicle and open up every storage container in that vehicle. It would take days for everyone to get into Black Rock City. We already have to wait 10+ hours in line to get into BRC, if this increased to days we would have to start camping outside BRC amongst vehicles causing damage to the land and having to sleep out in an area that has not gone through security so it would be even more dangerous. 3. Women have to go to the bathroom more, cannot relieve themselves as conveniently as men, have to deal with harsher sanitary conditions when toilet seats are dirty. Furthermore, when we are on our menstrual cycle, all the above becomes a bigger issue. Already having to wait 10+ hours in a car while on a menstrual cycle is excruciating. To lengthen this anymore would be inhumane.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
718	1	Mitigation-Public Health and Safety	209.0700.00	N/A	These additional searches seem like an exercise in addressing rumors and stories that circulate about the event from people who have never been, and are unlikely to go, rather than an effort to mitigate an actual public safety problem. Law-abiding event attendees will be punished with massive additional delays, traffic impacts to local communities will be multiplied, and those few people who are determined to consume illegal substances will simply get more creative in smuggling them through whatever searches are applied.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
725	3	Mitigation-Public Health and Safety	209.0700.00	N/A	new search and seizure operations by BLM's private security company would be problematic, leading to increased wait times, traffic, and civil rights violations	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
943	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights, and the challenges that will add to locals who are navigating the area?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
950	3	Mitigation-Public Health and Safety	209.0700.00	N/A	To have a private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the event would mean that the tens of thousands of people in thousands of vehicles stuck in queue for miles in front of the main gate for days - not hours, but days. People will run out of gas and water waiting in line, and tons of fossil fuel will be consumed for no good reason, tons of greywater will need to be collected somehow and many, many plastic containers will be purchased and consumed simply for this extremely unnecessary check.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
956	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Your evidence in the EIS does not create probable cause for all attendees to be searched. The logistics of enforcing measure PHS-I would result in an entrance delay that would surely cripple the event. It would require so many new driving lanes that the impacted playa surface would be quadrupled. The idling engines of thousands of cars waiting days for admission would create massive carbon emissions and air pollution.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
993	3	Mitigation-Public Health and Safety	209.0700.00	N/A	it appears the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter. I have not experienced problems with firearms or drugs at Burning Man. Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1008	4	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-I "At all portals of entry in the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the event." This strikes me as an extreme overreach and again seems a Solution in search of a problem? Does the BLM think it is even constitutional to search every participant arriving at the event? Last year the Tribe's Police Officers stopped and searched a large number of participants as they passed through Gerlach and some other areas before the gates. The Reno District Attorney declined to prosecute any of the arrests. Does that not tell you something about this level of harassment? And what will be the impact on the progression in through the gate of searching 35,000 vehicles? It already takes many of us 8-10 hours to get in the gate from highway 447. This could potentially increase the entry time to days from hours which is a serious threat to people's health and safety. The level of law enforcement presence in BRC is already considerable, and entirely adequate in my experience.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1164	3	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM 2018b notes that some of the civil disorder at the gates was the result of slowed or halted ingress or egress at the gates. As such, requiring private security to take over searching individuals and vehicles has the potential to increase the risk of civil disorder at entry gates.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1202	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In particular I believe PHS-I would lead to extreme wait times in line for entry which would pose a safety risk to attendees. Additionally, to perform such a search on cars is a violation of individual rights. I have not encountered first hand any firearms or illegal drugs at this event, despite it's reputation and think that this is a significant overreach to solve a phantom problem. I also feel that PHS-3 is an extreme measure to address a problem that I can't imagine is an issue. The additional cost and resources to bring in that much k-rail seems like it would have major environmental concerns and would not even provide an effective mitigation of the concern.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1229	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The idea of adding a secondary tier of even security would greatly increase the event entry time, which already exceeds 12 hours on a normal basis. The security the event already provides is more than enough. Adding another company would easily triple the wait time, and at the end of a 2 day journey, this decision alone would probably be enough to have me stay at home.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1257	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In regard to the recommendation for increased vehicle searches: I have never experienced problems with firearms or drugs at Burning Man. I fear these searches would exponentially increase the already long entry wait-times, creating many more problems than they would solve (increased vehicle emissions, human waste on the Playa, traffic backed up to Gerlach)	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1290	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Having unwarranted searches performed on my vehicle upon entry to my public lands is a blatant infringement of my rights. When I go camping on other BLM land, my vehicle is not searched. How is this any different?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1291	3	Mitigation-Public Health and Safety	209.0700.00	N/A	A private security company lacks the background training and measures equal to that of the BLM and associated law enforcement agencies that already police the event. If these agencies do not feel that effective illegal drug screening is in place, a lesser trained force is extremely unlikely to achieve this desired outcome. Moreover, even with a private security company, the sheer volume of participants that attend Burning Man will make it nearly impossible for them to effectively and efficiently screen all people and vehicles for illegal drugs. Instead, this would simply add a massive amount of time to the entry into the event, which is already significant as is. This delayed entry would also then lead to exponentially more traffic in the surrounding communities near the event, in addition the high cost to for the private security firm to perform these searches.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1322	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I believe it is unconstitutional to search me without just cause. My attendance at Burning Man is not just cause.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1357	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Per the Public Health and Safety report, there was an average of 196 citations for controlled substances per event year from 2012-2017 (during the 8 day event, even longer closure period) and this is compared to the average of 6 per year in the Winnemucca district. Obviously it is ridiculous to compare this event and its population to the rural community of Humboldt county (population of 16,826 according to 2017 data). During the event, Black Rock City is about the 6rd most populous place in Nevada (comparing the populations of the largest cities in the state). The number of citations during this event is comparable to other large events that take place in Nevada. For example, at EDC it is reported that there were 90 felony drug arrests in just three days (also cited in the Public Health and Safety Report). It seems like this report and the EIS mitigation strategies developed in response are overblown by unfair comparisons and only lead to excessive search and governmental oversight of participants. It is also important to note, that while other large events may screen for and confiscate illegal drugs found on participants during entry, they are not required to report those findings to law enforcement.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1357	5	Mitigation-Public Health and Safety	209.0700.00	N/A	3. Searches of all 70,000 participants is invasive and unrealistic. Can BLM provide statistics of the number of participants possessing illegal drugs and weapons in past years to justify this requirement? How do those statistics lead to the requirement to search the vast majority of individuals who do not possess either illegal drugs or weapons?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1379	2	Mitigation-Public Health and Safety	209.0700.00	N/A	4. How will security personnel address the issue of participants who refuse to be searched and are within their rights to do so?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1393	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Private Security for Gate/Entry Security. Currently Burning Man utilizes trained gate volunteers to search vehicles upon entry. By improving and clarifying gate volunteer objectives and training, improved entry security could be achieved. Perhaps a professional Black Rock Ranger could be available at the gate for every 6-10 volunteers to provide a higher level of training and authority. Perhaps a "secondary search area" with higher trained personnel could be used for suspect vehicles as utilized by US Boarder Patrol at points of entry. Individual rights must be respected at event entry.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1408	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The plan for BLM-approved private security for entrance to the event (Mitigation PHS-I) is punitive and does not have anything to do with the environment of maintaining a successful leave no trace event. Instead, it would increase the environmental impact of the event by causing additional mass traffic jams on the route into the event right on the open play ("Gate Road").	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1408	3	Mitigation-Public Health and Safety	209.0700.00	N/A	There are a plethora of law enforcement officers already inside the event who provide a substantial deterrent to any illegal activities. You cannot create probable cause to search a vehicle by implying that all people who attend burning man are criminals.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1410	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Tacking on a third-party private security operation to the security measures already put in place by state police and the BRC organization seems potentially unproductive. I suspect that this change cannot have a significant impact on participant safety without requiring thousands of person-hours. I have no hard figures to make this claim, so I defer to an oversimplified model. For instance, assume 5 minutes to a vehicle on average (not much time when accounting for UHauls, trailers/RVs, the need to unpack and repack, additional workflows when contraband is found, etc), 2.5 attendees per vehicle -> ~20000 vehicles in the first night -> 100000 minutes or 1666 hours. So in this model, to avoid doubling my gate wait time from last year's 5 hours, this process would need to happen at 333 locations in parallel. These may be shoddy estimates; however, that they yield a solution an order of magnitude (or more) beyond what is feasible is the primary cause of my concern. I hope you will consider that this stipulation might either be impossible and ruinous to the event, or completely useless and wasteful, depending on the degree to which it's implemented. I respect and value the push for safety, but in my limited experience, this proposal seems to go too far.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1427	2	Mitigation-Public Health and Safety	209.0700.00	N/A	What is the basis for this request? What is the grounds? -In comparison to other events and security checks of BRCs size, how have increased security measures impacted public safety, and at what expense? -How many weapons (and what is BLM constituting as a 'weapon') have been found per year in the past? How many issues on-playa have there been involving weapons? -How many illegal drugs have been found per year in the past? How does BLM propose BRC or a third party perform a search on every individual entering, without violating their constitutional rights? In comparison to other cities of 70,000 people, how does BRC stack up in regards to overdoses, thefts, violent crimes, overdoses? *If BLM thinks a measure to screen every individual and car is justified, please cite sources on cities and events where 70,000 people entering are screened, number of weapons found, number of drugs confiscated, and afterwards how many thefts, crimes, and overdoses occurred. To make this change viable, BRC should be as bad, if not worse, than these comparable cities. As someone who works on an ambulance and in an ER, I see more crime and overdoses back home than at BRC. This security measure should not be put in place until this data is provided to show BLM's requested change is affordable, constitutional, and effective.*	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1458	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The new search protocol will ruin the event by making the wait time to enter the event days long, increasing the impact to the environment	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1459	3	Mitigation-Public Health and Safety	209.0700.00	N/A	How will increased search operations impact traffic, and what mitigations will be offered by BLM to deal with the insuring traffic backup? Operationally, this recommendation would require dozens more lanes on Gate Road to process people in a timely manner while private security agents stop and search every single vehicle and each passenger, unpacking belongings onto the playa as BLM does now, tripling or quadrupling the area of impacted playa surface. With the current number of lanes on Gate Road, the delay from this private security operation would cause entrance times to be extended by days.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1474	8	Mitigation-Public Health and Safety	209.0700.00	N/A	How will you search vehicles that are loaded to the gills, and what items will be considered weapons? We have a kitchen with knives, and propane, and gas for generators. Not to mention art that could have potentially dangerous items such as steel rods? Did BLM consider the costs of running an increased search operation at the Gate, and the effects on wait times and individual rights?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1474	9	Mitigation-Public Health and Safety	209.0700.00	N/A	The vague nature of the proposal is especially troubling. Will participants be strip searched? What personal freedoms will be infringed upon?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1474	18	Mitigation-Public Health and Safety	209.0700.00	N/A	Think about even the first year. How much time will those searches add to ingress, and, therefore, carbon emissions? Also, where will they stay? Gerlach is already full, LE is already thin on its own resources, so do you mean for them to stay on playa? You want to add thousands more people on playa? How will their presence and their vehicle presence impact the playa and the roads?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1482	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Already, Gate are generally aware people when it comes to safety, and while you may not see them search to the level you would prefer or some such, they generally have a solid intuitive sense (what some of us refer to as copsense). I think stepping up their responsibilities in terms of weapons searches from the time anyone (including non-paid participants) arrive on playa would be a good first step. Let's see if that can work before mandating a whole new team and the environmental degradation and other problems that that would likely create.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1503	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Would paid contractors be able to search more deeply in the same amount of time or less? Longer searches would increase traffic backups onto paved roads, something that has been noted to be a problem to be avoided. And what about the environmental impact of those contracted employees themselves? The BRC Gate volunteers are part of the BRC community and house themselves in BRC. Where would the contractors be housed? How many of them would be needed to staff all the shifts? What would be the impact of their arrival cars, their housing, their waste? Who will educate them about Leave No Trace? Who will search their vehicles to assure that they are all in compliance?	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1519	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I am against Public Health and Safety Measure PHS-I as it is unrealistic, unnecessary and would add undue burden to the Burning Man organization. Where there may be a few individuals who partake in illicit substances, the measure suggested by the BLM is way beyond the need to correct the situation. To think of stopping and searching every vehicle entering the event by a 3rd party contractor would make the entry to the event untenable. The cost to the Burning Man org for this would cause undue burden	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1519	2	Mitigation-Public Health and Safety	209.0700.00	N/A	A private security firm would impose an unreasonable search and burden on event participants. While keeping weapons out of BRC is warranted, history has shown that the current screening by BRC volunteers is sufficient. Because of the constructive nature of BRC, as well as the self reliance needed for the event, it would be hard to screen tools and kitchen utensils out when they could be used as a weapon...in other words, the benefits of these items outweigh the risks. Finally, no level of security will be 100% effective in preventing unwanted items from entering BRC. What will happen is more traffic, more intrusion into individual rights, more expense; all with a negligible amount of gains in preventing unwanted items from entering BRC.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1537	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Third party private security measures for screening is completely unnecessary, as the presence of weapons and illegal substances was not indicated to be an issue in any of the studies that purportedly support these mitigations.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1544	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Adding a private security firm searching each vehicle and occupant for drugs or firearms would greatly increase wait times at the gate and would increase animosity between participants and BLM and other law enforcement. The cost of the private security firm would also increase already expensive Burning Man ticket prices which has made the event cost prohibitive for many. Also searching every participant would violate 4th amendment constitutional rights and would inevitably be challenged in court. This would result in a lengthy and expensive legal proceedings with the cost being born by all tax payers or event participants.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.
1571	5	Mitigation-Public Health and Safety	209.0700.00	N/A	DEIS fails to take into consideration the environmental impacts and safety implications of this measure. Many additional lanes, i.e. playa surface, would be necessary to ensure realistic wait times. Even with an adjustment of additional impacted land use, wait times would likely still be increased, which would lead to increased vehicle emissions, increased dust, reduced air quality, additional toilet facilities, increased participant and staff tensions, and significant increases in costs. We ask the BLM whether or not it considered the extraordinary cost to the BMO to implement this measure, and whether BLM balanced those costs with the actual negative environmental impacts and the minimal potential safety improvements to the participants.	See Public Concern Statement MITPHS-I.	See Public Concern Statement MITPHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
936	10	Mitigation-Public Health and Safety	209.0700.00	MITPHS-2	PHS-2 suggests that BLM implement a sexual assault response team. This is unnecessary, as (a) BRC already contracts crisis intervention staff (b) several police agencies are already on premises including County Sherriffs who have appropriate training.	Commenters questioned how implementing a sexual assault response team will increase the safety of Event attendees and asked how much it would cost to provide this team.	Page 14 of the Public Health and Safety Report includes a statistical analysis of sexual assault reporting. The BLM asserts any report of sexual assault on public lands is one too many, especially during an SRP event. The problem is discussed in the Burning Man Theme Camp Symposium, and despite Burning Man and its community's attempts to curtail these incidents, the problem persists. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all Special Recreation Permit events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be discussed during preparation of an environmental impact statement. This mitigation is intended to work in conjunction with established practices by the proponent with CIT services, not to supplant these programs. The existence of a Sexual Assault Response Team (SART) does not mean that law enforcement will be identifying victims wishing to remain anonymous. The SART team addition is intended solely to provide resources with the least disruption to the victim and allows victims to use the CIT team in conjunction with a personal support network of their choosing. Pershing County receives complaints and crimes reported months after the Event, when there is very little opportunity to collect evidence or corroborate the victims' accounts. Providing this resource will make it easier for victims to receive care and evidence to be collected, anonymously if the victim chooses. BLM law enforcement has an obligation to provide information and services to victims of crime who suffer direct physical, emotional, or pecuniary (monetary) harm, as set forth in 42 USC 10607, the Victims' Rights and Restitution Act.
1580	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-2 The BLM will contract a sexual assault response team beginning 7 days prior to Labor Day through the Tuesday following Labor Day to better facilitate investigations and prosecutions of sexual assaults on public lands. BRC will compensate the government for this expense through cost recovery. Comment: The overhead will be less if BRC manages the contract directly, with BLM oversight. With the agreement of local law enforcement, the scope should include Burning Man attendees the immediately surrounding area not only public lands but be limited in all areas to Burning Man participants.	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1585	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-2 I agree that there is a need for an effective law enforcement response to sexual assault to be available at Burning Man. However, I also believe it's absolutely critical that a law enforcement response be completely optional for survivors of sexual assault, to increase the chance that all sexual assaults are reported and dealt with. Last year I organized sexual assault prevention and bystander intervention trainings for my campmates. Every single resource I encountered, without exception, emphasized that survivors must have the option not to go to law enforcement. Law enforcement agencies have a record of not believing sexual assault survivors, re-traumatizing sexual assault survivors, and mishandling sexual assault cases even when they are recorded. Because of this record, there is a severe lack of trust between sexual assault survivors and law enforcement. If, for example, medical staff or Black Rock Rangers were required to report incidents of sexual assault to law enforcement, it would likely result in fewer sexual assaults being reported.	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.
1432	1	Mitigation-Public Health and Safety	209.0700.00	N/A	My only concern about the requirement for a sexual response team would be at what cost. With an acceptable budget such a team would be welcome.	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.
279	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Instituting a BLM-appointed sexual assault response team (PHS-2, E-2), paid for by BRC but not vetted or approved by BRC, would not be as effective as "effective professional responses [ . . . ] from para-professionals and community-based organizations." (Freccero, et al., "Responding to Sexual Violence: Community Approaches," Berkeley, CA: Human Rights Center of UC Berkeley, May 2011). The Black Rock City Emergency Services team already in place consists of dedicated professional emergency service providers who are available 24 hours a day for seven days a week starting months before the event officially starts and continues to be on-duty to support the clean-up effort well after the last participant leaves. The dynamic professionals who volunteer for crisis intervention at Burning Man "bring[s] a skill set that is extraordinary and would be very desirable in any city of any size," according to Ben Thompson, BRC Emergency Service Operation Support Chief (Emergency Service Department video by BRC Documentation Team, 7 Feb 2019). In addition, hired hands would not be as familiar or knowledgeable about the culture and geography of Black Rock City, further hampering operations.	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.
1553	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Therefore, if the BLMs response to sexual assault on the playa is to provide a closer location to have a forensic exam, the BLM is showing no concern for survivors and their risk to be re-traumatized. This is a clear demonstration that the BLM is not focused on public health and safety, and rather is proposing recommendations that increase the risk to public health and safety. It is negligent for the BLM to solely suggest increased access to forensic exams when they ignore legal practice in the state of Nevada that makes the gathering of this data useless in most cases. The BLM should be exerting whatever pressure they can on the DAs office in Nevada to ensure that sexual assaults are prosecuted, even if assailants claim that the assault was consensual. One additional point in regard to forensic exams is that many participants do not reside in the location of the crime and many would not wish to return for prosecution - even if that prosecution were available. Any pressuring or insistence of those participants to take a forensic exam would demonstrate a lack of trauma-informed practice if their individual context was not taken into account.	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1495	1	Mitigation-Public Health and Safety	209.0700.00	N/A	<p>The BLM can increase public health and safety with respect to sexual assaults at the Burning Man event by focussing on measures that prevent sexual assault at the event and increase trauma-informed support to survivors of sexual assault at the event. I mentioned these in my previous comment and I'm repeating them here to the best of my recollection. Many of these suggestions have been implemented at other music festivals. Other than blogging about sexual assault, the Burning Man Organization has not been proactive in addressing sexual assaults that appear to be increasing at the event. If the Burning Man Organization is concerned with public health and safety at the event, they could:</p> <ul style="list-style-type: none"> <li>- record statistics of reported sexual assaults, dosing events (people given drugs without consent), forcible kissing/groping, sexual harassment - provide participants with an easy way to report these events - e.g. participants should be given an opportunity to submit a written report only when the perpetrator has fled and there are no injuries to report, as in some instances of forcible kissing/groping - promote public awareness of opportunities to report the above described criminal acts, where to find Safe Spaces at the event, and correct the ambiguity that exists with Burning Man's media descriptions of what constitutes an "alleged", "actual", or "reported" sexual assault</li> <li>- give theme camps the opportunity to list themselves in a Safe Spaces section of the What Where When guide that is provided to all participants when they arrive at the event - give increased funding to the B.E.D. (Bureau of Erotic Discourse) non-profit organization on the playa so that they can increase education efforts that focus on developing better communication in order to prevent sexual assault - ensure that there are sufficient volunteer teams available to respond to sexual assaults on the playa. I refer to teams designated as "Crisis Intervention Teams - Sexual Assault Response Team" (CIT-SRT) that are provided on playa. It is my understanding that, in the past, there have been only 1 of these teams on duty at any one time. It may be that numbers of these trained volunteer personnel are insufficient and may result in some participants being turned away, if volunteers are not available. I suggest that there should be ongoing monitoring to ensure that sufficient numbers of adequately trained volunteers are available to respond to participant complaints of sexual assault.</li> <li>- Contrary to Black Rock Ranger training in 2018, participants should not be asked if they are possibly reporting and incidence of "sex with regret" - this is evidence of poor knowledge on the part of the Burning Man organization as this approach re-traumatizes survivors and perpetuates rape culture. People reporting sexual assault must be believed.</li> <li>- Black Rock Rangers should not be allowed to send the message, as they did in their publicly available training material in 2017, 2018 that many people 'come to Burning Man seeking to have sex while altered' and advising their own management that including a requirement of 'capacity to consent' in sexual encounters is an "unworkable" concept at Burning Man. An environment that allows for sexual consent where individuals lack the capacity for consent creates an environment where sexual predators can be protected and creates increased risk to public health and safety. The Black Rock Rangers should ensure that their volunteers are trained in accordance with Burning Man's own public messaging and community standards of consent that agree that capacity to consent is a requisite of consent.</li> <li>- Only some Rangers have the training, qualifications and experience to respond to participants reporting sexual assault. There are many Rangers who lack this training. There are many Rangers who would further traumatize survivors of sexual assault due to their personal bias, lack of experience and knowledge, and the fact that they have (in 2017 and 2018) been given messaging that they are qualified to 'investigate'</li> </ul>	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1495 (continued)	(see above)	(see above)	(see above)	(see above)	participant reports of sexual assault. Therefore, the Burning Man organization should no longer direct participants to report sexual assault to Rangers as they currently do (1. Rangers, 2. E.S.D., 3. C.I.T). Rangers should be removed from this list of reporting options for survivors of sexual assault - unless the Black Rock Rangers generate a way to protect survivors from further abuse. - Black Rock Rangers should take on the role of accepting reports of forcible kissing/groping as one of their main functions (instead of telling participants that there is little they can do). While they may not be able address this, if the perpetrator is gone - they can certainly gather and provide data so that the public can be aware of this risk. They will, with suitable education regarding consent and Bystander Intervention Training, be able to educate the public about how to effectively address this social and culturally associated issue. - CIT-SRT teams should provide participants with information so they can access support when they return to their home areas. CIT-SRT teams should ask for permission to give a followup phone call to survivors after the event. - as is the case for a growing number of festivals, the Burning Man organization should mandate that all it's volunteers take the free Bystander Intervention workshop (2-4 hours) available in urban centres. The Burning Man organization should be allowed to provide this workshop to no-more than 30% of it's volunteers when then arrive at the Burning Man event. Bystander Intervention workshops are an empowering, non-gendered, positive approach to preventing sexual assault.	(see above)	(see above)
1559	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I hope BRC includes in their answer how their sexual response team will work. It is very important to have properly trained team members.	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.
1559	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Yet, these events are not required to contract out a special sexual assault response service. Moreover, the 11th Principle of Burning Man is consent, and most participants participate in a consent workshop either through their camp or on playa. Again, BLM seems to be holding Burning Man to an arbitrary and capricious standards that other special events are not held to by forcing them to hire an outside service to take care of something they already do very well. Why is Burning Man not capable of addressing this issue on its own or directly with law enforcement?	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.
1559	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Opposition to PHS-2. Again, this mitigation seems to be unnecessary based on noted issues within BRC. BRC has done an excellent job of educating all participants about physical and sexual boundaries. Entire camps are dedicated to educating individuals about recognizing boundaries and optimizing communication. There are leaflets placed in every participant's hand upon entry and there are informative posters throughout the playa in the porto-potties.	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.
1612	4	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-2 requires the BLM to contract a sexual assault response team. Is this contracted team intended to replace the existing volunteer sexual assault response team, or to duplicate it?	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.
2004	4	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-2 requires the BLM to contract a sexual assault response team. Is this contracted team intended to replace the existing volunteer sexual assault response team, or to duplicate it? I have not experienced sexual assault in my many years at the event. But if I were to experience it, I would turn to and trust the Burner volunteers before I would turn to and trust outside contractors for help.	See Public Concern Statement MITPHS-2.	See Public Concern Statement MITPHS-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1794	3	Mitigation-Public Health and Safety	209.0700.00	MITPHS-3	The LEA agrees that the environmental impact from installing and maintaining this proposed barrier would create an ecological disaster. In essence, one environmental potential would be massive, 10-mile-long set of dunes that would eclipse (by huge margins) any past dunes found on the Playa surface. These dunes would need to be remediated with heavy machinery and the impact created by 10-ton trucks driving over the playa surface (repeatedly) would create a new restoration project for both the Burning Man Project and the BLM to mitigate.	Commenters asked what the impacts on the playa would be from the additional traffic to and on the playa that would be required to install and maintain the proposed barrier.	The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all Special Recreation Permit events. Monitoring allows for adaptive management and efficiencies in deployment to be developed over the next 10 years to provide for safety. DHS publications recommend designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. The example outlined in the DEIS of an individual defeating all practices in place during the 2018 Event only illustrates how fortunate it was that no one was hurt. Implementing DHS best practices, as outlined in mitigation measure PHS-3 and identified in DHS publications, could preclude this event from occurring in the future. The mitigation measure identified possible examples and did not specify a continuous K-rail or jersey barrier fence around the entire Event. The public health and safety report lists many other options, and the mitigation was purposely left open for input and ideas from the proponent, cooperators, and the public. Adaptive management will allow for alternative solutions to reduce vehicle penetration of the Event perimeter. It is not evident that this measure would increase traffic more than the existing city construction.
1079	7	Mitigation-Public Health and Safety	209.0700.00	N/A	I am concerned about the proposed changes mentioned in mitigation PHS-3 about "physical perimeter barriers" (I refer to these as Jersey Barriers). It is my understanding that the cost to acquire, load, ship, unload, and remove from the playa would be substantially more than the current options in place. The Jersey Barriers are far too heavy to move by human hands, which is how most labor is done in Black Rock City, and would require a crane and certified operator. Many who work with the event are volunteers, but this option would not be accessible to government agencies and the cost associated with insurance and wages for an employees would become a government problem. This would tax the government's resources to such a degree that the cost of hosting the event would lead to increased ticket prices for participants. This would not work for many Black Rock citizens that bring artistry to the playa, as the arts are historically under funded. These artists would likely not be able to participate if ticket prices increased to accommodate the Jersey Barriers and this would absolutely lead to lower artist attendance. As Burning Man is an arts and culture event, this would fundamentally change the event itself.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1079	15	Mitigation-Public Health and Safety	209.0700.00	N/A	K-rails/Jersey Barriers surrounding the perimeter of The Event- As stated above, this has an enormous impact on the roads transporting this huge amount of concrete onto the Playa. Mr. Hall indicated that this was a suggested change by the Department of Homeland Security. I think the reason is to prevent vehicles from breaching the perimeter and coming into The Event. (Think Charleston Nazi protest). There is already a proud team of staff and volunteers that patrol the perimeter and have a strong track record of preventing vehicles from breaching the perimeter. While Jersey Barriers will prevent vehicles from getting in, they also would make it difficult for vehicles to leave. This is analogous to having a single exit in a movie theater. Many people have died in small spaces with limited exits (i.e. Movie theater/restaurant fire or even '17 Las Vegas shooting. If there was ever a need to have an emergent evacuation off playa, for whatever reason, thousands of participants would be immediately blocked in due to congestion.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1961	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Utilizing heavy machinery and operators to appropriately fence in a perimeter with concrete would be financially and effectively irresponsible due to the cost in labor, resources, and the effect that these cumbersome, heavy pieces would have on the Playa. The cost far outweighs any additional security benefit resulting from this action and adds much greater potential for injury or loss of life due to the risks associated with bikers, vehicle operators or even civilians would face in the event of crashing or colliding with a concrete wall vs. neon orange plastic fencing as has been historically utilized. The risk of legal liability and hazard associated with this unnecessary change isn't worth the unnoticeable improvements to perimeter "security" especially when rangers and other personnel already watch over the edges of the deep Playa.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1392	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 (BRC to surround event with jersey barrier): it is not clear from the report what problem this measure is intended to address. Indeed, there is no conceivable benefit to shipping 10 miles of heavy concrete barrier to the middle of the Black Rock desert. As a security professional, the only threat I can imagine this might address would be someone driving a vehicle through the event perimeter to wreak havoc, but all a said attacker would need to do instead is to steal one of the many thousands of vehicles already inside the event. And again, this measure would dramatically impact the playa environment, with the creation of huge dunes, and transportation of 10,000 tons of concrete walls.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1392	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction I completely disagree with this recommendation for several reasons. First of all is the fact that unauthorized entry into the event is at the most as very, very small problem. Secondly the logistics of transporting and placing miles of portable concrete barriers around the five sides of the perimeter would be a monumental task. Following information is from a supplier of such barriers, "The most common concrete jersey barricade size used is: 10 ft Long x 24 in Wide x 32 in High and weigh approximately 4,000 lbs" Given that the perimeter of BRC's five sides is approximately 47,500 feet long, the total weight of standard jersey barriers would be 9,200 tons requiring at least 240 fully loaded semi-trailers to transport these unto the playa. Furthermore the requirement for heavy machinery to unload, place and subsequently dismantle the barrier perimeter would create a very substantial impact upon the playa surface and the public highways leading to the event as well as large amounts of fuel consumption. This would be for the purpose of possibly deterring a very small number of people from making unauthorized entry into the event. This proposed mitigation causes adverse impacts on an order of magnitude that is extreme and provides little if any benefit.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1009	1	Mitigation-Public Health and Safety	209.0700.00	N/A	With regard to PHS-3 from Appendix E, section E.1. The immense distances needed to be covered and radar-based measures in place to stop unauthorized entrants to the event are already good enough. I have never heard of any one having been able to sneak into the event via the trash fence, is there any evidence of this having occurred? I would think that these Jersey Barriers would have a large environmental impact creating additional dunes and more while not solving any issue.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
924	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The fence must trap windblown trash to prevent it escaping the Event and facilitate removing it either during the public portion of the Event or during Playa Restoration, and simultaneously it should not trap windblown dust that would cause dune formation, and it should be lightweight enough that setting it up and removing it cause only minimal impact, and the materials needed can either be hand carried or delivered on lightweight vehicles that also minimally disturb the playa surface. A Jersey or K-rail boundary would require transporting concrete rails weighing about 2 tons each on heavy trucks equipped with cranes, or water-ballasted plastic rails and a roughly equivalent weight of water, also requiring heavy vehicles, and the deployment and removal of these barriers would do significant damage to the playa surface around the entire Event perimeter, as well as entrap boundary-layer blown dust and seed dune formation, and this would require a very large and very invasive playa restoration phase as the barriers are removed and for some time afterward that would not be necessary with the existing trash fence. Given that a large region of Black Rock Desert around the Event is closed to non-approved traffic, and BRC already monitors the area around the Event boundary and intercepts trespassers very efficiently, and that Jersey or K-rail barriers are ineffective against pedestrians and would only block unauthorized vehicles in an already closed and heavily monitored area, why is this mitigation necessary?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1780	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Concrete barriers would be needed by the ton and would have to be driven long distances by multiple large vehicles and put in place by heavy machinery. Again, the emissions involved are staggering, and whereas I'm not an expert on the playa surface, it seems apparent that this kind of activity would have a serious negative impact. Additionally it's difficult to understand what problem this is attempting to solve. There is already an environmentally-friendly perimeter in place which is adequately keeping trash and ticketed participants inside and all others out.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1785	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 The proposal for surrounding the event perimeter with Jersey barriers or high fencing would not only be ineffective in reducing unauthorized entry, but would alter the environment of the Playa by causing significant drifting of dust over the period the barriers would be employed. Further, the transport of thousands of heavy barriers would also increase the carbon and physical footprint on the environment, and would be very costly. The existing system of a porous fence has been successful at catching and stopping blowing litter, and a sophisticated system of electronic and physical monitoring used currently is already successful at detecting and stopping unauthorized entry. The Gate, Perimeter and other teams are keenly dedicated in this endeavor, as the success and security of their event depends on their effort.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1084	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I am opposed to Mitigation Measure PHS-3. Very few attempts of unauthorized entry to the event currently happen and are already more than adequately handled by BRC volunteers. Jersey barriers or K-rail fencing would be an unnecessary eyesore and expense that adds no additional value.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
260	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Literally no one sneaks into BurningMan through the current perimeter fence. So why would anyone think it's necessary to add concrete barriers that are designed to keep a car from breaching the barrier when that problem does not exist and has not for at least the past 15 years?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
913	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In particular, I would like to point out several serious downsides to the heavy barriers that are proposed as the new perimeter to the event. Beyond the fact that a draft environmental impact statement is a dubious government process for addressing potential vulnerabilities to terrorism, it's ironic that the proposed solution is likely to cause several types of environmental harm. Firstly, I understand that the placement of 10 miles of large "K-rail" or "Jersey" type barriers along the event's perimeter is expected to cause dune formation, which would require extended use of heavy machinery to remove-a wholly avoidable disturbance. Secondly, because wind will flow over the tops of these barriers rather than through, as is the case for the long-used "trash fence", these heavy barriers will be result in much more windblown garbage escaping the site perimeter into the surrounding wildlands. I think an earnest consideration of environmental impacts reveals that the use of these barriers would be harmful to the surrounding ecosystems. I urge the creation of a new draft environmental impact statement which focuses on effectively mitigating environmental impacts. There is much good work to be done on that front, but this document misses the mark.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1085	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Jersey Barrier or K-rail fencing will not trap trash, it will blow over. It would also provide obstructed views for an intruder to hide behind while approaching the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1787	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The installation would require many hundreds of heavily-laden trucks to deliver the k-rail, which would chew up the roads leading to the event site 2) The guardrails would have the effect of forming sand dunes that would be far more difficult to remove than the relatively low-impact trash fence that is used now.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1787	2	Mitigation-Public Health and Safety	209.0700.00	N/A	HS-3: unauthorized entry barriers While we're talking about dust, the idea of encircling the entire City in a wide track of pulverized playa is crazy. The trips with very heavy trucks and installation equipment to build the border wall/fence will crush & disturb the playa soil extensively so that wind from any direction will trigger a dust storm in the City. For human health and to keep the playa in place the requirement for an encircling all should be removed. The border wall is a solution looking for a problem.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1787	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The K-rail/Jersey Barrier solution is worrying for similar reasons. Even if a lot of people sneak in (which I believe is not the case due to the hard work and high tech tools used by the Gate, Perimeter, and Exodus team) their impact would pale in comparison to the impact of those barriers. The carbon emissions that would come along with transporting this much equipment is incredible, and the impact on the playa would be staggering.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1791	1	Mitigation-Public Health and Safety	209.0700.00	N/A	BRC is so remote it creates great difficulties for staging K-rail placement. It fixes nothing that is broken and creates a huge problem with increased green house gases and disturbance to the Playa.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
547	2	Mitigation-Public Health and Safety	209.0700.00	N/A	However, what PHS-3 (pg. E-2 of Vol. 2) & PHS-2 (pg. E-5 of Vol. 2) recommend are not reasonable solutions and are extreme. PHS-3 reads "BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction." If unauthorized people want to get in, they will find a way. The current perimeter fence is regularly monitored by BRC employees and volunteers, and vehicles are questioned and searched by BRC personal upon entry. A concrete perimeter barrier would not only affect the beauty of Black Rock Desert, that attendees enjoy so much, but it would be harmful to the desert itself. It is much more harsh on the land than the current perimeter fence and would provide no benefit.	See Public Concern Statement MITPHS-1.	See Public Concern Statement MITPHS-1.
139	1	Mitigation-Public Health and Safety	209.0700.00	N/A	This measure is another unnecessary, expensive, insufficiently thought-through solution to a non-existent problem which seems like it will actually cause far more environmental harm than good. The impacts to the playa surface from the installation of concrete barriers would be profound, creating difficult-to-remove dunes on either side, and again there would need to be far more truck traffic to install and remove the miles of barriers which would lead to damage to local roads, increased carbon emissions and wear and tear on the playa-and all without significantly improving the security of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1802	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Another problem with the proposed fence is that it could interfere with the existing radar/lidar monitoring system.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1966	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 directly contradicts this mission statement in two ways. The Black Rock Desert is known for its expansive views, which would be severely impacted by hardened barriers. This would be the case regardless of whether the barriers are cast concrete or filled plastic. Any impact to the view at request of the Bureau of Land Management is in direct opposition to the "enjoyment of future and present generations" (emphasis mine) aspect of the mission statement. The use of concrete barriers would leave a new form of debris in the shape of concrete chunks and dust as they tend fragment when being installed, removed, and transported. Any form of hardened barrier would introduce severe dunes of the likes which the event has not yet seen, and the resulting increase in heavy equipment would not only increase vehicle emissions but also negatively impact the playa surface due to the increase traffic and loading/unloading operations. These impacts are in direct contradiction of the "sustain the health" aspect of the mission statement.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1441	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Naaim, M., Naaim-Bouvet, F., & Martinez, H. (1998). Numerical simulation of drifting snow: Erosion and deposition models. <i>Annals of Glaciology</i> , 26, 191-196. doi:10.3189/1998AoG26-1-191-196	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1441	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Does BLM have information to show that unauthorized access to the Event is an issue that is causing a public health and safety problem?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1147	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3: BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. I really don't understand the rationale for this. The perimeter crew is highly effective at enforcing the event boundaries. Is there any evidence that there is actually a problem. This seems very expensive and impact heavy for what I can't see as a problem. Can you explain?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1089	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 Additional fencing is not necessary. The existing 'trash fence' is sufficient for preventing unauthorized entry. This seems like a solution to a problem that does not exist. How many unauthorized persons have gained entry in past years?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
169	1	Mitigation-Public Health and Safety	209.0700.00	N/A	As far as I am aware, there is a plethora of technology being utilized by both the Perimeter team as well as the BLM to detect bodies well before they can approach the event. Furthermore, removing the mini-sand dunes that would build up on both sides of the k-rail would be a costly, timely, and carbon increasing endeavor.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1999	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Does the measure propose a solid perimeter with no gaps? Does the measure propose a perimeter with gaps to prevent cars from entering? The proposed measure says that it is to reduce unauthorized entry to the event. It is unclear how this concern is relevant to an environmental impact statement. How does this relate to the environmental impact of the event? Black Rock City currently uses a sophisticated radar system that can track objects down to the size of the well-known jackrabbits from miles outside the current fence around the event. Burning Man also partners with local sheriffs to patrol the border regularly, using all the tools at their disposal to prevent unauthorized entry. Considering that unauthorized entry in recent years is all but completely unheard of, how does adding concrete barriers have a real and measurable impact on unauthorized entry to the event? The amount of resources needed to create that number of concrete barriers, to place them, clean up after them, and remove them at the end of the event is in direct opposition to the idea of reducing our environmental impact on the Black Rock Desert, and directly undermines several of the proposed mitigation measures. The number of additional trucks and heavy machinery will create widespread additional avenues for oils and other fluids to be left on playa, running counter to WHS-4. The debris caused by concrete fragments, which are unavoidable in the handling of concrete slabs, undermines the goals outlined in SOIL-1. The EIS does not address the dunes that will be formed by solid barriers around the city, which are not currently created by the trash fence. How does the EIS propose to deal with these dunes after the event, as the risk of creating or changing the sand dunes on the playa was listed as a concern in the EIS?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1927	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized - entry to the Event. This will be done concurrent with city and perimeter fence construction. --- At present, there is no known significant concern with unauthorized entry to the event. This addition of massive physical infrastructure would do tremendous damage to the natural environment, counter to the stated intention of the goals of these mitigations and the mandate of BLM. Putting this in place will tear up the surface of the playa, create dust buildup similar to what might occur against a wall in a snowstorm (but without the benefits of melting snow). The activity of creating and moving the barriers will inevitably damage the natural state of the playa. The current measures in place (trash fence, radar, and patrols) are both less harmful to the environment, and have proven over time to be highly effective in both reducing unwanted additional visitors, and reducing environmental impact.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
251	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Therefore, the DEIS is flawed in its conclusion as to a need for concrete barriers as the concrete barriers are certainly not the least intrusive method to fulfill the stated need. Instead, based on evidence, the need to have a secure operation is met through means other than concrete barriers. If concrete barriers were to be required, the cost, impact of placement, time and resources to plan, deploy, manage, remove, and inventory the barriers would diminish resources of time, money, & manpower that would degrade other aspects of both the event and the environment. Just think of the deleterious impact caused by requiring placement of concrete barriers.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1102	5	Mitigation-Public Health and Safety	209.0700.00	N/A	The environmental impact of this mitigation is massive. Transporting such massive infrastructure would require hundreds of trips from/to Reno/Sparks to the event site (assumption: ~12 10' barriers could be hauled by a flatbed on a given trip, and to cover the ~48,000 feet of perimeter would require ~4800 barriers)--> the impact on traffic, roads, and emissions increases greatly. Installation of such fencing would require massive increase in logistical crew and heavy machinery--> increased emissions and playa impact, and would increase set-up and breakdown time by at least a month (assumption: offloading and placing 12 10' barriers per truck takes 1-2 hrs, so ~400 hrs man hrs). Availability of these barriers locally is non-existent, so to reach the amount of required barriers means they'd have to be shipped in from elsewhere--> increased emissions and transport strain. Then having erect barriers in the Black Rock desert would facilitate the unintended consequence of dust building up into dunes (the current trash fence allows dust to blow through, so this is a non-issue under current operations). This is a massive impact on the playa and is exactly opposite of what an environmental mitigation should be doing. Lastly, the cost of this operation is again prohibitive (\$6M+) and is certainly not justified based on the low risk of unauthorized access.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1628	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding PHS-3, the environmental impact of impermeable barriers on the site would vastly outweigh the benefit. It appears the draft EIS hasn't considered the impacts that transporting and installing millions of pounds of concrete barriers around the perimeter would have. Think of all the trucks required! And the sand dunes that would form! I have never felt unsafe at Burning Man (if this barrier is meant for public health and safety?) It would also be an enormous impact on the local roads: a truck full of cement barriers has a much greater impact (and emissions impact) than the average sedan, or than a truck full of light-weight orange netting, which is currently (and successfully) used to stop items drifting. Additionally, there is monitoring in place already to ensure that folks don't come through the perimeter, and they are successful. There is not an evident problem of unticketed people entering beyond the main gate.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1491	3	Mitigation-Public Health and Safety	209.0700.00	N/A	It appears the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter. BM currently installs a 9-mile orange trash fence around the event site, which serves as the visual perimeter and is heavily monitored and patrolled by the BM City Gate, Perimeter, and Exodus Staff 24 hours a day using sophisticated radar, night vision, and patrol intercept trucks in coordination with BLM Rangers. This type of fencing allows the wind to blow through but catches trash. I know people that have volunteered for night patrol and have heard directly from them how effective their patrols are in preventing people from unauthorized entry to the event. The environmental and economic impact of this proposal is enormous and should be reconsidered in its entirety. Consider the number of vehicles required to manage thousands of K-rails, the impact on the playa surface by the vehicles, the incredible impact to the playa dunes, and the nearly negligible improvement it would make. Why spend so much money and energy on this, and to what end?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
846	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The "Terrorism" section in the EIS talks about the adding K-rail (or "Jersey Barriers) along the perimeter fence to prevent high speed vehicles from entering into the city and possibly (BLM inferring that) using the vehicle as a mode of assault on the BRC participants. This analysis of the potential threat is short sighted - an addition of K-rail would stop an attack approached from the "exterior" of the city; however the K-Rail barriers will not prevent such an attack completely. Multiple vehicles are already within city boundaries parked during the event, and could be used to carry out such an attack. This threat assessment has been shown in this requirement for the EIS to have a minimal impact and also not a total threat assesment, thus should invalidate any argument for K-rail safety system.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
845	3	Mitigation-Public Health and Safety	209.0700.00	N/A	installing jersey barriers would drastically disturb the Burning Man experience. Feeling like we need to be caged in by a fence line or barriers would impact my experience at Burning Man. I go to Burning Man to embrace the outdoors and be free in the desert. Having barriers would undermine the experience.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1633	1	Mitigation-Public Health and Safety	209.0700.00	N/A	How does this improve environmental conditions of the area? It creates sand dunes, and necessitates large trucks to both load in / load out the on the playa the adds to congestion on the roads.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1903	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. A physical perimeter barrier of the sort contemplated by this mitigation would cause significant long term alteration to the playa surface because it would constitute a mile-long wind break blocking the natural transport of dust. No comparable structure has ever been erected on the playa. Prudence would dictate that this mitigation itself be subject to a long-term environmental impact study before any attempt is made to put it in place. This is especially true because, based on the data presented in the EIS, there has been exactly one case of a vehicle running through the perimeter trash fence. The area outside the event site is already monitored by radar and vigorously patrolled by BRC volunteers and BLM rangers. These patrols are entirely successful and it would be much simpler to expand patrols by BRC volunteers. If the intent of the physical barriers is to prevent terrorist attacks, they should be assessed for cost-benefit ratio compared to other defenses.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
841	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The additional vehicle traffic required to deploy and retrieve several miles of physical barrier will result in undue environmental impact. Concrete barriers in particular would generate additional load on these vehicle and their placement could damage the playa. The existing ventilated snow fence allows dust generated from periodic wind storms at the event to pass through and redeposit naturally in the Black Rock desert. The introduction of a solid barrier could result in this dust accumulating at the perimeter. Environmental damage could result from the excavation of the barriers at the end of the event as well as from the effort to redistribute the accumulated dust across the land	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
220	4	Mitigation-Public Health and Safety	209.0700.00	N/A	<p>I believe the use of Jersey barriers and/or K-rail fencing would not prove to be an effective replacement to the existing system. They would prove easier to climb over, given their limited height (jersey barrier), or ease of climbing support (k-rail fencing), thus making it easier for potential non-ticketed individuals to get into the closure area. It would also lessen the impact of the existing perimeter fence, which is fairly visually inconspicuous until approached. Psychologically, the existing barrier is an almost invisible boundary to event participants, and accentuates the uniqueness event's by offering an apparent boundless environment in which to enjoy the event's offerings. Making the perimeter of the closure area more visible would go against this, prove a visual blight and detract event participants from enjoying fully the views offered by the event's location. Moreover, the use of Jersey barriers and/or K-rail fencing would not be as effective at collecting small errant debris as the existing solution. As a result of sometimes powerful gusts of wind present on site, trash and debris would likely be blown over the top of jersey barriers (as they are conceived as a physical impediment to vehicles and individuals, but not to small items of trash), or through K-rail fencing (given the wide gaps present in standard models of this type). Another reason to oppose the installation of such Jersey barriers and/or K-rail fencing, is the financial burden that these would impose. The installation of Jersey barriers would require the use of a large number of trucks and other heavy-equipment, especially when taking into consideration the length of the event's closure area. This would prove to be a very expensive proposition, not only in terms of ferrying all these to the closure area, but also in terms installing, dismantling and then removing from the Black Rock desert these items. The barriers/fencing would have to be rented, transported using many large trucks over vast distances. Specialized heavy equipment would need to be used, which would require specialized, paid-for professionals with the training and licenses to use these machines and install these barriers; a very expensive proposition. As proposed, these costs would be borne by the Burning Man Organization which would be forced to pass along these costs to ticket participants, thereby significantly raising their prices and making the event unaffordable to a large segment of the event's usual participant population, thereby running counter to one of the main principles of the event that the event is open to all, and not just solely those with no limit to their financial resources. The use of these Jersey barriers and/or K-rail fencing would also add an environmental cost, given the need to transport all these onsite and then offsite. It would increase traffic along the road leading to the closure area, and increase the carbon footprint of the event; again especially taking into consideration the amount of material which would be needed to fully cover the perimeter of the closure area with these.</p>	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1635	1	Mitigation-Public Health and Safety	209.0700.00	N/A	<p>itigation PHS-3 BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. This proposal from BLM is not supported by the analysis, logistically onerous, environmentally irresponsible, unnecessarily redundant, prohibitively expensive, and a clear demonstration that the proposed mitigation was not sufficiently thought through. It shows a clear lack of on-the-ground institutional knowledge or full spectrum logistical understanding of the event and the environmental impact that the delivery and installation of the barriers would have on the site in question. In fact, this lack of any reasonable consideration calls into question the integrity of the whole EIS document. Burning Man Project currently installs a nine-mile orange trash fence around the event site, which serves as our visual perimeter and is heavily monitored and patrolled by the Black Rock City Gate, Perimeter, and Exodus Staff 24 hours a day using sophisticated radar, night vision, and patrol intercept trucks in coordination with BLM Rangers. This type of fencing allows the wind to blow through but catches MOOP (Matter Out Of Place). BLM's barrier mitigation would dramatically increase the Burning Man event's carbon footprint, a paradoxical recommendation for an Environmental Impact Statement. The added irony is that this "solution" would create unprecedented environmental impacts on the playa surface itself, a concern so great that BLM brought in NASA to study it. The barrier would create a massive, 10-mile-long set of dunes that would eclipse by huge margins any past dunes and need to be remediated with heavy machinery, which should not be a recommendation in an EIS. The impact to the playa surface created by 1,900 separate 10-ton loads being driven over repeatedly would create a new restoration project for both Burning Man Project and BLM to mitigate. Increased fuel consumption, greenhouse atmospheric emissions, and damage to local roads leading into the event are all results that will negatively affect the environment of Northern Nevada.</p>	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1862	1	Mitigation-Public Health and Safety	209.0700.00	N/A	<p>Also, the access road has mostly one way traffic, so that Jersey Barriers are not needed to prevent head on collisions. They are used as highway dividers in California and are very expensive and heavy. I can't imagine how BRC could purchase miles worth of these barriers and install/remove them within the timeframes of the Event without a massive workforce and heavy equipment. The same is true for K Rail fencing, although they are lighter. At any rate I have never seen an auto collision at the Event.</p>	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
812	5	Mitigation-Public Health and Safety	209.0700.00	N/A	<p>the environmental impact of transporting these barriers would be huge. Burning Man estimates that it would require 951 separate 115-mile one way trips from Sparks to BRC to transport what would amount to 19 million pounds of concrete. If we are truly concerned with the environment, we need to take into account the carbon emissions this would result in, as well as the additional damage to the playa caused by both more vehicles driving over it and the dunes that these cement barriers would create. Your document does not provide sufficient evidence that this measure is even necessary and it is clear that the proposed "solution" would be less effective and more detrimental to the environment than the current system.</p>	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1429	1	Mitigation-Public Health and Safety	209.0700.00	N/A	<p>Specifically, Mitigation PHS-3 states: BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction.</p>	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
349	I	Mitigation-Public Health and Safety	209.0700.00	N/A	* Mitigation PHS-3 There is no evidence to support the need for jersey barriers, which will blight the land, impose a massive carbon footprint on the event, pose unquantifiable environmental risks, and burden the festival with unjustifiable and substantial financial costs. The existing trash fence, combined with Black Rock Ranger patrols and other longstanding measures have a very long track record of keeping trash in and unpaid attendees out. Without any evidence, the BLM should not ask the festival to spend \$3m to install 19,000,000 lbs of concrete barriers in a sensitive desert habitat.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
525	I	Mitigation-Public Health and Safety	209.0700.00	N/A	While the implementation of the suggested jersey barriers or K-rail fencing could limit the number of motorized vehicles entering through the perimeter, they would in no way impede those choosing to walk or ride bicycles, thus the GPE staff would be required to continue the patrols they already conduct. Thus, this mitigation requiring physical barriers would only significantly add to the cost of the event and increase environmental impacts. These physical barriers would create a 10-mile long set of dunes which would need to be remediated post-event. Additionally, to install and remove the barriers would require almost 400 flatbed trailer loads driving 115 miles each way, adding significantly to the vehicle emissions as well as soil bed surface impacts as those 19-ton semi-trucks with trailers carry 24 tons of physical barriers back and forth across the playa. Has the BLM considered that the current system of patrols conducted by BRC and GPE are the smallest environmental impact while actually reducing unauthorized entry? It appears to me that the BLM in no way considered the monumental environmental created by this mitigation.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
729	I	Mitigation-Public Health and Safety	209.0700.00	N/A	permanent barriers and dumpsters will both A) Scar the playa, B.) create a giant sand dune, and C.) encourage participants to leave trash.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1824	I	Mitigation-Public Health and Safety	209.0700.00	N/A	There is also no rationale presented in the DEIS to justify this remediation. The perimeter is currently carefully monitored electronically and patrolled both inside and outside.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1825	I	Mitigation-Public Health and Safety	209.0700.00	N/A	The perimeter fence as it stands in its current size is approximately 9.5 miles. That's 50,160 linear feet. A typical K-Rail weighs approximately 8000 pounds, and is 20' in length. This would require approximately 2,508 K-Rails if laid in the exact same place as the existing perimeter fence. Here is where those numbers really start to mean something: All those K-Rails would weigh 20,064,000 pounds. Let that number sink in for a moment. Twenty million pounds. The maximum allowable weight in the U.S. for a truck and fully loaded trailer is 80,000 pounds. A typical Peterbilt 379 or Kenworth W900 weighs between 17,000 and 22,000 pounds depending on drivetrain, sleeper configuration, fuel tank configuration, etc. A flatbed trailer averages 10,000 pounds, so lets call this an even 30,000 pounds. This leaves us with 50,000 of hauling capacity. Thus, it would take 402 tractor trailers to haul all the K-Rails needed, assuming each truck could haul its exact amount of legal weight. Your average tractor/trailer combination length is right around 73 feet. This equates to 5.5 miles of truck if driven nose to tail, but with a typical distance of 80 feet between trucks, this adds another 6.09 miles, bringing our caravan to over 11 miles in length. Using our hypothetical truck once again, we find that on average, fully loaded it will see about 6-7 miles per gallon. Assuming all our K-Rails are ready for pick up in Reno, and Reno is about 110 miles to BRC, our truck will consume about 18 gallons of diesel each way, or 36 for the round trip. Multiply that by the 402 trucks just like ours, and we will consume 14,472 gallons of fuel.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1829	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The inclusion of Jersey barriers or K rail fences would cause significant damage to the playa surface by their presence, including the creation of dunes. The placement would increase heavy vehicle traffic on the Playa surface with 1900 10-ton loads being delivered and removed. Further, there is no regional provider for these barriers that would have an adequate supply for the event. The estimated cost would be \$3,000,000 for production, not to include transport costs.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1829	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I feel strongly that concrete or plastic physical barriers at the Event perimeter fence line will negatively impact my experience at the Burning Man Event. These heavy barriers will impact the surface of the playa, which I believe violates the BLM's mission "to sustain the health... of the public lands" as well as the "Leave No Trace" principal of the Burning Man ethos. To install and remove such a lengthy perimeter will require a large amount of heavy trucks, which will add to the already significant traffic congestion on the roads that access the Event. Furthermore, the operation these trucks will burn fossil fuels and create air pollution (including nitrous oxides and particulates, and is a significant contributor to global warming through emission of carbon dioxide) thereby affecting air quality both at the Event and in general. These negatives far outweigh any positive impact such a barrier may have on preventing unauthorized vehicular access to the Event, which is an almost nonexistent issue (a single unauthorized vehicle gained access in 2018). Surely there is a more practical mitigation measure rather than installing thousands of tons of plastic/metal/concrete barriers around the nearly 10 mile perimeter of the Event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
157	1	Mitigation-Public Health and Safety	209.0700.00	N/A	One main issue I see with the additional concrete barriers around the perimeter, they will add to problem. Due to increased car emissions that would result from taking concrete barriers out to the space.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
789	1	Mitigation-Public Health and Safety	209.0700.00	N/A	what benefits are there to building a concrete wall around the perimeter when an existing, eco-friendly barrier already exists?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
397	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I want to particularly address the recommendation for the barriers around the entire event. The implementation of heavy concrete barriers would result in a great deal of damage to the desert and excessive wear on the highway in to Black Rock City.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
785	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 This mitigation is in complete contrast with the idea of lessening the environmental impact of the BM event on the desert floor. The installation alone of the barriers would cause irreparable harm to the perimeter of the event. It will create dunes as well as cause a compression around the perimeter. The installation alone of the barrier will take thousands of man hours and be useless against keeping people from sneaking into the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1841	4	Mitigation-Public Health and Safety	209.0700.00	N/A	There is a significant quantity of studies performed by snow scientists, DOT, and agricultural specialists in many states which has demonstrated the efficacy of fencing in altering drifting snow and that research can be applied to the deposition of the clay/silt carried in dust storms. It is clear that a decrease in the porosity of the fence results in an increase in drift size along with a decrease in distance from the fence. These widespread studies, along with computational models such as in Naaim et als 1998 paper show that a change from a porous fence to a increasingly solid fence result in larger, more concentrated snow drifts. The abundance of research in this area must be considered in relation to a change in the perimeter fencing porosity for the Burning Man festival. Since the current application of highly porous fencing promotes the creation of elongated slay/silt depositions that are less likely to result in mounding, the literature suggests that it is advisable to continue the use of highly porous fencing to protect the Black Rock Desert playa.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
784	2	Mitigation-Public Health and Safety	209.0700.00	N/A	In conclusion, the change in perimeter fencing material is directly contradicted by information presented in Chapter 3, Environment and Environmental Consequences when combined with established models concerning particle deposition and fencing. Additionally, current perimeter fencing practices are shown to be effective in preventing mounding of the Black Rock Desert playa in the Technical Memorandum.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1882	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The use of physical barriers in the already sparsely populated and environmentally harsh environment is both redundant and obscene. BLM employs the use of Law Enforcement services for population monitoring and ingress and egress through partnerships with State, Federal and Local resources. The BLM should utilize these services and routine patrol to limit trespassers and criminal actors. Physical barriers also risk destruction of natural lands and environmental challenges to the natural area.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1721	3	Mitigation-Public Health and Safety	209.0700.00	N/A	2. K-rail Barrier (Mitigation Measure PHS-3) This proposal has clearly not been thought through and is a terrible idea for many reasons. As a environmental planner and resource management professional, I am aware that putting hard structures on the playa will damage the natural surface of the playa by creating dunes where none existed before- this is of concern for the health of playa biology and topography. The current "trash fence" works perfectly as it allow sand and dust to move through it, thereby not creating dunes. The current fence catches trash, this is one of its primary purposes, whereas a k-rail barrier would not trap trash but would create updrafts at it's base forcing trash to travel up the hard barrier surface and move over the top to be lost further onto the playa, outside the Burning Man boundary. Such barrier would create additional stress on the roadway to Burning Man and would create a un-needed excessive expense that would be borne by attendees of the event. Illegal entry by vehicles from the perimeter is very rare and would be best enforced using current technologies such as remote sensing equipment which is already currently employed by law enforcement. The use of k-rail is an excessive solution for a non-existent problem. Please remove this misguided idea from the EIR and instead continue using the trash fence currently in use	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1721	4	Mitigation-Public Health and Safety	209.0700.00	N/A	I also believe that the addition of k-rails fencing or jersey barriers will negatively impact the user experience of being able to be more at one with the desert landscape than having unsightly barriers which would do nothing to prevent someone already in the city to weaponize a vehicle. The lighthouse and perimeter operations in cooperation with BLM does a terrific job at finding people leaving BRC boundaries or attempting to come in and so let's find a way that wouldn't require such a potentially destructive intrusion on the sight which could lead to the growth of dunes and find ways we can better boost perimeter security without such costly and harmful proposal.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1851	1	Mitigation-Public Health and Safety	209.0700.00	N/A	1- concrete barriers Concrete barriers would be detrimental to the Burning Man event because of several reasons including cost, impact of placement, time and resources to plan, deploy, manage, remove, and inventory the barriers. There is no demonstrated need for concrete barriers at Burning Man. There is no evidence that shows the current system inadequate. There is no evidence the current management and operation of Burning Man has failed or otherwise overlooked detrimental impacts.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1124	6	Mitigation-Public Health and Safety	209.0700.00	N/A	The suggestion to implement a K-rail fence to minimize unauthorized entry into the event also seems needless and potentially dangerous. These fences are far from impassable, but would obscure visibility for perimeter teams monitoring the event from outside -- creating a different set of security issues. It seems to me that these proposed security measures would be better put to a test to understand outcomes than implemented outright at event scale where they have the potential to cause significant backlash.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1594	1	Mitigation-Public Health and Safety	209.0700.00	N/A	This particular suggestion - that the entire perimeter fence be replaced with jersey barriers, will have the real-world effect of increased max-weight traffic to the tune of hundreds of vehicle loads of barriers. It will mean increased damage to the roads involved. Increased emissions from all of the extra trips these vehicles will have to take, and increased damage to the surface of the event site as fully loaded trucks will be following the perimeter line on hundreds of trips to deliver and install the barriers. Estimated costs exceed ten million dollars, roughly half the cost of running the event as it currently is. This is all in response to a problem that essentially does not exist. One alleged entry through the plastic perimeter in 2018 does not justify a ten million dollar change in the way the event is enclosed and separated from the rest of the Black Rock Desert.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1594	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 is to implement a physical barrier to prevent unauthorized entry. There is no existing issue with unauthorized entry to the event through the trash fence or perimeter, so this is completely unnecessary. In addition, to implement a large number of heavy secure barriers around the perimeter of the event is clearly contrary to many of the BLMs other goals, which are to reduce impact of heavy equipment on the playa and the roads. Placing thousands of concrete barriers, which would have to be trucked in from hundreds of miles away, will greatly increase problems mentioned elsewhere in the EIR including air pollution, traffic, noise, and damage to the playa. In addition, immovable concrete barriers could create a public safety issue if there were a serious event that required rapid evacuation.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
38	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Instead of allowing dust and wind to pass through the fence, while catching a significant amount of trash, concrete barriers will allow dust to pile up, exacerbating the issues of dunes, and will catch significantly less trash, if any.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
773	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The idea that 1,900 separate 10-ton loads would have to be transported to the playa to place 47,520 feet of fencing, and then removed, is not a positive impact on our environment	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1858	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Additionally, according to this draft of the statement: "It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations." Loading and unloading trucks of Jersey Barriers would surely strain the delicate landscape of the desert and could hurt the shrimp living beneath the surface. I am concerned that cascading financial impact from introducing Jersey Barriers would decrease the accessibility of the event and thus decrease the ability to enjoy these public lands. This would, in turn, decrease the societal impact of the event overall and traffic to the area. Towns like Gerlach and Cedarville are close to the event and often receive the benefit of cashflow that travelers to and from the event bring. Has the BLM considered what impact decreased attendance might mean for surrounding communities and the state of Nevada as a whole?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
266	6	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS3 - transportation of thousands of concrete barriers to and from the playa with large heavy trucks (Also contributing to unnecessary damage to the roads and playa)	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1235	8	Mitigation-Public Health and Safety	209.0700.00	N/A	At the outset, BLM provides no evidence of substantial - or any - unauthorized vehicle entry through perimeter fencing, or of any recent instances of unlawful possession of firearms at Burning Man. Unfortunately, the Statement addresses dozens of problems that don't exist and are highly theoretical. Throughout, onerous "solutions" are proposed to problems that simply do not exist. The Statement provides no consideration of the impact that hauling miles of concrete barrier would have on the fragile environment. Installation and removal of these barriers would require a vast increase in the number of personnel on playa, massive increases in heavy equipment on playa, significant increases in carbon emissions as a result of the trucks needed to do the hauling, and barriers that don't allow air to flow through will necessarily foment the creation of miles of dune that would have to be removed after the event at considerable environmental and financial cost. All proposed without any evidence that there has been any measurable problem with the current, environmentally friendly trash fence system.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1860	1	Mitigation-Public Health and Safety	209.0700.00	N/A	This provision would be logistically impossible with the current size of Burning Man. We would need to install roughly 10 miles of these cement barricades to match the fence line historically used. This would require an army of cranes and trucking well beyond anything ever undertaken in the Black Rock Desert. Even if you put in barricades, they would rapidly become useless given that the event is on a massive dust bowl that rapidly creates dunes around solid objects.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
354	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 The Bureau of Land Management has provided no evidence to support the need for Jersey barriers, which will not only blight the festival landscape, impose a massive carbon footprint on the event, pose unquantifiable environmental risks, but burden the Burning Man Organization with unjustifiable and substantial financial costs. The existing trash fence, combined with the Black Rock Ranger and Earth Guardian patrols (as well as the on playa equipment that tracks movements on the playa on both sides of that fence), the Organization has many longstanding measures of keeping trash in and unpaid attendees out. Without any evidence, the Bureau of Land Management should not ask the Burning Man Organization to spend \$3,000,000 to install more than 19,000,000 pounds of concrete barriers in a sensitive desert environment.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
730	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 This mitigation measure has a stated goal: "to reduce the risk of unauthorized entry to the Event" (DEIS, volume 2, pp E2) but is not supported by evidence that explains: what the hazard of unauthorized entry to the Event is (i.e. what harms are expected, at what frequency, and why); why the proposed potential barriers are appropriate given the hazard. The baseline Public Health and Safety report only mentions unauthorized entry once. It describes in general terms serious concerns, such as "physical barriers to prevent vehicular attacks against its population" (Public Health and Safety at the Burning Man Event, pp 18). However, it cites only a single anecdote of an unauthorized entry of a vehicle through the existing trash fence--thankfully with no injuries.. While that event is absolutely concerning, does not, nor does the remote but serious possibility of a potential vehicular attack, indict replacing the existing trash fence with K rail or other heavy barriers. We don't walk around wearing helmets and kneepads, we don't have barriers on every sidewalk in our cities, we expect that livign involves risk. Burning Man is not a fortress. Aside from missing evidence, yet again no study of the impact of the mitigation measure is provided. It is impossible to weight the potential benefit (e.g. harm reduction) against the potential harm e.g. greater environmental impact of K-rail on the playa) without data. A mitigation measure such as this one must not be recommended without data to support it and to evaluate its impact.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1038	1	Mitigation-Public Health and Safety	209.0700.00	N/A	n addition to being unnecessary, this mitigation would be extremely detrimental to the playa and the environment. Jersey barriers or K-rail fences will be orders of magnitude more expensive than the current trash fence, which works just fine for defining the perimeter for surveillance purposes and for preventing trash from escaping the event. Physical barriers, such as the ones recommended by this mitigation, would prevent the flow of air and the movement of playa dust through the barrier, resulting in playa dune buildup along the barriers that would have to be restored after the event. This would require additional machinery, time, and fuel and would be more expensive than the current restoration effort required from the current trash fence. What will be the environmental impact of placing thousands of heavy physical barriers on the playa before, during, and after the event? What will be the environmental impact on air quality, road wear, traffic, noise, and playa damage of large, barrier-hauling trucks driving to-and-from the playa in order to build and teardown the perimeter?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1676	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 states, "BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event." Have the environmental impact of these barriers been investigated?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1681	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS -3, The existing "Trash Fence" is more than enough barrier to prevent unauthorized entry. Installing a physical barrier, such as a K-Rail or Jersey barrier would do nothing to keep unauthorized people out of the event. The perimeter fence is monitored by BRC, installing a 3 foot tall concrete barrier is not going to stop a pedestrian from entering any more than a 4ft tall vinyl fence would. Vehicles entering the event illegally is almost a non issue, erecting 10 miles of barriers around the event would cause unnecessary harm to the playa due to the increase in the sheer amount of heavy vehicles required to transport and install them. It should be mentioned that their heavy solid nature could cause playa to collect unnaturally along the barriers until the even concludes and the barriers are removed. The existing fence has been barrier enough for at least the last decade of delineating the event boundaries. This measure is a text book example of attempting to solve a problem that does not exist.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
344	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Physical perimeter barriers - Mitigation PHS-3 Similarly, a lot of CO2 and road-wear and traffic will be produced from dragging tons of cement barriers. Not to mention how much energy and resources it would take to even make the barriers, assuming that they can't be sourced locals. And then those barriers that will likely create huge dunes, disrupting playa contours. The plastic "trash fence" that Burning Man currently uses makes a clear barrier to the event; crossing that barrier is already patrolled by Black Rock Rangers, BLM Rangers, and I suspect a variety of other officers.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
344	2	Mitigation-Public Health and Safety	209.0700.00	N/A	One must ask themselves what is the true intention of K-Rail installation at the perimeter fence? I have yet to see any unauthorized vehicles or suicide bombers anywhere in or around the event. If vehicle intrusion is the core of the issue, then the easiest remedy is to place more gate personnel in strategic locations at the perimeter fence. That, coupled with Lighthouse, should be more than enough to stop any would-be gate crashers long before they reached the fence.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1132	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Cement barriers around the perimeter. I'm not sure why this is being proposed, but I can come up with multiple reasons why this is not a very smart idea. A) the wear and tear on the playa surface with the many tons of trucks delivering and setting these barriers is immeasurable. The removal will be equally if not more damaging. B) During the several hour wind/dust storms, the cement barriers will cause high sand dunes to form along the perimeter. These dunes and the cement barriers will allow any loose matter to sail right over the tops. The orange fencing now catches the debris and allows wind and dust to pass through. C) What will be done with the high sand dunes once the barriers are removed? How will this sand be redistributed around the many miles of playa that it was picked up from? Will these dunes now be forming hills in the Black Rock Desert?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
432	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the event perimeter. This Mitigation PHS-3 proposal from BLM is a logistical error, environmentally irresponsible, unnecessarily redundant, prohibitively expensive, and a clear demonstration that the proposed mitigation was not sufficiently thought through.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
231	4	Mitigation-Public Health and Safety	209.0700.00	N/A	In particular, the creation of hard barriers, such as jersey barriers, at the boundaries of the event will cause significant harm to the environment. The transport and placement alone will disturb the desert, and while in place, will become anchors for sand dunes that will be difficult, if not impossible, to remove after completion of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1353	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 - Implementation of Physical Barriers. This request carries an environmental price tag that the Bureau of Land Management has not fully analyzed. Jersey barriers and K-rail fencing placed around the entire perimeter of the Burning Man event would definitely have environmental consequences to the playa. As stated at the outset of Appendix E, "Implementation of recommended mitigation measures would ensure the prevention of unnecessary and undue degradation of public lands." The placement of these barriers would definitely degrade this public land. I'm not a scientist but I can imagine the dunes created by these barriers since they do not facilitate air flow. There would be a substantial carbon footprint to bring them to and place them on the playa.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1134	1	Mitigation-Public Health and Safety	209.0700.00	N/A	itigation PHS-3 There is no evidence to support the need for jersey barriers, which will blight the land, impose a massive carbon footprint on the event, pose unquantifiable environmental risks, and burden the festival with unjustifiable and substantial financial costs. The existing trash fence, combined with Black Rock Ranger patrols and other longstanding measures have a very long track record of keeping trash in and unpaid attendees out. Without any evidence, the BLM should not ask the festival to spend \$3m to install 19,000,000 lbs of concrete barriers in a sensitive desert habitat.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
749	1	Mitigation-Public Health and Safety	209.0700.00	N/A	These heavy barriers will impact the surface of the playa, which I believe violates the BIM's mission "to sustain the health ... of the public lands" as well as the "Leave No Trace" principal of the Burning Man ethos. To install and remove such a lengthy perimeter will require a large amount of [heavy trucks](https://www.trafficsafetywarehouse.com/Images/concrete-barriers-lb48v-truck.jpg), which will add to the already significant traffic congestion on the roads that access the Event. Furthermore, the operation these trucks will burn fossil fuels and create air pollution (including nitrous oxides and particulates, and is a significant contributor to global warming through emission of carbon dioxide) thereby affecting air quality both at the Event and in general. These negatives far outweigh any positive impact such a barrier may have on preventing unauthorized vehicular access to the Event, which is an almost nonexistent issue (a single unauthorized vehicle gained access in 2018). Surely there is a more practical mitigation measure rather than installing thousands of tons of plastic/metal/concrete barriers around the nearly 10 mile perimeter of the Event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
749	2	Mitigation-Public Health and Safety	209.0700.00	N/A	what benefits are there to building a concrete wall around the perimeter when an existing, eco-friendly barrier already exists?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1774	2	Mitigation-Public Health and Safety	209.0700.00	N/A	- Mitigation PHS-3 would bring an additional disturbance to the desert surrounding the event in addition to increased wear to the surrounding highways with heavy trucks hauling in the k-rail for weeks before and after the event. This measure would create further harm to the desert than the perceived security gains could attain.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
747	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Placing "Jersey barriers" around the event will be a disaster if it rains, as it sometimes does, because heavy concrete barriers will sink into the surface. Removing them will become a nightmare of heavy equipment and surface scarring.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
476	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter were not adequately considered in the Draft EIS and the risk of entry of un-ticketed participants via a vehicle is not high enough to warrant placement of concrete and plastic barriers. This is in reference to Section 3.5.1, EIS Volume I: "Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing, would reduce the risk of vehicle entry through perimeter fencing (BLM 2018b)." Reports of any unticketed, or unapproved vehicles are incredibly rare for an event of this size.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1705	9	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 does not take into account the successful track record of the Burning Man Project Gate Perimeter and Exodus department for interception of unauthorized vehicles within the closure area. It is widely known that the Perimeter subdepartment works closely with Bureau of Land Management Rangers in order to enforce the closure order and employs a variety of technology and techniques to do so. I would like to know why these joint operations did not seem to be taken into account as a potential mitigation.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1705	12	Mitigation-Public Health and Safety	209.0700.00	N/A	The request to lay down millions of pounds of concrete as a barrier around the event will do much more damage to this fragile and unique environment than it will protect. The vehicles and fuel alone will cause environmental damage, and all for a problem that I cannot find any evidence that it exists. These jersey barriers will be just as easy to scale as the normal net barriers that have served this purpose for the lifetime of the event. These barriers will also allow any trash caught in the wind to more easily blow over the barriers since jersey barriers make wind go over it and now through it.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1708	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Concern – This is a lot of barriers. This solution does not seem well thought out because: 1) Installing all of these several hundred-pound barriers would cause a significant amount of disturbance due to numerous trucks carrying the barriers (I understand a truck trailer can handle 12 barriers) plus the VR type equipment to place the barriers on the playa. Currently this is an area where there is surface little disturbance impact. 2) All the above would then have to be repeated to remove all the barriers. 3) Both the install and removal would have to be done in a timely manner, which means lots of trucks and removal equipment operating simultaneously. 4) All of this additional equipment will place additional impacts on highway 34, which is already in a deteriorating condition as noted in elsewhere in the EIS. 5) Additionally, this would occur during the height of the Northern Nevada/general western US road construction season, possibly resulting in barriers being imported from long distances. 6) The barriers will also create a lot of new dunes that will have to be flattened and trash shifted out of.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1710	1	Mitigation-Public Health and Safety	209.0700.00	N/A	impacts to the playa surface; The "best practices" for Playa management are met through not requiring concrete barriers or dumpsters. Minimal impact on the playa surface is achieved through a continuation of the current management plan. There is significant evidence that shows placement of thousands of concrete barriers or dozens (hundreds?) of dumpsters greatly increases negative impact on playa surface.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
18	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I believe concrete barriers would be detrimental to the Burning Man event because of the environmental impact of moving them out of the playa. I imagine they weight a ton or more & would need a crane to remove from a truck & place on ground.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
27	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Plastic barriers stretching the perimeter of the event? Dont these need to be filled with water to stay put? This is such a ludicrous idea. I don't know how many miles it would beed to be but it seems like undue hardship to the people who set it up. All to solve the non existant issue of people sneaking cars in?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
37	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Several dozen trucks that otherwise would not be on those roads would be required to transport these barriers to and from the site. Add to that the damage that those trucks would do on the desert surface itself, and idea of requiring these barriers becomes even more unjustified. Once those barriers are on site, further complications would ensue - the prevailing and gusting winds will ensure dust dunes would completely encircle the city. This dune wall will be difficult if not impossible to remove at the end of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
45	1	Mitigation-Public Health and Safety	209.0700.00	N/A	My next concern is regarding Table E-2 - PHS-2 ; requiring the installation of K-Rail Fencing or Jersey Barriers in place of the existing "trash fence". This requirement seems wholly unnecessary. The general design of K-Rail and Jersey Barriers does not seem to provide any additional security in terms of keeping non-ticketed participants out or legitimate participants in. Nor does it seem it would do any better job at catching trash than the existing fencing.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
46	2	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM has failed to provide an adequate rationale for suggesting that Burning Man pay to install jersey barriers that weigh 2 tons, each, which would require countless vehicles capable of carrying the barriers on to the desert, creating perhaps the most extensive surface level changes the Black Rock Desert has ever seen. This is not accounting for the dunes that would form in every dust storm against the sides of the barriers, which would make removal even more damaging. BLM needs to respond and inform the public as to whether they have had this suggestion reviewed by a conservation scientist because it is obvious on the face of this report that no expert was consulted, or that information was not disclosed to the public. This mitigation suggestion does not comply with NEPA's requirement that BLM insure its EIS studies are conducted with scientific and professional integrity, or the requirement to reveal the source or methodologies used in determining why BLM does not believe the barriers will be harmful, if an expert was ever consulted. If BLM chooses to ignore the suggestions of an expert, there needs to be justification for that, based on scientific fact.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
81	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The overkill with respect to barrier fencing will also mean increase in heavy equipment and will impede the movement and dispersal of biota including flora and fauna.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
114	2	Mitigation-Public Health and Safety	209.0700.00	N/A	There will be enormous impact from many tons of concrete, used for only 8 days: <ul style="list-style-type: none"> <li>o Creation of all this concrete - it is well documented that concrete production takes an enormous amount of energy and resources.</li> <li>o Bringing it to the remote playa (and taking it away) will add an incredible amount of heavy truck traffic to Route 447, and require large fuel consumption and emissions.</li> <li>o Deployment - Driving all these heavy trucks on the playa will add a large amount of surface impact. And then it will happen again for removal.</li> <li>o Dust berms will build up around them - we have all observed how dust accumulates around any stationary object - on both sides. Compare this to the trash fence, which mostly allows dust to blow through while capturing most trash. Trash would probably just blow over Jersey barriers.</li> <li>o Staging will create an area of significant traffic and damage from heavy equipment. Dust berms will accumulate during the build staging, and again during removal staging.</li> </ul>	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
115	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Environmental impact can be seen on the micro and the macro level. The cost of preventing a micro impact on the local environment can be that a much larger insult is delivered to the larger environment. When the "improvement" is not needed because the existing systems are effective, the proposed change and its associated costs are even more affronting. Regarding the event perimeter - since nearly the inception of the event, an effective perimeter has been maintained with a wind-permeable, temporary barrier (i.e. "the trash fence"). This barrier is erected quickly (often within a day) by hard working, largely volunteer labor. Coupled with vigilance from the Gate/Perimeter team (enhanced with groundradar that can detect anything larger than a small animal) who can intercept possible intruders, the perimeter is secure. To bring in 9 miles of Jersey barriers would require the construction of 2700 concrete barriers. Concrete is a significant contributor to carbon emissions. It is estimated that 900 kg of carbon are released for every 1000kg of cement produced A Jersey barrier weighs 4000lbs (2400kg). Thus, the production of the number of barriers needed to encircle the event would release 5,832,000,000Kg of CO2 into the environment. This is the equivalent of 656,239,451 gallons of gasoline <a href="https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator">https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator</a> . And this is not even including the amount of fuel required to move the barriers to the site, place them, and remove them at the end of the event. This is a macro-insult to the global atmospheric environment, which is made worse by the fact that this unnecessary wall will not even prevent the micro-insult to the environment (i.e. the release of windblown trash) that the current system prevents. Despite the current fashion sensibilities of the present administration, we need no new walls at Burningman. I strongly urge you to remove this requirement from the EIS.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
118	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The security goal seems to be to prevent a mass killing from a vehicle. Unreasonable...what's to stop someone from doing the same once inside the secured area? The second goal of the barrier seems to be trash containment. The plastic fencing that has been used for years allows for the wind to pass through and is taller than the K rail, stopping more trash on those very windy days. Along with the obvious environmental concerns of transporting 10 miles of 10 ft. concrete barriers at 8,000 lbs. each, creating dunes that also need remediation, this is a bad idea that should be scrapped.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
143	2	Mitigation-Public Health and Safety	209.0700.00	N/A	If this is an Environmental Impact Statement, think of the impact that driving and placing thousands (millions?) of pounds of K-Barriers on and around the Playa surface. The heavy machinery alone would destroy the surface of the Playa. Not only that, but the K-Barriers would have no effect on trash blowing onto the Playa from the event, they would only serve to make massive dunes, which would of course make it even more expensive, difficult, and destructive to the Playa surface when it came time to remove them.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
151	1	Mitigation-Public Health and Safety	209.0700.00	N/A	[comment:584-1; 209.07]What actual public health and safety concern is purported to be addressed by the requirement to have outside, hired security at the gate? There is no reference to the health and safety concern that this measure is intended to mitigate.*What public health and safety concern, or concern about degradation to the playa is being addressed by the requirement to have the perimeter constructed of K-rails and cement barriers? There is no reference to perimeter concerns anywhere in this report.IN FACT (in reference to ES 4.1, where the perimeter fence is first mentioned) what proof does the BLM have the K-rails or cement barriers would do any better of a job containing trash and maintaining a secure perimeter? It goes to reason that K-rails and cement barriers WILL NOT contain trash in prevailing winds as effectively as the current orange netting, which makes it seem that the proposed "solution" is not about the health and safety of participants or the playa at all.[comment end]*What public health and safety concern, or concern about degradation to the playa is being addressed by the requirement to have the perimeter constructed of K-rails and cement barriers? There is no reference to perimeter concerns anywhere in this report.IN FACT (in reference to ES 4.1, where the perimeter fence is first mentioned) what proof does the BLM have the K-rails or cement barriers would do any better of a job containing trash and maintaining a secure perimeter? It goes to reason that K-rails and cement barriers WILL NOT contain trash in prevailing winds as effectively as the current orange netting, which makes it seem that the proposed "solution" is not about the health and safety of participants or the playa at all.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
152	1	Mitigation-Public Health and Safety	209.0700.00	N/A	This would create an unsafe environment as if one needed to get out or a crowd needed to exit from the event, concrete barriers will pose a risk to to appropriate exit measures and in effect would turn the venue more into a prison.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
161	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3, wherein Black Rock City will be required to institute physical perimeter barriers around the event space. This would be environmentally disastrous and is not supported by any kind of analysis for its necessity. The Burning Man event staff already has an environmentally sound visible perimeter (trash fence) that is heavily monitored 24 hours a day by event staff and in collaboration with BLM Rangers. This patrol includes night vision, sophisticated radar, and patrol intercept trucks. In addition to being unnecessary, the addition of a physical perimeter would dramatically increase the event's carbon footprint and create unprecedented environmental impacts on the playa surface itself. This is already a great (and understandable) concern to the BLM, as they have brought in NASA to study it already. The damage done by this fence would be astronomically higher than what exists now, and would cause increased fuel consumption, greenhouse atmospheric emissions, and damage to local roads. In addition to these catastrophic environmental implications once the perimeter was created, one must also consider the non-feasibility of building such a fence in the first place. 19 million pounds, transporting the materials, road damage associated with transport, excessive costs of creating the fence.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
188	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Under Mitigation PHS-3 the BLM would require the Burning Man Event to install a physical barrier around the perimeter of BRC. Burning Man already uses a fence and security team to patrol the perimeter area. A physical barrier would be unnecessary because of their sophisticated patrol units and would actually create more of an environmental problem by creating dunes against the barrier and by stopping migrating animals across said barrier. The installation and removal of such a barrier would also increase more unnecessary traffic and pollution in the area.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
202	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The mitigation of BLM's recommendation for k-rail and Jersey barriers around the barrier, where the trash fence is, has little reasoning to make this a sufficient change. The damages, of once again use of trucks for transport of heavy weight loads and the placement of large cement blocks placed on playa surface far surpasses the reasoning for this action. Please explain the benefits of adding the transport and placement of 19 million pounds rather than the already used barrier, considering the added damage and environmental impact it will cause.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
268	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. -This is a solution to a problem that does not exist. Burning Man uses radar as well as rangers and gate patrols to keep people from illegally entering the perimeter of the event. The cost of using Jersey Barriers or weighted plastic barriers would be excessive (\$3 mil) and the weight of the barriers would do damage to the playa otherwise not being done.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
288	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Proposing the placement of a wall consisting of 19 million pounds of concrete that can easily be stepped over (if someone were to get past the perimeter security team) would not only make little if any safety improvements, but would be a superb structure for harmful dunes to form that would very likely cause irreversible damage to the the desert, not to mention the sheer amount of traffic damage (to bare the weight and transport), the environmental impact of the fuel needed to transport, and the sheer infeasibility of sourcing that amount of concrete - or what might have to go into this process in the first place. What are the benefits here?? This proposal feels counter-productive and damaging to the land the BLM is supposed to be protecting! Burning Man has taken measures to ensure the perimeter fencing is beneficial, by catching trash and debris and allowing wind to pass through, and has teams to patrol the perimeter to discourage and reprimand those who might try to sneak in via those means. The potential damage of this proposed requirement is not at all sound nor in the best interest of the land or the environment.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
298	1	Mitigation-Public Health and Safety	209.0700.00	N/A	There are already systems in place to prevent unauthorized entry. This plan seems to ignore many issues that will arise, as well. For instance, the damage to the playa of installing concrete barriers for miles; the amount of heavy machinery that will be required to constantly drive back and forth across the playa, damaging the area and adding an untold and unnecessary amount of pollution to the desert air; doubling that pollution with the removal of the barriers; the amount of time that will be required to repair the playa upon their removal, etc.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
302	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Physical perimeter barriers - Mitigation PHS-3 Similarly, a lot of CO2 and road-wear and traffic will be produced from dragging tons of cement barriers. Not to mention how much energy and resources it would take to even make the barriers, assuming that they can't be sourced locally. And then those barriers that will likely create huge dunes, disrupting playa contours. The plastic "trash fence" that Burning Man currently uses makes a clear barrier to the event; crossing that barrier is already patrolled by Black Rock Rangers, BLM Rangers, and I suspect a variety of other officers.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
328	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Transporting and setting up heavy barriers on playa would consume tons of fuel, negatively impact the environment, take up countless hours of work and huge amounts of money. Unnecessary, because: I have never heard of anyone gaining unauthorized entry.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
331	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 -Jersey Barriers!! NO WAY! Their trash fence works for safety and trash! This would be a mistake! The weight and indentation on the playa could be devastating to the surface. Mitigation PHS-1 -BLM searches at the gate? It's bad enough now! Some people wait in line for 12 hours waiting to be searched. In the meantime they back up into Gerlach and make a nuisance of themselves with local residents. Urinating in our yards! We've had to close our Water Tower park because they are in there sleeping/camping!	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
337	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Firstly, I understand that the placement of 10 miles of large "K-rail" or "Jersey" type barriers along the event's perimeter is expected to cause dune formation, which would require extended use of heavy machinery to remove-a wholly avoidable disturbance. Secondly, because wind will flow over the tops of these barriers rather than through, as is the case for the long-used "trash fence", these heavy barriers will result in much more windblown garbage escaping the site perimeter into the surrounding wildlands.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
342	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 There is no evidence to support the need for jersey barriers, which will blight the land, impose a massive carbon footprint on the event, pose unquantifiable environmental risks, and burden the festival with unjustifiable and substantial financial costs. The existing trash fence, combined with Black Rock Ranger patrols and other longstanding measures have a very long track record of keeping trash in and unpaid attendees out. Without any evidence, the BLM should not ask the festival to spend \$3m to install 19,000,000 lbs of concrete barriers in a sensitive desert habitat.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
343	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Public Health and Safety, Mitigation PHS-3, Physical barriers: The EIS does not consider the adverse impacts of the proposed physical barriers to be placed around the perimeter of the event. The delivery and installation of K-Rails or concrete jersey barriers that would go around the existing perimeter/trash fence which is currently 9.2 miles would cause significant adverse impacts. The Black Rock Desert playa is prone to dust storms that can last for hours. A physical barrier border wall would be the largest structure ever constructed on the playa and would result in a many very large dunes that may span the length of the constructed wall and would be virtually impossible to mitigate. The dunes could form on both sides of the barrier and has the potential to actually bury the k-rails. The dunes could do irreparable harm, covering many acres of playa and would be an unavoidable hazard for all motorists once the barriers were removed.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
352	2	Mitigation-Public Health and Safety	209.0700.00	N/A	In addition to being unnecessary, a massive concrete or plastic barrier would a) be prohibitively expensive, b) cause excessive wear on the road leading to BRC, c) produce an inordinate amount of carbon emissions, and would require 476 man hours to simply offload the segments, and at least as much to return them after the fact. This requirement is wasteful and punitive and lacks any benefits to local, state or federal entities. By raising costs it will negatively impact attendees, and by damaging the environment, it will negatively impact everyone else. Please reconsider this unnecessary and damaging proposal.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
355	1	Mitigation-Public Health and Safety	209.0700.00	N/A	How would the playa be affected by 402 trucks carrying over 20 million pounds? My guess is that it would be heavily impacted in a negative way. Now, how about 40 million? Because what gets trucked to BRC, must also be trucked out of BRC. Imagine 402 fully loaded trucks driving on the playa, and the surface damage that would be caused. No amount of playa restoration post event will be able to remediate that kind of damage.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
358	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Building a concrete wall around the entire event. I do not see any positive conclusion to support this idea. People sneaking in to the event are simply a statistical non-issue, and the EIS provides no documentation to support the claim that this is important. BRC operates an effective program to locate and intercept any would be interlopers. Even if this were not the case, why is BLM concerned about a few more attendees? Does that change any of the metrics? In an attempt to address this non-issue BLM is recommending a staggeringly expensive, environmentally polluting, playa altering, noise and traffic generating parade of tens of thousands of trucks carrying tens of thousands of tons of concrete through exactly the communities it is claiming are in need of protection. The current trash fence delineates the event well, and actually catches much of the mobile MOOP. If implemented, the observable massively negative effects on the land and local communities will swiftly rebound to the detriment of the reputation of the BLM.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
358	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The cost and environmental burden of carrying and installing thousands of tons of heavy barriers would be tremendous, considering the many hundreds of heavy trucks having to transport them from all over the country and bringing through the small roads leading to BRC, and their installation in the Black Rock Desert soft silt.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
361	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 introduces more infrastructure and cost without a problem that needs to be solved. Access to BRC is already easy to control and adding expensive, heavy apparatus like Jersey barriers or K-rail only adds increased impact to the playa surface.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
378	2	Mitigation-Public Health and Safety	209.0700.00	N/A	formally submit this comment in response to Mitigation Measure PHS-3 proposed in Sec 3.5.1 of the Burning Man Special Recreation Permit Renewal (Drafts EIS_Vol1-2). I feel strongly that concrete or plastic physical barriers at the Event perimeter fence line will negatively impact my experience at the Burning Man Event. These heavy barriers will impact the surface of the playa, which I believe violates the BLM's mission "to sustain the health... of the public lands" as well as the "Leave No Trace" principal of the Burning Man ethos. To install and remove such a lengthy perimeter will require a large amount of heavy trucks, which will add to the already significant traffic congestion on the roads that access the Event. Furthermore, the operation these trucks will burn fossil fuels and create air pollution (including nitrous oxides and particulates, and is a significant contributor to global warming through emission of carbon dioxide) thereby affecting air quality both at the Event and in general. These negatives far outweigh any positive impact such a barrier may have on preventing unauthorized vehicular access to the Event, which is an almost nonexistent issue (a single unauthorized vehicle gained access in 2018). Surely there is a more practical mitigation measure rather than installing thousands of tons of plastic/metal/concrete barriers around the nearly 10 mile perimeter of the Event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
408	2	Mitigation-Public Health and Safety	209.0700.00	N/A	It is impossible to simultaneously preserve the roads, prevent impact to "playa contours," and mitigate dust while also placing K-rail/Jersey barriers and dumpsters as recommended.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
418	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Dunes have long been an environmental concern on playa and this mitigation would create a wall of dunes along the perimeter of the event which doesn't occur with the plastic fencing currently used. Concrete barriers also will not trap any trash that blows out to the perimeter. In order to place and then pick up these barriers along the entire perimeter large trucks will be driving back and forth on the playa increasing compaction and dust which the report claims will impact wildlife. Controlling particulate matter is mentioned throughout the EIS, so it seems like again this mitigation is increasing environmental impacts of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
420	2	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM's recommendation for K-rail and jersey barriers around Black Rock City. It appears the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
421	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Concrete barriers would be detrimental to the Burning Man event because physical geography has an impact on the mental landscape of a participant.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
421	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I am concerned about the impact of installing barriers on the playa surface. This is likely to cause build up of playa around the barriers, which would have a negative impact on the playa surface that may not be easily corrected. I am also concerned about the impact of the trucks needed to haul these barriers on the already strained roads and traffic in and around Gerlach.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
449	1	Mitigation-Public Health and Safety	209.0700.00	N/A	We do not want your fenced in prison on the playa either. It would be a waste of materials, energy and manpower and would likely result in more worker injuries from it's utilization and disassembly.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
449	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Appendix E, page E-2, the BLM asks that BRC "Implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event." The cost and negative environmental impact of establishing large, heavy physical barreirs would far outweigh any safety concerns they might alleviate.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
452	1	Mitigation-Public Health and Safety	209.0700.00	N/A	K-rail or Jersey barriers would add about 2 million pounds of CO2 emissions to the event. That would add about 2% to the total emissions for the event, or a much larger percentage of Burning Man's total within the Northwest Nevada AQCR. Along with the additional CO2 emissions would be other criteria pollutant emissions associated with the burning of diesel, dust kicked up by 396*2 vehicles driving over the playa, and emissions from cement manufacturing. As a remedy, this policy is moot and ineffective. No body is sneaking into Burning Man by driving anything across the playa. The BLM and Pershing County Sheriff's vehicles zipping around the perimeter at 100 mph would run them down, if not run them over. Preventing vehicle entry would be the only reason for using jersey barriers, etc. If a human somehow managed to sneak across the playa without getting run-over or spotted, it would be a simple matter for them to climb over the jersey-barriers as they are only a few feet high and Burners are climbers (seriously, if you build it, they will climb on it and preferably to the top of it if you let them). As a solution for preventing un-authorized entry, then, this method is completely ineffective and irrelevant.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
478	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 Leaving aside the fact that installing Jersey barriers interferes with my legally protected right as a user of public lands to enjoy the scenery, I have serious concerns about the overall effect of Jersey barriers in an environment conducive to sand dune formation such as the Black Rock playa. Jersey barriers are currently installed along the Great Highway in San Francisco due to a partial collapse of a parking lot. The Jersey barriers on both sides have a buildup of sand high enough to completely obscure the barrier. It is extremely easy for me to imagine a BLM vehicle driving at high speed, not seeing the Jersey barrier, driving over it, and causing a catastrophic accident. Moreover, Jersey barriers do not catch trash blowing in the wind the way the current trash fence does, and the installation of Jersey barriers will likely lead to more litter throughout the playa. It would accomplish the same goal to simply increase the frequency of metal posts along the existing trash fence. This would not disrupt the functional utility of the trash fence, would not block views of the surrounding playa, and would provide the exact same level of disincentive to drive at a high speed against the trash fence.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
479	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I believe that the addition of concrete or plastic barriers at the fence line would greatly negatively impact my experience at the Burning Man event. It's an open even in the great outdoors, and barriers would change the nature and feel of the event	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
485	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The suggestion of K-Rail fencing or "Jersey" barriers on the borders of the event to keep unlawful vehicles from entering has substantially more probable negative effects than positive. At present at the festival, law enforcement can see many, many miles in any direction and any unlawful vehicle attempting to enter the festival from non-access points is easily spotted from miles away with more than adequate time to react. There is no danger there. The transportation and installation of such barriers would incur incredible financial and labor costs. The surface conditions of the "playa" make it likely that removal of the barriers would prove difficult as heavy, more permanent fabrications tend to sink into the playa. A sunken barrier may also get covered in a "dust" dune, making it a significant hidden danger to vehicles and law enforcement officers, who patrol the outer barrier, often at high-speed. A jersey barrier would also not stop any blown trash, for which the cheap, plastic hurricane fence serves that purpose quite well.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
485	3	Mitigation-Public Health and Safety	209.0700.00	N/A	1) First determine what is the perceived need that is beyond what the existing trash fence system does not fulfill. 2) If the concern is about illegal participants entering. Patrols using night vision tools could be increased from the levels that are already in place. 3) Another alternative would be an interlocking plastic fence barrier. Start in area prone to problems and extend from there. 4) BLM may have to consider a longer closure time to ensure sufficient time for a more robust fencing system to be put in place.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
489	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The actual creation of such barriers/fencing is exorbitantly expensive. The transportation of these assets to and from the desert would be destructive to the local communities and environmentally wasteful. What would be accomplished if this were actually feasible? Already the area is monitored by radar and any approach is identified with ample time for intervention. The desert itself is already a pretty excellent deterrent to unauthorized entry, but the patrol teams overwhelmingly succeed at keeping unauthorized persons out (and keeping authorized persons in).	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
490	2	Mitigation-Public Health and Safety	209.0700.00	N/A	2. Considering that an EIS ought to reduce impact on the environment, how would the delivery and installation of 10 miles of concrete barriers - which would require significant amounts of fossil fuels, labor, and heavy machinery on the playa - reduce the impact of Burning Man on the environment? 3. Considering that an EIS ought to reduce impact on the environment, how would the installation of 10 miles of concrete barriers - that would create dunes of dust that would then need heavy equipment to mitigate the dunes - reduce the impact of Burning Man on the environment? 4. Considering that an EIS ought to reduce impact on the environment - and considering that Burning Man already places a trash fence around Black Rock City which has worked perfectly well to prevent trash from blowing into Black Rock Desert - how would the delivery and installation of 10 miles of concrete barriers reduce the impact of Burning Man on the environment? 5. Considering that an EIS ought to reduce impact on the environment, and that the Jersey barriers are recommended as means of preventing people from sneaking into Black Rock City, and that Burning Man already has a sophisticated and effective method of preventing people from entering Black Rock City along the trash fence, how would the delivery and installation of 10 miles of concrete barriers reduce the impact of Burning Man on the environment? 6. Considering that Burning Man already has a sophisticated and effective method of preventing people from entering Black Rock City along the trash fence, how would the delivery and installation of 10 miles of concrete barriers be an economically feasible method of preventing people from sneaking into Black Rock City? 7. Considering that Burning Man already has a sophisticated and effective method of preventing people from entering Black Rock City along the trash fence, and that there has never been a life threatening, near life threatening, or other serious problem regarding the parameter of Black Rock City and people sneaking in, how is the mandate of the delivery and installation of 10 miles of concrete barriers not creating a solution to a problem that does not exist? 8. Considering that the logistics, costs of the creation of barriers, delivery, and installation of 10 miles of concrete barriers is estimated by Burning Man at \$3M, did the authors of the EIS investigate this mitigation before what appears to be haphazardly or possibly vindictively including this mitigation in the EIS?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
491	2	Mitigation-Public Health and Safety	209.0700.00	N/A	From an environmental perspective, Jersey barriers would require over 400 semi trucks worth of concrete, which is an extremely high amount of increased fuel usage, road usage, and higher chances of litter/trash due to these fences allowing updrafts of wind that would allow trash to blow over the barriers.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
496	1	Mitigation-Public Health and Safety	209.0700.00	N/A	For example, please clarify how Mitigation PHS-3 will not cause excessive damage to the playa surface both by the act of placing the heavy barriers and transporting them. The heavy winds would pile up dust against them, which is also a problem. In all the events I've attended, only once did I see what appeared to be a private car driving across the open playa. It was immediately stopped by law enforcement. That was years ago. The Burning Man organization relies on ticket sales to fund the event so it's always been in their interest to make sure people don't just drive in. Do you have statistics stating how many times someone has successfully entered by driving through the trash fence?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
497	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Aside from the impracticality of this kind of assessment, how many Nevada-licensed structural engineers do the authors of the EIS think will be available to travel to Black Rock City to perform such inspections across the entire city in a timely manner? What will be the environmental impact of their travel, support, and housing? Considering that the average single inspection of a commercial or residential structure in any other city would be in the neighborhood of \$6,000-\$10,000, it is not improbable that this endeavor, however unlikely to be possible, could cost upwards of \$3,000,000. Is that a reasonable price tag to inspect works of art? In what manner might that improve environmental impact?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
497	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposal to require many miles of Jersey Barriers would negatively impact the playa in ways the current and effective trash fence do not. Jersey barriers weigh many hundreds of pounds each, and require heavy equipment to transport, install, and remove, which would negatively impact the playa ecosystem by compacting soil, scraping the surface, and generating dust. If they use water filled barriers, I cannot imagine that the water will be pumped out and removed from the playa, but will be dumped by the contractors, in violation of the permit and best practices as employed by Burning Man attendees.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
505	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding PHS-2 and PHS-3: implementation of these mitigations would create a significantly larger environmental impact than the current solution, with no demonstrable benefit to event security. The greenhouse gas emissions and playa surface impact of such a fence would greatly increase the carbon footprint of the event and the dunes created would become another remediation project for the Burning Man Project (hereinafter BMP) and Bureau of Land Management (hereinafter BLM) to handle. The current fence solution serves to filter trash out of the wind, while the proposed mitigation would allow it to be blown over and out into open playa, where recovery is extremely unlikely. The current logistical approach to monitoring of the boundary of the closure area is remarkably efficient, and has had the consistent support and collaboration of the BLM. These mitigations show a clear lack of understanding of the full logistical spectrum of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
515	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 & E-2/PHS-2 The use of concrete barrier(s) should be deleted as a concept. 1)-The current technology used to create a zone of security around the event is more than adequate to achieve security needs. It has empirically proven to be effective. The intense environmental impact of the concrete barrier concept is unacceptable in the NCA. (Soil compaction, playa dune creation, fuel usage, road impact), are just a few of the negative environmental impacts. The impact is contrary to the intent of NEPA. PHS-4 The requirement for inspection by "Nevada-certified building inspectors" is not a possible concept. There is no such certification. Building inspectors are certified by nationally recognized organizations. The current BRC staff practice of structure inspection appears to be adequate. Education of the staff to ask for a second opinion if the staff individual feels the inspection is beyond their qualifications should be adequate. The key wording is inspected by a qualified individual. No third party building inspector has the liability insurance to perform the spontaneous site built design inspections that are common on the playa.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
518	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Not only will the temporary placement and removal of K-rail fencing and Jersey barriers burn massive amount of fuel to install and remove but also will, by natural wind driven movement of playa dirt, build massive dunes up to the height of their installation. Tracks impression from heavy machinery to move and remove these barriers and dunes will do massive damage to playa subsurface for miles all along the barrier installation.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
518	7	Mitigation-Public Health and Safety	209.0700.00	N/A	The DEIS presents little to no analysis of the impacts of BLM's proposed mitigation of installing hard barriers around the perimeter of the event. We agree with criticism that the non-pervious barriers would likely induce dune formation on both sides of the barriers; this will cause an unacceptable environmental impact which would be costly to mitigate without doing even more damage to soils and playa integrity. Please analyze the environmental impacts in the final EIS of this proposed mitigation if it is retained.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
526	3	Mitigation-Public Health and Safety	209.0700.00	N/A	It seems a nice alternative would be a barrier made out of a material which is strong, inexpensive and environmentally friendly, as I understand this proposal is attempting to address having better security for the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
530	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I am likewise disturbed by the requirement for hard barriers surrounding the event. This is a significant infrastructure cost that will also further tear up the playa both from the barriers themselves as well as the equipment for moving them. And for what benefit? I was under the impression that Gate and Perimeter staff are quite capable in their work, do we have evidence of any significant number of people breaching perimeter that a hard barrier would help?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
532	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The current system of plastic fencing allows the collection of trash that inadvertently escapes participants where a different system would not. I have personally collected trash from the "trash fence" to pack it out with my camp waste, such trash would simply blow over a jersey barrier or through a K-rail fence. The placement of such heavy and bulky items would have a significant impact on the fragile desert environment. All perimeter fencing is put up in one day by the setup team. This would not be possible with a more robust physical barrier system. The impact to the surrounding towns and wear and tear of 447 for all the trucks and equipment needed to transport and place such items would also be significant.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
547	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 - Since this is an "Environmental" impact study, I am boggled at how ten miles of concrete and plastic moved into the desert could be considered good for the environment. It will take hundreds of truckloads and all the fuel burned associated with them and it will leave a physical footprint in the form of dunes that build up and bury trash. This idea is harmful to the environment and can only be reasonably seen as an attempt to harm the Burning Man event, the BLM, and the State of Nevada.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
566	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 There is no evidence to support the need for jersey barriers, which will blight the land, impose a massive carbon footprint on the event, pose unquantifiable environmental risks, and burden the festival with unjustifiable and substantial financial costs. The existing trash fence, combined with Black Rock Ranger patrols and other longstanding measures have a very long track record of keeping trash in and unpaid attendees out.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
570	1	Mitigation-Public Health and Safety	209.0700.00	N/A	On the proposal to place K barriers around the event, this simply seems like a waste of resources. The perimeter is already marked, and the placement of concrete barriers will not inhibit people from crossing over it in the slightest, and would seem to do very little to catch anything which the current barrier does not. In addition, it would seem that the action of the wind and dust against a solid surface would create a build up of material against these barriers, which would then have to be flattened. Adding up the costs (both financial and in carbon) of trucking in, placing, and removing the barriers, as well as fueling and transporting whatever equipment would be needed to smooth the grade would seem to be a significant cost, for very questionable results.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
571	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Jersey barriers are an extremely invasive way to offer us protection, their environmental impact is considerable, from the playa disturbance (creation of dunes) to the damages to the playa surface due to numerous trucks going back and forth bringing the barriers to the site, the forklifts unloading and placing those barriers, to the actual impact of building these barriers, transporting and storing this large amount of barriers (9 mile long). The BMO is monitoring by radar, night vision and is patrolling the perimeter to protect the site, the event and it's participant, more than successfully.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
572	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3: This proposal is utterly absurd and will have the exact opposite effect of it's intended purpose. First, the amount of heavy equipment required to deploy the barriers will in themselves cause a massive impact. Secondly, the current orange trash fence is higher than the proposed barriers and is perfectly effective at containing any excess materials from the event. BLM has provided absolutely no data regarding how much materials are not contained by the orange fence, therefore, can not justify such a drastic measure given the lack of supporting data. Thirdly, the installations of the proposed barriers would create a dramatic increase in carbon emissions from the event. Fourth, the hard barriers would significantly increase the environmental impact of the event by creating massive dunes and not allowing the playa to do what it does naturally with the wind all year, which is pass to over the playa surface uninterrupted.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
578	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3: This proposal is utterly absurd and will have the exact opposite effect of it's intended purpose. First, the amount of heavy equipment required to deploy the barriers will in themselves cause a massive impact. Secondly, the current orange trash fence is higher than the proposed barriers and is perfectly effective at containing any excess materials from the event. BLM has provided absolutely no data regarding how much materials are not contained by the orange fence, therefore, can not justify such a drastic measure given the lack of supporting data. Thirdly, the installations of the proposed barriers would create a dramatic increase in carbon emissions from the event. Fourth, the hard barriers would significantly increase the environmental impact of the event by creating massive dunes and not allowing the playa to do what it does naturally with the wind all year, which is pass to over the playa surface uninterrupted.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
582	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigatin PHS-3 The weight of trucks carrying Jersey Barriers will have a measurable impact on the playa 1. How many trucks are needed for over 9 miles of Jersey Barriers. 2. Where will these Jersey Barriers be sourced. Indications are there are not that many available this side of the Mississippi and they would have to be manufactured. 3. Jersey Barriers will cause significant wind caused dunes 4. Unlike the Trash Fence, Jersey Barriers WILL NOT CATCH trash 5. They will leave an imprint surround Black Rock City	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
634	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Black Rock City's Playa Restoration Team already takes it seriously to tirelessly flatten out any dunes left after the event, which takes a heck of a lot of blood, sweat and tears. It is incredibly time consuming, and would be made even worse by the dunes that would be created by the inclusion of jersey barriers around the event. Talk about shooting yourself in the foot here. This could take weeks or months to flatten out after the removal of the barriers. This could also require machinery to finish in a timely manner and for the health and wellbeing of the team, which again would increase the carbon footprint of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
676	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Another serious concern I hold with the Draft EIS is BLM's recommendation of adding nearly 10 miles of K-rail or Jersey barriers installed around the Black Rock City perimeter fence. It appears the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter. This requirement would create a far greater environmental impact from the event, and is not based in evidence, nor in effort to reduce the environmental impact of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
678	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 requiring a physical barrier would cause dramatic degradation to the playa surface from the mere act of installation. The heavy machinery required to transport and construct such a barrier would severely damage the playa surface, releasing more dust as well as the emissions of the vehicles themselves.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
688	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Any type of more impervious structure would not allow that passage and the large dunes created would more negatively impact the playa itself. Any correction of the resulting dunes would again require large machinery, thereby further injuring this natural space we are seeking to protect.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
721	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The current levels of security at the fence, though not perfect, I believe to be adequate. K-Rail barriers would be simpler to climb over than the fencing. The truck and crane traffic to deliver/install and then remove would only worsen the air quality. The installation/removal disruption to the Playa surface would be increased manifold.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
721	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The design which includes a plastic netting buried a couple of inches down into the playa works. It catches any things like waste paper large enough to blow in the wind. It's lets dust, a normal part of the playa environment through, I have seen it's successful employment during many years of this event. The group rejected concrete barriers like those proposed in your EIS for reasons that include, the wind which can't get through the barrier takes blowing trash up and over the barrier. Then natural elements like dust piles up in a dune or playa serpant just on the other side of the barrier leaving a natural hazard along the fence. Further the current fence is patrolled 24/7 by Burningman groups such as Gate and Perimeter, Rangers and your BLM Police. During the years I was involved in this aspect of the event I did not hear of a single instance of someone raming a vehicle through the fence. So having a concrete barrier is unneeded and counterproductive.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
817	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3: The placing of 'jersey barriers' is not environmental good practice. The heavy loads of transporting these concrete barriers will do substantial harm to our roads.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
947	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Jersey Barrier Installation for 10 miles. the installation of the Jersey Barriers and the additional infrastructure which would be required to support the additional staffing to ensure compliance with the BLM permit approval contingencies. Referencing Wikipedia: <a href="https://en.wikipedia.org/wiki/Jersey_barrier">https://en.wikipedia.org/wiki/Jersey_barrier</a> , each 10' concrete Jersey Barrier is 4,000 lbs. A 12' Jersey Barrier weighs 5,500 lbs. Plastic, water-filled Jersey Barriers are 1,500 - 2000 lbs. Each mile is 5,280 feet, 10 miles would require 528 10' Jersey Barriers or 440 12' Jersey Barriers. 528 concrete 10' Jersey Barriers would weigh 2.112M lbs or 1,056T. 440 concrete 12' Jersey Barriers would weigh 2.42M lbs or 1,210T. Assuming the legal weight an 18 wheeler can haul is 80,000 lbs or 40T, you are estimating approximately 27-31 18 wheelers to carry the Jersey Barriers on low travel SR 447 and CR 34. The damage from these vehicles fully loaded far exceeds the containers which have been transported and stored in the Burning Man Ranch ~20 miles away from the Black Rock Desert event entrance.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
993	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I feel that the animal and wildlife noted in the Draft EIS would also be impacted by a construction barrier in the middle of a sensitive desert habitat. Between the wind creating dunes against the barrier and the need of heavy machinery to create and maintain the barrier, the measure would go against the Draft EIS's own recommendation on preventing further environmental impact. The increased fuel, greenhouse emissions, damage and traffic to local roads, etc. would negatively affect the environment of northern Nevada.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
996	1	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM's barrier mitigation would dramatically increase the Burning Man event's carbon footprint, a paradoxical recommendation for an Environmental Impact Statement. The added irony is that this "solution" would create unprecedented environmental impacts on the playa surface itself, a concern so great that BLM brought in NASA to study it. The barrier would create a massive, 10-mile-long set of dunes that would eclipse by huge margins any past dunes and need to be remediated with heavy machinery, which should not be a recommendation in an EIS. The impact to the playa surface created by 1,900 separate 10-ton loads being driven over repeatedly would create a new restoration project for both Burning Man Project and BLM to mitigate. Increased fuel consumption, greenhouse atmospheric emissions, and damage to local roads leading into the event are all results that will negatively affect the environment of Northern Nevada.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1022	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding Mitigation PHS-3 if BRC, what data exists about the number of people who have illegally entered Black Rock City? How would the cost of implementing Jersey barriers and K-rail fence compare the current protections in place that reduce the risk of unauthorized entry to the event? There is a lack of data to support the need for this mitigation. In addition, the placement of concrete barriers would be detrimental to the Burning Man event because the additional trucks and fuel needed to place the concrete barriers would have an unhealthy impact on the traffic, emissions, and air quality. The current trash fence is put up by hand, by volunteers, which requires no burning of fossil fuels.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1197	3	Mitigation-Public Health and Safety	209.0700.00	N/A	. Augmenting the fence with stronger barriers and/or NJ concrete walls appears to address a non-existent problem. We've never heard of anyone breaching the "trash fence", especially to an extent of requiring monstrously-expensive investments.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1197	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The BLM's suggestion to use Jersey Barriers, or concrete highway barriers, will increase the impact on the playa's surface (concrete barriers are heavy), increase the cost of running the event, and obscure the natural beauty of the public lands the BLM is tasked with protecting for the public's enjoyment. Concrete barriers will also fail to function better than the existing system. As a border, Jersey barriers are not tall enough to prevent people from leaving the event. In fact, they may be easier to climb over because they are solid objects instead of flexible plastic. Concrete barriers would also allow much more trash to escape the event area than already does. Because air cannot pass through concrete, wind is funneled quickly over the surface of the concrete and out into open playa, carrying any trash with it. The existing Trash Fence is permeable to air but not to solid objects and, much like a spider's web, traps trash in its structure. Switching the Trash Fence to concrete barriers needlessly increases the cost of the event while performing worse than the existing barrier at keeping people in and preventing the spread of trash.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1221	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Finally, the Public Health and Safety report suggests that this physical boundary will prevent unauthorized vehicles from entering. However, if successful, the physical boundary could similarly prevent participants from evacuating in the case of a mass causality. In the event of a plane crash or attack, participants would expect to be able to evacuate in any safe direction. A physical concrete barrier would contain evacuees and constrain many from exiting except at official exit corridors.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1291	1	Mitigation-Public Health and Safety	209.0700.00	N/A	This is a very significant imposition by BLM and I am unable to find any rationale for its need, within the DEIS. What is the specific problem for which this is the appropriate remedy? It can't be to prevent people on foot or bicycles from unauthorized entry. A K-rail won't deter that. Is there evidence that unauthorized motor vehicle entry has been a problem? If there has not previously been a substantial demonstrated problem with unauthorized entry using motor vehicles then this is an abuse of discretion by BLM. It's a very burdensome requirement which is only appropriate if there is a proportionately high risk of unauthorized motor vehicle entry.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1313	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 I spend a majority of my time in deep playa by the trash fence. I attend this event for the art, and the best pieces are located deep in the playa. I have never seen anyone, vehicle or person, on the other side of the trash fence, with exception to patrol vehicles. The existing trash fence and the Black Rock Ranger patrols have a great track record of keeping trash in and keeping unauthorized people out. There is no evidence to support jersey barriers. The barriers would damage the land, add a massive carbon footprint, pose environmental risks, and burden Burning Man with a substantial financial cost.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1357	3	Mitigation-Public Health and Safety	209.0700.00	N/A	In the EIS, you suggest that "Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing, would reduce the risk of vehicle entry through perimeter fencing (BLM 2018b)." This measure references BLM 2018b which is Public Health and Safety at the Burning Man Event, however the only version of that report available for review with the EIS documentation is a 2019 document, not 2018. BLM should provide the cited document for review. The 2019 version of the Public Health and Safety at the Burning Man Event document cites a single instance of a car driving through the current perimeter fencing, which is composed of snowfence on steel posts.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1376	6	Mitigation-Public Health and Safety	209.0700.00	N/A	In the EIS, you suggest that "Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing, would reduce the risk of vehicle entry through perimeter fencing (BLM 2018b)." This measure references BLM 2018b which is Public Health and Safety at the Burning Man Event, however the only version of that report available for review with the EIS documentation is a 2019 document, not 2018. BLM should provide the cited document for review. The 2019 version of the Public Health and Safety at the Burning Man Event document cites a single instance of a car driving through the current perimeter fencing, which is composed of snowfence on steel posts.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1379	5	Mitigation-Public Health and Safety	209.0700.00	N/A	K-rail typically refers to the concrete barriers used on highways to block off shoulders or closed lanes. Jersey barriers may refer to the same concrete version, or sometimes a plastic version. The BLM does not clarify which system is being required, nor does it discuss why simple improvements to fencing was not included as an option. The only risk the BLM indicates the k-rail is meant to prevent is the unlikely potential malicious entry of a vehicle determined to implement a terrorist attack at the event. For this, they want to ring the event with concrete barriers, but at what cost to the playa and what potential danger to the event participants? The k-rail barrier seems to go against two other impacts/risks discussed by the BLM.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1424	5	Mitigation-Public Health and Safety	209.0700.00	N/A	In the EIS, the BLM discusses the Soil impact of increased surface disturbances that would "increase the potential for wind erosion, playa deformation, and mound formation." The K-rails are a significant and seemingly un-necessary increase in the disturbance of soils. Nowhere in this document is there a discussion about the significant number of trucks that would be required to bring these barriers, especially the concrete type, onto the playa. Each increase in the mass of the physical barrier means significantly more trucks needed to bring it on and off the playa as well as more and heavier equipment to move it. The actual need for the k-rails is completely unsupported by any evidence presented in the EIS, the only reference I could find for why it is proposed is in a 2019 document called Public Health and Safety at the Burning Man Event, which does not match the reference given in the EIS.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1448	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Comment Regarding Mitigation PHS-3: Jersey barriers/K Rail will destroy the playa. From an environmental standpoint, this is a flawed measure. From the additional wear on the playa and roads leading to the playa from the trucks bringing these materials across and onto the playa, the ruts and dunes they would create while they are in place, and the additional wear during their removal, as well as the environmental impact of the trucks and traffic making the deliveries	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1476	2	Mitigation-Public Health and Safety	209.0700.00	N/A	My next concern is regarding Table E-2 - PHS-2 ; requiring the installation of K-Rail Fencing or Jersey Barriers in place of the existing "trash fence". This requirement seems wholly unnecessary. The general design of K-Rail and Jersey Barriers does not seem to provide any additional security in terms of keeping non-ticketed participants out or legitimate participants in. Nor does it seem it would do any better job at catching trash than the existing fencing. The only change it appears to add is significant cost and labor, with zero benefit.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1520	2	Mitigation-Public Health and Safety	209.0700.00	N/A	This proposed mitigation would create huge negative environmental impacts, and they would likely have little benefit for the stated goal of reducing unauthorized entry. Burning Man's existing strategy of surrounding the event area with a nine-mile brightly colored trash fence already serves to contain debris and provide a clear boundary around the space.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1533	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Jersey barriers or K-rail fencing would be an unnecessary eyesore and expense that adds no additional value.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1545	1	Mitigation-Public Health and Safety	209.0700.00	N/A	a concrete structure around the event will only redirect wind and dust will pile up in places it's not supposed to be.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1549	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding PHS-3, which proposes erecting a large perimeter wall around the event, which I believe would be unnecessary and environmentally detrimental: The proposed perimeter wall would require over 5000 two-ton concrete barriers to be assembled into a 10-mile wall. The carbon footprint alone of such an installation is significant; but more-so, installation would increase traffic and dust around the event substantially, which is in opposition to mitigation number AQ-1. The wall is intended to serve two purposes: First is debris retainment, which is currently accomplished using temporary plastic fencing. To my knowledge, these fences do not perform substantially worse than a concrete barrier, and are easier and cheaper to deploy and clean up. Second is to prevent unauthorized entry into the event — however the event organization already perform patrol operations along the perimeter, and the barren, inhospitable landscape, along with the supplies required to sustain oneself for a week, already keep the number of unauthorized entries to a very low minimum. I do not believe an additional barrier would reduce these already low numbers further. Finally, installing these barriers would significantly harm one of the key ways in which event attendees experience public land: Nearly every attendee finds themselves at the perimeter fence at least once during the week, staring out in awe over the untouched expanse of the desert, and erecting a barrier wall would disconnect people from the public land in which they are temporarily residing.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1550	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Physical barriers -- The current "trash fence" catches debris whereas your proposed new type of barriers would not. Your new barriers will also result in wasted materials, carbon emissions to transport the barriers, and other expenditures that will ultimately not benefit the environment. The purpose of the Jersey barriers such as the ones you've proposed is traffic containment and limiting damage from traffic collisions, none of which is an issue at Burning Man.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1571	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The addition of Jersey barriers or other hardened barriers would cause great harm. Transporting the barriers would increase the damage to the playa from heavy vehicles, and it would not eliminate the need for perimeter patrols. It would be a heavy handed effort and extreme expense to mitigate against a very narrow and rare occurrence (i.e., unauthorized entry).	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1571	8	Mitigation-Public Health and Safety	209.0700.00	N/A	E.I PHS-3 states: "BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction." This mitigation makes no sense. The perimeters of the event are already well-patrolled and adding a costly mechanism that can just be climbed over is a huge waste of time and resources.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1580	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Erect Jersey barriers or k-rail barriers around the event. These will hurt the environment more and are unnecessary to protect attendees or the environment, the current trash fence has been more than adequate.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
347	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3: Adding Jersey barriers would do nothing to deter unauthorized entry (which is a non-problem that this EIS is trying to solve) as people could, you know, hop over them. I really am not sure what this proposal is trying to achieve besides increasing costs for Burning Man without accomplishing much of anything. It's not like people are driving through the barriers today; a Jersey barrier is meant to stop cars, not humans on foot.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1432	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Jersey barriers are a horrible idea. They would do damage to the land itself, and they're aimed at solving a minor problem. Jersey barriers are astoundingly easy to jump over. The current trash fence is harder to get over, and they do more to collect trash that has blown away.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1559	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Terrorism has never been an issue at the event, and the allegory being drawn here to the Las Vegas shooting is a weak one, not convincing enough to justify another 10-25 million dollars in extra costs to the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
596	2	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM's barrier mitigation would dramatically increase the Burning Man event's carbon footprint, a paradoxical recommendation for an Environmental Impact Statement. The added irony is that this "solution" would create unprecedented environmental impacts on the playa surface itself, a concern so great that BLM brought in NASA to study it. The barrier would create a massive, 10-mile-long set of dunes that would eclipse by huge margins any past dunes and need to be remediated with heavy machinery, which should not be a recommendation in an EIS. The impact to the playa surface created by 1,900 separate 10-ton loads being driven over repeatedly would create a new restoration project for both Burning Man Project and BLM to mitigate. Increased fuel consumption, greenhouse atmospheric emissions, and damage to local roads leading into the event are all results that will negatively affect the environment of Northern Nevada.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1715	3	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM's barrier mitigation would dramatically increase the Burning Man event's carbon footprint, a paradoxical recommendation for an Environmental Impact Statement. The added irony is that this "solution" would create unprecedented environmental impacts on the playa surface itself, a concern so great that BLM brought in NASA to study it. The barrier would create a massive, 10-mile-long set of dunes that would eclipse by huge margins any past dunes and need to be remediated with heavy machinery, which should not be a recommendation in an EIS. The impact to the playa surface created by 1,900 separate 10-ton loads being driven over repeatedly would create a new restoration project for both Burning Man Project and BLM to mitigate. Increased fuel consumption, greenhouse atmospheric emissions, and damage to local roads leading into the event are all results that will negatively affect the environment of Northern Nevada.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
2009	1	Mitigation-Public Health and Safety	209.0700.00	N/A	It appears the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter. This seems counterproductive, and it's not needed based on Burning Man's stellar LNT track record.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2009	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation SOIL-3 This mitigation requirement is totally reasonable, but it is necessary to mention that if Mitigation PHS-3 is actually enforced, the K-Rail/Jersey Barriers will create sand dunes that may be nearly impossible to clean up.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
2009	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Having participated in the event several times over the last 10 years, I am also curious what role the Jersey barriers called for in PHS-3 would serve. Access by vehicle to the event is already easily controlled by radar, night vision goggles, intercept vehicles, and other related measures. Jersey barriers are not a deterrent to access by a person on foot or on a bicycle. What is the benefit of replacing the currently used trash fence with Jersey barriers? If there is a benefit, how does it compare the expense and intense impact to the Playa surface, roadways, and environment from moving millions of pounds of concrete on and off the playa?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
365	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 calls for a concrete barrier. Installing this barrier has environmental impacts from additional truck traffic and playa disturbance, but without a clear environmental benefit.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
2004	5	Mitigation-Public Health and Safety	209.0700.00	N/A	First, the finding does not account for existing infrastructure and efforts by the Project to install a 9-mile orange fence to create a visual safety perimeter, prevent unauthorized entry, and catch any trash blowing into or out of the event perimeter. The finding also ignores the internal event staff 24-hour perimeter monitoring using radar, night vision, and patrol vehicles. Second, has the BLM conducted an assessment of the environmental impact of the proposed mitigation action? Independent analysis by NASA has shown that installing concrete physical barriers as the BLM suggests would irreparably damage the playa by creation of sand dunes. In addition, the impact created by BLM to have installation and removal of 1,900 10-ton loads onto the playa for installation would damage soil and negatively impact air quality, as well as deteriorate local roads, and increase carbon emissions. Third, the mitigation action would place an estimated \$3-million in undue burden costs on the Project, and would take four years and four months to even assemble (if a contracted plant ran 7 days a week for that period)--an capricious and arbitrary imposition by the BLM.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
2003	1	Mitigation-Public Health and Safety	209.0700.00	N/A	How does suggesting miles of Jersey Barriers weighing thousands of tons being trucked in on the county roads, and then complaining about the wear on the roads make any sense? Use technology like radar and night vision to solve the issue of people going through the trash fence, instead of non-sensible suggestions.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
744	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Jersey barriers and K-rail fencing pose little extra difficulty to scale than the existing trash fence. The cost to benefit ratio is non-existent here. If unauthorized entry to the event is a major concern to the BLM, alternative proposal should be disliked like BRC increasing patrols around the perimeter of the trash fence.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1752	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The extra fence would simply be added cost and added burden on the playa.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1079	6	Mitigation-Public Health and Safety	209.0700.00	N/A	I feel strongly that concrete or plastic barriers at the fence line would impact our experience at the Burning Man event. This is a significant resourcing to rental/hire, transport, set up, pack up and return such barriers. Not to mention the significant cost to for this resource which would increase ticket costs unnecessarily.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
243	6	Mitigation-Public Health and Safety	209.0700.00	N/A	The current fences and perimeter are more than adequate to prevent unauthorized intrusion. Heavier fencing would only drive up the expense and increase the environmental impact of the barrier.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1592	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Is the current patrol of the event perimeter not effective? How would jersey barriers or k-rail fencing reduce unauthorized entry? Has this been shown to be effective at reducing unauthorized entry at other events?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
924	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Jersey barriers will only serve to worsen environmental impact, worsen “playa contours”, and have no real evidence to support their requirement.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1084	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I can imagine that crashing into a Jersey barrier would create significant injury at a point far away from medical care. If the participant was unfortunate enough to crash into the Jersey barrier with a mutant vehicle or bicycle, it is likely to cause significant damage. Jersey barriers were designed to separate traffic running parallel to the barrier; not collide with them perpendicular. Hitting a jersey barrier would be like hitting a wall only the bicycle rider is likely to end up being thrown over, or into, the handlebars. Jersey barriers were not designed to be perimeter security for a temporary event. They are heavy and difficult to move and situate. The installation and removal of these items will create significant damage to areas just inside and outside the event space just by the heavy equipment moving over the surface. The current orange fence system can be removed even if early season rains are predicted whereas the Jersey-barriers removal will be impeded should rains come before scheduled removal. This mitigation recommendation offers no solution as to where these barriers will be stored, a prospect that will further take up land in the off-season.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
260	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed Jersey barriers would create these results: a. increased trash containment b. increased sediment buildup in and around barriers, creating larger dune-style structures c. create hazardous obstruction on one or both sides of the barrier, if current orange fencing is used on one, both, or no sides. In addition, sediment build-up would obscure any visible barrier that may have been placed. d. wind action and the physics of sediment transport across playa or beach surfaces indicate that the wind-barrier created by the solid Jersey barriers would actually result in the saltation of trash debris over the barriers, especially in high winds and after the accumulation of sediments on the inside the barriers. Proposed K-rail fencing would create these results: a. decreased trash containment – k-rail fences have a large gap at the base of the fence b. potential for wind-related transport or displacement of fence segments c. create hazardous, low visibility barrier unless used in conjunction with other large, high-vis marker such as the trash fencing already in use. It is important to note that regarding health and safety, the trash fence acts as a visual reminder of distance from the city or a participant’s camp and vital supplies such as water and food. Removing this visual landmark would be far more hazardous than the current fencing currently poses.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1085	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Is the BLM really serious about dropping 9,500 tons of concrete K-rails on the Playa? Plus, the additional tractor trailer weight to place and remove those K-rails? Many of the mitigation measures BLM has proposed require scientific and financial studies to be performed to determine the short-term and long-term impacts.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1798	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The Draft EIS does not appear to adequately consider the environmental impacts of heavy-duty plastic and concrete barriers around the perimeter of the event. The necessary equipment to transport and secure these barriers would cause significant erosion to the playa surface. And much like a breakwater exacerbates shoreline erosion, the barriers may create unexpected effects during the frequent dust storms the location experiences. Erosion behind the barriers, dunes in front of them, and so forth. These are not passive obstacles in a static environment, their effect must be modeled within a realistic system.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
910	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 Jersey Barriers or K Rail Fencing (vol 1 page 3-31, vol 2 page e-2): This proposal represents a substantial burden that would be deleterious to the event and would result in increased environmental impact. The EIS proposes placing 10 miles of Jersey Barrier around the city. This is a quantity that does not exist in Northern Nevada and would take approximately 52 months to fabricate at a cost of about \$3,000,000.00. As far as an environmental impact this suggestion has not taken into account the tremendous effort that must be taken to transport these barriers, offload them, set them up, remove, onload and transport and store. Set up and removal would take approximately 1000 man hours of dedicated work. Aside from this there is the risk of debris generated by the barriers in their transport and manipulation. Finally these non porous and rigid barriers would create dunes around them. The BLM has tasked BRC with removing dunes created by the event. These structures being left in place for approximately 70 days would create a substantial burden on the event organizers and volunteers for minimal protection. The Draft EIS does not address the costs of these barriers vs. the benefits, is completely unsupported by the Draft EIS analysis and its very implementation would decimate the net positive of any other action taken to reduce the environmental impact of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1542	2	Mitigation-Public Health and Safety	209.0700.00	N/A	By my calculations: 9 mile perimeter 47,520 feet perimeter each piece of jersey barrier is 10 feet 4,752 jersey barriers to be delivered, placed by crane, and removed each piece weighs 4,000 pounds that's 19,008,000 pounds of concrete (Source of data on jersey barrier dimensions and weight: <a href="https://48barriers.com/products/10-jersey-barrier/">https://48barriers.com/products/10-jersey-barrier/</a> ) The existing plastic trash fence, which is reusable and installed mostly by hand by volunteer labor, is effective and has a tiny carbon footprint. The event perimeter is already secured by the effective work of the Gate/Perimeter Staff and volunteers who screen each vehicle and monitor the perimeter 24/7. The existing plastic trash fence weighs perhaps less than 1/10 of 1% of what the K-rail would weigh, so it can be delivered and installed without burning lots of fuel or further marking up the desert with truck traffic.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1542	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The Draft EIS PHS-3 failed to adequately consider the environmental impacts that would result from the transportation and placement of concrete and plastic barriers around the perimeter of the event. Does the BLM have any credible threat of terrorism at the event that would justify concrete barriers? Considering all the perimeter policing that already exists (nightvision included), and the fact only 1 instance of a vehicle ever coming through the perimeter fence was cited in the Draft EIS, the Draft EIS does not indicate the need for a concrete barrier, nor does it justify the cost and effort required for this measure. Most importantly, the Draft EIS PHS-3 fails to address the consequence of installing a concrete barrier if a mass exodus was required. Is it safer to have a concrete barrier around the event? The Draft EIS does not establish a plan for the emergency removal of the barriers in the instance mass safety and rescue services were unable to access the event via Gate road or any other single entry point to provide security or health services.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2013	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 Requiring physical perimeter barriers (e.g., Jersey barriers and K-rail fence) would have the unintended negative consequence of causing wind-blown drifts of "Playa Dust" to build up and bury the physical barriers, thereby rendering them ineffective, because they could be easily walked or driven over. The currently used "Trash Fence," which allows wind to blow through it, and has been in use now for many years, is proven to be highly effective at collecting wind-blown trash and other detritus. The "Trash Fence" is also a proven effective deterrent of unauthorized entry to the Event, when used in concert with effective perimeter patrols and monitoring.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1809	1	Mitigation-Public Health and Safety	209.0700.00	N/A	A recent article in "Scientific American" pointed out the environmental degradation effects of building walls, and I think the carbon emissions resulting from barrier production should also be considered regarding Burning Man.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1850	16	Mitigation-Public Health and Safety	209.0700.00	N/A	I assume BLM did not want to include DHS's actual risk assessment for understandable reasons, but I think the proposed mitigation could be better tied to actual research on its effects. Were the final EIS to include and thereby mandate jersey barriers/k-rail, I would find it highly irresponsible to suggest barriers without an assessment of their environmental effects.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1090	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Perimeters barriers: According to the locals, there is always water under the lake bed -- sometimes closer to the surface, sometimes deeper; has anyone considered the effect of adding millions of pounds of concrete on the lake bed? Also, the dunes potentially created by adding non-porous barriers must be taken into consideration.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
492	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Have you considered how much energy would be required to manufacture and transport *nine miles* of jersey barriers? That's about 19 million pounds of concrete and steel, perhaps one thousand 100+ mile round-trips in a flatbed semi trailer from Sparks or Reno. Have you done the environmental impact analysis on this "mitigation?"	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1936	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Concrete barriers would require heavy equipment trucks to haul them, which would do permanent damage to access roads like highway 447. They would require specialized, dedicated equipment to place the barriers, and crew would require training for the much more hazardous task. The heavy equipment and barriers would damage the playa surface, something we all want to avoid.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1931	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The plastic perimeter fence is also called the "trash fence" because it catches windblown trash and keeps it from being spread across the surrounding playa. A mesh barrier is far more effective for this than a solid barrier would be, as anyone who has tried to catch a fish with a net and with a spoon. The concrete barriers would provide a ramp for the windblown trash to more easily exit the event, which would have a negative impact on the entire valley. The solid barriers would also act as origins for drifts of playa dust which could hide further trash and lead to drifts of dust that would change the terrain of the playa.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1619	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 Jersey Barriers: The addition of solid barriers on the Black Rock Desert would, in dry years, give purchase to any wind-borne particles in the air, providing a location for sand dunes to arise. Building a road with walls that can become sand dunes would create a less stable driving surface within vehicle lanes, and when the barriers are removed during post event restoration, all of that would spread across the landscape, and might require more motorized machinery to clear. While vehicle traffic can and does kick up dust, the variability in year to year rainfall determines how soft the surface is and how much wind-driven erosion occurs. According to the Friends of the Black Rock Desert : When the playa does not flood for a few years or more in a row, the surface can transform from a hard, durable surface to one that is soft and loose. With frequent flooding the playa surface is firm and minimal wind-driven erosion occurs." ( <a href="http://blackrockdesert.org/about-the-black-rock-desert-playa/">http://blackrockdesert.org/about-the-black-rock-desert-playa/</a> )	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1098	6	Mitigation-Public Health and Safety	209.0700.00	N/A	It does not seem that BLM has taken into account the challenges or the environmental impact of transporting nearly 5,000 concrete barriers to and from Black Rock City.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1926	2	Mitigation-Public Health and Safety	209.0700.00	N/A	please provide evidence that a hard surface barrier like a Jersey barrier would effectively capture trash vs the existing use of a simple trash fence.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
410	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Also, as with the K-barriers in PHS-3, it appears the environmental impact of heavy dumpsters and the machinery required to haul these in and out has not been taken into account.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
854	3	Mitigation-Public Health and Safety	209.0700.00	N/A	First, I wanted to comment on a "hardened physical perimeter barrier" described on page 77 of the PDF, which is proposed for all event alternatives. The argument you propose being made for the physical barrier in your Draft EIS statement is that it would "reduce the risk of vehicle entry through perimeter fencing"; I would like a response to this to include the original intent of the perimeter fencing, which is to capture flyaway waste (and also considering the current low rate of event entry though the orange barrier fence). Placing such barrier around the event will not catch waste from flying away, but rather the waste would fly over the top due to the curvature of the jersey barrier; the current system of having a temporary, reusable barrier made of plastic with holes in it will be much more effective in catching any flyaway matter, as well as will not produce as much Green House Gas (GHG) due to the labor of putting the heavy cement barriers in place as proposed in the new outline. Therefore, any potential risks mitigated must be weighed against the original intention of the orange netted barrier (flyaway waste matter).	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1102	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The mitigation proposed to curtail unauthorized access is definitely a shock to the system as it will be a huge undertaking; however isn't it always BMP who alleges they have some of the most creative minds on the planet at their Festival(s)? Is there information from BMP regarding how many unauthorized entrants they have at the Festivals? Has that information been shared with BLM?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1627	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 requires a physical barrier to reduce the risk of unauthorized entry. What kind of unauthorized entry do you mean? If you mean sneaking in, BRC's present use of radar, infrared sensors and the like seem to be the more appropriate means of detection and prevention. If you mean the use of vehicles as weapons to run over people in a crowd, perpetrators could come in via the Gate road or the vendor's access road. In any case, jersey barriers or K-rail fence would do much more damage to the Playa than the present perimeter fence.PHS-I requires a third-party independent private entity to screen all entry into the event, starting a week before the Event opens. Is this intended to replace the existing Gate team? Or to duplicate their efforts? In either case, it would slow down an already slow process, and would increase the traffic congestion that BLM and BRC are both trying so hard to reduce.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1105	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 requires a physical barrier to reduce the risk of unauthorized entry. What kind of unauthorized entry do you mean? If you mean sneaking in, BRC's present use of radar, infrared sensors and the like seem to be the more appropriate means of detection and prevention. If you mean the use of vehicles as weapons to run over people in a crowd, perpetrators could come in via the Gate road or the vendor's access road. In any case, jersey barriers or K-rail fence would do much more damage to the Playa than the present perimeter fence.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1106	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-2 - If BLM does monitor the effectiveness of Jersey Barrier or K-rail fencing, it will discover greatly increased environmental harms which they cause, which the current trash fence system does not. Those harms include increased greenhouse gas emissions, damage to the playa in transporting them, and dunes built up on at least one side of the barriers which must be removed.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
567	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Think also of the environmental impact on County Road 34 and your other local Nevada roads, with semis carrying all those heavy Jersey barriers in and out. More heavy trucks on already stressed roads! How many more large vehicles do you want clogging up your local roads? Have you really considered all the implications and impacts on your local roads that this requirement would impose? Do you really want more diesel truck exhaust in the sensitive Black Rock Desert environment? I urge you to withdraw this nonsensical requirement.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
567	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Jersey barriers do not allow wind to pass through them, but rather, between them. Trash will not "stick" to a cement barrier, but rather blow around and over, thus making them and ineffective replacement for the current trash fence. Jersey barriers are also hard to see from a distance, and could result in greater injury and bodily harm to participants. If an art car crashes into a jersey barrier and is no longer drivable, additional resources are needed to tow the art car back to camp and off the premises for repair. does the BLM also plan to properly light over 10 miles of Jersey barriers to keep participants safe? Will the Jersey barrier be property of the BLM? If so, is the BLM prepared for potential litigation over compensation for damages and injury incurred during the event due to improper lighting of concrete barriers? Additionally, dunes will accumulate on either side of the concrete barrier which will need to be raked and flattened after the event. This will require increased time and use of resources to complete. Not to mention the heavy machinery that will be required to move the jersey barriers and the amount of space they will take up when stored. Finally, jersey barriers are no taller than the current trash fence, and are easy to climb over.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
472	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Requiring heavy equipment and specialized personnel to work more slowly to create a jersey barrier will redirect resources away from other infrastructure setup elements, which include several that are necessary public safety including power and network connectivity for the BLM field outpost (the "joint operations center" or "JOC") that is erected for the event. The cost of a jersey barrier is enormous and budgets will require that cuts are made in other essential areas which will inevitably have an effect on public safety to facilitate an unnecessary hard barrier. The installation of this barrier with heavy equipment also poses a safety risk to Burning Man personnel. Moreover, from an environmental perspective, the manufacturing of nine miles of concrete barrier and the fuel requirements to transport them pose astronomical carbon emissions concerns. In the context of an environmental impact assessment, this must be factored in. This jersey barrier must also be transported over a single 120 mile highway (NV- 447) that already supports heavy traffic for burning man. The introduction of hundreds (or thousands) of flatbed trailers to transport this concrete will have a material cost to the state of Nevada in terms of road damage.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
447	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The BLM option: The option proposed by the BLM is a (K rail) barrier style that has a solid surface and is to be of a cement and/or plastic composition. While this style of barrier is often effectively utilized at construction sites that are in close proximity to high volume vehicle traffic, the BLM proposal presents a number of concerns if placed at the Burning Man location on the playa of the Black Rock Desert. 1. In replacing the open net style of the existing barrier with a closed / solid surface, as proposed by the BLM, the ability to effectively trap any blowing trash will be largely lost. This is likely to result in an increase in unwanted matter (trash) being widely distributed (by wind) across an area far beyond the Burning Man city site. 2. While the BLM proposed barrier style has been utilized in high traffic locations where effective control (prevention) of unauthorized vehicle access to a site is required (a BLM suggested reason for this type of barrier), there is no historical data to suggest a history of unauthorized vehicular traffic breaching the existing Burning Man fence style barrier. Absent any credible information / intelligence indicating the existence of a current threat of barrier breach by vehicle, there is no empirical support for the installation of such a barrier. 3. Due to the physical size and weight of the BLM proposed barriers, both the installation and removal processes would see a significantly increased negative environmental impact on the Black Rock Desert and surrounding area, when compared to the existing Burning Man organization's barrier style . Requiring hundreds of transport truck trips onto, and off of the playa, and employing heavy equipment to load, unload, and position the solid barriers on the playa would result in a considerable and detrimental increase in the disruption of the delicate playa surface. In addition, the negative environmental and infrastructure impacts would extend to the access roads and communities due to the increase in heavy equipment transiting in the area.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
846	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Transportation of these concrete barriers would require 1,900 separate 10-ton loads to be driven to and from the playa, greatly increasing greenhouse gases, and adding tons of weight to the playa surface. These barriers would cause ten miles of dunes to form on the playa, where currently our trash fence causes none.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1893	1	Mitigation-Public Health and Safety	209.0700.00	N/A	One jersey barrier weighs a whopping 2 tons (4,000 pounds) for a 10' section at the cost of \$1,207.00 each. The perimeter fence is 9 miles long - or 47,520 feet So right off the bat - that means you need 4,752 of these at the cost of \$5,735,664 That's right - almost 6 million dollars. But wait - we're just getting started. Now you have to find a place that can source you just north of 1000 of these things. Lets say we got lucky and there was a place in Reno that could get you all of them. Now you have to move them. A standard large stake bed / semi can haul a total of 4 of these cock suckers at once, at the estimated gas milage of about 5 MPG So for you now need to run literally 1,188 truck runs from Reno to BRC and back at 180 mile round trip that's not only the cost of the trucks and drivers - but at least \$100 in gas per run - so thats \$118,800 is GAS ALONE Once you get them to the dirt - you now have to offload and position each with a crane. ALMOST FIVE THOUSAND TIMES. But Wait - THERES MORE. When its all over - now you have to do the entire process in reverse, and store all 4,752 of these things somewhere - so now you are talking about renting or buying a space the size of a junkyard somewhere. We haven't even touched the amount of damage driving literally MILLIONS OF tons of weight over the exact same section of playa over and over again would do, to say nothing of the goddamn carbon footprint this creates. You are looking at a project that would literally take MONTHS to build, and months to take down - almost half a year and the better part of 10 MILLION DOLLARS to execute on the LOW END That's right - nearly the entire operating budget of burning man would now be DOUBLED just to do this one thing that AT BEST is a solution in search of a non-existent problem.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1636	4	Mitigation-Public Health and Safety	209.0700.00	N/A	transporting the fencing required would require potentially hundreds of round trips made by non-fuel-efficient trucking vehicles	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1641	6	Mitigation-Public Health and Safety	209.0700.00	N/A	many participants, including myself, purchase Medflight Evacuation insurance for peace of mind just in case an emergency arises. The requirement "to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event" (E2, PHS-3) by private contractors would result in contamination of the land by insertion of bolts and pins that would be left behind after the barrier has been removed, and severe elements such as sandstorms would erode the barriers, thus irreparably adulterating the native soil's composition.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
531	5	Mitigation-Public Health and Safety	209.0700.00	N/A	One of the many reasons I go to Burning Man is to enjoy the beautiful nature. Regularly I bike out to the edges of the city to enjoy an unobstructed view of the mountains. Having a concrete or plastic barrier would significantly hamper that beauty. I know that Leave No Trace is crucial to the event's survival and to the event's culture. It is very important that participants pack up and take their trash out of the event. I am committed to this practice, and I do not need a barrier around the city to practice this.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
807	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 If the true concern of the BLM is the impact on the environment then the idea of an installed border fence of concrete Jersey barriers is counter productive. The equipment needed to conduct such and installation, as well as the barriers themselves would create a great negative effect on the landscape as well as the air quality from the pollution of the heavy equipment as well as oil and fuel spills from such equipment. If the intent is for public safety, then this is unnecessary and redundant as the borders of the city are already heavily monitored and people, weather on foot or in vehicle are already stopped well before entering the city. This measure is unnecessary, damaging and detrimentally costly with no positive benefit.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1826	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Is a 9-mile perimeter barrier a practical response to a hypothetical concern? A vehicle that entered the event legitimately could later be used for an attack; the barrier would not protect against this. Can cities realistically protect their open public spaces from malicious intent and preserve freedom of movement? A physical barrier is proposed. This is overkill in the extreme. Such a barrier would be a nightmare for a number of reasons The "trash fence" currently in use serves as a sieve to permit sand to pass through while catching debris. A solid barrier will do exactly the opposite and catch sand while allowing lightweight matter to be blown over the barriers. The cost of such a barrier is extreme and prohibitive The ecological cost is also high Damage to the playa during installation and removal Damage to the highway from the weight of transport vehicles and the barriers Increased emissions from the high number of heavy vehicles moving the barriers BRC already has measures to detect unauthorized entry at the perimeter fence.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
157	2	Mitigation-Public Health and Safety	209.0700.00	N/A	This large and unnecessary barrier mitigation would greatly impact the environment, including the direct vehicle tailpipe emissions from the heavy-duty equipment to set-up and remove the barriers, as well as the increased dust from these vehicles and equipment. In addition, sand dunes would form on these barriers, proving difficult to remove them and restore the land to a similar condition prior to the Event. None of these impacts to the environment were included or considered in this mitigation measure. The need for these barriers has no merit while it significantly increases various negative impacts to the environment. Until valid data is provided during the Event of large numbers of people illegally entering the Event, this mitigation has no merit. This mitigation measure only causes unnecessary harm or impacts to the environment that were not considered or included.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
381	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The amount of traffic and trucks and wear and tear on the playa to bring in these barriers is ridiculous.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1639	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Has BLM considered the huge environmental impact that will be caused by placing 10 miles of concrete barriers onto the playa? The logistics of placing approximately 19 million pounds of concrete K rails on the playa is ridiculous. How is adding almost a 1000 trips of flatbed semi-trailers carrying the barriers to and from the playa going to increase the impact to the environment and the highway? The orange trash/perimeter fence for BRC catches any errant trash that gets blown from the city and acts as a barrier for the city limits, any blown trash will potentially blow over a K rail barrier onto the open playa. It's wide open playa beyond the fence and no one can approach it without being detected by law enforcement. I don't understand what the BLM hopes the K rails will accomplish. In dust storms it will be a barrier for dust and create dunes rather than let the dust blow through as the fencing does, which will be another problem to mitigate after removing them from the playa. Also Mitigation Soil-3 wants to require BMP to restore playa contours by the end of the Closure Order, so BLM would be causing dunes to be created by K-rails and then BMP has the added expense to eradicate these dunes. The total cost of the barriers is estimated to be close to \$4 million and this is to mitigate a nonexistent problem of unauthorized cars entering the city but will create a host of new problems.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
459	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 This would effectively have a permanent impact on the playa, which is the opposite of what is desired by both BM and BLM. This would make it impossible to implement Mitigation SOIL-3.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1648	2	Mitigation-Public Health and Safety	209.0700.00	N/A	For instance the K rails and garbage bins and codes inspectors required in this Environmental impact study, which seem less about environment and more about impacting on the organization, create more problems than they answer. Where anyone can aquire so many K rails, garbage bins and inspectors jumps out. The transport of all these, out and back, defeats everything about the true desire to improve anything. The K rails are UGLY and are no taller than the very smart fencing that has worked for years. And they would create dunes ! They are heavy and would be a nightmare to transport. And where do you borrow or buy 1,000s of these? Cost ?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1839	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The concrete barrier is both excessive and damaging. Our current trash fence stops nearly all errant paper and debris - a concrete fence would destroy the surface of the playa, be expensive, and also provide less entrapment than the current mesh. We pick up everything - down to toilet paper fragments. Mesh traps trash - concrete propels it farther into the wilderness area.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1841	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The utilization of "Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing." would create a vastly greater impact on the environment, both in the desert and in their transportation to and from the event, to allow their placement and removal. Their proposed need for preventing "vehicle entry through perimeter fencing" has historically been non-existent and therefore is a solution looking for a problem, in my opinion. Radar and perimeter patrols have essentially eliminated vehicles from breaching the perimeter barrier, and In addition, a study of wind-blown debris coupled with fluid dynamics would prove that a solid barrier of any kind would create vortex conditions at the barrier and result in even more debris escaping containment, as well as cause dust dunes to a much greater extent than is currently observable with the transparent trash fence	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1846	2	Mitigation-Public Health and Safety	209.0700.00	N/A	First, your proposal to place k-rail Jersey barriers around the ten-mile perimeter of Black Rock City would have a very adverse effect on the Black Rock Desert Playa. The transportation of hundreds of these extremely heavy items on massive trucks would impact the playa surface from the sheer weight alone, without even taking into account the massive carbon emissions and the certain damage to Nevada state routes 34 and 447 which were not constructed to bear such loads	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1846	3	Mitigation-Public Health and Safety	209.0700.00	N/A	This mitigation, nine miles of heavy (i.e., millions of pounds) K-railing on the playa, must have an environmental impact and must be studied before any consideration of placing such a monolithic structure on the playa, even temporarily.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1319	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 Similar to Mitigation NAT-2, this will create a cascade of detrimental effects on the environment, including severe damage to the playa surface, dust dunes, carbon emissions, the potential of trash flying beyond the limits of BRC (as opposed to the current netted trash fence). This also imposes a considerable safety risk for the participants who would not be able to escape in case of crisis. BRC perimeter is currently monitored extremely effectively 24/7 with radars, patrol vehicles and watch towers at a much lesser environmental cost.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
19	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Bringing in these massive barriers would go against the Burning Man Principal: Leave No Trace - One may think of this principle referring to MOOP only (Matter Out Of Place). But no, it means much, much more than that. We Burners see the playa as sacred. We worship it, we appreciate it, we respect it. We do our best to preserve it (as evidenced by our passing grade by BLM year after year) - returning it to it's natural state once the burn is over - as we have done, year after year after year. These concrete barriers are extremely heavy. Setting up 10 miles of barriers would mean many, many trips of heavy equipment driving repeatedly over this sacred ground. We can pick up MOOP, but we can't restore the physical damage that you are proposing by bringing in, setting up, taking down, and taking out, these barriers.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1124	4	Mitigation-Public Health and Safety	209.0700.00	N/A	As proposed by Mitigation Measure PHS-3, the deployment of concrete barriers along the perimeter of the Burning Man event does not adequately take into consideration the physical setting, the existing on-the-ground institutional knowledge of the Burning Man organization, or the environmental impacts of transporting the concrete barrier to, on, and from the Burning Man event. The current Burning Man organization's surveillance and deterrent program to ensure that participants cannot illegally entry the Burning Man event is sophisticated and thorough. Advanced imaging technologies and preventative interception vehicles have been deployed for years effectively eliminating all ingress to the Burning Man event except through the Gate. Deploying concrete barriers would be akin to the use of a blunt hammer to mitigate ingress threats instead of the strategic use of sophisticated technology now being deployed by the Burning Man organization.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1594	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Finally, it appears that the draft EIS does not consider the environmental impacts of greenhouse gas emissions, criteria air pollutant emissions, and playa surface compaction/disruption from deploying the concrete barriers. Given the heavy vehicle trips needed to implement Mitigation PHS-3, the environmental impacts would be significant. The business-as-usual solution that is currently being used is far superior from an effectiveness, economic, and environmental point of view.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
38	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Solid barriers will not only be prohibitively expensive, but they will also dramatically increase the environmental impact of the event. It will increase the cargo burden on the local highways dramatically, and will create large dunes, blocking a huge amount of playa dirt that would normally move through unimpeded.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
38	7	Mitigation-Public Health and Safety	209.0700.00	N/A	In order to build a big, strong wall, it would require the purchase, transportation, placement, strike, return transportation and storage of 4,752 barrier lengths. A single, standard 10 foot Jersey barrier weighs 2 tons (4,000 lbs). As a top line cost, that amounts to approximately \$3 million. Before we even address the issues of moving them (all 19 MILLION POUNDS of them), it's important to note that the vendor does not hold stock in these staggering numbers. When Burning Man Project inquired on how long the fabrication of our order would take, we were informed that the fabrication of our order would require 1,584 days, or four years and four months, assuming that the plant ran seven days a week.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
779	1	Mitigation-Public Health and Safety	209.0700.00	N/A	A K-rail fence would be tremendously expensive, cause significant environmental mitigation requirements due to dune formation and the need to truck millions of pounds of concrete in and out of the event , and would likely reduce the effectiveness of the radar due to the creation of both reflections and a place for people to hide behind the rail 'shadow'.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
34	6	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3: The introduction of Jersey barriers and/or K-rail fence around the city in place of a traditional plastic trash fence is problematic for several reasons. First, the trash fence isn't in place as a security measure to keep people in or out. The job of keeping participants in the event and outsiders out of the event falls on the well-equipped Perimeter team of BRC. The new barriers would be wholly ineffective in keeping people on one side or the other. Burning Man participants are known to climb on anything remotely climbable, so these barriers would be no different. In addition, these barriers would be worse for the environment. The current plastic trash fence design is proven to be incredibly effective in keeping trash in the city. The carbon emissions that would result from the implementation of transportation the new barriers, along with the increased setup time, would result in unnecessary harm to the environment and strain on the setup timeline.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
440	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The much greater real risk of collisions with a solid barrier in place, far outweighs the very, very low risk of an imagined vehiclebased terrorist-type attack.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
454	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I think the trash fence that exists during the Burn is sufficient. I don't think enough concrete barrier is in existence in northern NV as would be needed AND it is projected by BMORG that 1,900 ten ton loads would have to come to the playa...the wear and tear on pavement alone would be dreadful along with air pollution and fuel consumption.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
773	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Burning Man has a vested interest in reducing illegal entry to the event, and there is only the single instance given as evidence that this has happened. This one instance over the history of the event at Black Rock Desert may indicate that perhaps a better barrier than the snow fence is called for, but the k-rail system seems an extreme barrier that goes too far and potentially leads to more dangers and impacts to the environment than it prevents.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
773	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Requirements for Jersey barriers, dumpsters or K-rail will require a great deal of additional vehicular traffic in the Black Rock Desert and additional cost and burden for the Burning Man Project. I do not believe BLM has adequately accounted for the environmental impact of transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter in the EIS, as well as the requirement to have hundreds of dumpsters lining roads and the event site.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1669	1	Mitigation-Public Health and Safety	209.0700.00	N/A	For the purpose of estimation of the negative impact on Nevada's highways, wear and tear, Mitigation Econ-1, traffic, TRAN-1, and the environment WHS-1 consider: 8 miles of perimeter fence= 42,240 feet or the expanded event of 10.4 miles of perimeter fence= 54,912 feet. Jersey Barriers are available in 12 ft. lengths and shipped 9/truckload= 108 ft. of barrier. [IMAGE OF 18 WHEELER WITH JERSEY BARRIERS] Most optimistically, assume the highest yield trucking scenario with an "18 wheeler" or big rig. These vehicles are the largest on our highways and produce the greatest wear and tear. 42,240ft./108ft. per truckload= 235 truck loads. or 54,912ft./108ft. per truckload= 508 truck loads. Delivery at the beginning of the event- 235 trucks x 2= 470 round trips or 508 trucks x 2= 1,016 round trips Pick up at the end of the event- 235 trucks x 2= 470 round trips or 508 trucks x 2= 1,016 round trips Total round trips= 2,032. Approximate distance traveled per load, assume Sparks (where will they come from?) to Gerlach a minimum of 100 miles. This translates into either 101,600 or 203,200 or miles driven by big rigs on the highways without any evidence this effort is contributing to addressing the concerns that have been raised by the Draft EIS. Given the considerable expense for such an endeavor, the fact that the problem it seeks to solve is poorly defined, and that it creates more problems than it can solve	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1662	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Nowhere in this report do I see even an attempt to define or evaluate a problem of participants sneaking into the event across the current perimeter fence. Never in 12 years at the event have I seen a person cross the existing barrier in either direction, nor have I met a person who claimed to do so. The existing fence is famously and rigorously patrolled by the Black Rock Rangers, and anyone trying to sneak in has to cross at least a mile of open desert, and then endure the event with whatever goods they could carry. Against the background of all these problems, the difference between the existing barrier and a Jersey Fence would be a triviality.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1662	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 Besides the tremendous increased costs that Jersey barriers would cause and which would fall onto the shoulders of the participants, this Mitigation would actually result in a much more serious environmental impact on the playa and the entire Black Rock area, and on the roads to BRC from wherever the enormous amount of Jersey barriers would be located, due to the huge numbers of truck loads that would be needed to transport them, to the several days of additional heavy equipment work to place and remove them, and from the playa scars that the barriers would unavoidable leave on the playa. I find that this Mitigation is unjustified given the excellent track record of BM, in particular of the GPE volunteers like myself, at keeping out unticketed people or people with the intention to cause harm to participants, thanks to excellent dedicated gear and many years of training and experience. Lastly, Jersey barriers would turn into big sand dunes by the end of the event, which would be virtually invisible for anyone, including BLM and Law Enforcement vehicles regularly speeding at 80mph, with devastating consequences.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1663	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The mandate to bring in potentially millions of pounds of jersey barriers to prevent the very uncommon act of "sneaking" into BRC is problematic because: * The cost doesn't outweigh the risk. In 3 years at BRC, I've never seen anyone sneak into the event from the open playa. * The added gross vehicle weight would significantly add to the wear and tear of local roads. * There is not an inventory of materials nearby. The environmental burdens from creating and transporting these barriers to BRC would dramatically increase the carbon footprint of the event. This would be contrary to the BLM environmental concerns. * The additional heavy equipment traffic will irritate locals.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
730	4	Mitigation-Public Health and Safety	209.0700.00	N/A	K-rail barriers a. The proposal of surrounding the perimeter with a concrete or K-rail barrier is unnecessary and the installation and removal will cause unnecessary damage to the playa surface. b. The existing plastic mesh fence along the perimeter is more effective at catching windblown trash. Trash would get blown over the K-rail or concrete barriers c. Vehicles have not been driving across the playa to gain unauthorized access - there is no need for car barriers along the perimeter of the event d. The cost to set up and remove the proposed barriers is an unnecessary expense.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
730	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Burning Man has a robust Perimeter staff replete with radar system that can spot anything larger than a jack rabbit day or night. The response times of mobile units of Sheriff / BLM Law Enforcement personnel is very quick and could interdict any vehicle threat that approaches or enters the fence line. There are direct lines of communications established between key public safety departments at Burning Man and the JOC ( Joint Operations Center) to facilitate responses to emergencies. Furthermore, the GIS (Geographic Information System) implemented at the JOC enhances the ability for units to respond in a timely manner to exact coordinates.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1911	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. This mitigation demand is going to cause a large number of impacts to the event and the area. Assuming there are actually enough of these barriers in the region, the amount of truck traffic added to the local roads delivering and removing these barriers would bring negative impacts to the area. The barriers placed on the playa are going to cause damage to the playa from the increased traffic of delivery trucks and heavy lift equipment used to place them. The barriers will cause playa dust to pile up on both sides. The current trash fence allows it to pass through. This piled up dust will potentially hide the barriers and will then have to be spread out on playa using heavy equipment during restoration. The placement of barriers around the event area will not allow a fast evacuation of the city should that be needed in an emergency. This requirement is NOT REASONABLE. QUESTION: Did the draft EIS consider the adverse impacts of this mitigation demand?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
324	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Perimeter barrier: the draft EIS doesn't seem to take into account the impacts of moving around tons of concrete barriers. Barriers such as the ones suggested take heavy-duty equipment to put into place and take away. I don't see the benefits of such a barrier in any case- they are no harder for someone to jump over, and will not block the relatively small amount of particulate matter in the wind from blowing over it. I imagine putting them in place will actually add to airborne particulate matter because the equipment needed for them will kick up a lot more dust.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1764	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The idea of barriers at the burning man even is not needed and would take away from the event. First the addition of barriers would take away from the feel that burningman has one of the best parts is being able to look across the magical playa and see nothing for miles. Second they are not needed because the playa being so big creates a natural barrier, it would be impossible for someone to sneak in or out without being seen by patrols weather on foot or in a veichle so the barriers are not needed and would hurt what burningman stands for.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1681	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed requirement to install Jersey Barriers around the event is wrong for the following reasons: There is no documented need for hard sided barriers around the event perimeter. Vehicles don't try to breach the current fence. There are huge lines of sight to see any vehicle approaching the fence line. The current fence does a better job of stopping flying trash and containing it than a hard sided barrier would. The cost of adding hard barriers would be enormous, and there would be a large amount of additional pollution generated by transporting heavy concrete barriers. The additional heavy vehicles needed to transport thousands of concrete barriers that would traverse the roads in the area would do significant damage to the roads.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1681	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Firstly, the event perimeter is already closely monitored and patrolled, so the addition of Jersey Barriers won't have any practical effect. Next, the entry/gate staff are very experienced, so there is no reason to replace them with a private security company.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
759	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Adding K-rails would create literal dunes of dust in the black rock desert.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1766	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Jersey barriers and K-rail fencing are almost as easy to penetrate as the existing trash fence. They would do very little to reduce the risk of unauthorized entry to the Event, and would add significant cost.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1132	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3: I do not understand what K-rails or similar barriers would prevent. Vehicular traffic entering from 'deep playa' or other areas has never been a concern. And these types of barriers could easily be hopped over by pedestrians even easier than the trash fence. So who is this actually keeping out/in? What function does it have?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1161	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I don't see any point in requiriing Burningman to install Jersey Barriers instead of the current trash fence they now install. There is no advantage to making this requirement other than to require the event to spend more money.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1161	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The use of Jersey Barriers will not be effective in mitigating unauthorized entry and instead could pose major environmental damage, create a burden on local roadways & create public safety issues. It would seem the a more effective requirement would be to simply scale up the existing fencing and increase patrol of the perimeter perhaps using technology. This section speaks to enclosing the perimeter with Jersey barriers & K-rail fencing instead of the 'trash fencing' used currently. These kinds of hard fencing do little to stop unauthorized entry. The type of unauthorized entry that happens at the event is not the type that these barriers are commonly used to stop. Deploying them will require resources that create large amounts of extra pollution, dust and impact to the playa. This will cause greater environmental damage. The types of public safety concerns unauthorized entry represent would be better controlled by patrol. This is an area where a private vendor can be effective, unlike gate searches. This is because intervention is a simpler activity than search & report. Such patrol would be more cost effective then this type of heavy fencing. Last heavy fencing creates a particularly dangerous public health concern in that it removes and restricts emergency egress. Including such egress then nullifies the stated purpose of the barrier.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
123	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Hardened physical perimeter barriers: To my knowlege, unauthorized entry through the perimeter fencing isn't a real problem, and Gate has a dedicated patrol & monitoring system. This seems like an onerous burden given the additional weight and setup difficulty, and would do basically nothing to reduce the environmental impact of the event. If anything it'd likely exacerbate it Private security at the gate: This seems questionably legal and I would want the ACLU to weigh in here, but it seems excessive. Legality aside, it would likely do almost nothing to actually solve LE problems and the additional burden on Gate wait times would wind up being nearly unmanagable, with wait times already reaching 4+ hours regularly.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
94	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The existing crew that monitors the perimeter of the Event does a sufficient job. There have never been reports of wide-scale unauthorized access into the Event. The environmental impact from having the large-scale machinery truck in, unload, and position heavy physical perimeter barriers will be greater and more damaging than the Event itself. In addition the costs would likely necessitate drastically raising prices which would destroy the nature of the Event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1198	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In regards to additional barriers around the city, extra barriers would also be very costly and provide no additional benefits. Almost nobody is able to sneak into the event currently as the trash fence already has a large law inforcement presence. Being walled into the city would also detract from the beauty of the surrounding desert by causing an eye sore.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1698	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The fence itself is useful to keep folks from wandering beyond the event area and getting lost. With a jersey fence creating a dune, it's more likely that people will wander outside of the area and get into trouble that way.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
747	1	Mitigation-Public Health and Safety	209.0700.00	N/A	There is no evidence to support the need for jersey barriers, which will blight the land, impose a massive carbon footprint on the event, pose unquantifiable environmental risks, and burden the festival with unjustifiable and substantial financial costs. The existing trash fence, combined with Black Rock Ranger patrols and other longstanding measures have a very long track record of keeping trash in and unpaid attendees out.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1712	2	Mitigation-Public Health and Safety	209.0700.00	N/A	That being the case, the erection of a massive concrete or plastic barrier around the event could only generously be described as an incoherent solution completely unsupported by the Draft EIS analysis. We did some initial calculations on the logistics of such an undertaking, principally to illustrate that it appears to be unlikely that that same due diligence was done before the mitigation was suggested, and to illustrate the potential impact to our operations.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
30	4	Mitigation-Public Health and Safety	209.0700.00	N/A	This single proposed idea presents millions of dollars in unnecessary costs and an impossible timeline. All of this in service of an imagined problem that is currently being more than effectively mitigated at an astronomical fraction of the time and cost. None of this even scratches the surface of other costs and concerns. Where do these barriers go after the event? How much does it cost to store them?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
97	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The mitigation is unclear when it comes to what exactly it is trying to address. We can read in [1]: Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing, would reduce the risk of vehicle entry through perimeter fencing. It is not clear whether it is an accidental entry - without intent or through carelessness; or a purposeful entry. If the latter, it seems that an overview of the different scenarios and degrees of results would have been necessary before recommending any mitigation. I went through the online documentation [2] and I have failed to see any proper and substantial data building this mitigation's merit. In other words, an anecdotal occurrence cannot be conflated to a statistical trend, nor to a clear and present danger. In the case of a malevolent vehicle entry with intent of doing harm, the mitigation fails to address the fact that Jersey barriers - or similar - can easily be circumvented (e.g. a pair of aluminium recovery tracks). Even more so, if the mitigation is trying to address a planned malevolent entry. If vehicular terrorism is the actual threat that this mitigation tries to address, then we could object that it fails short to address it in a comprehensive way. You can read in [3]: Disadvantages of the Jersey barriers are mainly related to the original design purpose: to deflect the crashing vehicle rather than completely damage or totally stop a vehicle's forward movement. In defense against terrorist attacks, Jersey barriers normally cannot qualify for high ratings (as the DoS K12) if directly impacted by heavy trucks due to: i) Insufficient barrier height, ii) Relatively weak anchorage to ground, iii) Sloped front lower portion causes lifting of the truck bed. Also, Jersey barriers are notably ineffective when not anchored, as this FEMA document [4] states: Jersey barriers were thought to provide protection through their mass - a 12-foot barrier weighs approximately 5,700 pounds - but if placed on the surface, they are ineffective against vehicular attack. To be effective, they need embedment and vertical anchorage by steel reinforcing through the foundation. The mitigation does not address possible barrier deflection following an impact (e.g. a 30 to 40 degree impact between 60 to 75 mph can result in a 8ft deflection. See [5] and [6]). The proposed mitigation fails to point out the adverse impact it could have on a possible emergency event evacuation (see §1.2.6 of [7]).	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
99	1	Mitigation-Public Health and Safety	209.0700.00	N/A	What is the purpose of installing these perimeters that is not currently adequately served by existing perimeters? Are there specific examples of past instances that would have been completely prevented by K-rails, e.g. \$X of personal/property damage that is greater than the \$X of installing the K-rails? What is the environmental impact of installing and uninstalling these K-rails every year -- including the production, maintenance, storage, transportation, and impact on public infrastructure?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
103	1	Mitigation-Public Health and Safety	209.0700.00	N/A	LM's barrier mitigation would dramatically increase the Burning Man event's carbon footprint, a paradoxical recommendation for an Environmental Impact Statement. The added irony is that this "solution" would create unprecedented environmental impacts on the playa surface itself, a concern so great that BLM brought in NASA to study it. The barrier would create a massive, 10-mile-long set of dunes that would eclipse by huge margins any past dunes and need to be remediated with heavy machinery, which should not be a recommendation in an EIS. The impact to the playa surface created by 1,900 separate 10-ton loads being driven over repeatedly would create a new restoration project for both Burning Man Project and BLM to mitigate. Increased fuel consumption, greenhouse atmospheric emissions, and damage to local roads leading into the event are all results that will negatively affect the environment of Northern Nevada	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
113	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Concrete or plastic barriers at the fence line would impact the experience at the Burning Man event. Leaving No Trace Behind is one of our most coveted principles, and fences or synthetic barriers is in conflict with our community's message.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
113	3	Mitigation-Public Health and Safety	209.0700.00	N/A	It does seem the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
115	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Burning Man Project currently installs a nine-mile orange trash fence around the event site, which serves as our visual perimeter and is heavily monitored and patrolled by the Black Rock City Gate, Perimeter, and Exodus Staff 24 hours a day using sophisticated radar, night vision, and patrol intercept trucks in coordination with BLM Rangers. This type of fencing allows the wind to blow through but catches MOOP (Matter Out Of Place). BLM's barrier mitigation would dramatically increase the Burning Man event's carbon footprint, a paradoxical recommendation for an Environmental Impact Statement. The added irony is that this "solution" would create unprecedented environmental impacts on the playa surface itself. The barrier would create a massive, 10-mile-long set of dunes that would eclipse by huge margins any past dunes and need to be remediated with heavy machinery, which should not be a recommendation in an EIS. The impact to the playa surface created by 1,900 separate 10-ton loads being driven over repeatedly would create a new restoration project for both Burning Man Project and BLM to mitigate. Increased fuel consumption, greenhouse atmospheric emissions, and damage to local roads leading into the event are all results that will negatively affect the environment of Northern Nevada.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
141	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The transportation of Krails will not only cost the organization, but the environmental impact on the desert also needs to be considered. The additional wear and tear on the roadways will cause additional cost to repair.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
150	2	Mitigation-Public Health and Safety	209.0700.00	N/A	It doesn't take a social scientist to understand that a jersey barrier is incredibly easy to step over. Easier, in fact, than Burning Man's current trash fence, which doesn't offer a solid foothold. And it doesn't take a physicist to recognize that a hard, smooth, cement wall will not catch trash in the way that the current fence does. Wind-blown litter will flow right over the wall and into the wilderness. These heavy, solidly placed jersey barriers will create dunes that need to be remediated, driving more vehicles over the playa and further damaging it. Moving 19 million pounds of cement (that's how much the Jersey Barriers would weight) would create an inexcusable boost in carbon emissions.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
153	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3: I am familiar with the orange trash fence at the festival. This fence is by far the most environmentally friendly method of keeping trash from leaving the bounds of the festival (as its easily removable) while also making the boundaries clear to keep people in/out. I witnessed and was aware of almost no issues where a larger boundary would be required to keep unpaid attendees out as there was constant security surrounding the event. Similarly, there are no demonstratable facts to show that a larger fence would be better overall as it might keep trash from flying a few feet higher, but a large sand storm will still result in some trash inevitably escaping. In addition, there are negative consequences on a solid fence that include the development of unnatural sand dunes.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
167	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Having a physical barrier is the direct opposite of inclusion, and no trace left behind. A concrete fence would not only cost millions of dollars, but it also would forever change the virtually untouched landscape. The oils and debris left behind by the construction of the wall will be a burden on the delicate nature of the lake bed.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
184	1	Mitigation-Public Health and Safety	209.0700.00	N/A	It appears that the Draft EIS failed to adequately consider the negative impact on the roads leading to the playa with the transportation of Jersey barriers or K-Rails. This will need hundreds of heavily loaded trucks that will damage the roads. This will result in potential increase of number of accidents for both event participants and local peoples. The increased traffic will also generate bad traffic conditions and congested traffic that will negatively affect the use of these roads by local peoples. More road reparations due to more road damages generated by that very great number of heavily loaded trucks will result in increased expense for the NDOT.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
192	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I can also attest to seeing the current mesh trash fence working perfectly, catching runaway blowing trash deftly every time, which would not occur with the concrete version.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
192	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Such fencing is not nearly as effective at stopping wind-blown trash as the current trash fence; Jersey fencing allows trash to blow over while catching dust. K-rail fencing, while an improvement over Jersey fencing, is less effective than the fencing currently used by BRC.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
250	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The fencing specified, especially the Jersey barriers, blocks the outer playa from easy view, which lessens the impact of the beauty of the space. Many participants walk or ride or drive to the fence to experience the majesty of the playa. This would hinder and interfere with that experience.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
287	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 - I am not sure how practical a big perimeter is? Is this really an issue? How many people are walking over miles of desert to illegally enter Burning Man?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
289	I	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3: BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. Currently nobody sneaks into the event to remedy a wall around the boundaries. There are extensive measures taken such as night vision that would catch someone well before they reach event boundaries. Also, the walls would create an environmental disaster, which I hoped the BLM was trying to alleviate. Huge mounds of playa would certainly accumulate and take extensive rehabilitation to resolve post-event whereas the current fence is able to allow a more natural approach and limit environmental impacts. Burning Man takes extreme pride in post-event cleanup well beyond the borders of the event, deeming this wall both unreasonable and unnecessary. Please consider leaving the perimeter as is and further exploring how effective the security of the event is already and how few people sneak in(zero	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
332	I	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed perimeter would be over nine miles long, weighing several million pounds and costing several million dollars. The barrier would take months to install and remove, time which would be expensive (again, to the tune of millions) in terms of paying laborers, fuel costs for the hundreds of truck trips to transport them (and the associated vehicular emissions & road damage), and the use of heavy equipment to load/unload and place the barriers. The stated purpose is to reduce risk of unauthorized entry to the event, which is not a problem - radar systems and active 24/7 patrols utilizing night vision are already in place and effective at ensuring that no one enters unauthorized. Weather conditions at the playa would almost certainly create a dune on both sides of the barriers which would then have to be eliminated afterward, at yet another expense of money, man hours, and environmental impact from the heavy equipment used.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
352	I	Mitigation-Public Health and Safety	209.0700.00	N/A	Requiring BRC to install even more fencing around the vent would only increase the damage to the playa	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
360	I	Mitigation-Public Health and Safety	209.0700.00	N/A	Concrete jersey barriers weigh, on average, 4000 lbs each. The proposed mitigation will require barriers along the perimeter of the event (approximately 10 miles). The amount of trucks and cranes require to transport the barriers as well as the fuel expended would be astronomical. Has the BLM considered the environmental impact of bringing 10 miles of concrete barriers to the playa?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
361	I	Mitigation-Public Health and Safety	209.0700.00	N/A	An EIS should be done on this (and NAT-2) mitigation to determine what effect delivering 1000s of multi-ton K-rails would have on the roads leading to the playa and the playa itself.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
376	I	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding mitigation PHS -3, there is zero evidence that physical barriers are necessary to ensure the safety of participants. BMP is a large scale event that does attract a lot of attention. There are many such events and festivals all over the world that are similar. The current trash fence that is erected around the closure area is an effective deterrent to people trying to sneak in. GPE, again, takes the job seriously by deploying mobile units and even radar to stop would be gate crashers. BLM and county sheriffs are readily available to take over when the need arises. PHS-3 does not seem to take into account the massive costs and logistical problems that erecting thousands of pounds of physical barriers around the city will entail. The added cost and amount of extra trucks, man hours and fuel needed to accomplish this does not seem to justify the small benefits that a physical barrier will provide.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
400	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Installing the Jersey barriers seems like a poor solution for a problem that doesn't exist. Jersey barriers are heavy and thus would leave deep indentations on the playa that would require post event remediation. A typical 10 ft Jersey barrier weighs 2 tons, and a typical 48,000 pound flatbed weight capacity would allow for 12 jersey barriers per truck. Given the ~55,000 foot length of the current trash fence, requiring Jersey Barriers would mean an additional 450 heavy truck trips to Black Rock City. The impact of these additional trips, combined with impacts on the playa, visual impacts, and no obvious advantages compared to the current trash fence system, is why the Jersey Barrier idea should be abandoned.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
401	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Notably, the inclusion of a K-Rail terrorist perimeter around the event site, as required by BLM's proposed mitigation measure PSH-3, would create a massive 10-mile-long dune (potentially two, on either side of the barriers) that would need to be eradicated, at great expense and with heavy machinery over a period of weeks or months.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
403	1	Mitigation-Public Health and Safety	209.0700.00	N/A	roposed Mitigation PHS-3 whereby heavy-duty K-rail or Jersey barriers would be used to surround the 10 miles of desert-facing perimeter to "reduce risk of unauthorized entry". Where is the data showing that unauthorized entry is occurring and what environmental impact this would create at the rates of unauthorized entry shown by that data?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
405	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Besides the environmental, timing and safety issues involved, what possible use is this thigh-high concrete wall? Is it to prevent someone from getting in without a ticket? BRC already uses marine radar to sweep the playa for miles around. We can see a CROW standing on the playa a mile away. BLMs cut of the ticket revenue for the few people that might sneak in is pennies on the million-plus dollars this would cost. Please show us the cost-benefit analysis you've done that makes sense of this proposal.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
411	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3: Adding Jersey barriers would do nothing to deter unauthorized entry (which is essentially a non-problem that this EIS is trying to solve) as people could, you know, hop over them. I really am not sure what this proposal is trying to achieve besides increasing costs for Burning Man without accomplishing much of anything. It's not like people are driving through the barriers today; a Jersey barrier is meant to stop cars, not humans on foot.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
412	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Furthermore, I did not find any evidence in the Environment Impact Statement that reviewed or commented on the environmental impact of constructing the proposed K-rail and Jersey barriers on the Playa. According to my research each barrier is 10 ft Long x 24 in Wide x 32 in High and weighs approximately 4000 lbs. The perimeter of the Burning Man event is 8 miles or 42240 feet. Given this it would take 4224 barriers to surround the perimeter of the Burning Man event. Semi-trucks would need to transport the barriers onto the Playa for placement. A semi-truck weighs approximately 8000 lbs. empty. One semi-truck can transport a maximum of 28 - 30 barriers. This would mean that each semi-truck would weigh between 112,000 - 120,000 lbs. when fully loaded. To transport the 4224 barriers to the Playa it would require approximately 140 semi-trucks (presuming all were loaded with a maximum of 30 barriers each). The sheer volume and weight of the semi-trucks traversing the Playa would leave permanent scars on the Playa surface. It is apparent to me that whoever recommended that jersey barriers replace the trash fence has never been out on the Playa and has never really considered the consequences of the proposed solution to a NON-EXISTENT PROBLEM	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
415	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 Jersey Barriers would be astronomically expensive, more degrading to the environment, and laborious. DPW works to put up a 5 mile fence perimeter and Perimeter Crew works tirelessly to make sure that no one breaches those barriers for Pre, During, and Post Event. I'm sure BLM could attest that their own surveillance on the perimeter also helps maintains a safe and protected barrier. It is extremely paradoxical that BLM requests the implementations of measures that increase traffic, dust, carbon footprint, and simultaneously requests that implementations be taken to reduce those things on account of the environment.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
417	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 states: "BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction." This is environmentally irresponsible, poses a logistics nightmare, and will cost an estimated 3 million dollars to achieve the purchase, transportation to and from the event, and the placement and storage of the barrier lengths, based on a phone quotes from suppliers of K-rails in the area and estimated transport and fuel cost. Over 4,000 barrier lengths would be needed to cover the approximate 9 miles of perimeter. The impact of dozens, if not hundreds, of flat bed trucks driving across the playa would be drastically harmful to the condition of the playa. In this case, the EIS proposes an initiative to do more harm to the playa than ever before, to reduce unauthorized entry into the event, when in fact, there is not a problem with unauthorized entry in the first place. Furthermore, based on 8 years of attending Burning Man consecutively -- on the ground experience -- I can say with certainty that the dust dunes that will be created due to the barrier would stretch the 9 mile perimeter, and call the need for additional heavy machinery to restore the playa to it's natural state. It is for these reasons, Mitigation PHS-3 is drafted with a lack of evidence to prove it will reduce environmental impact, and will certainly cause more harm than good. The following statements will offer more support to the notion that Mitigation PHS-3 is a detriment to the environment as well as the neighboring communities.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
436	3	Mitigation-Public Health and Safety	209.0700.00	N/A	There is no problem for this mitigation to address. However, this mitigation would introduce significant environmental harms, including greenhouse gas emissions from transporting and assembling proposed barriers. Further, they would introduce dunes around the entire perimeter of the event, on at least one side of the barriers, if not both, which current methods prevent, and those dunes will need to be removed, creating environment harms and adding great cost. Finally, they will not trap unintended litter the way current trash fence methods do, allowing litter to blow over barriers and increasing harm to the environment. The proposed solution in this mitigation is significantly worse than the solution in place already.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
443	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The installation and use of any kind of large barrier fence (K-rail, Jersey fence) on the perimeter or anywhere onsite will have an adverse environmental impact on the playa surface because of the large vehicles and equipment needed for such installation, and offers absolutely nothing in terms of additional public safety or protection.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
444	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The event is currently cordoned off with "snow fencing" that is an effective net to catch debris from the event. Replacing this with jersey barriers will have a different, and unpredictable effect on trash containment.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
464	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The perimeter fence is something that will block the view of the amazing sunrise that all of the 70,000 people enjoy every single morning. BLM ORG is doing an amazing job at providing perimeter security. There is absolutely no need to enforce the fence. The current trash fence is more than enough.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
467	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 This measure is both impractical and inappropriate. There is no reasonable approach to implement this mitigation while complying with AQ-1 and Mitigation SOIL-3. Trash that is mobile via the wind will not be stopped by a solid barrier as wind will simply carry the airborne trash over the barrier after a dune is formed. There is no method to "Leave No Trace" with this mitigation with regards to all the heavy equipment required to install and remove these barriers. This mitigation is not solving any realized problem, but simply a imagined issue that does not occur for vehicle traffic.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
469	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Given an event perimeter length of approximate 9 miles -- 47,520 feet-- this would require the purchase, transportation, placement, strike, return transportation and storage of 4,752 barriers of standard 10ft lengths. A single, standard 10 foot Jersey barrier weighs 2 tons. The resulting total weight has been calculated to be 19 MILLION pounds, well over 9 MILLION TONS. On the playa surface. Transport consequences: a standard flatbed semi trailer can haul five barriers per trip. This would require 951 separate 115-mile one-way trips from Sparks to BRC, then an additional 951 115-mile trips back to Sparks, even assuming there is any place in or near Sparks where 4,752 barriers could be stored. Has the BLM taken into consideration the pollution due to emissions, dust and noise just between say, Sparks and BRC? Additional transport from outside areas and the resulting pollution and noise and dust to surrounding areas? Not to mention emissions caused by manufacturing of the required number of barriers, as it's unlikely 4,752 Jersey barriers are readily on hand, anywhere, by any state agency or private construction firm or combination thereof? Further, Jersey barriers are short and easily climbed over. Metal fencing is easily cut or climbed. How would this reduce unauthorized entry to the event? The closure area is already monitored by radar capable of detecting the shape signature of anything larger than a jackrabbit alongside and for several miles approaching the perimeter fence. As a result, the Gate, Perimeter, Exodus team has the ability to pinpoint a human being from several miles away, and can radio an intercept vehicle instantly to the exact location of any person or vehicle headed toward the city from outside the perimeter fence. How are easily climbed barriers better than this? It requires the use of heavy hauling vehicles plus heavy equipment to transport and place the barriers, thereby dramatically INCREASING pollution and detrimental effect on the playa surface. Has the BLM considered the impact to the playa surface created by 1,900 separate 10-ton loads being driven repeatedly back and forth to transport and place the barriers? Has the BLM considered the impact of particulate and carbon emissions due to the presence and use of many dozens of large diesel trucks and heavy equipment operations? Has the BLM considered the creation of large, high-volume dust dunes that would pile up against any physical barrier, requiring further remediation by the Burning Man Project AND BLM staff? Not to mention the carbon and particulate emissions associated with all the heavy equipment required?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
479	4	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3: The implementation of physical barriers such as Jersey barriers or K-rail fence would not be an effective barrier for trash and would cause additional sand dunes and mounding as opposed to the current trash fence that is constructed at the even. In addition, the added heavy truck traffic needed to transport these heavier barriers to and from the event space will not only adversely impact the country infrastructure, particular the country roads to and from the event, but would also have adverse impacts on air quality from increased dust and playa surface disturbance from the use of heavier vehicles and equipment for the placement of barriers. Finally, there is little or no evidence that there is a need for the heavier barriers to prevent vehicle entrance from the desert. This has not be a significant issue in the past and the broad, flat areas of the playa allow the effective detection and interception of vehicle and foot traffic before they will encounter the barrier.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
479	5	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed 10 mile 'K-Rail perimeter wall is unreasonable and unwarranted. The costs and availability are prohibitive: The existing trash fence is adequate, no vehicles have entered illegally.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
491	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Please provide objective data that trash fences pose a Public Health and Safety burden. Please provide objective data that a perimeter barrier such as K-rail fencing would improve environmental outcomes. This initiative is likely to cause more damage to the environment than the current trash fences used at Burning Man due to increased manpower, carbon costs, and actual disruption of playa that would be associated with transporting and building a wall.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
497	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Building such a wall is neither necessary nor makes sense. It would result in serious environmental impact to the playa itself. I would call into question the motives for the EIS document itself as this seems to be a ridiculous solution to a problem that really doesn't exist. I can't imagine any issue that would be mitigated with this extremely expensive and playa-damaging proposal. Furthermore, it does not seem to be supported by any facts and was sounds like it was written by someone who has not been to Burning Man (let alone) the edge of Burning Man.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
497	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigations PHS-3 (K-Rails) I disagree with the addition of K-Rails to the Burning Man event. As a Professional Civil Engineer, I use K-Rails in roadway design. While they do effectively deter vehicles they have never been effective in containing motivated individuals. Burning Man already has protocols in place to deal with individuals trying to access the event without tickets. K-Rails are heavy structures that will be needlessly destructive to the playa. They also increase the demand on aging roadways and increase traffic to and from the area. Lastly, K-Rails will work in contradiction of EIS Mitigation Soil - 3 to BRC to restore and maintain playa contours	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
499	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Perhaps the most baffling is the proposal (PHS-3) that the lightweight plastic perimeter fencing be replaced with concrete K-rails. A bit of research tells me that the rails weigh approximately 2 tons per 10' section, which suggests that replacing the entire perimeter would require approximately 10,000 short tons of concrete. This is no small amount of material to transport to a remote location; to put that mass in perspective, it's approximately the entire cargo capacity of a World War II era Liberty ship. If the nearby railroad could be used for delivery, the flatcars needed to carry the rails would make up a train at least a mile and a half long. The fleet of forklift trucks required to place and remove them would undoubtedly cause significant damage to the playa surface. The loading, unloading, and moving of thousands of heavy K-rails also greatly increases the risk of injury to the many workers involved in the process.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
499	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Putting up a 10 mile long set barriers would require 1,900 separate 10 ton loads being driven - repeatedly - over they playa, and would result in damage to local roads, damage to the playa, and create dunes that would need remediation by heavy machinery. How on earth can this be part of an Environmental plan. This really as not been well thought through. The current fence the Burning Man organization uses accomplishes what you want the concrete barriers to accomplish without causing new environmental problems that would require remediation.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
501	3	Mitigation-Public Health and Safety	209.0700.00	N/A	it appears the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter (as stated in the draft as Jersey barriers and K-rail fencing). I have never experienced or witnessed any individual(s) or vehicle(s) attempting to enter the event illegally through the current barrier and I see this as an unnecessary impact on the environment and the BLM land that BRC temporarily resides.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
527	3	Mitigation-Public Health and Safety	209.0700.00	N/A	the set-up and removal of approximately 4,750, 4,000-pound (each) barriers is not only cost prohibitive, it would do irreparable damage to the playa environment that the BLM is supposed to be protecting.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
532	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I am particularly concerned about the impact that a number of your proposed changes would have on the Burning Man Event, but of particular concern to my expertise is the proposed 9+ miles of K-rail fencing to be installed. As you should be well aware, hard barriers placed on the desert surface directly lead to eddies and changes in wind currents, leading to deposition of sand and other fine grained materials around said barriers. The erection of a massive 9-mile long k-rail fence, along with its necessary duration, which due to the scale of this structure and the time required to install it would be much longer than the 1-2 weeks that much of the other infrastructure that is placed on the playa, would certainly lead to a massive sand dune complex that would be difficult to remove and mitigate, and would likely cause permanent damage to the playa surface. This is before considering the damage caused by the thousands of additional trucks and heavy equipment needed to install and remove this barrier. Please reconsider this seemingly poorly thought through proposition. Below is a link to a peer reviewed journal article that describes the process of shadow dunes forming behind barriers: <a href="https://pubs.geoscienceworld.org/sepm/jsedres/article-abstract/51/1/101/113576">https://pubs.geoscienceworld.org/sepm/jsedres/article-abstract/51/1/101/113576</a>	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
542	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The current plastic fence which has been shown to catch wind blown debris is patrolled by Burningman Rangers and Gate and Perimeterpeople 24 hours a day. I can't recall a single instance where it has been breached by a vehicle. The requirement of a concrete barrier is not necessary. No fact supports it's need.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
569	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3: This would require almost 20 million pounds of concrete jersey barriers or weighted plastic barriers around the perimeter of the trash fence. This is directly in conflict with preserving the environment of the playa. These barriers and the trucks needed to unload them would tear up the playa surface and create huge dunes that would envelop the barriers. The viability of sourcing this is immense and is, again, a solution to a problem that does not exist. Never have I heard of a rumor anyone sneaking into the event. The Burning Man Organization uses state of the art radar systems on top of gate and ranger patrols of the perimeter that has more than effectively kept, vehicles, people and trash from getting through the fence.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
582	4	Mitigation-Public Health and Safety	209.0700.00	N/A	By placing plastic barriers at the fence line, it would dismiss that Leaving No Trace is an important principle. DURING AND AFTER the gathering. Plastic barriers would cause more of a long lasting impact than the fences we have now. I do agree with some sort of fence that also collects flying debris. The new search and seizure operations by BLM's private security company would be problematic, leading to increased wait times, traffic, and civil rights violations.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
583	1	Mitigation-Public Health and Safety	209.0700.00	N/A	However, we are concerned that the proposed mitigation measure will be ineffective in capturing debris blown away by the wind to areas outside of the Closure Area. We're also concerned with the increase in traffic associated with the trucks needed to transport the barriers through the Reservation to and from the event. We support BRC's current method for establishing the event's perimeter with construction fencing, which contains holes that allows wind to pass through while capturing debris.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
602	1	Mitigation-Public Health and Safety	209.0700.00	N/A	2) PHS-3 physical perimeter to reduce risk of unauthorized entry. Executive Summary: the hugely disproportionate deleterious and negative impact of a physical barrier on the perimeter of BRC well outweighs the mitigation of risk of unauthorized entry (participants sneaking in), much less the mitigation of the already near non-existent threat of a vehicle attack on the BM event. Discussion: physical barriers serve as a deterrent to hostile action and mitigant to the effects of any hostile action from a force protection or PH&S standpoint. Unauthorized entrants pose zero-threat to PHS. They are typically folks trying to sneak into the event itself. Criminals and terrorists will likely be deterred from action in BRC for reasons enumerated above - mainly difficulty and distance to access versus other soft targets. BRC and law enforcement personnel already have a layered system in place to detect, identify, and intercept foot- and vehicle-mobile persons approaching the perimeter of the city, especially given the lack of cover and concealment surrounding the site.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
617	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Note that the K-rail fence would also prevent participant vehicles from leaving in an emergency, and BLM/LEO vehicles from breaking through the fence in the same manner.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
618	1	Mitigation-Public Health and Safety	209.0700.00	N/A	neither Jersey barriers nor K-rail fence are designed to prevent intentional human movement. In fact, it would barely slow someone down.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
631	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The purpose of this comment is to supplement comments that I previously submitted regarding this proposed mitigation measure, which would require the Burning Man organizers to place physical perimeter barriers around the city perimeter. I inquired at the meeting as to whether any analysis had been performed of the efficacy of this and other mitigation measures. The response was that the draft EIS contained that analysis. I have reviewed the draft EIS and it contains no analysis. As such, it appears that the BLM seeks to impose a tremendously costly mitigation measure, which would likely have significant collateral environmental consequences, but has not performed any analysis to determine (1) whether the mitigation solves an actual problem, or (2) whether existing mitigation measure adequately address the proposed problem.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
671	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding PHS-3; has BLM done an investigation into the impact that such barrier will have on playa environment? Has it assessed the creation of dune cause by this barrier interacting with blown dust and wind? Has BLM assessed the total carbon emissions required in the deployment and recovery of this barrier? Has BLM computed the financial cost of deploying such a barrier? Has BLM compared this cost to the cost of other approaches to achieving its stated goal of reducing the risk of unauthorized entry? Does BLM have any factual basis of known unauthorized entry to demonstrate that this is even a problem worth addressing? If the answers to any of the above are 'yes'; can you please outline the specifics in full?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
677	3	Mitigation-Public Health and Safety	209.0700.00	N/A	In the extremely unlikely case that someone actually was highly intent on causing such a vehicle-as-weapon mass-casualty incident specifically at the Burning Man event, and a hefty barrier was in place all the way around the Event Area - the individual could just first gain access to the event area (by buying a ticket or becoming a driver for a vendor, etc.) and then once inside the event perpetrate such an attack. They could do this by using the vehicle they drove in, or even possibly borrowing or stealing or commandeering a vehicle owned by someone else, that is already inside the event area.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
678	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Another point of contention is the concrete barrier. Why is this needed? What does that gain over the trash fence? A concrete barrier is easier to scale than the snow fence. Its solid foundation is easier to climb.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
703	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The fence would, however, disrupt the environment in many ways. Moving that amount of concrete will significantly test the road that you want Burning Man to maintain. It will cause a higher amount of additional disruptive traffic through Gerlach and Empire NV.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
725	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Lastly, I note the proposal regarding barriers around the event, instead of the current fence system. Once again, this appears to be a solution in search of a problem. Moreover, I do not believe that solid barriers will catch more windpropelled debris, because wind follows solid surfaces, and thus, debris would blow over such a barrier (versus getting caught in the trash fence.)	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
943	2	Mitigation-Public Health and Safety	209.0700.00	N/A	K-rail typically refers to the concrete barriers used on highways to block off shoulders or closed lanes. Jersey barriers may refer to the same concrete version, or sometimes a plastic version. The BLM does not clarify which system is being required, nor does it discuss why simple improvements to fencing was not included as an option.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
990	5	Mitigation-Public Health and Safety	209.0700.00	N/A	The only risk the BLM indicates the k-rail is meant to prevent is the unlikely potential malicious entry of a vehicle determined to implement a terrorist attack at the event. For this, they want to ring the event with concrete barriers, but at what cost to the playa and what potential danger to the event participants? The k-rail barrier seems to go against two other impacts/risks discussed by the BLM.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1006	2	Mitigation-Public Health and Safety	209.0700.00	N/A	he event is currently cordoned off with "snow fencing" ("The Trash Fence") that is an effective net to catch wind-blown trash from the event. Replacing this with jersey barriers will have a different and unpredictable effect on trash containment. A likely possibility is that the turbulent reduction in wind speed velocity leads to the formation of "dunes" (linear silt mounds AKA "playa snakes") that would remain even after the removal of the hard barrier. This prediction is extrapolated from personal observation of small silt mounds from various small objects (i.e. storage cases placed outside on the playa surface) over the course of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1008	2	Mitigation-Public Health and Safety	209.0700.00	N/A	First off, the Black Rock Desert, is prone to dust storms that can last indefinitely. Quite simply, the K-Rails border wall would be the largest structure ever on the Black Rock Desert and cause the largest continuous dune ever. This dune will be over 10 miles long, 30 ft wide (on both sides) and could potentially bury the actual k-rails. This dune will ruin the flat surface of the Black Rock Desert and do irreparable harm, covering acres of territory and be an unavoidable future hazard for all motorists.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1015	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The barriers themselves are not inert. Being made of concrete they are crude constructs that are routinely abused in the process of handling. Please see the attached photo and note the broken corners that are typical of handling. Those missing pieces of concrete will further negatively impact other issues such as Mitigation SOIL-1 [IMAGE OF CONCRETE K BARRIERS]	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1195	1	Mitigation-Public Health and Safety	209.0700.00	N/A	There is no evidence to support the need for Jersey Barriers at the perimeter of the event. They will impose a massive carbon foot print on the event, exasperate the wear and tear on Nevada's highways, and contribute to further congestion before and after the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1203	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The recommendation of K-rail or Jersey barriers to be installed around the perimeter of the event is also highly questionable on several points. We are all very familiar with these kinds of barriers as they are in prolific use throughout our roadways as barriers to keep vehicles traveling at freeway and highway speeds from running into cross traffic. Firstly, I would like to point out that cement contamination of the playa is absolutely certain if this plan were to be put into effect. These barriers weigh around 2 tons a piece and require heavy equipment to move. This always creates wear on the barriers resulting in concrete dust and debris. This is unavoidable and would become a contaminant that, because of color and size, would be impossible to fully contain. As the BLM has very strict standards for the Burning Man event's footprint on the area, requiring such an assured source of contamination would be in direct conflict with the BLM seeking to preserve the area. Since such a barrier is also unnecessary, as vehicles operated by Burning Man Project and the event's participants are kept to a strict 5mph limit and only BLM operated vehicles drive at any greater speed during the setup and staging of the event, this proposal shows itself to be an exceptionally fruitless and destructive one.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1215	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed concrete perimeter wall has an initial carbon footprint that will quadruple the event's GHG emissions in the first year of implementation as well as have many other quantifiable negative environmental, economic, and social impacts. It will also result in on-going environmental damage due to the fuel consumed in transporting, placing, and removing the barriers each year. The BLM has not considered these negative environmental impacts in the Environmental Impact Statement	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1245	2	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM's request that concrete Jersey barriers be used around the perimeter of BRC would roughly quadruple the carbon footprint of the Alternative A event in the first year, with significant additional GHG emission incurred annually thereafter due to transporting the barriers to and from the playa and the use of heavy equipment to place and remove them in the years to come. This thumbnail environmental accounting is only on the production of GHGs, and did not consider any of the other environmental impact categories (e.g. human toxicity, smog, global warming, eutrophication) based on the ISO 14040 series of standards.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1248	1	Mitigation-Public Health and Safety	209.0700.00	N/A	<p>PHS-3"BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction." Though it is understandable that the BLM is interested in providing greater security for the residents of the event and deterring unauthorized entrants while preventing the spread of trash, the BLM has failed to consider the complexities surrounding implimenting this mitigation strategy. 1) The environmental implications have to be considered. Depending on the width and material used for the proposed jersey barriers, the approximate weight for 1ft of the barrier would be 400-600 lbs/ ft: <a href="https://www.triconprecast.com/publications/Texas-Barrier-Catalog.pdf">https://www.triconprecast.com/publications/Texas-Barrier-Catalog.pdf</a>. Assuming 47, 520 ft, that would be 19M-28.5M lbs of material. According to the aforementioned seller link (quoted above), each truckload can carry approximately 90-100 ft. That would be 476-528- truckloads to and from the event site. That would be over the recorded average daily volume of County Road 34 and 447 which are already at a baseline of LOS B. Coupled with the proposed NAT-2 (an additional 1500 trucks to and from the playa needed to transport dumpsters) and PHS-1 (security which would cause delays and extended wait-times upon entrance causing traffic build-up) mitigation measures, the LOS on 447 &amp; 34 et al would be severely impacted.Has the BLM studied the environmental impacts the transportation of jersey barriers to and from site would cause? Transporting over 19M lbs of barrier to and from site would not only increase air pollutants such as carbon, it would also further exasperate playa disturbance, increase vehicle petroleum and oil leakage on the playa and increase the chance of killing wildlife to and from the playa. 3) The barrier will have an impact on normal wildlife migratory patterns. Current fencing has holes which allow insects and small animals to cross to and from the designated site. Has the BLM studied theimpacts that a solid barrier would have on these migratory patterns? Would the implementation of PHS-3 be in the spirit of of NEPA as a "reasonable alternative that would avoid or minimize adverse impacts or enhance the quality of the environment"? 4) The barriers could potentially have an impact on playa/dune build-up at perimeter locations. Cudrrently the existing barrier allows wind and playa dust to permeate through but with a solid structure, sedimentological and geomorphological studies need to be carried out. In particular, how will the barriers be removed if precipitation ensues. As a participant since 2003, I have seen how difficult the conditions can be on the playa once water has been added. Last year's 747 plane fiasco which according to the Nevada DOT weighed 70,000 lbs (according to their permit) is a good indication of the potential problems a truck with 40,000 of material could encounter. With 500 truckloads, being brought in and out of the playa, the risk of a 747-replay is greatly exaggerated. If rains are persistent, moving these barriers will be near to impossible, thus the chance of leaving them permanently and the impact it would have on wildlife needs to be considered.</p>	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1257	2	Mitigation-Public Health and Safety	209.0700.00	N/A	<p>The cost involves in Jersey barriers would be astronomical, and passed along to attendees, causing issues described in my above response for PHS-1. Also this creates a big environmental impact for transporting these physical barriers to and from the event location. Carbon emissions from all the trucks carrying the barriers, as well as physical impact on the roads leading to the event would cause a lasting impact. Physical barriers would also not be as efficient for stopping small debris, since the debris would blow over them, rather than being trapped by the current trash fence.</p>	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1259	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In the Fact Checking / Mitigation Soil 3 discussion, the K rail is referred to as "K rail TERRORIST perimeter" Are terrorists the real threat here? Or is it participants coming and going?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1259	2	Mitigation-Public Health and Safety	209.0700.00	N/A	If the concern being addressed by PHS-3 is terrorism, then in absence of actionable intelligence, this proposal is expensive and provides a substantial increase in overall environmental impacts against a threat with an infinitesimal probability.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1276	1	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM's recommendation that nearly 10 miles of K-rail or Jersey barriers installed around the Black Rock City perimeter fence. This is an unnecessary requirement considering the current trash fence is perfectly adequate for catching windblown trash that my otherwise have blown out onto the conservation area surrounding the event. In addition, the heavy equipment needed to transport and install such barriers would cause significant and possibly irreversible damage to the conservation area.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1290	2	Mitigation-Public Health and Safety	209.0700.00	N/A	concrete or plastic barriers at the fence line would take away from the natural beauty and negatively affect the art and the artists.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1291	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed Jersey barriers will take more time to set up and will change the appearance of the desert throughout the time of the event for questionable benefit.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1313	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 - Unauthorized access to the event is not a large scale issue, nor does it demand more attention than it already receives. The current procedures and controls provide adequate protection against unauthorized access. Further more, adding a physical concrete barrier to the perimeter will detract from the connection of the event to the black rock desert.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1357	6	Mitigation-Public Health and Safety	209.0700.00	N/A	The suggestion of using a jersey fence to contain the perimeter is not well thought out. Wind and dust movement on open playa prior to build week, and during the event itself, will create a dune over the fence which will cause all debris to float over the fence and even less will be caught than using the current method of open fence. The dune would cause the perimeter to easily be breached.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1379	1	Mitigation-Public Health and Safety	209.0700.00	N/A	There's already a perimeter fence around the event that keeps people informed of the boundaries of the event and is used to collect trash from the event. Unlike other festivals the culture of burning man is about "Leave No Trace". All participants actively work to remove trash. Putting up a more substantial barrier isn't going to improve trash collection. It's likely to have a far greater impact, negatively on the environment there. Yes it seems like there is no life there but in fact there is. Some years the soil at there is very loose and the winds will kick it up and produce sand dunes. These will then require heavy machinery to tear them down. Further damaging the environment there.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1379	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed requirement for K-rail hardend barriers for example does not take ANY consideration of the impact they will have on the playa. The number of heavy equipment trucks that will need to be added to the traffic heading to and trampling the playa is unnecessary and that is not even talking about the impact of the barriers on the playa itself.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1400	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The current perimeter consists of a lightweight trash fence designed to trap blowing trash that would otherwise escape the city. The perimeter is monitored 24/7 by a combination of radar, night vision equipment, and patrol intercept trucks. A quick google search tells me that a Jersey barrier weighs 600 feet per lineal foot. The environmental impact of installing such an unnecessary barrier would be enormous. Before suggesting such a mitigation, there should be some rationale for doing it, and some analysis of the environmental impact. This represents tens of millions of pounds of concrete barrier that would have to be fabricated, transported, placed on the playa by heavy machinery, and then removed at the end of the event. The cost of this barrier would be enormous, and in my opinion would serve no purpose, and would create unnecessary harm to the environment.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1401	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The environmental impact of the roughly 4,752 barriers it would take to surround the perimeter of the event is astonishing. It would require much more heavy machinery than we currently see on playa to begin with. It also would create more greenhouse gases and damage to Highway 34 than we've ever seen in previous years. I'm wondering what the backing for this is and why it's in an environmental impact statement when it seems to actually impact the environment much more than the current solution already does. It is currently virtually impossible for a person, vehicle, or any other moving thing within miles of the trash fence to go undetected due to BMORG's efforts to keep us safe. The jersey barriers directly violate what BMORG stands for and would negatively impact the environment, local communities, and the structure of the event entirely.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1401	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Third, the installation of jersey barriers around the perimeter of the event. In terms of well-reasoned policy, this one was particularly mind boggling. Many of the proposals from the BLM are under the guise of reducing the impact of the event on the public lands, but what will have a larger impact on the desert: miles of fencing that require post holes which are periodic and can be filled in, or putting down miles of concrete barriers, each weighing thousands of pounds and requiring heavy machinery to install and remove? Not to mention the stress that hauling in all of these heavy barriers on large trucks will have on the local roads	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1408	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The Mitigation PHS-3 clause would in fact increase Burning Man's carbon footprint extremely which is against the goal of BLM. The current fence in place at Burning Man not only provides the event with visual perimeter and a monitored safety precaution. The construction of the proposed fence would have possibly detrimental effects on the land of Burning Man.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1416	1	Mitigation-Public Health and Safety	209.0700.00	N/A	concrete or plastic barriers at the fence line would impact my experience at the Burning Man event and would completely undermine the Leave No Trace Ethos that Burning Man is built on.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1424	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Another item is the installation of K-rail at the perimeter. Ten miles is not enough to cover the circumference of the event. If this is meant as a deterrent for either participants leaving or other people to sneak into Burning Man it will have little to no effect. It will take manpower and generate pollution with the install and removal far greater than any cost benefit. If this is being looked at as an anti-terrorist concept it is useless again. Any event sporting, rock concert etc. has inherent risk of threat. Ours is no different with the exception that we have a electronic surveillance equipment to detect movement near to the perimeter of the event. That is a better deterrent if that is the case. If BLM has an actual ThreatCon Level of B or above, determined by either the DOJ, FBI or other security agency in the federal government it would be great for us to know this. On another take on the K-rail is that will be a block to wonderful views over the course of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1424	4	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 "BRC will be required to implement physical perimeter barriers (e.g. jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event." This seems entirely impractical and potentially damaging to the very desert we are all trying to protect. Imagine the number of heavy vehicles required to haul that much concrete all the way out to BRC, and then dismantle it a few weeks later? One twenty foot section of K-rail weighs around 8,000 lbs. it is approximately 10 miles around BRC perimeter, which means that 2640 K-rails of 20 ft. each would be required, weighing 21,120,000 lbs.! And what is the evidence that there are large numbers of participants sneaking in to the event? Without evidence, what would justify this massive infrastructure effort? The perimeter is already heavily patrolled to prevent unauthorized entry at a fraction of the cost and impact that K-rails would have. I am also concerned about the playa surface blowing and creating large dunes that could require the use of heavy machinery to move 'back in place'- which would be devastating to the playa surface and the surrounding roadways- which are not rated for the transport of such heavy loads. I am not even certain that there is a company/or companies that could come up with that much K rail in a timely manner or a place to store it when not in use. This seems like overkill to a problem that doesn't exist.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1434	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The requirement to place physical barriers around the event perimeter again seems extremely unnecessary, given that the event organizers already place a net fence around the event to prevent litter from leaving the event perimeter. Erecting additional heavyweight barriers again seems counter-productive, increasing the chance for the barriers themselves to cause litter and negative environmental impacts. Additionally, the cost of doing this would place another extreme burden on the event and its participants. Importantly, the barriers would significantly negatively change the experience of the event, destroying the natural view of the playa and mountains.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1434	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Instillation of concrete barriers around the event would conflict with the intent of the soils mitigation because it would further increase playa mound features around the event making it even more difficult to accomplish SOIL-3. The EIS identified this as an issue with the trash fence in 2007 on pg 3-50 "Mound features were noted along the temporary perimeter fencing after the 2007 Burning Man Event", solid barriers would only make these mound features worse, and this is not analyzed in the document, since it is only discussed as a mitigation measure rather than an impact. This mitigation is also disproportionate to the impact that caused the issue. Impacts from off designated route vehicle travel can be mitigated through sturdy barriers adjacent to areas of travel. Approaches from mid-playa are highly enforced already, and do not seem to be an issue, therefore barriers around the playa side of the event are unnecessary and have further environmental consequences that are not sufficiently analyzed, and would be difficult to mitigate.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1436	3	Mitigation-Public Health and Safety	209.0700.00	N/A	1. The need for this is not supported by evidence. Burning Man Project currently installs a nine-mile orange trash fence around the event site, which serves as our visual perimeter and is heavily monitored and patrolled by the Black Rock City Gate, Perimeter, and Exodus Staff 24 hours a day using sophisticated radar, night vision, and patrol intercept trucks in coordination with BLM Rangers. This type of fencing allows the wind to blow through but catches MOOP (Matter Out Of Place). This fence has been highly effective. The issue of people entering the event improperly just does not exist. 2. Environmental impact. BLM's barrier mitigation would dramatically increase the Burning Man event's carbon footprint, a paradoxical recommendation for an Environmental Impact Statement. The added irony is that this "solution" would create unprecedented environmental impacts on the playa surface itself, a concern so great that BLM brought in NASA to study it. The barrier would create a massive, 10-mile-long set of dunes that would eclipse by huge margins any past dunes and need to be remediated with heavy machinery, which should not be a recommendation in an EIS.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1449	1	Mitigation-Public Health and Safety	209.0700.00	N/A	There are extensive measures taken such as night vision that would catch someone well before they reach event boundaries. Also, the walls would create an environmental disaster, which I hoped the BLM was trying to alleviate. Huge mounds of playa would certainly accumulate and take extensive rehabilitation to resolve post-event whereas the current fence is able to allow a more natural approach and limit environmental impacts.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1474	10	Mitigation-Public Health and Safety	209.0700.00	N/A	The idea of erecting miles of huge fences would only cause more damage to the playa as dust and dirt piled up on them and they would undoubtedly damage the playa as they are put up and taken down. As anyone who has been out there would know, big objects like that only pile up with dirt when they are out exposed to the wind on the playa for so long.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1478	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Would the BLM please clarify or provide evidence to the effectiveness of using jersey barriers to keep people from entering the event? Please also include evidence of the number of unauthorized people entering the event by crossing the perimeter fence. These concrete barriers are easily stepped over, and in my personal experience, the currently utilized orange trash fence is much harder to traverse. It is also my understanding that the Burning Man organization utilizes sophisticated radar that can identify living beings as small as rabbits within several miles of the perimeter, and that there are no reported cases of anyone actually breaking through the trash fence.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1499	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Barriers: Has the BLM quantified the amount of refuse that escapes the trash fence as it is currently engineered? Has the BLM considered the environmental impact (including sand dune creation, GHG and other emissions due to transportation and production of the barriers, etc.) associated with this recommendation?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1499	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Similar to the requirement of dumpsters, the vehicles required for this effort would be extensive, would contribute to emissions, would increase the amount of driving on playa before and after the event to place and recover structures. In addition, the need to provide the number of barriers that would be required would likely exceed the supply of such items in the area of the event, requiring such items to be transported from far away, manufactured, or otherwise created or hauled. The massive number of these would also present a significant storage and transport problem before and after the event. The increased gasoline consumption and vehicular emissions alone would be environmentally detrimental. In addition, large trucks hauling in this infrastructure would likely impede traffic and community activities of the local communities on the way into and out of the event area. These concerns also have yet to touch on the environmental impact to the playa itself. Compared with the current trash fence, concrete or metal barriers would increase the surface area of the playa crust damaged by placement and movement of large barriers, contribute to creating dunes and altering the surface of the playa, both of these worsening impact on air and soil. This mitigation strategy also does not seem to address a truly legitimate safety concern based on data and history of the event (1 occurrence in event history as reported in the Public Health and Safety at the Burning Man Event report) It is based on a theoretical concern that someone with mal-intent is driving into the event to inflict mass casualty. There is also no real guarantee that this extensive work and negative impact to the playa would be successful in preventing an attack. This concern and proposed mitigation also does not take into account the BRC strategies to prevent this type of entry already in place, including the BRC and BLM patrols that already exist for the event barrier. It doesn't appear that such excessive barriers are required around other large music event camping areas (Coachella for example), where a speeding vehicle barreling into a campsite could potentially harm an equally large number of people. A better solution would be increasing/ensuring efficacy already existing methods and BRC ranger patrols to ensure safety instead of employing solutions that would worsen the environmental impact of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1514	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I think the wall would be extremely expensive and arduous and it would damage the playa that we work so hard to keep pristine.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1521	2	Mitigation-Public Health and Safety	209.0700.00	N/A	By installing a permanent structure like a jersey barrier or K-rail, it will require a considerable amount of damage to the surface of the ground. Although their purpose is to keep out the flow of banned contraband entering the event, I would be extremely concerned for the people walking or riding bikes in the dark. Such a rigid structure like this would be much more prone to serious injuries in the case a person or vehicle comes in contact. Not only would injuries be more likely, but an impact would lead to debris and more trash being spread in black rock. this hardened barrier seems to be a very unnecessary and undue degradation of lands at the risk of public healthy and safety.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1532	3	Mitigation-Public Health and Safety	209.0700.00	N/A	the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1537	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Appendix E PHS-3 This proposal would require BRC to install jersey barriers or K rails around the city perimeter to reduce the risk of unauthorized entry. Has unauthorized entry been a significant problem during past Burning Man events? I was under the impression that BMORG does a good job of preventing unauthorized entry utilizing perimeter patrols and vehicles equipped with ground radar. Perhaps a better solution would be to add more patrol vehicles- possibly a few more ground radar vehicles supplemented with drone surveillance.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1552	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The suggestion to 'build a wall' around BRC has been critiqued several places, so I will not revisit the financial and time implications. However, one needs to consider that when one builds a wall, it does not only keep things out- but it also keeps things in. In this case, if there were to be an emergency inside BRC and attendees needed to flee the venue, a wall would inhibit a quick escape; creating choke points and increasing the likelihood of a stampede situation that would potentially put thousands of people fighting one another to escape- possibly causing even more damage to lives than the catalyst event itself.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1552	2	Mitigation-Public Health and Safety	209.0700.00	N/A	It doesn't make sense to build a fence made of concrete or other hard material: - bringing such a heavy fence would require numerous truckloads which would impact the playa - considering the winds and wind stops, I do not see a perimeter fence contain trash better than the current fence. Or are you suggesting building a "wall"? - I wonder what kind of impact on the playa would there be at the location of the fence itself, considering it will be there for so long.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1566	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS 3 - the suggestion of a Jersey barrier/Krail to completely surround the site is frankly ludicrous. Where is the environmental consideration for the placing and removal of these. The number of vehicles needed and heavy lifting equipment plus temporary staff will create a huge logistical and damaging burden on the roads and local resources let alone the environmental impact of placing and removing the barriers off the Playa. Constraining the event in this way also poses an emergency evacuation or ingress to the site problem which can be better handled in other ways. Please inform me how you can provide non damaging temporary roads to place an environmentally damaging barrier which is supposed to protect the Playa from damage?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1575	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The purpose of these barriers is to stop the absurdly unlikely possibility of a terrorist attack using a very specific tactic. However in the reasonably imaginable event of the need to evacuate the city due to natural or man made disaster these barriers would trap 30,000+ vehicles inside the perimeter of the city and the barriers could not be removed in order to facilitate an evacuation.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1556	2	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM has also not provided sufficient analyses of the range of alternatives for achieving the goal of this mitigation measure. For instance, rather than K-rails designed to prevent unauthorized vehicular entry, spike strips around the perimeter would be less environmentally damaging, equally effective, less costly, and would not interfere with the trash fence function and aesthetic.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
347	3	Mitigation-Public Health and Safety	209.0700.00	N/A	In regards to PHS-3 from Appendix E, section E.I. "BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction." This proposal assumes that the perimeter of Black Rock City is easy to penetrate in spite of existing radar-based systems at the event. I have never seen, nor am I aware of any instance of anyone entering the event through anywhere other than the main gate. Does the BLM have any evidence in support of that?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1432	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 "BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction." Where is the trend analysis data that supports the replacement of the standard orange trash fence with Jersey barriers or K-rail fence for the event?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1432	6	Mitigation-Public Health and Safety	209.0700.00	N/A	It appears the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
396	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 I was not aware BRC had border protection Flir system. These systems can track heat signatures down to the size of a jack rabbit. This was brought up at the Reno meeting. If so, this would be better than any physical jersey barrier and allow them to keep the trash fence which allows the wind and sand to blow through.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
396	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3: Less effective and damages the environment The current perimeter fence catches most of what is blown through and prevents it from spreading out beyond what the clean up crew oversees. Jersey barriers would allow for debris to float over and reach far out of the perimeters of those who stay behind to clear trash.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1553	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3: BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rails) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. Response: The plastic trash fence current does a better than expected job at capturing trash and allowing the playa dust to pass through making it a perfect structure for serving its purpose. If the proposed K-rail barrier is needed for security, then I would expect that BLM owns 5 to 10-years of historical data showing an issue with unauthorized individuals caught trying to enter the event and their success rate at stopping said incursions. As far as I am aware, there is a plethora of technology being utilized by both the Perimeter team as well as the BLM to detect bodies well before they can approach the event. Furthermore, removing the mini-sand dunes that would build up on both sides of the k-rail would be a costly, timely, and carbon increasing endeavor.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1553	6	Mitigation-Public Health and Safety	209.0700.00	N/A	I also do not understand why the draft EIS fails to include lighthouse as an already existing strategy to mitigate problems, and all I can assume is that you did so to protect knowledge. In any case, I suggest you keep perimeter and lighthouse radar and talk to BMP about further risk assessments if the FBI/DHS feel it necessary, but please keep in mind that it is not usually a good idea to fix things that are not broken.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
166	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I am also concerned about the safety of attending a large scale event that could be surrounded by a relatively immovable perimeter. How does the BLM envision emergency egress should the entire city need to safely evacuate should there be an large scale emergency?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
744	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The solid barriers, in comparison with the currently used orange "trash fence", would allow large hummocks of wind blown loess to build up on the windward side, and over time building a ramp for large pieces of trash to blow over the barrier. If water filled barriers were to be used, although lighter in weight, these types of barriers would invite vandalism and the release of foreign water onto the playa.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2002	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Lastly, PHS-2's required installation and monitoring of K-rails or jersey barriers seems especially arbitrary and capricious. I have never witnessed nor heard of someone sneaking into the event. The wildlife-friendly trash fence is always monitored, and although I understand the current administration has an obsession with building walls, these will not ameliorate any safety or environmental issues of this event. In fact, jersey barriers would likely cause more damage to the playa, make perimeter controls more difficult and not have the trash-catching effect of the current setup. What evidence that indicates that jersey barriers would have a better environmental impact on the land than the current trash fence?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
243	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 physical perimeter barriers · The border is secure and a wall is not the answer. Anyone who's attended the event can scan the horizon and see ranger and law enforcement vehicles patrolling the perimeter at any hour of the day. I once got a few feet from the fence and a LE truck appeared out of nowhere. In fact, I'm more concerned about the danger of a speeding BLM or LE vehicle careening into a crowd or a participant than I am about potential terrorist or motorist. · The environmental damage of transporting heavy barriers to and from the event along with installing/breaking down would be disproportionate to the potential risk of unauthorized access.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1392	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The barriers would place undue weight on a fragile land mass while not offering any real protection and possible hazardous conditions in the case that evacuations were necessary.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
155	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The BLM is asking BRC to implement physical barriers around the perimeter. This would come at a great cost, both financial, environmental and aesthetic, with very limited benefit to the public health and safety of the community this is designed to protect. The perimeter is already thoroughly patrolled.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1083	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 Concrete barriers would drastically multiply the event's: - (literal) impact on the playa surface including dune buildup and barrier damage debris - carbon footprint to deliver and remove said barriers - impact and wear on the roadway to and from the event	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1785	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The impact of introducing this type of physical perimeter is significant. Just the vehicle traffic and weight to transport the barrier would be substantial and it would have a detrimental effect on the playa along with the roads to the playa. The current system does a great job of collecting trash and inhibiting transgression into or out of the playa. A physical barrier like the K-rail is actually easier to transverse than the current fence. Further having deployed K-rails to inhibit sand movement on lakeshore roads I have firsthand experience on the unintended side effects that occur. The drifting dust and sand form new ridges that in themselves become new permanent obstacles that are next to impossible to remove. Debris that now gets caught in the fence would just blow over the K-rails and makes it harder to clean up in the long term.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1795	3	Mitigation-Public Health and Safety	209.0700.00	N/A	This wall will also need to be illuminated so it doesn't kill someone. My experience working for the perimeter department taught me that it's very difficult to see obstructions on the playa at night. Even when you think you know where the plastic trash fence is, your headlights bouncing off fine particles in the air often obscure the view. That fence seems to leap out of the night-- I've nearly hit it-- and a concrete barrier will also be hard to see until it's too late. I understand that BLM vehicles have recently hit the trash fence at night, and as your vehicles travel at very high speed, kicking up huge plumes of dust, the danger of a head-on collision with a concrete wall is real.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1795	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I have closely observed the perimeter fence that has been in use in the last several years. I find it effective in its present form, for controlling the traffic of people and controlling blowing plastic or paper, as it retains those materials which can later be retrieved minimizing the risk of flying debris on the rest of the area outside of the fence. I worry about the Environmental impact of the transportation and placement of large quantities of concrete and heavy barriers around the perimeter of Black Rock City.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
261	3	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM's measure requiring the transport, placement, and continued use of large and expensive concrete barriers to block miles perimeter is in direct conflict with legitimate concern over environmental impacts. Indeed, this measure appears to be in conflict with the goals of Mitigation SOIL-3, requiring the BRC to restore playa contours, by all but ensuring a massive miles-long dune by this measure.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
139	2	Mitigation-Public Health and Safety	209.0700.00	N/A	It is the stated mission of the BLM "to cultivate community-based conservation, citizencentered stewardship, and partnership through consultation, cooperation, and communication." We ask the BLM to provide the data supporting its conclusion that unauthorized entries are a significant concern warranting a multi-million dollar "solution," and the stakeholders who were consulted to reach this conclusion.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1797	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 Jersey Barriers would be astronomically expensive, more degrading to the environment, and laborious. DPW works to put up a 5 mile fence perimeter and Perimeter Crew works tirelessly to make sure that no one breaches those barriers for Pre, During, and Post Event. I'm sure BLM could attest that their own surveillance on the perimeter also helps maintains a safe and protected barrier. It is extremely paradoxical that BLM requests the implementations of measures that increase traffic, dust, carbon footprint, and simultaneously requests that implementations be taken to reduce those things on account of the environment.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1798	3	Mitigation-Public Health and Safety	209.0700.00	N/A	For instance, the fact that burning man should be required to install a K rail or Jersey barrier fence is unethical and environmentally damaging. Currently majority of cities that exist today do not have a solid fence circling around the perimeter of the city. What would even be the benefits of having a fence like this around the festival?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
492	4	Mitigation-Public Health and Safety	209.0700.00	N/A	I believe the requirement of Jersey barriers at the trash fence line would negatively impact the fragile environment of the Black Rock Desert. Jersey barrier segments each weigh about 4000 lbs., and you would need over 2700 to go all the way around Black Rock City. The damage to the Black Rock Desert from the heavy machinery required to haul, place and remove all those Jersey barriers alone is likely more damaging to both the playa surface and intake road than most of the event population. And what if it rained while this operation was going on? Who would pull those heavy trucks out of the mud? What kind of damage would that do to the Black Rock Desert?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1933	1	Mitigation-Public Health and Safety	209.0700.00	N/A	With regard to PHS-3 from Appendix E, section E.1. This proposal makes an assumption that it's easy to penetrate existing radar-based measures in place at Burning Man. Does BLM have any evidence that it is so? My personal experience at Burning Man is such that i've never encountered anyone coming to Burning Man not through the main gate. Have BLM considered environmental impact of brining concrete barriers to the playa? Have BLM considered the fact that the existing trash fence catches however small amount of litter that may have been blown away while concrete barriers would not be able to do so?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1931	4	Mitigation-Public Health and Safety	209.0700.00	N/A	* Burning Man has set the highest bar as environmental stewards, that have dedicated tremendous resources to protecting our natural environment. It appears that many of the proposed mitigations such as building a perimeter barrier (Mitigation PHS-3) could actually be detrimental to the natural habitat that BLM is charged to protect.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1091	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Likewise PHS 3 seems to me to be over the top as to almost seem comical. Approaching any from any direction other than SR 34 takes many minutes even at highway speeds, and the dust generated is obvious for miles- BRC's security comes from our isolation, not a wall. The perimeter is 10 miles. that's 5280 barriers at 2 tons each, 21,120,00 lbs, that's an extra 264 additional truckloads imported, setup, and removed, to produce a barrier that is significantly less effective than a marine radar and a radio. Please don't wall off our community.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
864	2	Mitigation-Public Health and Safety	209.0700.00	N/A	using such physical barriers would actually do more harm than good. The current system of plastic fencing allows the collection of trash that inadvertently escapes participants where a different system would not. I have personally collected trash from the "trash fence" to pack it out with my camp waste, such trash would simply blow over a jersey barrier or through a K-rail fence. The placement of such heavy and bulky items would have a significant impact on the fragile desert environment. All perimeter fencing is put up in one day by the setup team. This would not be possible with a more robust physical barrier system. The impact to the surrounding towns and wear and tear of 447 for all the trucks and equipment needed to transport and place such items would also be significant.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1999	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Add some night vision goggles and more perimeter staff volunteers. BLM... This cannot be allowed. Are there really vehicles driving in through the outer barriers and sneaking in to the event in the middle of the night at a level commensurate with this request for such a barrier?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1101	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I want to indirectly now speak to air quality. The amount of fuel required by incorporating a concrete barrier will be exorbitant. Transportation for these miles and miles of walls is simply counterintuitive to Leave No Trace. If you're worried about air quality in other portions of the study, why would you make a request for the installation and subsequent removal of such a perimeter wall if no one is sneaking in with their vehicle. Suggestion: The cost of setting up this wall is far greater than what it would cost to add some very well-equipped security with night vision to patrol of the perimeter.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
854	7	Mitigation-Public Health and Safety	209.0700.00	N/A	Perhaps even more important, the trash fence serves is an appropriate barrier in the landscape of the Black Rock Desert. The existing fence is made out of an open weave material which allows it to catch trash (hence the name) without interfering with the flow of wind and dust, as well as serving as a visual cue to the limits of the event. The fence proposed by the BLM's EIS calls for a barrier made out of solid concrete. This would result in the formation of huge sand dunes. Imagine the impact of having to restore the Black Rock desert to pre Burn conditions if this recommendation is enacted! More trucks, more gas, more fuel emissions. I therefore believe that the existing trash fence, coupled with perimeter checks and radar surveillance is a sufficient deterrent to unlawful entry and allows the playa to remain unaltered.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1102	5	Mitigation-Public Health and Safety	209.0700.00	N/A	The Burning Man perimeter is approximately 10 miles in length, encircling Black Rock City. Assuming a standard 10' long, 4,000lb jersey barrier section it would require roughly 5,280 individual barrier sections totaling over 21 million pounds of concrete. Assuming a standard semitrailer, fully loaded to an 80,000 GVWR it would take a minimum of 261 semi trailers to deliver the raw materials for the barrier not including the heavy equipment required to perform the set up. Has the BLM considered the environmental, traffic and road and air quality impacts of hundreds of additional, heavily laden semi trailers traversing highways to and from the event, as well as the playa itself? How did the BLM evaluate the risk of vehicle entry through the current trash fence?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1626	1	Mitigation-Public Health and Safety	209.0700.00	N/A	A hard barrier would not trap wind blown debris, and would be comparably ineffective at limiting windblown litter. Finally, remediating the impact of a barrier such as the one described in the Draft EIS would put an unreasonable burden on the volunteers of Burning Man's Department of Public Works, who go to extraordinary lengths to ensure that the event leaves no trace on the playa.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1106	4	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 from Appendix E, section E.1: Proposal assumes that it's easy to penetrate existing radar-based measures in place at Burning Man. Does BLM have any evidence that it is so?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1107	2	Mitigation-Public Health and Safety	209.0700.00	N/A	This important concern should not be addressed as part of an EIS (Environmental Impact Statement). Instead of addressing this important security issue privately with the Burning Man Org, the BLM has actually increased the risk of a terrorist attack by publicizing the need for a static concrete barrier which in itself will have a major adverse environmental impact to the Black Rock Desert.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1919	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 would require Burning Man to install Jersey barriers and K-rail fence to reduce the risk of unauthorized entry to the Event. Requiring placement of these items on 9 miles or perimeter would not help protect the in environment. Rather, it would harm the environment with the pollution and heavy equipment impact required to install such barriers. And why? I have been to the perimeter fence many times in my 18 years at Burning Man. On a clear day you can see for over 20 miles. Security equipment already in use by BLM allows BLM to note if anyone is approaching the perimeter fence for unauthorized entry miles away. It appears that BLM failed to access these existing security measures. Please respond.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
845	1	Mitigation-Public Health and Safety	209.0700.00	N/A	What is it that the BLM is trying to fix by placing 10 miles of K rail or jersey barriers around Black Rock City? Where is the evidence supporting the use of such barriers? Where is the consideration of environmental impact of transporting such materials to - and through - the Black Rock Desert? There will be consequences to the roads and the desert itself plus the impact of increased use of fuel and emissions.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
845	2	Mitigation-Public Health and Safety	209.0700.00	N/A	here is no scientific or anecdotal evidence that expresses any benefit to having concrete walls or other barriers set up around the event. To do so would not only fail to mitigate any perceived challenges whatsoever, but would in fact be likely to cause their own challenges, both from an environmental and safety perspective. The greenhouse gas emissions alone from hauling in and hauling out this many miles of concrete barrier would be astronomical, and the potential damage it could cause driving it to and dragging it across the playa surface should not be dismissed. These barriers would not protect anyone inside or outside of the event, and would cause more damage than if they were not there at all. Additionally, barriers of this nature would pose a severe safety risk in any instance that an immediate evacuation was ever necessary.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1917	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I'm going to bring back the issue of MORE carbon emissions for this one again, in order to get these heavy barriers out to the increased perimeter (19 million pounds) and to set them in place, and then to remove them after the event. This flies in the face of any type of environmental effort! Also, the plastic fence does a much better job at keeping the playa surface pristine by allowing dust to pass through. During heavy dust storms, we'll get nothing but mountains of dust collecting on either side of these jersey barriers, which creates more of a hardship upon removal and also ruins the normally protected Playa surface. Burning Man already has several rules in place to protect the surface and to keep it smooth. During rains, these barriers could also cause grooves in the surface because of the weight and inability to flex to natural weather patterns. The existing trash fence is also monitored 24 hours a day by using radar, night vision, and patrol trucks in partnership with BLM Rangers. These new barriers would also require a ridiculous amount of labor and money to move and remove! Millions of dollars of unnecessary costs and environmental impact.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1914	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS - 3 Regarding perimeter barriers: The BLM has not provided a substantial reason for this addition. It would actually increase the negative environmental impact of the event. What is the environmental benefit?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1895	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed barriers would increase the Burning Man event's carbon footprint (from the manufacture and transportation of the required barrier) while simultaneously causing physical harm to the playa surface from the installation of the barriers and from increased trash that blows over the fence instead of being caught by it as happens by design with the currently utilized plastic orange fencing.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1635	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3: BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. Just speaking from an impact to the environment to bring in and place these Jersey Barriers in - can you imagine the amount of resources required to do this? And the weight of each one on the Playa? And the potential damage to the Playa? I have worked on Perimeter for 6 years. I can count on one hand the number of people who went through the trash fence. Perimeter has 3 things that make Jersey Barriers completely unnecessary - Radar, Radios, and intercept vehicles! The existing structure works. And if it is not broken, do not fix it. An effective Perimeter organization working with the BLM officers on-site is the best method to assure on those people who have tickets attend the event. This exists already.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1110	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I would challenge The BLM to show how these barriers would mitigate any environmental disturbances greater than the disturbance that would be caused by bringing leaklit tons of concrete and plastic to Black Rock City	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1110	2	Mitigation-Public Health and Safety	209.0700.00	N/A	It appears the Draft EIS failed to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1162	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The beloved "trash fence" of orange mesh delineates BRC from the very open land around it. It also allows playadust to blow through while catching larger debris, instead of trapping the dust and allowing the debris to blow over it...and out onto the open playa (see illustration below). It has been hypothesized that not only does the dust not blow through, the barriers would create a solid center to substantial dust dunes, creating dangerous hazards as well as requiring them to be excavated before being removed.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1636	5	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 is a bad idea logistically, fiscally and ecologically. Replacing the trash fence with K-rail wouldn't even stop trash escaping the Event footprint; the aerodynamic profile of K-rail will allow wind velocity to move escaped trash up and over the barrier. K-rail has no preventative effect on terror attacks from the air.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
611	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The current fencing allows the inevitable dust to pass through, but collects "MOOP", preventing its dispersal beyond the event site. A more substantial physical barrier, such as the proposed Jersey barriers or K-rail fence, would not allow for this "passthrough" of the dust, leading to vast dune formation along a 10 mile stretch of playa.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1863	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In addition, unlike the orange snow fencing material used for the present perimeter, the k-rail walls will deflect wind upward; trash now caught by the snow fencing, as intended (the perimeter fence is known as the "Trash Fence"), it will just fly over the fence and for all I know, all the way to Winnemucca.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1641	3	Mitigation-Public Health and Safety	209.0700.00	N/A	First, your proposal to place k-rail Jersey barriers around the ten-mile perimeter of Black Rock City would have a very adverse effect on the Black Rock Desert Playa. The transportation of hundreds of these extremely heavy items on massive trucks would impact the playa surface from the sheer weight alone, without even taking into account the massive carbon emissions and the certain damage to Nevada state routes 34 and 447 which were not constructed to bear such loads. On top of this, the barriers aren't needed. In the years the Burning Man event has been held in the Black Rock Desert there was ONE sole instance of a vehicle crashing into the event. Since then, Burning Man's Gate and Perimeter team has devised strategies that have and will prevent future occurrences. The barriers are environmentally inappropriate and a waste of money. In addition, unlike the orange snow fencing material used for the present perimeter, the k-rail walls will deflect wind upward; trash now caught by the snow fencing, as intended (the perimeter fence is known as the "Trash Fence"), it will just fly over the fence and for all I know, all the way to Winnemucca.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
812	6	Mitigation-Public Health and Safety	209.0700.00	N/A	I. Placing concrete barriers is likely to allow any waste that blows away to blow over the barrier as opposed to into and being trapped as the chainlink fence currently does.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
812	7	Mitigation-Public Health and Safety	209.0700.00	N/A	Another concern I have is the mandating of k-rail/jersey barriers around the event site. Transporting this material to the site will create more traffic and put extra stress on the roadways, not to mention increase the overall carbon footprint of the event. Similarly, placement and leaving them there for the duration of the event will cause a larger environmental impact than the current system which is in place.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1865	1	Mitigation-Public Health and Safety	209.0700.00	N/A	(1) The draft EIS ignores this, and fails to adequately consider the environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter, as well as the substantial impact of a waste disposal system for tens of thousands of people. This seems far more egregious than the current impact done by event goers. Adding dumpsters, which eradicates the carefully cultivated Leave No Trace ethos of the event, will likely result in an increased incidence of waste and litter by teaching participants that it's acceptable to leave things on playa. As someone who has regularly inspected post-festival land, I have seen very little visible impact and the EIS seems to grossly overstate the incidence of litter.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1643	1	Mitigation-Public Health and Safety	209.0700.00	N/A	"Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing" are completely unnecessary. I can't even imagine how this process could be done without creating more damage to the environment. There are environmental impacts of the transportation and placement of millions of pounds of concrete and plastic barriers around the perimeter. I also am concerned about the safety issues in case of an emergency that would require large scale evacuation.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
335	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I feel strongly that concrete or plastic physical barriers at the Event perimeter fence line will negatively impact my experience at the Burning Man Event. These heavy barriers will impact the surface of the playa, which I believe violates the BIM's mission "to sustain the health ... of the public lands" as well as the "Leave No Trace" principal of the Burning Man ethos. To install and remove such a lengthy perimeter will require a large amount of heavy trucks, which will add to the already significant traffic congestion on the roads that access the Event. Furthermore, the operation these trucks will burn fossil fuels and create air pollution (including nitrous oxides and particulates, and is a significant contributor to global warming through emission of carbon dioxide) thereby affecting air quality both at the Event and in general. These negatives far outweigh any positive impact such a barrier may have on preventing unauthorized vehicular access to the Event, which is an almost nonexistent issue (a single unauthorized vehicle gained access in 2018). Surely there is a more practical mitigation measure rather than installing thousands of tons of plastic/metal/concrete barriers around the nearly 10 mile perimeter of the Event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
379	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed requirements for enhanced barriers is a solution in search of a problem. As an civil engineer, I am quite conscious of the cost and impact that these measures will have both in terms of delivering them to the site and the heavy equipment needed to placing them around the site. I am also quite aware of their limitations - they pose no restriction to pedestrian access and they are designed to deflect and redirect a vehicle travelling at an oblique angle to the barrier. Neither of these circumstances occur at the perimeter and imposing that requirement is unnecessary. The procurement and installation creates adverse environmental impacts that are not justifiable given the lack of any benefit.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
531	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I choose here to focus on just one aspect, the proposed changes in the event perimeter. Jersey Barriers: If we consider that the circumference of the Special Permit Area is about 9 miles and that the BLM is proposing that it be surrounded by either Jersey barriers or K-rails, what issues might placing, and removing such a perimeter entail? For a 9-mile long perimeter, 47,520-feet, it would take 4,752 individual 10-foot long Jersey barriers to make this wall. At a transport load on 12 Jersey barriers on a flatbed semi-trailer, that would take 396 trips. Each of these tractor trailers would have to come out to the Black Rock Desert from Sparks, return empty to Sparks, and then, at the end of the event, return empty to the Black Rock Desert, load up with barriers and return back, fully laden to Sparks. For an organization that is concerned about the use and condition of Highway 34 and SR447, it does not seem wise to add 1,584 trips with tractor trailers, half of them fully laden, onto these roads. Each of these Jersey barriers will have to be unloaded, placed and eventually loaded again onto trucks by the use of heavy equipment. If we think about how, every 10-feet around the 9-mile perimeter of the site, this is to be done, then we might take note that the heavy equipment will disturb the surface for at least a 20-foot wide path, add to that the approximate 10-foot width disturbed by the tractor trailers delivering the Jersey barriers. This yields more than 1.4 million sq. ft. of disturbed earth that is very likely to now be a source of dusty conditions. This is much more damage to the Playa surface than a crew of DPW workers installing a plastic snow/trash fence. Not to mention the fossil fuels burned in this whole endeavor. The other major detrimental environmental impact of this type of perimeter barrier is that the dust, that blows across the Playa whether or not Burning Man is there, will just pile up against these non-permeable barriers and create a 9-mile long dune up to 3-feet tall! If the reason for an Environmental Assessment is to promote the minimizing of the disturbance of the natural landscape in the first place, then this point alone should vitiate the use of such a type of barrier for a perimeter in this environment. And what about the time necessary to do all of this. Never mind the loading and unloading times in Sparks, if it takes 10- minutes to unload and place each one of these 4,752 Jersey barriers, then we are talking about at least 792 hours of continuous unloading and placing. Double this for when they have to be removed. To me, as a former civil engineer, trained particle physicist and 18-time Burning Man participant, it just does not make sense to expend this amount of effort to prevent what: Some car from crashing the perimeter and thereby gaining unauthorized entrance to the event? From my knowledge of the event, this is something that is a negligible concern and the cost, both in effort and monies expended is definitely not providing any measure of practical, or rational return	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
531	4	Mitigation-Public Health and Safety	209.0700.00	N/A	While we support enhanced security measures, we are concerned that this will further delay entry to event, resulting in traffic accumulating on the highways and backing up into the Reservation. In previous years' events, we have already experienced heavy traffic in our communities for hours at a time. We would like to suggest that the entry process be evaluated to determine more efficient methods for admitting participants, including additional lanes to gate road or screening staff. This would also mitigate our concern in regards to air pollution caused from idling vehicles waiting to enter the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1115	1	Mitigation-Public Health and Safety	209.0700.00	N/A	ol. II, E.1 PHS-3 BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. I strongly object to PHS-3 for the following reasons: 1. This will cause environmental damage as blowing sand which can now easily pass through the existing trash fence will collect by the solid jersey rail fence, forming medium size sand dunes that will require additional effort to mitigate. 2. BRC is not a refugee camp, participants do not need to be contained as such. The fence as described in Appendix E, SPEC-2 really makes it sound like we are being penned in. 3. BRC has effectively used a series of measures including but not limited to: Air & Ground radar, capable of detecting individual human movement (including crawling); night vision; thermal imaging and a series of motion detectors near crossing points from Jungo Road to the playa, for years. These measures combined with the dedicated team of Gate & Perimeter volunteers and the significant, flat, obstruction free distance between the trash fence of BRC and the edges of the playa, that are constantly monitored by these means, already make unauthorized entry into the event effectively impossible. 4. The addition of this barrier runs counter to the concerns of visual impairment as noted in SPEC-2. If temporary lights are enough to warrant concern and inclusion in this SRP as a visual impairment, then how can 10 miles of cement Jersey rail that will be visible night and day, then compact the playa to leave a permanent pentagon shaped indent in the playa surface, each year, be acceptable? 5.5. The net result of this barrier may actually be significantly negative on participants, staff, vendors, and BLM in the event of severe weather. Should approved access points become impassable due to rain, it is reasonable to assume rutted lanes would remain wet and thus impassable longer than other areas and the reasonable choice to simply drive around these areas would not be possible with a hard barrier that could not be moved under such conditions.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1869	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding the proposed installation of K-rail or Jersey barriers around the Black Rock City perimeter fence, I believe the environmental impact of transporting these to the playa and installing them will contribute to carbon emissions, road wear, and playa wear. I do not think this damage offsets any benefit. The current trash fence works well to define a border and catch any blowing trash.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1869	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation Measure PHS-3 As proposed by Mitigation Measure PHS-3, the deployment of concrete barriers along the perimeter of the Burning Man event does not adequately take into consideration the physical setting, the existing on-the-ground institutional knowledge of the Burning Man organization, or the environmental impacts of transporting the concrete barrier to, on, and from the Burning Man event. The current Burning Man organization's surveillance and deterrent program to ensure that participants cannot illegally enter the Burning Man event is sophisticated and thorough. Advanced imaging technologies and preventative interception vehicles have been deployed for years effectively eliminating all ingress to the Burning Man event except through the Gate. Deploying concrete barriers would be akin to the use of a blunt hammer to mitigate ingress threats instead of the strategic use of sophisticated technology now being deployed by the Burning Man organization.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1869	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Measure PHS-3 "BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction." This is an absolutely ridiculous measure that seems to be proposed by someone who has no fundamental understanding of the event and its layout. The transport of barriers to and from the event would do extreme damage to the land. Additionally, the dunes created by these barriers would cause even more damage. How does this "sustain the health, diversity, and productivity of public lands"? It does not. This measure is so unreasonable that I question the knowledge and authority of the writers	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
536	4	Mitigation-Public Health and Safety	209.0700.00	N/A	It was suggested that Jersey barriers or similar barricades should surround nearly the entire site. Nearly ten miles of these barriers would impact the playa surface and contours greater than the trash fence that is normally used. Each Jersey barrier weighs approximately 4000 pounds while concrete K-rails weigh in at close to 8000 pounds. The barriers would have to be brought in on semi-trucks and trailers; by one estimate over 400 loads, all driving over the playa surface. They would have to be moved by forklifts; again impacting the playa. Hollow polyethylene barriers weigh less, until they are filled with water, which in doing so, would require bringing the water in and factoring in the weight of the water. The lighter barriers are not designed to stop vehicles, which is the presumed purpose of putting up the barriers around Burning Man.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1824	2	Mitigation-Public Health and Safety	209.0700.00	N/A	An additional detriment to the roadways and the playa itself are the proposed semi-permanent concrete terrorist barriers around the event. From my experience/exposure to maritime environments and seascapes this would definitely cause medium-large dunes and an even larger restoration process of these dunes created by this implementation. It is simply unnecessary and counter effective in all ways pertaining to the environment and roadways in and around the event's environment. No evidence suggests anything above and beyond the current event border management measures are needed.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1824	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed implementation of jersey barriers surrounding the event is wildly unnecessary. Implementing massive concrete walls would pose significant risk to the delicate playa, increase the carbon footprint of the event, and pose a security risk to the city by creating a bottleneck situation in the event of an emergency.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1116	1	Mitigation-Public Health and Safety	209.0700.00	N/A	In the EIS, you suggest that "Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing, would reduce the risk of vehicle entry through perimeter fencing (BLM 2018b)." This measure references BLM 2018b which is Public Health and Safety at the Burning Man Event, however the only version of that report available for review with the EIS documentation is a 2019 document, not 2018. BLM should provide the cited document for review. The 2019 version of the Public Health and Safety at the Burning Man Event document cites a single instance of a car driving through the current perimeter fencing, which is composed of snowfence on steel posts.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
794	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The cost of a jersey barrier and installation is very large and practicalities will require that budget cuts be made in essential areas which will have a knock-on effect on overall public safety. The installation of a hard barrier will increase the closure area timeline both pre- & post-event. Playa snake remediation would also require more time.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
359	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Please consider the environmental impact of: Having to haul in and out hundreds of dumpsters, burning fuel and churning up the playa. The same for the proposed concrete barriers, which would do the same but worse due to their higher weight.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1639	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 "BRC will be required to implement physical perimeter barriers (e.g. jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event." This seems entirely impractical and potentially damaging to the very desert we are all trying to protect. Imagine the number of heavy vehicles required to haul that much concrete all the way out to BRC, and then dismantle it a few weeks later? One twenty foot section of K-rail weighs around 8,000 lbs. it is approximately 10 miles around BRC perimeter, which means that 2640 K-rails of 20 ft. each would be required, weighing 21,120,000 lbs.! And what is the evidence that there are large numbers of participants sneaking in to the event? Without evidence, what would justify this massive infrastructure effort? The perimeter is already heavily patrolled to prevent unauthorized entry at a fraction of the cost and impact that K-rails would have.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
322	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Second is the proposal to build an additional perimeter wall. This is not only an unnecessary redundancy for a perfectly functional system already in place, but would create a much more significant impact to the desert surface, which is antithetical to Leaving No Trace. Not to mention the additional strain to the roadways, and the spike in carbon emissions for transport and maintenance.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1837	2	Mitigation-Public Health and Safety	209.0700.00	N/A	K-rails are massive solid objects and the dust bouncing off of them the dust build up will potentially be so massive that it will be practically impossible to break down for years.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1838	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Submitted is a photo of a half-mile long dune that was inadvertently created by a solid line of cars parked too close to the fence for long duration at the entrance of Greeters during dust storms about 4 years ago. This is what the BLM K-Rails will do to the playa but 10 miles long and worse.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1648	1	Mitigation-Public Health and Safety	209.0700.00	N/A	these barriers would settle into the surface over the days and cause massive damage to the surface -- unlike other BM projects designed for the playa, these barriers are not designed to minimize the surface impact. If the issue is unauthorized access, please provide the data showing that this problem is big enough to justify such an unwieldy solution.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1648	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Has the BLM considered the possibility that this wall would prevent or delay participants from dispersing away from an emergency event, effectively trapping them inside the city? For instance, the event takes place near an active rail line, and the BLM does not appear to be proposing that the railway stop the transport of large chemical tankers. A rail accident resulting in a tanker derailment could result in toxic fumes being blown into the city, where the K-rail would prevent participants from leaving the area rapidly.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1268	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS - 3 Where is the cost/benefit analysis of this proposal? On inspection it offers dubious benefits and extreme financial, environmental, and social costs. Where is the quantitative evidence supporting the case for the need of this proposal?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1841	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Procuring, transporting, setting over 4000 Jersey barriers, is a prevention for something that has not been a problem or even a possible thought of a problem. The time and resources required for this would make it nearly impossible within the time constraints of the event, the extra emissions and impact on the playa are counter intuitive to the mission of the BLM and Burningman principals to preserve the land for use of citizens. These barriers would also not be as effective as the fencing currently used to contain blowing items for recovery within the boundaries of the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1847	5	Mitigation-Public Health and Safety	209.0700.00	N/A	If the concern being addressed by PHS-3 is terrorism, then in absence of actionable intelligence, this proposal is expensive and provides a substantial increase in overall environmental impacts against a threat with an infinitesimal probability.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1847	6	Mitigation-Public Health and Safety	209.0700.00	N/A	I am opposed to Mitigation Measure PHS-3. Very few attempts of unauthorized entry to the event currently happen and are already more than adequately handled by BRC volunteers. Jersey barriers or K-rail fencing would be an unnecessary eyesore and expense that adds no additional value.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
228	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Jersey barriers around the entire event (will destroy the aesthetic appeal of the event, further impose the police state layer, and drive ticket prices up)	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1882	3	Mitigation-Public Health and Safety	209.0700.00	N/A	In the spirit of leaving things nicer than found, the existing measures to put up festival boundaries works with extremely little environmental impact whereas putting up a concrete barricade would not only erase those measures, but also take sustainability efforts in reverse, as bringing these barricades would require (possibly diesel fueled) trucks to transport and place them.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1721	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 – There is already a physical perimeter barrier around the event. There are also teams of volunteer staff guarding the perimeter of the event 24hrs a day, as well as radar tracking the entire area around the event for any movement. There is no evidence that anyone is sneaking into Burning Man over its perimeter. The BLM should provide hard data of unauthorized entry to the event to justify this measure. Adding Jersey barriers or K-rail fence is a solution that has no associated problem. The issue is not the visual or aesthetic problem of those solutions, it is that the BLM has no evidence that anyone has snuck into Burning Man over the perimeter, and building a wall to solve a non-existent problem is a waste of thought, time, and resources. Plus, 9 miles of these barriers would be a huge logistical, cost, staff, and other resource nightmare; again, for a non-existent problem.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
772	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Requiring the use of jersey barriers is also silly - what kind of damage to the playa are we talking about when THOUSANDS of these barriers need to be rented to be placed around the perimeter? What kind of ecological damage from hundreds of trucks coming to deliver these things, or more damage to the roads which, then, the org (and subsequently, the participants) will also be responsible for?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
165	1	Mitigation-Public Health and Safety	209.0700.00	N/A	This fence allows wind to blow through, preventing buildup of dunes and catching loose trash. Jersey barriers would not allow the wind to blow through, leading to buildup of dunes and dispersal of loose trash. The perimeter of Burning Man stretches approximately ten miles, meaning ten miles of dunes would need to be removed after the event. That scale of dune removal would require operation of heavy machinery, leading to increased greenhouse gas emissions and potential for hazardous spills from the machines. This would pale in comparison to the greenhouse gas emissions from transporting and installing ten miles' worth of concrete jersey barriers at the event site. This mitigation requirement would require up to 4,752 barriers, weighing two tons each to be shipped in, installed, taken down, and shipped out. The barriers would have to be acquired from far away vendors and shipped hundreds of miles. Burning Man already uses radar and intercept vehicles to stop unauthorized entry to the event. BMORG can spot unauthorized entrants from miles away. Short Jersey barriers, compared to the measures already in place, would not significantly cut down on unauthorized entry	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1659	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The suggestion of using a jersey fence to contain the perimeter is not well thought out. Wind and dust movement on open playa prior to build week, and during the event itself, will create a dune over the fence which will cause all debris to float over the fence and even less will be caught than using the current method of open fence. The fence itself is useful to keep folks from wandering beyond the event area and getting lost. With a jersey or k-rail fence creating a dune, it's more likely that people will wander outside of the area and get into trouble that way. The return on investment of putting up a rigid structure seems extremely poor due to the low probability of terrorism via that route, and high cost of putting it up, with low expectation of effectiveness.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1673	4	Mitigation-Public Health and Safety	209.0700.00	N/A	When taking into account a typical city of 75,000 inhabitants, Burning Man's number of unpermitted entries by unpermitted vehicles around the perimeter is extremely low, if at all. This is especially true, considering the good work BLM Rangers and other law enforcement already perform to stop unpermitted entry to the event. Yes, officers make stops along the perimeter, and yes, their work is effective. We have no additional need for barriers. A normal city of that same population size has far more unlicensed drivers entering and exiting a town's boundaries. We don't add concrete boundaries around our towns. Adding barriers is costly and unnecessary.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
266	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Have you considered the ienvironmental footprint of the production of said hardened perimeter barriers, or the additional gasoline and manpower required to put these up temporarily? Have you considered the impact on wildlife, and the impacts on year-round users of the lands?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1860	2	Mitigation-Public Health and Safety	209.0700.00	N/A	First off, the Black Rock Desert is prone to dust storms that can last indefinitely. Quite simply, the K-Rails border wall would be the largest structure ever on the Black Rock Desert and cause the largest continuous dune ever. This dune will be over 10 miles long, 30 ft wide (on both sides) and could potentially bury the actual k-rails. This dune will ruin the flat surface of the Black Rock Desert and do irreparable harm, covering acres of territory and be an unavoidable hazard for all motorists. This happens, although to a much lesser extent with Black Rock City's current Perimeter/Trash Fence. The main difference is that the fence material is plastic, has holes, allowing dust to flow through while catching any windblown items.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
767	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3 There is no evidence to support the need for jersey barriers, which will blight the land, impose a massive carbon footprint on the event, pose unquantifiable environmental risks, and burden the festival with unjustifiable and substantial financial costs. The existing trash fence, combined with Black Rock Ranger patrols and other longstanding measures have a very long track record of keeping trash in and unpaid attendees out. Without any evidence, the BLM should not ask the festival to spend \$3m to install 19,000,000 lbs of concrete barriers in a sensitive desert habitat.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
767	2	Mitigation-Public Health and Safety	209.0700.00	N/A	3. Vehicular Terrorism, The Threat Behind the Wheel by G4S North America; <a href="https://www.g4s.com/en-ca/-/media/g4s/canada/files/whitepapers/usa/vehicular_terrorism_the_threat_behind_the_wheel.ashx?la=en">https://www.g4s.com/en-ca/-/media/g4s/canada/files/whitepapers/usa/vehicular_terrorism_the_threat_behind_the_wheel.ashx?la=en</a> 4. Perimeter security design, FEMA, <a href="https://www.fema.gov/media-librarydata/20130726-1624-20490-0371/430_ch4.pdf">https://www.fema.gov/media-librarydata/20130726-1624-20490-0371/430_ch4.pdf</a> 5. Guidance for Deflection of Temporary Concrete Barrier in Temporary Work Zone Applications, Dept of Transport of Montana, 2015 6. Sicking, D.L., J.D. Reid and K.A. Polivka. Deflection Limits For Temporary Concrete Barriers. Technical Report. Pg. Lincoln: Midwest Roadside Safety Facility, 2002 7. PUBLIC HEALTH AND SAFETY AT THE BURNING MAN EVENT by US Department of the Interior, Bureau of Land Management, Winnemucca District, Nevada; MARCH 2019	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
730	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Firstly, there would be a huge environmental impact created from the logistics of transporting and placing these barriers. The heavy equipment required to place the barriers would be damaging to the playa surface, as well as the road infrastructure leading to the desert. There would be a huge fuel cost. The weight of the barriers on the surface of the playa would have a negative impact. Also, placing an impenetrable barrier would create sand dunes along the perimeter, that would need to be removed after the barriers are removed. Secondly, the current perimeter detection system that is in place seems to be very effective and low impact. There is a large space outside of the perimeter fence, so it is not possible to "sneak up" on the fence. One way to improve perimeter security may be to install outward facing camera systems, or use radar / lidar and simply intercept any perceived threat while it is still at distance. The counter question here is, so what if a vehicle enters the event illegally? Would that impact the event so negatively as to warrant such an impactful mitigation solution? I can't believe this to be true. The person entering the event would be quickly apprehended. If their goal was to do harm, then there are lots of other, more effective ways to do that. For example, A hardened perimeter fence does not mitigate an attack from a bad actor using an aircraft or from ordinance used outside of the perimeter.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1131	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Second, the jersey barriers (PHS-3) are unnecessary. There are very few people who attempt to gain unauthorized entry into the event, and they are swiftly caught by Burning Man's Gate, Perimeter, and Exodus staff. Have you considered how much energy would be required to manufacture and transport *nine miles* of jersey barriers? That's about 19 million pounds of concrete and steel, perhaps one thousand 100+ mile round-trips in a flatbed semi trailer from Sparks or Reno. Have you done the environmental impact analysis on this "mitigation?"	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1911	2	Mitigation-Public Health and Safety	209.0700.00	N/A	These jersey barriers would need to be transported both to and from the Playa further degrading the road and the Playa for this unnecessary install. In addition, once on site, the barriers would need to be offloaded and placed using variable reach forklifts. It's estimated that it would take nearly 6-8 weeks to install this amount of jersey barrier and just as much time, expense and further Playa degradation to remove. Our current trash fence is installed by our contract and volunteer crews in usually just one day. Also, the inclusion of a jersey barrier perimeter around the event site, would create a 10-mile-long dune (potentially two, on either side of the barriers) that would need to be eradicated, at great expense and with heavy machinery over a period of weeks or months.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
450	1	Mitigation-Public Health and Safety	209.0700.00	N/A	As a civil engineer, I am extremely familiar with the use of concrete barriers and their effectiveness when used in construction. They are effective at protecting workers when used in construction zones and provide an extra line of defense in these hazardous workspaces. When cars hit them at high speed however they can seem pretty ineffective, even low slung vehicles can overcome these barriers and can be launched into the air causing enormous damage. The BLM is proposing that they be used to stop vehicle intrusions into the event, but they may only encourage someone attempting such a reckless act to drive faster and cause more damage. Furthermore I have not found any record for the past 25 years of anyone trying to drive a vehicle through the perimeter of the event at all. The barriers are unlikely to do what the BLM has proposed and will in fact have other negative impacts. The current boundary of Burning Man is identified with 4' plastic safety fence and while it appears flimsy, it is extremely effective at stopping trash and airborne debris. Wind is allowed to pass through relatively unaffected but any debris is filtered out in the orange fencing. With concrete barriers the laminar air flow is interrupted, causing debris to be carried up and over in the eddy currents. Similarly, dust and sand that is blown around in the desert will be deposited at the foot of any solid barriers whereas it could pass through permeable fencing. The deposition of extra sand at the perimeter of the event will create dunes, having a larger environmental impact. In addition to these direct environmental impacts it is also important to consider the effects of installing the concrete barrier. Importing all these heavy materials has its own environmental impact and the installation will require a great deal of more sophisticated equipment than the current fencing which is installed with human power alone.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
324	3	Mitigation-Public Health and Safety	209.0700.00	N/A	There is inadequate evidence to support the need for PHS-3. The only mention of the need for this measure is a single line in EIS volume I section 3.5.1: "Limited access controls and lack of professional security resources at entrance points into the city, coupled with limited law enforcement staffing, are two critical Event vulnerabilities." No further evidence is provided to support this claim in the EIS or supplemental documents. Furthermore, requiring steel gates around thousands of acres of land will necessitate their transport to and from the site. This will cause further impact on road infrastructure, cause greater emissions, and disturb soil in areas that may otherwise not require large vehicle traffic. Section 3.9.2 of the EIS vol. I specifically mentions: "Larger vehicles could also degrade the roadway surface, particularly on CR 34, resulting in the potential for vehicle damage, accidents, and delays, requiring costly repairs." To mitigate soil disturbance, BRC must provide dust abatement along designated routes and streets within the Event. It is unlikely that dust abatement will be provided for vehicles directed to set up barriers at the edge of the site. As a result, the requirement for additional barriers will likely cause an increase in PM2.5 and PM10. PHS-3 has minimal justification and the potential to cause greater impacts under other sections.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1915	2	Mitigation-Public Health and Safety	209.0700.00	N/A	the environmental implications of building the Jersey Barrier has not been addressed in this EIS. The environmental impact of increased vehicles and emissions used to bring the barriers out to the black rock desert, far exceeds any environmental benefit.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1764	2	Mitigation-Public Health and Safety	209.0700.00	N/A	the jersey barriers proposed in lieu of the trash fence will not solve a trash issue as the trash fence does but exacerbate the issue by collecting piles of sand and having trash blow over the top. the impact of towing thousands of tons of concrete on to the playa far outweigh any possible benefit.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1764	3	Mitigation-Public Health and Safety	209.0700.00	N/A	There is no problem for this mitigation to address. However, this mitigation would introduce significant environmental harms, including greenhouse gas emissions from transporting and assembling proposed barriers. Further, they would introduce dunes around the entire perimeter of the event, on at least one side of the barriers, if not both, which current methods prevent, and those dunes will need to be removed, creating environment harms and adding great cost. Finally, they will not trap unintended litter the way current trash fence methods do, allowing litter to blow over barriers and increasing harm to the environment.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
760	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Perimeter Security - K-Rails / Jersey Walls. As an eight-year Burning Man attendee, Mutant Vehicle owner/operator, and 31/yr Northern Nevada Fire Battalion Chief, I would like to provide specific feedback the proposal. It would seem BLM is addresssing Public Safety concerns here. Federal facilities are protected from vehicle attack with large bollards or K-rail type barriers. This solution does not transfer to the Burning Man Event. The interior of the event contains over 30,000 vehicles. Any one of these vehicles could be used in an attack. The current boundary/trash fence is monitored 24/7 for human or vehicle approach. Perhaps improved electronic, video, and infrared surveillance would be a better solution. Environmental impact of K-rail. The installation and removal of hundreds of tons of k-rail perimeter would substantially increase the impact to the Playa. Heavy trucks would be required to transport the K-rail to the site and boom trucks would be required to set each K-rail. Repeat for removal. This is the wrong solution for a perceived problem.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1767	2	Mitigation-Public Health and Safety	209.0700.00	N/A	the act of trucking physical perimeter barriers to the desert will have a negative impact on the environment, and will not be beneficial to wildlife. Have the various entities within BLM and and cooperating agencies considered the effect of the public safety mitigations on the environment?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1686	1	Mitigation-Public Health and Safety	209.0700.00	N/A	These barriers will build up massive amounts of sand, if not be completely buried half way through the event	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1686	2	Mitigation-Public Health and Safety	209.0700.00	N/A	BLM's barrier mitigation would dramatically increase the Burning Man event's carbon footprint, creating impacts to the playa surface itself, a concern so great that BLM brought in NASA to study it. The barrier would create a massive, 10-mile-long set of dunes that would eclipse by huge margins any past dunes and need to be remediated with heavy machinery, which should not be a recommendation in an EIS. The impact to the playa surface created by 1,900 separate 10-ton loads being driven over repeatedly would create a new restoration project for both Burning Man Project and BLM to mitigate. Increased fuel consumption, greenhouse atmospheric emissions, and damage to local roads leading into the event are all results that will negatively affect the environment of Northern Nevada. As stated in the burning man journal: In order to build a big, strong wall, it would require the purchase, transportation, placement, strike, return transportation and storage of 4,752 barrier lengths. A single, standard 10 foot Jersey barrier weighs 2 tons (4,000 lbs). As a top line cost, that amounts to approximately \$3 million. Before we even address the issues of moving them (all 19 MILLION POUNDS of them), it's important to note that the vendor does not hold stock in these staggering numbers. When Burning Man Project inquired on how long the fabrication of our order would take, we were informed that the fabrication of our order would require 1,584 days, or four years and four months, assuming that the plant ran seven days a week. Once completed, the barriers would now need to be transported. According to our transportation staff, a standard flatbed semi trailer can haul twelve barriers per trip. This would require 396 separate 115-mile one-way trips from Sparks to BRC at standard shipping rates of \$3.30 per mile plus driver and gas costs. One-way shipping for the barriers would cost roughly \$3150,282 which would need to then be duplicated at the end of the event, for a total of \$300,564. No wonder BLM wants us to pay for future repairs to CR 34. Once on site, the barriers would need to be offloaded and placed using variable reach forklifts. According to experts in our Heavy Equipment department, it would optimistically take an hour to offload and place a single truckload. This means we could offload and place 12 units per hour. This equates to a total of 396 man hours for offloading alone, roughly 49 days at eight hours a day, seven days a week or one month if we double the time or equipment and manpower. Of course, this entire process must then happen again in reverse at the conclusion of the event cycle.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1688	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The Draft EIS also recommends 10 miles of K-rail or Jersey barriers along the perimeter. Again, this begs the question WHY? That is utterly wasteful and unnecessary. Concrete barriers would actually increase safety risks, which is counterproductive to the intention of our shared goals.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1133	4	Mitigation-Public Health and Safety	209.0700.00	N/A	The most ironic thing about constructing the physical perimeter barriers would be how they would impact the environment. The entire reason we work with BLM and that we have such a strong principle of Leave No Trace, is to make sure we are leaving Black Rock City cleaner and better off than when we arrived. You may not be able to find people who love the playa more than Burning Man attendees. We would do whatever it takes to preserve our beautiful, captivating land. Erecting these barriers would create dunes in our beautiful land that would have to be remedied at the end of the event using big machinery, leading to increased fuel consumption, greenhouse atmospheric emissions, and damage to local roads leading into the event.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1134	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 Installing K-rails around the event would require approximately seven miles of fencing. The number of semis and off-loading equipment required would be cost prohibitive, would have deleterious consequences to the playa, and would generally degrade the air quality due to heightened traffic.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
476	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Once again, it seems BLM has failed to fully consider the environmental impact of their egregious mitigations. As it stands now, the BRC barrier (a plastic orange trash fence) is a temporary measure, light in weight, minimal in impact, that gets removed every year when all is said and done. Has BLM thought at all about the impact concrete structures would have on the Playa surface? It's the difference between having an infant and an elephant sitting on your chest; one is going to cause irreparable harm to the Playa surface, and it certainly isn't the infant. Along with the barriers themselves comes the increased traffic from transport vehicles, heavy machinery, and manpower disrupting the Playa surface for about two months (one month to erect, one month to tear down). How is this in any way a better barrier system than what is already employed? Does BLM seriously think that two months of heavy equipment traipsing over the Playa surface, dropping fuel, emitting greenhouse gasses, and churning up the Playa surface, is an environmentally friendly or even environmentally neutral action?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
476	2	Mitigation-Public Health and Safety	209.0700.00	N/A	There weight of 10 miles of concrete barriers would cause greater harm to the playa than any benefit from use of such barriers. The weight of trucking in such heavy loads would cause major compaction of the playa and potential disruption to the dormant insect and crustacean larvae in the dried sediment.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1705	10	Mitigation-Public Health and Safety	209.0700.00	N/A	The BLM, in this report, also does not seem to assess the environmental impact of transportation, construction, and disassembly of the concrete barrier proposed, nor does it consider its efficacy. Given fluid dynamics, trash would be far more likely to blow over this barrier, rather than being caught by the trash fence that is currently put in place. Thus, this proposal would be environmentally detrimental, hideous, costly, and far less effective than current measures.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1705	11	Mitigation-Public Health and Safety	209.0700.00	N/A	these heavy-duty barriers would in themselves likely cause greater environmental impact than the current light-weight fence simply by their transport, installation and subsequent removal as well as the need to remediate, with heavy machinery, the dunes that would form on the windward side over the course of their installation.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
592	2	Mitigation-Public Health and Safety	209.0700.00	N/A	This requirement is in direct opposition to the very nature of an Environmental Impact Statement. Having to transport in a barrier would greatly increase the environmental impact of the event. Not only that, it would also do a large amount of environmental damage to the land itself: creating an enormous 10-mile long set of dunes that would need to be remediated with heavy machinery, creating need for even more fuel to be burned.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
1712	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Bringing in barriers would create huge environmental impacts on the playa surface and would also require an enormous amount of fuel to bring these heavy barriers to the site. The barrier would result in huge 10-mile-long dunes that would require heavy machinery to undo and reparaire, which in turn would require even more fuel to the already large amount burned to place the barriers in the first place. It would dramatically increase the events carbon footprint and has no place as a recommendation in an EIS.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
30	6	Mitigation-Public Health and Safety	209.0700.00	N/A	The fence makes a clear border, catches any trash that might blow into it without preventing the natural soil to pass through, eliminating the possibility of ecological changes to the playa and the need to repair it.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
45	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-3 is completely out of scope for an EIS and must be removed. Besides being out of scope, what possible purpose could 9 miles of concrete barriers serve in the middle of a barren wilderness, even if it was possible to manufacture, transport, install, illuminate (see below) uninstall, transport and store those barriers before the end of the brief closure period? "The cement industry is one of two largest producers of carbon dioxide (CO2), creating up to 5% of worldwide man-made emissions of this gas, of which 50% is from the chemical process and 40% from burning fuel." -- Wikipedia Has BLM studied how much CO2 this would generate? Has BLM studied how long the closure period would need to be to accomplish this? Has BLM studied the extra impact to the playa surface of all thousands of truck runs pounding around the perimeter? Does BLM have possible measurements of the dune that will be created by this solid barrier? Has BLM studied whether this barrier would stop trash as the current wind-porous fence does?	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
52	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Unnecessary Cost: K rail or Jersey barrier installation would be very costly and would increase the already expensive Burning Man ticket cost. Environmental Impacts. Under the current use, wind blown dust mostly passes through the plastic trash fence and larger sized wind blown trash is stopped and falls to the ground where it can be easily cleaned up. Even with the trash fence I have noticed a slight accumulation of dust which creates a small "speed bump" when crossed during other times of the year. A K rail would stop all near surface dust which would accumulate as a much larger pile of dust/ soil creating a long term impact to the playa. Wind blown dust would also fall out and be incorporated (buried ) within the new and bigger speed bump making post event cleanup more difficult and time consuming. In addition, when it rains (not if) K Rails would sink into the playa surface possibly several inches. When it dries out the play mud will stock to the concrete (or plastic) creating a mess to clean it off an pulling up playa surface and creating a divot or ditch where the barrier was. So now we have a bump and a ditch. Not good for the playa! K-Rails or plastic barriers would need to be manufactured, transported on and off the playa and stored between events. These activities would add a large amount of greenhouse gasses and mercury pollution (from concrete manufacturing). No necessary! Aesthetics: One thing I love about Burning Man is spending time around the perimeter looking out over the vast playa. K Rails would be a visual impediment from far away and in my opinion an eyesore.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.
86	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-3: BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction. Each year, I spend a significant amount of time out on "deep playa", and near the trash fence, during day and night, and not once have I witnessed any issue that would be mitigated with this extremely expensive and playa-damaging proposal, which is not supported by any facts and was clearly written by someone who has not been to the edge of Burning Man. Not to mention, the scale of building such a wall would result in serious environmental impact to the playa itself. Inclusion of this solution-to-a-problem-that-doesn't-exist calls into question the integrity of the whole EIS document.	See Public Concern Statement MITPHS-3.	See Public Concern Statement MITPHS-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
802	3	Mitigation-Public Health and Safety	209.0700.00	MITPHS-4	Participants are informed through language on their tickets and in survival guides that they voluntarily assume the risk of injury or death by attending, and for many, the awareness they are expected to maintain for their safety is an integral part of the Event experience. However, my main objection to this mitigation is the availability (and fairness) of the inspectors required for it. If a theme camp has to wait until nearly the end of the event to have their structures inspected, and/or has the certificate of occupancy denied due to the inspector's unfamiliarity with burner architecture and construction methods or simply on an arbitrary basis, this may have a chilling effect on a theme camp's willingness to risk a large investment in camp infrastructure that they may not be allowed to use.	Commenters asked if Nevada-certified building inspectors have the qualifications to evaluate structures for safety under playa conditions.	This mitigation/monitoring was intended to apply only to structures over 10-feet-high that are designed for lodging, unless expressly manufactured for this purpose, such as motorhomes, RVs, or tents. PHS-4 has been updated to clarify intent. Due to the uniqueness of this Event, Nevada-certified building inspectors are the best entity for this work if monitoring determines BRC operational protections are insufficient.
122	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The idea of having building inspectors certify structures in the field is not based on standard practices in the construction industry or building regulators. A field inspector cannot determine if a structure is safe or that it has been designed to code. That's not the function that building inspectors can perform. Building inspectors can only determine/certify that a structure has been built according to approved plans. Engineers, architects and structural prepare building plans prior to construction and the plans are submitted to the local building authority for approval and code checking. Comments and corrections are made prior to approval by the local official. This happens months prior to construction. When structures are constructed, field inspectors certify that the building is constructed according to the approved plans. This process is not feasible to implement considering the size of the County building department and the burden it would place on the finances of theme camps comprise wholly of volunteers.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
124	1	Mitigation-Public Health and Safety	209.0700.00	N/A	There are tents over 10' high and many shade structures also exceed this height. Large art installations undergo rigorous engineering analysis for many safety aspects of operation, including being able to withstand side forces from winds in excess of 100 mph. There is no precedent for this at any other event and no data in over 30 years of Burning Man operation that indicates that this solves a problem that has ever been observed. Large structures are currently inspected by BRC for safety on the playa. Do Nevada-certified building inspectors have the qualifications to evaluate structures for safety under playa conditions?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
126	1	Mitigation-Public Health and Safety	209.0700.00	N/A	And having every structure over 10 ft be inspected this is going to heavily impact the creation of art.... which is the point of this event.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
140	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 As the DEIS notes, "the Burning Man Event is an at-will recreational event" and "medical incidents associated with the event can and have occurred" (DEIS, pp 3-27). This is a fair statement and understood by its participants. We fairly bear the shared costs of providing medical care to those who are injured on the playa, including those who take serious risks. Structures at Burning Man are not equivalent to buildings. They may be art, they may be temporary scaffolds, shade structures, and other creations, but they are not intended for the same purposes as buildings and should not be subject to the same inspection. Again, is this mitigation measure based on evidence showing real harm? The baseline PHS report says the following: "Historically, there is a low occurrence of structure collapse within the city," and "this remains a low-risk impact on public health and safety with minor to traumatic injuries depending on the severity of the incident" (Public Health and Safety at the Burning Man Event, pp 17). First, those statements indicate relatively low concern about the potential harms, even though they lack evidence to support the claims. Second, the only evidence supplied is a single anecdote about a structure collapse in 2016. Without evidence to back up the mitigation measure recommendation, it is impossible to weight its suitability.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
153	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Can a structure inspector impose regulations on temporary structures? How would they possibly be able to complete a city-wide inspection of all temp structures that accommodate a few people for one week?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
178	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The DEIS fails to demonstrate as justifiable the costs and complexities of inspecting all BRC structures over 10' tall within the short window between build week and the event's opening to the public, considering the negligible number of structural failures & related injuries over the many years of the event.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
179	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I am also opposed to Mitigation Measure PHS-4. Historically, the event has had a very large number of structures over 10 feet and a very small number of corresponding accidents associated with these. Adding a requirement that these structures be inspected would impose an unreasonable burden on the event and its participants associated with the cost of inspections. It is also highly unlikely enough Nevada-certified building inspectors will be available to service the event in so remote a location.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
188	2	Mitigation-Public Health and Safety	209.0700.00	N/A	There are thousands of structures over 10 feet in Black Rock City. How many inspectors would it take? Are there even enough building inspectors in the whole state of Nevada to inspect all structures over 10 feet prior to occupancy? How would such a process even be scheduled and executed when structures are completed stochastically all over the city, often occupied as they are built, and this is done in parallel by a whole city of 80,000 in only a few days with the official Event also only lasting just over a week? There is no discussion whatsoever in the EIS of how this would work and whether it would even be possible.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
253	1	Mitigation-Public Health and Safety	209.0700.00	N/A	My trailer is over 10 feet high. Does it need to be inspected? Other than a few isolated circumstances, has this been an issue in the past? What criteria are proposed for this, would BLM require everything to pass building code, even if it is a temporary structure used for one week?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
287	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The proposed mitigation measure PHS-4 - requiring all structures over 10 feet to be inspected by qualified and Nevada certified building inspectors - is unnecessary and redundant with efforts already undertaken by Burning Man to assess the safety of structures in Black Rock City. As the Manager of Art Support Services for Burning Man, I oversee the review of all large-scale artworks over 10 feet tall for their structural safety. I can attest to the fact that we already have a very robust process in place for ensuring the safety of these structures, including: 1. Review of structural drawings and anchoring/rigging plans for any artwork taller than 10 feet 2. Assessment of artist-provided engineering calculations by a contracted team of engineers 3. Preview of structures by our Emergency Services Department (ESD) to identify and mitigate any potential public safety risks 4. Oversight of structures as they are being assembled in BRC by professional engineers and heavy equipment specialists Moreover, we have a clear process for identifying and escalating safety concerns once the structures are built, and have closed structures in rare instances where there was any question about participant safety. There are similarly robust processes in place to assess the structural safety of other large structures in BRC, such as those in Theme Camps, and Mutant Vehicles.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
290	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS -4 Most of the structures at burning man are meant to be temporary. A Costco carport for example, is temporary and just about 10' tall. and there are thousands of them on the play for the week of the event. Geodesic domes are the same. I would be willing to bet that I have built more geodesic domes than the majority of the Nevada-certified building inspectors. The structures built at burning man doesn't often exist in the normal world and building inspectors aren't generally taught how to certify a 15ft tall teeter totter, as they usually only exist at burning man, and usually only for a week	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
290	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Draft Environmental Impact Statement's Mitigation Measure Number PHS-4 fails to adequately explain how the BRC will be able to supply enough Nevada-certified building inspectors to efficiently and effectively inspect the number of structures over 10' within the time allowed. Has the BLM assessed the number of structures over 10' that exist at BRC? Based on my observations, there must be literally tens of thousands. Has the DEIS included in its analysis, how much time it would take to complete a total inspection? With such a short window existing between when participants may start arriving and building their structures and when the event opens to the public, Mitigation Measure Number PHS-4 seems logistically impossible to implement without either a allowing either a substantial more participants to arrive earlier and build (which would carry its own Environmental Impacts) or supplying an unrealistic number of Nevada-certified inspectors to survey tens of thousands of buildings in an unrealistically short period of time between when the structures are built and when the event opens to the public.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
343	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The first question that comes to mind is what exactly are these temporary structures being inspected for? What codes are to be followed for inspection of a 25' steel warthog (an actual piece from 2017), or a full size Boeing 7477 What differentiates a temporary structure from an art piece from personal living accommodations? BRC grows to 70,000 people in a matter of days. Sourcing enough "qualified and Nevada-based inspectors" to satisfy the demands of this rapidly growing city seems impossible, especially in such a remote location.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
348	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 Inspecting all structures over 10 feet tall is absurd. How is 'structure' defined? How many structures from past events meet this criteria? Additionally, the Public Health and Safety at the Burning Man special study states that there isn't a problem: "Historically, there is a low occurrence of structure collapse within the city....The event growth and further development of theme camps increase this risk due to a greater number of structures erected on the playa. This remains a low-risk impact on public health and safety with minor to traumatic injuries depending on the severity of the incident." Lastly, from the same report: "it is unknown what qualifications the BRC inspectors possess". Why is this unknown?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
358	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 - there has not been a history of serious problems with temporary structures placed in the Burning Man event. If casual inspections during the event reveal problems, solutions can be implemented. Designs for large-scale art are already submitted to the organization for review.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
362	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 BRC will facilitate all structures over 10 feet to be inspected by qualified and Nevada-certified building inspectors prior to occupancy. TO WHAT LEVEL? What is "qualified"? What will the building be certified to as a temporary structure?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
369	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Structural Safety: In an attempt to meet participants expected level of safety at a special event, mitigation measure PHS-4 is a suggested to address unsafe, privately built structures on the playa. The mitigation measure requires inspections by a certified professional for structures over 10ft tall. Local government inspectors are not trained in forensic inspecting of artwork or artcrafts and would not be able to support this review. Specially trained inspectors would determine the structure is "safe for occupancies." Two limitations for the certified professional is the absence of criteria for artwork and artcraft to deem them "safe for occupancies" and the transfer of the liability to certified professional for a privately made structure. A possible alternative would be to limit the overall size of the structures and provide information on safety concerns to participants.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
378	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I am also opposed to Mitigation Measure PHS-4. Historically, the event has had a very large number of structures over 10 feet and a very small number of corresponding accidents associated with these. Adding a requirement that these structures be inspected would imposed an unreasonable burden on the event and its participants associated with the cost of inspections. It is also highly unlikely enough Nevada-certified building inspectors will be available to service the event in so remote a location.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
408	3	Mitigation-Public Health and Safety	209.0700.00	N/A	I am also opposed to Mitigation Measure PHS-4. Historically, the event has had a very large number of structures over 10 feet and a very small number of corresponding accidents associated with these. Adding a requirement that these structures be inspected would imposed an unreasonable burden on the event and its participants associated with the cost of inspections. It is also highly unlikely enough Nevada-certified building inspectors will be available to service the event in so remote a location.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
409	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4: Structural integrity is again a non-issue within city limits. No structure has ever collapsed and injured people to my knowledge (admittedly some art has injured people, but not because of any structural issues), and Burners have a strong duty to care when building things that may be climbed by others. I believe that it's impossible to supply enough building inspectors to inspect all structures, and this would therefore irreparably harm the spirit of the event - again, this is a measure that would cause an immense burden on burners without solving any problem that actually exists.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
424	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 - Burning Man already has a process to inspect structures on playa, requiring mandatory state inspections on any structure over 10 feet is ridiculous, and unreasonable. This would take away from the creative spirit of the event and the short timeframe of the event does not facilitate the large scale inspections that would be required	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
424	3	Mitigation-Public Health and Safety	209.0700.00	N/A	This might be a reasonable proposal for the few largest structures at the Event built over weeks, but there are literally thousands of structures over 10 feet that get built in a matter of days. Even if BRC employed every certified building inspector in the area it would be totally unrealistic to inspect every single one in the hours after completion and before the Event gets going. The nature of the Event centers around building structures and it's an "at your own risk" Event. Requiring this would destroy the nature of the Event.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
430	1	Mitigation-Public Health and Safety	209.0700.00	N/A	As a point of fact, most shade structures are approximately 10 feet tall, and with the netting on top, would likely be very close to requiring an inspection. 2a. Big RV's can be over 10 feet tall. Will they require a licensed inspector to be paid (with no economy)? 3. Have you considered the health impact to the general population, to impede on the rights of participants to have shade at burningman?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
435	2	Mitigation-Public Health and Safety	209.0700.00	N/A	As a professional in the building trades, several mitigation measures in the draft EIS immediately jumped out at me. PHS-4, which requires all structures over 10' tall be inspected by Nevada certified building inspectors, does not specify to what standard the inspectors will be comparing the structures they are inspecting. If there is a standard, what is it and why does it apply?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
444	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 references the requirement for an inspection of all structures over 10 feet prior to occupancy. What exactly is the definition of occupancy in this case? Does it refer to a structure being used for accommodations, i.e. a structure designed to house individuals for sleeping, etc.? Or does occupancy refer to simple shelter? Requiring inspection of all structures over 10 feet that provide shade, for example, would be a major undertaking. It would be costly and time-consuming, which could expose participants to the dangers of sun exposure (if they were not permitted to take advantage of shade structures until they were inspected, for example). Please clarify.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
444	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The Draft EIS PHS- 4 measure fails to consider the number of structures over 10ft that would need to be inspected, the cost of these inspections, and if there enough available Nevada-certified building inspectors capable of performing such inspections. In conclusion, this requirement is unattainable. BRC currently has structure safety requirements in place.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
452	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 - Burning Man construction inspections are already adequate to manage risks at the event. This mitigation is unnecessary. PHS-6 - Ambulance service solutions at the event are already adequate. There is no problem for this mitigation to address. It would add expense without improving outcomes.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
489	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Unfortunately, PHS-4 is so vague, without criteria or metrics, that there is no way to anticipate what will be scrutinized or enforced. How does one assess the structural soundness of an 11' metal and fabric sculpture, meant to quietly rotate in the desert breeze? What kind of engineering standards will be applied to a steel-tube handrail, welded to the top of a shipping container, beneath a larger-than-life Victrola?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
496	3	Mitigation-Public Health and Safety	209.0700.00	N/A	OMMENTS REGARDING MITIGATION MEASURE PHS-4 "BRC will facilitate all structures over 10 feet to be inspected by a qualified and Nevada certified building inspector prior to occupancy" Main Questions: 1. How can this be accomplished within the time frame of building the city, and people entering the city? a. There exist over 1400 theme camps that typically arrive the tuesday before the event begins. That is a lot of structures to inspect in in a five day period. 2. Are there enough, trained building inspectors, to perform the inspections? 3. Would a building inspector be familiar with building styles of BRC, dictated by the windy environment? a. BRC Structures are lightweight and built for temporary use, but to withstand high winds. In our 14 year history, on one occasion several years ago, a wall tarp came detached in high wind. We learned from that. Our current structure was designed by engineers in our camp who have had over 20 years' experience building on playa. We have had no further issues. A regular building inspector would likely have no experience with any of this.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
498	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Page 3-31 all habitable structures over 10ft tall by Nevada licensed building inspector. Please better define habitable structures; structures used for sleeping/cooking or all structures where people gather? Who is responsible for paying for the inspection? Since all structures at the event are temporary what building codes (residential? commercial?) are participants required to follow? If commercial are all structures required to be ADA compliant?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
503	3	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4. Building inspectors inspect buildings to ascertain compliance with either the applicable building codes in the county, and/or the drawings as prepared and stamped by a licensed structural engineer. Most building inspectors don't deal with the special requirements of short-term buildings and tent-like structures, and the number of available inspectors would likely be very limited. The number of groups retaining the services of a structural engineer licensed in Nevada would also be very small. This requirement would effectively prevent most such structures from being built to the detriment of the event.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
505	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The Draft EIS Mitigation Measure PHS-4 requiring building inspections by Nevada-certified building inspectors is insufficiently supported in the record. In fact, the Public Health and Safety Special Study specifically states that "historically, there is a low occurrence of structure collapse within the city" and that the threat of structure collapse "remains a low-risk impact on public health and safety." (Public Health and Safety Special Study, Section 1.2.18.) Therefore, in order to justify the disproportionately high cost of this Mitigation Measure, BLM must adequately document the risk associated with potential building collapse, including a review of similar events and structures that are subject to this requirement and well as a complete cost analysis of the required Mitigation Measure.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
511	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 It always bothered me, the structures being built for people to crawl and climb on. I feel it is only right that they are inspected. This is Public Safety. Burning Man gives grants for the art work so they can include this in the cost of the grant.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
516	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4: Structural integrity is again a non-issue within city limits. No structure has ever collapsed and injured people to my knowledge (admittedly some art has injured people, but not because of any a structural issues), and Burners have a strong duty to care when building things that may be climbed by others. I believe that it's impossible to supply enough building inspectors to inspect all structures, and this would therefore irreparably harm the spirit of the event - again, this is a measure that would cause an immense burden on burners without solving any problem that actually exists.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
518	5	Mitigation-Public Health and Safety	209.0700.00	N/A	I understand the BLM's concerns regarding PHS-4, which would require building inspections for any structure over 10 feet tall. I applaud the BLM's initiative in protecting the safety of attendants, and indeed many structures at the event can be hazardous. However I believe this is a task best left to the event organizers, who are already aware of the unique techniques and technologies required in assembling temporary, transportable structures, the designs of which are found nowhere else in the world. The organization has extensive contact with camp designers in the months leading up to the event, and can likely address structural concerns in the design phase before they become a problem on-site.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
523	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Asking Nevada State Inspectors to do this job requires Nevada pass legislation governing the types of structures built on the playa. Otherwise the inspectors are in a legal bind that is unfair to them personally and professionally. Meanwhile is nullifies the experts on the playa that understand the type of safe structuring on the playa. It further nullifies the engineering stamps by other experts in public art or construction staging practices. The end result of this mitigation could be a less safety in BRC engineering and severely taxed local jurisdiction. For this reason I would move to strike this requirement. There is not enough information here to explain how this could be done in a manner that would result in safer structures without a multi-year effort by the state to catch up with best practices and state of art knowledge that exists already.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
527	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Is it possible a Nevada-certified building inspector may require additional build out(s) of structure(s) for reinforcement? These may impact the flows of water and could be related to the ACOE.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
540	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 is well meaning (no one wants injuries due to grossly unsafe structures) but is concerning because it is unclear what standard will be applied to these structures. All the structures are temporary and many of the structures are esoteric and artistic in nature. A standard that is too strict could be disastrous for the event because it would be nearly impossible to build a compliant structure. Also, the cost for the inspectors could be prohibitive	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
541	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4. This is completely out of scope for an EIS, and must be removed. Half the tents in BRC are over 10 feet high, and whose building inspectors would be required to come out to the desert for weeks? Pershing? Washoe? What are the proposed punishments for displeasing a building inspector with a tent or artwork or camp?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
543	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Burning Man for many years has taken a hands-off approach to safety, (unless egregiously unsafe), since its founding. The liability for climbing on or in any structure is and should be placed on the attendees themselves. The number of building inspectors required for the task and the backlog of inspections for each and every structure over 10' would take an army of inspectors to complete. The re-inspections for compliance failures would add even more time to this process. As the purveyor of a scaffold tower in excess of 10', which I bring and erect every year, I am well aware of the OSHA requirements for scaffolding, (guardrails, end-rails, toe-boards, etc.), and work to comply with these requirements. The last things I want is to spoil someone's burn because they were hurt by my tower. I believe that most purveyors of such over-height structures feel the same. The sheer number of facilities that would require inspection, (re-inspection), would not be feasible given the time frames involved. Releases for liability for each person that wants to visit any structure over 10' would also be virtually impossible. Liability of injury must be clearly established as being each attendees sole responsibility.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
546	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 is unnecessary. Burning Man has a 30+ year history of successful large-scale art. 1. Given the thousands of structures over 10 feet in height created for the event, there is no reasonable way they could be inspected in any acceptable time frame relative to the event. Any attempt to inspect that many structures, that would allow the event to open on time, would require every working building inspector for hundreds of miles. 2. Even if every available inspector was conscripted to the event, it would have the side effect of shutting down or notably delaying construction in the greater Reno/Northern Nevada area. The economic impact of this would be significant and unjustifiable both to participants and to the construction trade outside of the event. 3. Inspections in the construction trade have a notorious reputation for being late and delayed under the best of circumstances. This will undoubtedly lead to hundreds of structures being completed but never opening or opening for an unacceptably short period of time. 4. PHS-4 also contains no contingency plan for weather delays.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
574	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 BRC will facilitate all structures over 10 feet to be inspected by qualified and Nevada-certified building inspectors prior to occupancy. Based on the information provided in the draft EIS, there was only one documented collapse of a structure over the past few years. This seems like an unreasonable mitigation demand in light of the lack of evidence indicating there is a real problem with structures over 10 ft. This requirement is NOT REASONABLE. QUESTION: What evidence leads BLM to feel this is necessary	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
580	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Another mitigation measure that seems disproportional to the impact is the requirement for building inspections for all habitable structures over 10 feet. Many structures on playa are over 10 feet, including the pyramid structures my various camps have used for over 12 years without issue. This seems like an onerous requirement for everyone with a structure to comply with. I agree that structures meant for climbing should be inspected, or new structures that are designed to hold people, but to make this a city wide requirement, especially for structures that have been used without prior incident is disproportional mitigation for the collapse of one structure as described in the report on Public Health and Safety at the Burning Man Event March 2019. The mitigation measure should be revised to include only structures where climbing is intended, or there are multiple levels on which people can stand on above 15 feet.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
582	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Have studies been done that reveal concerns regarding structures over 10 feet in height? Furthermore the vast majority of structures at BM are not intended nor used for "occupancy," in other words people do not live in them during the event. BM participants are, of course, responsible for themselves, though beyond that an essential ethos of the event is our responsibility for one another. Accounting for both the population and length of the event, the BRC death rate is lower than that of major US cities, and to my knowledge NONE have been the result of faulty structures. Many have been from pre-existing medical conditions, and a few from vehicular accidents (including an intoxicated motorcyclist) before the current vehicle regulations were in place. While this mitigation is no doubt well-intentioned, it addresses a nonexistent problem and would add great expense (in terms of time and money to pay inspectors) that produces unnecessary difficulty in the construction of novel & creative structures that are definitive parts of the event.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
593	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4 Given the number of structures over 10 feet, it would not be cost-effective nor practical to have all structures inspected. Is there a need for said inspections? Is there a significant history of structures failing and causing harm to patrons?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
594	1	Mitigation-Public Health and Safety	209.0700.00	N/A	"BRC will facilitate all structures over 10 feet to be inspected by qualified and Nevada-certified building inspectors prior to occupancy." This is way too vague. Structures built by participants or built by BRC?	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
655	1	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-4: The main issue with a policy mandating inspections of any structure over 10 feet high is that many participant camp structures easily exceed the 10-foot minimum. Due to this, the building inspectors would be surveying thousands, if not tens of thousands, of structures. This process would likely take days. Participants are HIGHLY unlikely to comply with waiting days to occupy structures in camp. This process introduces unnecessary red tape and bureaucracy to the Event that would very likely result in decreased cooperation from participants.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
143	1	Mitigation-Public Health and Safety	209.0700.00	N/A	There are not enough building inspectors in the area to facilitate a timely inspection. Proposed Alternative: limit the structures that need inspecting to just those that are designed to be climbed excluding domes. Domes are inherently safe and should be excluded from inspection.	See Public Concern Statement MITPHS-4.	See Public Concern Statement MITPHS-4.
1794	9	Mitigation-Public Health and Safety	209.0700.00	MITPHS-5	Monitoring Measure PHS-5 The BLM will monitor effectiveness of BRC's and the BLM's environmental and vending compliance programs. LEA Assessment: From our understanding, the BMP and BRC have worked for years internally and closely with the BLM to ensure the effectiveness of their environmental and vending compliance programs. Evidence suggests that these programs are extremely successful and run well by Black Rock City, which we feel is how it should be. It seems that an ulterior motive could be hidden in the language the BLM chooses to use, and that the intent is to catch staff or participants mid-act instead of assessing the overall performance of the event afterwards. This mitigation proposal seems to attack the participant just arriving on site and not yet at their camp capabilities. This could lead to situations where (for example) BLM cites an individual for failure to provide secondary fuel containment if they just arrived on playa and, in the act of unpacking, places their fuel can on the ground while they unload their secondary container. The loopholes could be endless and the LEA does not support this BLM proposal.	Commenters asked that the mitigation measure be clarified. There is not currently enough information included to properly evaluate this measure in the EIS.	Monitoring compliance programs is a standard function to provide for adaptive management and may be completed by any government personnel to find improvements and the efficiencies in systems. This is not a law enforcement-specific measure and may include evaluation of programs and statistics after each Event. There is no evidence to support the BLM erroneously issuing fuel storage citations, and that is not the intent of monitoring.
658	2	Mitigation-Public Health and Safety	209.0700.00	N/A	From the EIS, it is entirely unclear what impact PHS-5 is intending to mitigate. It is actually also entirely unclear what mitigation PHS-5 would require. As written, it could be almost anything. There is not enough information included in the EIS to begin to evaluate PHS-5. Finally, the EIS itself is fatally flawed because it has provided no impact evaluation of mitigation PHS-5. BLM should drop mitigation PHS-5 from the final EIS, or reissue the draft EIS with a better explanation of the impact PHS-5 was supposedly created to mitigate, and a more specific explanation of what PHS-5 would do.	See Public Concern Statement MITPHS-5.	See Public Concern Statement MITPHS-5.
659	5	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS -5 is a little vague, but makes sense. I would want this clarified.	See Public Concern Statement MITPHS-5.	See Public Concern Statement MITPHS-5.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
670	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation Measure PHS-5 (Volume 2, Appendix E) states that "During the Closure Order, BRC will minimize disruptions of services to the PLPT and local communities". This is vague and should more clearly address the major impacts on local communities. I note the following impacts which concern many Gerlach residents and suggested mitigation measures: A. Additional portable toilets in and around Gerlach. The number of portable toilets placed in and around Gerlach in 2018 was not adequate for the needs of participants. Gerlach businesses do not have bathroom facilities to meet these needs and it is a burden on them and Gerlach's sanitation maintenance. Volume I, Chapter 3 (3.5.2 Waste, Hazardous or Solid) states: "For example, BRC would coordinate with the Nevada Division of Public and Behavioral Health and a portable toilet vendor to provide the proper number and locations of toilets and hand sanitizers within the Closure Area and in Gerlach for the peak anticipated population, as well as adequate resources for toilet pumping and maintenance consistent with the requirements of the health department." The number of portable toilets Burning Man provides in Gerlach needs to be increased in order to reduce the burden on the town. B. Traffic control at the intersection of Main St and Sunset Blvd in Gerlach. As noted in Volume I, Chapter 3 (3.9.2 Transportation and Traffic) "Traffic congestion, particularly during peak arrival and departure times, would affect the ability of Gerlach residents to use roadways for work, leisure, or daily activities." When traffic is constant through Gerlach, our senior citizens have trouble getting to the daily lunch offered at the Senior Center and other residents are delayed in getting to work. One of the biggest challenges is that participants don't stop to allow residents to cross Main St. Burning Man should provide a Flagger or other method of traffic control at the intersection of Main St and Sunset Blvd during peak traffic times to facilitate residents being able to use the roadways. C. Speeding in Gerlach/Empire where posted speed limits are 25 MPH. Speeding by Burning Man participants and vendors as well as BLM staff and law enforcement is a serious concern. Burning Man should utilize social media (perhaps including the Traffic Operations Center messaging) to remind participants not to speed in local communities. Burning Man should remind vendors (including outside services vendors) of the speed limits and provide a method by which local residents can report speeding by vendors. BLM should educate their staff to not speed in town. D. Education of participants about Gerlach/Empire and other local communities (e.g., PLPT). It is clear from interactions between local residents and participants that some participants are particularly ignorant of the local communities and what to expect. The way participants behave in the local communities has a huge impact on the perception of residents about the event overall. Burning Man should increase educational messaging about the local communities (e.g., there are residents who live here year round), including appropriate dress, behavior and generally being respectful of their impact. Reminders nearer to the time of the event may have greater impact, for example utilizing Air Playa Info at the Reno Airport and sending reminders through social media when participants are traveling to the event.	See Public Concern Statement MITPHS-5.	See Public Concern Statement MITPHS-5.
711	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-5: The BLM will monitor effectiveness of BRC's and the BLM's environmental and vending compliance programs.	See Public Concern Statement MITPHS-5.	See Public Concern Statement MITPHS-5.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
725	4	Mitigation-Public Health and Safety	209.0700.00	N/A	Measure PHS-5: The BLM will monitor effectiveness of BRC's and the BLM's environmental and vending compliance programs. It is my understanding that the Burning Man organization already has effective environmental and vending compliance programs in place, and already regularly reports to the BLM on these programs. Why do we need to turn this around and add extra work for the BLM staff?	See Public Concern Statement MITPHS-5.	See Public Concern Statement MITPHS-5.
950	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Measure PHS-5: Our event's environmental and vending compliance programs are robust, and very thoroughly monitored by the community, as well as reported on every single day during the event, when the organizers are in contact with the BLM 24/7. The protocols get reviewed year round to ensure continued compliance and the proposed mitigation is unjustified. Environmental compliance is best ensured by education and training [3] and the community is adamant about this.	See Public Concern Statement MITPHS-5.	See Public Concern Statement MITPHS-5.
950	2	Mitigation-Public Health and Safety	209.0700.00	N/A	We support Mitigation Measure Number PHS-5, which requires BRC to minimize disruption of services to the Tribe and local communities for art installation arrivals and departures during the Closure Order. The Tribe requests that we receive notification by BRC prior to transporting large art installations via state highways that may result in temporary road closures or delays.	See Public Concern Statement MITPHS-5.	See Public Concern Statement MITPHS-5.
1871	5	Mitigation-Public Health and Safety	209.0700.00	MITPHS-6	Ambulance Placement, PHS-6 This measure is unnecessary. Burning Man has effective means of contacting emergency services during pre and post event time periods, which have a track record of success in getting the injured persons the care they needed in minimal time. During the event, Burning Man already has ambulances on site. It would be fiscally irresponsible to require the presence of ambulances during times when there are few people on site, and these services aren't needed.	Commenters questioned if this mitigation measure is needed, based on current operations.	The disruption of emergency medical response creates an impact on the human environment, as defined under NEPA, and disadvantages communities impacted in underserved minority populations. PLPT comments state that there is an assumption that PLPT EMS services will support Burning Man operations; however, one call or deployment by PLPT EMS precludes PLPT from supporting any other emergency operations, meaning that the tribal community would have no EMS coverage at times. This measure will be implemented only outside of the periods when ESD is operational with transport resources on playa. Existing measures during the Event do not offset impacts during the SRP outside of the Event.
962	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 During pre- and post-Event time frames within the Closure Order, BRC will contract an ambulance service for emergency services. BLM has not shown significant impact requiring mitigation. Each year during the approximately 65 days of pre and post-event, between zero and four people working within Black Rock City on the playa or in Gerlach request or require ground transportation to a local hospital. The agencies that undertake the transport are paid by insurance. There are fewer than 500 people on playa for all but 11 of the 65 days, and the peak population during those 11 days is around 3,000, at which time BRC has a sufficient number of ambulances in place on playa. This proposed requirement would cost BMP and ticket holders up to \$600,000 in a typical year, or just over \$150,000 per transport. Burning Man is committed to public health and safety, as evidenced by our on-site hospital, six first aid stations, fixed-wing airplane for off-site transport, fire department, hazmatt response, crisis intervention experts, and year-round collaboration with multiple state and county agencies. BLM's data simply does not support their recommendation. Furthermore this type of mitigation is beyond the scope of the National Environmental Policy Act.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
984	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 Again, there is no evidence that existing ambulance and EMS services are insufficient to handle the existing rate of injury at the festival -- and ample evidence that existing measures are sufficient (per capita mortality and morbidity from all causes at Black Rock City are among the lowest in all of Nevada). I am certified in first aid and wilderness first aid and on two occasions I have used my training to help injured people at Burning Man, tending them while waiting for trained EMTs to arrive; in both cases, EMTs arrived in under 15 minutes.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
993	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6: Are other large constructions projects in rural areas required to contract for continuous ambulance services? The answer is no, so why should Burning Man be held to a different standard?	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
997	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 During pre- and post-Event time frames within the Closure Order, BRC will contract an ambulance service for emergency services. ---- The emergency services currently provided by BRC have been provably extremely effective. If one considers the event similar to a small city, except in a much harsher environment, the record of health and protective services has been staggeringly successful, particularly during peak population. Data shows that even though attendees agree to the risks involved with being in such an environment, BRC goes far above and beyond already to ensure the safety and health of its visitors.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1006	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The expense of ambulatory services for the minor pre- and post-event populations is excessive and not supported by historical need. Existing resources have proven more than sufficient to handle actual and likely future needs.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1007	1	Mitigation-Public Health and Safety	209.0700.00	N/A	The LEA recognizes that the Burning Man Project is committed to participant health and safety, as evidenced by their on-site hospital, six first aid stations, available fixed-wing airplane for off-site transport, Emergency responses including but not limited to fire department and hazmat response team, crisis intervention experts, and year-round collaboration with multiple state and county agencies. It seems that the BLM's data on this matter simply does not support their recommendation.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1013	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 The Bureau of Land Management has provided no evidence to support the claim that existing ambulance and EMS services are insufficient to handle the existing rate of injury at the festival. The Burning Man Organization has provided ample evidence that existing measures are sufficient-per capita mortality and morbidity from all causes at Black Rock City are among the lowest in Nevada. There are many participants who are doctors, nurses, psychiatrists and other health professionals who devote their time, energy, talent and skills to support the medical needs of participants without the need for costly outside medical providers.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1197	5	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 Again, there is no evidence that existing ambulance and EMS services are insufficient to handle the existing rate of injury at the festival -- and ample evidence that existing measures are sufficient (per capita mortality and morbidity from all causes at Black Rock City are among the lowest in all of Nevada). I am certified in first aid and wilderness first aid and on two occasions I have used my training to help injured people at Burning Man, tending them while waiting for trained EMTs to arrive; in both cases, EMTs arrived in under 15 minutes.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1221	1	Mitigation-Public Health and Safety	209.0700.00	N/A	* Mitigation PHS-6 Again, there is no evidence that existing ambulance and EMS services are insufficient to handle the existing rate of injury at the festival -- and ample evidence that existing measures are sufficient (per capita mortality and morbidity from all causes at Black Rock City are among the lowest in all of Nevada). I am certified in first aid and wilderness first aid and on two occasions I have used my training to help injured people at Burning Man, tending them while waiting for trained EMTs to arrive; in both cases, EMTs arrived in under 15 minutes.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1245	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 "During pre- and post-Event time frames within the Closure Order, BRC will contract an ambulance service for emergency services." Burning Man is committed to public health and safety, as evidenced by the on-site hospital, six first aid stations, fixed-wing airplane for off-site transport, fire department, hazmat response, crisis intervention experts, and year-round collaboration with multiple state and county agencies. BLM's data does not support their recommendation. Furthermore this type of mitigation is beyond the scope of the National Environmental Policy Act. · Did BLM consider Mitigation PHS-6 is beyond their scope of work? · Did BLM take all measures BMP has in place already? · Did BLM check the transparency of the post event reports to understand the number of medical issues occurring during the event to even consider this Mitigation PHS-6 necessary?	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1245	2	Mitigation-Public Health and Safety	209.0700.00	N/A	Please answer and/or explain: 1. Why the current method of using private insurance to transport ill and injured people is inadequate. 2. How the cost of \$600k/year is a reasonable burden for Burning Man. 3. How this mitigation is relevant to the BLM's duties to the National Environmental Policy Act and why it has been included in a Environmental Impact Statement.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1245	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding PHS-6: this mitigation is beyond the scope of the National Environmental Policy Act (hereinafter NEPA). Further, the culture of the event is strongly committed to public health and safety, as is evidenced by the existing on-site infrastructure and collaboration with local agencies.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1379	3	Mitigation-Public Health and Safety	209.0700.00	N/A	* Mitigation PHS-6 Again, there is no evidence that existing ambulance and EMS services are insufficient to handle the existing rate of injury at the festival -- and ample evidence that existing measures are sufficient (per capita mortality and morbidity from all causes at Black Rock City are among the lowest in all of Nevada). I have had to call for EMT's for participants due to dehydration on two occasions and in both cases, EMTs arrived in under 15 minutes.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1458	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 (ambulance service): Compared to a city of the same size, we already have impressive medical plans in place for local treatment and evacuations. Again, we don't need to add more of a carbon footprint than is necessary!	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1465	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Also, with the emergency response team and medical center staff already in place, contracting "an ambulance service for emergency services" (PHS-6, E-3) seems redundant if not altogether unnecessary.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1474	6	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6: BLM has failed to show adequate data regarding the need for this mitigation. Furthermore, this measure does not fall within the scope of a National Environmental Policy Act (NEPA) review.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1474	7	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 There is no evidence that existing ambulance and emergency medical responding services are insufficient in handling festival injuries. There is a great deal of evidence that per capita mortality from Black Rock City the lowest in all of Nevada. The event offers an on-site hospital, 6 first aid stations, an airplane for off-site transport, fire department, crisis intervention experts, and year-round collaboration with state and county agencies.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1500	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 During pre- and post-Event time frames within the Closure Order, BRC will contract an ambulance service for emergency services. BLM has not shown significant impact requiring mitigation. Each year during the approximately 65 days of pre and post-event, between zero and four people working within Black Rock City on the playa or in Gerlach request or require ground transportation to a local hospital. The agencies that undertake the transport are paid by insurance. There are fewer than 500 people on playa for all but 11 of the 65 days, and the peak population during those 11 days is around 3,000, at which time BRC has a sufficient number of ambulances in place on playa. This proposed requirement would cost BMP and ticket holders up to \$600,000 in a typical year, or just over \$150,000 per transport.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1514	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 This mitigation appears to be beyond the scope of the National Environmental Policy Act. There is no demonstrable issue- only 0-4 people are ambulated off-playa before and after the event each year. Per trip cost would be \$150,000. The EIS doesn't adequately explain what is wrong with the current system, where insurance pays for these trips.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1514	4	Mitigation-Public Health and Safety	209.0700.00	N/A	With regard to the BLM mitigation action associated with findings on public health and safety, the BLM EIS does not appear to account for the existing activities of the Burning Man Project to ensure event participant health and safety, including: - an on-site hospital - six first aid stations - a fixed-wing airplane for off-site transportation - a fire department and hazardous material team - year-round successful collaboration with multiple state and county agencies.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1517	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 - I am totally dumbfounded by this mitigation. First of all - what does hiring ambulances have to do with Environmental policy, and secondly - why would it be needed for 65 days when the event only runs 11 days.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1520	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Regarding PHS-6; Does BLM have any factual basis from 15+ years of operation to demonstrate that this is even a problem worth addressing? Does BLM have *any* specific cases where ambulance service was not available but needed? If the answer is 'no', what is the basis for this proposed mitigation? If the answer is 'yes', can BLM provide a legal opinion that this requirement is within the scope of National Environmental Policy Act?	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1521	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 I find that this type of mitigation is beyond the scope of the National Environmental Policy Act. Could the BLM provide some proof that this is not the case?	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1532	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I work on an ambulance and in an ER. Looking at BRCs track record of 0-4 people being injured per pre-and-post event does not warrant a full-time ambulance on standby. Additionally, Burning Man requests volunteers in EMS to work pre- and post-event in case a significant injury occurs, showing that there is already highly trained professionals on-scene with supplies at their disposal. Additionally, having experience on the ambulance, I can tell you most ambulance rides are completely unnecessary and expensive.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1550	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6: BLM has failed to show adequate data regarding the need for this mitigation. Furthermore, this measure does not fall within the scope of a National Environmental Policy Act (NEPA) review.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1566	1	Mitigation-Public Health and Safety	209.0700.00	N/A	There is no evidence presented that warrants this mitigation. There are extensive on-site medical services during the event. Before and afterward, it has been documented that between 0 and 4 people per year request or require transportation to a local hospital, a need which is readily met by currently available services. A rough estimate is that implementation of this contract would cost up to \$600,000 per year and is simply not warranted based on any provided evidence.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1575	2	Mitigation-Public Health and Safety	209.0700.00	N/A	PHS-6 During pre- and post-Event time frames within the Closure Order, BRC will contract an ambulance service for emergency services. What evidence does the draft EIS present that justifies the need for a contracted ambulance service during the pre- and postevent timeframes? There was no breakdown of the number of ambulance trips required during those time frames. In order to evaluate impact to local services, this information would be required. In light of the lack of evidence showing a need for this service, this requirement is NOT REASONABLE. QUESTION: What data drove this mitigation requirement?	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1575	3	Mitigation-Public Health and Safety	209.0700.00	N/A	* Mitigation PHS-6 Again, there is no evidence that existing ambulance and EMS services are insufficient to handle the existing rate of injury at the festival -- and ample evidence that existing measures are sufficient (per capita mortality and morbidity from all causes at Black Rock City are among the lowest in all of Nevada). I am certified in first aid and wilderness first aid and on two occasions I have used my training to help injured people at Burning Man, tending them while waiting for trained EMTs to arrive; in both cases, EMTs arrived in under 15 minutes.	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1580	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Mitigation PHS-6 Again, there is no evidence that existing ambulance and EMS services are insufficient to handle the existing rate of injury at the festival -- and ample evidence that existing measures are sufficient (per capita mortality and morbidity from all causes at Black Rock City are among the lowest in all of Nevada). I am certified in first aid and wilderness first aid and on two occasions I have used my training to help injured people at Burning Man, tending them while waiting for trained EMTs to arrive; in both cases, EMTs arrived in under 15 minutes	See Public Concern Statement MITPHS-6.	See Public Concern Statement MITPHS-6.
1601	1	Mitigation-Public Health and Safety	209.0700.00	N/A	Two other EIS proposals that I would like to briefly touch on are the suggestions to install an alternative perimeter fence structure, and to introduce a private security company to conduct vehicle checks at the entrance gates. Whilst I understand the underpinning intention behind both proposals, I would encourage other possibilities be explored first. I would support a "do it the same, but better" trial approach for 1-2 years, rather than introducing new measures altogether. Setting some basic key performance indicators (if they are not already in place) around these matters could also help guide and influence decision-making and behaviours.	N/A	All the proposed mitigation measures will be implemented using the concept of adaptive management. Adaptive management involves exploring alternative ways to meet management objectives, predicting the outcomes of alternatives based on the current state of knowledge, implementing one or more of these alternatives, monitoring to learn about the impacts of management actions, and then using the results to update knowledge and adjust management actions. This means that the proposed mitigation measures will be implemented as needed and may also be modified over time as necessary. It is unlikely that any mitigation requiring significant time and logistics will be implemented immediately, in order to determine the best possible solutions.
1606	2	Mitigation-Public Health and Safety	209.0700.00	N/A	I think there either are not enough porta-potties, or they aren't cleaned often enough especially at night and toward the end of the event. While BMP has seemed to do more toward this, and there are a few idiots who use the playa as a restroom no matter what, I think restroom facilities # and cleanliness could be stepped up for public health and safety in general.	N/A	The proponent has years of study on the number of portable toilets required; however the sustained amount of human waste on the playa is of concern. The BLM will address possible solutions with the proponent.
1606	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Was a threat assessment conducted by BLM that is applicable specifically to Burning Man? If so, where can I find it?	N/A	Law enforcement threat assessments contain analysis that is law enforcement sensitive and, as such, is not publicly available.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1432	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Within the previous Environmental Assessment, which BLM and BRC were working under, the Pershing County Sheriff's Office had advised they would need approximately 35 Law Enforcement Officers to provide services to the population of the Festival when that population was only 50,000 people. Now BMP wants to progress to double that population. PCSO has never been able to obtain the 35 personnel needed to provide adequate services for a population of 50,000. With the current severe financial restraints in place from the Settlement Agreement coupled with the lack of available personnel from Nevada Law Enforcement agencies, it will be virtually impossible for PCSO to be able to provide even a semblance of adequate services for such a large population. Several solutions exist to rectify this disparity-BLM can limit the population to a reasonable population in which PCSO would be able to provide more adequate coverage; BMP can go through the process outlined within NRS, specifically chapter 265 to incorporate into an actual city and then they can hire their own Law Enforcement entity to provide those services; as well as other mitigations/ solutions.	N/A	BRC incorporating into a city is outside the scope of this NEPA analysis and outside the application submitted by BRC for an SRP.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1486	1	Mitigation-Public Health and Safety	209.0700.00	N/A	I'm concerned with the recommendations under Mitigation Measure Numbers PHS-1, PHS-3, & PHS-4. We already provide barriers and entrance inspections for all participants entering Black Rock City. Every vehicle must travel through one entrance and must be inspected by a volunteer on the Gate, Perimeter, and Exodus (GPE) team. Also, is there any evidence to show that there are a large number of individuals entering the event illegally? The GPE team also performs regular perimeter inspections during the day and night to prevent unauthorized entry. Lastly, the Burning Man Project requires all participant who build structures over 10ft to provide engineering drawings and calculations that are reviewed by our team prior to installation.	N/A	It is recommended by law enforcement agencies generally and cooperating agencies with expertise in the area that a comprehensive security plan should begin with screening for banned items at the points of entry and a hardened perimeter. For the Burning Man Event, BLM has recommended a systematic screening process to provide participant health and safety at the Event site, as required by FLPMA and the BLM's SRP regulations and policy. DHS publications recommend designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands. NEPA requires the BLM to consider and discuss the human environment in environmental impact statements (40 CFR 1508.8 and 40 CFR 1508.14). The constitutionality of the proposed security screening is well supported in instances where the Department of the Interior contracts for or requires security at points of entry to large outdoor mass gatherings. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all Special Recreation Permit events. Monitoring allows for adaptive management and efficiencies in deployment to be developed over the next 10 years to provide for safety. This mitigation is in place, based on DHS best practices and recommendations. The example provided of an individual defeating all practices in place during the 2018 Event only illustrates how fortunate all involved were that no one was hurt. Implementing DHS best practices could have precluded this event from occurring. Resistance to this measure could increase liabilities for Event organizers in the future. PHS-4 This mitigation/monitoring was intended to apply only to structures over 10 feet high that are designed for lodging space, unless expressly manufactured for this purpose, such as motorhomes, RVs, or tents. (PHS-4 has been updated to clarify intent.)
1553	4	Mitigation-Public Health and Safety	209.0700.00	N/A	There are more than enough volunteers, perhaps an alternative would be to provide a training of volunteers and staff who could perform additional diligence and utilize sampling techniques, or behavioral pattern recognition to identify potential threats to our community. This would reduce actual harm to the society, and would have no additional impact on law enforcement staffing.	N/A	The BLM, through the concept of adaptive management, may implement similar measures in the future after discussions with BRC.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2005	2	Mitigation-Public Health and Safety	209.0700.00	N/A	The BLM could evidence their concern for public health and safety demanding that the Burning Man event practice similar responses to sexual assault that other festivals are, such as: - listing Safe Spaces in their What Where When guide - mandating that Burning Man report all sexual assaults, incidences of dosing (drugged without consent), and incidences of lewd behaviour (forced kissing and groping). This data should be readily available to the public and not hidden as it is now. - mandating that at all Burning Man staff and volunteers take a Bystander Intervention Workshop (2-4 hours, free, provided in all large urban centres) - with allowance that this workshop can be provided to not more than 20% of volunteers when they arrive at the event - mandate that Sexual Assault response teams provided by Burning Man provide participants with followup resources in their home areas, and ask survivors for permission to receive 1 followup call to ensure they do not need further referrals - mandate that Burning Man increase PCSO personnel so that assaults are better investigated - specifically discuss the amount of Sexual Assault response teams provided by Burning Man to ensure that sufficient resources are available to survivors, and that lack of trained volunteers does not result in assaults being prioritized for response, and some survivors being told that "there is nothing that we/they can do" - allow any suggested mobile forensic exam unit to be situated on playa in a location determined by the Burning Man organization so that survivors may be best supported. The medical facilities on playa already give evidence that a sterile environment can be sustained within the event perimeter. Allow for the possibility that a trauma-informed consideration of availability of a mobile unit could support BLM's suggestion that this be located in Gerlach. Whatever happens, consideration for survivors should be the thing that determines the location of the event, since maintenance of sterility is not a supportable argument for location.	N/A	The BLM, through the concept of adaptive management, may implement similar measures in the future after discussions with BRC.
1612	3	Mitigation-Public Health and Safety	209.0700.00	N/A	The concern laid out in BLM 2018b seems to be that law enforcement does not have the person-power to bring an adequate number of officers and/or deputies to the Event should the population cap be increased. Mitigation measure PHS-I does not help to mitigate law enforcement's inability to uphold these duties since the proposed role of the private security is to screen individuals and vehicles entering the Event.	N/A	PHS-I mitigation reduces strain on law enforcement resources through augmentation. The fewer prohibited items entering the Event reduces the need for law enforcement response during the Event and allows for the Event to be safely staffed.
2004	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Several times the whole event has been shut down because a teenager goes missing, resulting in huge delays for the exodus. I would support a mitigation measure that requires anyone under 18 to wear a GPS-chipped bracelet so that they can be immediately located. This would prevent the hellish traffic jams that have resulted from teenagers whose parents cannot find them.	N/A	The BLM, through the concept of adaptive management, may implement similar measures in the future after discussions with BRC.
563	3	Mitigation-Public Health and Safety	209.0700.00	N/A	Using the figures above that paint the least favorable picture of the Event, i.e. arresting charges rather than persons arrested and the lower peak population figure of 78,526, the total number of combined crimes and citations per thousand residents of BRC is 8.38. Only two of the Comparable Cities have lower crime rates. If you subtract citations for motor vehicle infractions such as having tail lights out (78) and moving violations such as speeding (37), the rate drops to 6.91 per thousand residents, lower than all of the Comparable Cities. Based on these statistics, the proposed Security Mitigation imposes a burden on and subjects generally law-abiding citizens to measures that are at best an extreme inconvenience and at worst a violation of their Fourth Amendment rights while not imposing any similar measures against Comparable Cities with crime rates that exceed those of BRC, some by more than ten times.	N/A	The BLM used the best available data when analyzing the impacts of the Burning Man Event. The commenter has not provided the "comparable cities" information, and the basis for these calculations are vague. The BLM cannot impose security measures outside of public lands. This report is a description of the existing human environment, relative to public health and safety, as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1032	4	Mitigation-Wastes, Hazardous or Solid	209.0800.00	MITWHS-I	Mitigation WHS-4 and WHS-6 Burning Man rules already prevent participants from dumping wastewater or other liquids on the desert, so the purpose of these mitigations seem redundant. Most participants abide by these rules and liquid disposal has not been listed as a major factor in BLM reports regarding the Burning Man event.	Commenters noted that dumping of wastewater and spills is already prohibited by the BLM and in the Burning Man rules, and they requested that the EIS describe in more detail what the mitigation measures are required.	In the absence of applicant-committed measures, while BRC has monitored for this in the past, it does not mean it will do it in the future.
1871	6	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Hazmat Spills and Road Cleanup, WHS-4, AQ-2 Spills are already prohibited by BLM and it would be physically impossible to ensure that no spill ever takes place. BLM needs to be more specific in what "appropriate means" of disposal are and what they intend to actually do when they propose monitoring of spills or materials. This is vague, and there is no science or facts presented to indicate a need for this measure.	See Public Concern Statement MTWHS-I.	See Public Concern Statement MTWHS-I.
1718	2	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-6: BRC provides education on these topics. What would be the additional benefit from further support here?	See Public Concern Statement MTWHS-I.	See Public Concern Statement MTWHS-I.
1881	10	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	WHS -6 most people that own or rent an RV know how to dispose of their grey and black water, or they'll will contract with someone that does. requiring BRC to teach them how to use a tool that they should already know how to use seems excessive. RV use should be covered by the person who has provided rental of the RV.	See Public Concern Statement MTWHS-I.	See Public Concern Statement MTWHS-I.
1244	5	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-4 "BRC will require all participants and staff on the playa to clean up and dispose of all fluids and materials by the appropriate means. The BLM will monitor disposals." As written, this mitigation is nearly impossible to understand or comply with. BLM has not defined "appropriate means" and has not shared their plan to "monitor disposals". Improper discharge or disposal of trash, grey and black water, human waste, fuel, and hazardous materials are already prohibited in the BLM's Temporary Closure Order for the Burning Man event.	See Public Concern Statement MTWHS-I.	See Public Concern Statement MTWHS-I.
1814	4	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-4 and WHS- 6: BRC will require all participants and staff on the playa to clean up and despise of all fluids and materials by the appropriate means. The BLM will monitor disposals.It's part of our our Leave No Trace philosophy, that is core to our experience. We learn together how to safely dispose liquid and materials. We help each other keep it all together. We get BRC Rangers to help, if necessary. We warn each other if there's a potential spill. We pick up MOOP and teach each other how to prevent it.	See Public Concern Statement MTWHS-I.	See Public Concern Statement MTWHS-I.
1079	8	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	WHS-4 - This requirement is vague and burdensome and does not address any existing problem.	See Public Concern Statement MTWHS-I.	See Public Concern Statement MTWHS-I.
1791	4	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	garding WHS-4 and WHS-6: this mitigation, as written, is impossible to comply with. Proper fluid handling and disposal has long been a significant element of the leave-no-trace ethos of the event. Infrastructure exists to rapidly remediate larger spills. Education and dissemination about these items is widely and regularly undertaken. Further, the scope of these mitigations exceeds the scope of the NEPA. Regarding WHS-8: BMP already has these measures in place.	See Public Concern Statement MTWHS-I.	See Public Concern Statement MTWHS-I.
1098	8	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	this mitigation is very poorly written and does not provide sufficient detail to facilitate compliance nor a prioritization of said fluids, which would be expected when considering their environmental impact.	See Public Concern Statement MTWHS-I.	See Public Concern Statement MTWHS-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1636	8	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	WHS-8 (spill prevention control): This is already in place on Black Rock City. Pouring any liquids into the ground is already prohibited and there is already a spill prevention control and containment plan in place.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
531	6	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Improper discharge or disposal of grey and black water, human waste, fuel, and hazardous materials are already prohibited. As part of Leave No Trace, this is already inculcated into BRC ethos. Many camps have evaporation systems for wastewater (ours has been commended-twice-by the BLM). BLM has not even defined "appropriate means" and has not shared their plan to "monitor disposals."	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
503	4	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Third, the additional fluids (WHS-4) and wastewater (WHS-6) requirements are similarly unnecessary. I've built a number state-of-the-art "evapotron" towers to that eliminate about 200 gallons of greywater per week per tower, without leaking and without waste on the playa. Our evapotrons are regularly admired by the Earth Guardians. Consequently I've spent a lot of time over the years helping Burners capture, evaporate, and transport their greywater — and they're pretty good at it. As a Burning Man greywater guru, I believe that your analysis is substantially in error.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
636	1	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-6 The BLM finding associated with vendor, contractor, staff, volunteer education on wastewater management from motor homes, campers, and service trucks ignores existing education and training, as well as on-site monitoring provided by the Burning Man Project. Can the BLM demonstrate that it has contacted a representative set of these parties, and the Project persons, to assess the state of education and revise the relevant EIS section accordingly? In addition BLM exceeds the scope of NEPA by assuming to require a private event operator to be responsible for activities of attendees and persons when not attending the event.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
706	3	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	The event already instructs participants on proper management of waste and grey water. The Playa Restoration team already ensures clean up, and documents extent of clean up required in an annual map that aids in documenting which areas and camps may need intervention in the future.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
706	4	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	WHS-4 BRC will require all participants and staff on the playa to clean up and dispose of all fluids and materials by the appropriate means. The BLM will monitor disposals. WHS-6 The proponent will educate participants, vendors and contractors, and staff and volunteers on all wastewater (e.g., grey and black) management from motor homes, campers, and service trucks. Mitigation SOIL-3 BRC will restore the playa contours by the end of the Closure Order. If the purpose of these proposed mitigations is to ensure that BRC and participants continue doing what is already in the tradition of the event, then it should be more clearly stated. The definitions and requirements of these mitigations strategies are unclear and vague, leaving it open for the potential of excessive interpretation.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
744	6	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-4 Burning Man participants and workers all work to clean up all liquids and spills and the idea that this is not already implemented or can even somehow be implemented more (whatever that means) is not realistic. Not only that but liquids get sucked up by the playa extremely fast so there is no realistic way to mitigate the nature of spills of than educated the participants and creating a culture of accountability which is robust. I know that the Fuel team on DPW works tirelessly to mitigate fluid spills and often arrive at sites far earlier than other services around.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1659	7	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Measure WHS-4 "BRC will require all participants and staff on the playa to clean up and dispose of all fluids and materials by the appropriate means. The BLM will monitor disposals." BRC already has three different teams dedicated to this, educating people pre- post- and during the event and preventing harm to the desert. The BLM does not explain why a fourth, extremely redundant monitor needs to be put in place. This is yet more unnecessary surveillance of Burning Man participants that simply serves to create another redundant government contract. Also, since the BLM has chosen to remain extremely vague in this measure, I would like to know how it would enforce the cleaning and proper disposal of rainwater since that is a fluid. How will the BLM monitor participant's interactions with rain? The BLM does not provide evidence to why it is necessary for BRC and participants to control NATURE. Measure WHS-6 "The proponent will educate participants, vendors and contractors, and staff and volunteers on all wastewater (e.g., grey and black) management from motor homes, campers, and service trucks." This is an absolutely ridiculous measure that seems to be proposed by someone who has no fundamental understanding of the event or the BMP. This measure is so extremely ignorant and unnecessary that I question the knowledge and authority of the writers of this Draft EIS.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
635	1	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	With regard to the mitigation action associated with playa clean up and disposal of fluids and materials, the Burning Man Project's existing Temporary Closure Order agreement already covers this set of activities. Associated BLM findings and mitigation actions should be removed from the EIS. Further, can the BLM please define "appropriate means" and their state plan to "monitor disposals" in a revised EIS?	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
2005	3	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-4 and Mitigation WHS-6: BRC will require all participants and staff on the playa to clean up and dispose of all fluids and materials by the appropriate means. The BLM will monitor disposals. BRC and all of us participants already do this! It's part of our Leave No Trace philosophy, which is core to our experience. I've personally witnessed, and helped out with many incidents of BRC Rangers pointing out potential spills and educating the potential offenders, with great success. Mitigation SOIL-3: BRC will restore the playa contours by the end of the Closure Order. BLM has not defined "playa contours" or "restore playa contours". BRC's restoration team spends weeks post-event restoring the playa, and busts dunes that may have been created, effectively eliminating dunes before leaving. We already "restore" your "contours".	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
1124	7	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Black Rock City already provides information (here and here, for instance) in its primary communications channels about proper wastewater management, but cannot possibly educate participants, vendors and contractors, and staff and volunteers on ALL aspects of wastewater management from motor homes, campers, and service trucks. This proposed mitigation, like so many others in the Draft EIS, exceeds the scope of NEPA by requiring a private operator to take responsibility for the actions of attendees while they are not on site. This type of requirement is excessive and doesn't exist for other sensitive public lands, including National Parks.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
993	4	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation Measure WHS-4 BRC will require all participants and staff on the playa to clean up and dispose of all fluids and materials by the appropriate means. The BLM will monitor disposals. Could BLM please explain what this mitigation measure means? It is vague.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1571	6	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	I cannot determine how BLM has defined "appropriate means" and has not shared their plan to "monitor disposals." It seems unlikely that BLM will ever be able to "monitor" disposal of "all fluids and materials."	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
1079	16	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	WHS-4 - Burning Man is already a Leave No Trace event, and great efforts go into preventing spills and negative impacts to the playa. BLM has not demonstrated that Burning Man is not already doing an adequate job with this. There is no proven harm for this mitigation to address. This proposed mitigation is so vague and poorly defined it is essentially non-actionable. WHS-6 - Burning Man already does this to the extent that is feasible. It is not possible to educate all attendees on all aspects of wastewater management from vehicles. There is no demonstrated problem this mitigation addresses which is not already being addressed.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
1998	1	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	itigation WHS-4 "BRC will require all participants and staff on the playa to clean up and dispose of all fluids and materials by the appropriate means. The BLM will monitor disposals." First off, this from BMP- "This proposed mitigation, like so many others in the Draft EIS, exceeds the scope of NEPA by requiring a private operator to take responsibility for the actions of attendees while they are not on site. This type of requirement is excessive and doesn't exist for other sensitive public lands, including National Parks."	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
1933	4	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-4 and Mitigation WHS-6: BRC will require all participants and staff on the playa to clean up and dispose of all fluids and materials by the appropriate means. The BLM will monitor disposals. Leave No Trace is already a key principle of burning man and all participants already do this. Guidelines have improved over the years (i.e. the recommendation to stop use of evaporation ponds). Each theme and art car camp also nominate a Leave No Trace representative to ensure this principle is followed. The suggestion of having dumpsters present at Black Rock desert also directly conflicts with the Leave No Trace principle and "pack it in, pack it out" mentality. If absolutely necessary, like the trash collection stations set up in Reno (at Whole Foods for instance), perhaps an additional paid trash and recycling depot could be set up along the county road on the route out of burning man near Gerlac	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
1098	7	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-4 This mitigation is very poorly written and cannot constitute a meaningful or enforceable order. "Fluids" is not defined, and neither is "the appropriate means."	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
1636	7	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-4 (wastewater management): This is already one of the strongest policies existing on Playa and within the Burning Man principles. The organization already provides plenty of information through multiple communication channels to enforce this and educate all Black Rock City citizens. However, as stated by the BMORG, it is not possible to broaden this scope over all aspects of wastewater management from motor homes, service trucks, etc. This would require a private operator to monitor attendees with such vehicles offsite, which is excessive and doesn't even exist for National Parks and other private lands.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
706	1	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	What is included in "all fluids"? Is the BLM going to police ice melt and or water that may end up on playa?	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
744	7	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-6 Burning Man already educates participants on wastewater storage and removal.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
2002	6	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-4 Burning Man participants and workers all work to clean up all liquids and spills and the idea that this is not already implemented or can even somehow be implemented more (whatever that means) is not realistic. Not only that but liquids get sucked up by the playa extremely fast so there is no realistic way to mitigate the nature of spills of than educated the participants and creating a culture of accountability which is robust. I know that the Fuel team on DPW works tirelessly to mitigate fluid spills and often arrive at sites far earlier than other other services around.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
2002	7	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-6 Burning Man already educates participants on wastewater storage and removal. To conclude, I don't believe that based on my previous experience working extensively on playa for the last two years that the mitigation measures that the BLM is requesting are unreasonable, unnecessary, and based on un-sound and biased sources. I hope you will take my report into account for your final assessment.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1.
1929	6	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	WHS-1 Dumpsters all over the place will magnify the problems thousands of times more than they are now. The organization already cleans the public and private roadways and areas of the event after it is over. WHS-2 through 8 are generally good ideas that are already somewhat implemented. I personally know that there are spill containers placed under vehicles at the fueling station and that the organization stressed the need for overflow/spill containers for portable fuel jugs stored in camps last year. Continuing to evolve workable methods to protect the environment is already a part of our goal. WHS-5 is a great idea. I personally volunteer to help create media through the organizations documentation team to educate people about securing their loads. It is greatly offensive to most of us that trash falls off vehicles and we would like to stop this from happening. Education certainly could help not only with better knowledge sharing about techniques but it would further spread the culture of Leave No Trace in a practical way.	See Public Concern Statement MTWHS-1.	See Public Concern Statement MTWHS-1. We welcome alternative mitigations from the proponent.
637	1	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-8 In stating that BRC fuel storage facilities need a spill and containment plan to comply with 40 CFR 112 and 109, BLM does not seem to account for existing measures at prevention and containment already in place by the Burning Man Project. Has the BLM considered the existing actions by the Project when reviewing data for this finding? Can the BLM consult with the Project on existing plans to ensure the mitigation action shared is evidence-based?	N/A	40 CFR 112 is applicable because 1) the USACE currently views the Black Rock playa as connected to the Waters of the US and 2) 40 CFR 112 also allows federal land managers to implement a spill containment and control plan to prevent resource degradation. Further, FLMPA directs the BLM to prevent unnecessary and undue degradation of federal lands.
1436	4	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-4: BRC will require all participants and staff on the playa to clean up and dispose of all fluids and materials by the appropriate means. The BLM will monitor disposals. Mitigation WHS-6: The proponent will educate participants, vendors and contractors, and staff and volunteers on all wastewater (e.g., grey and black) management from motor homes, campers, and service trucks. Mitigation WHS-8: To prevent unnecessary and undue degradation, for BRC's fuel storage facilities, BRC will create a spill prevention control and containment plan in accordance with 40 CFR 112, or if determined impracticable, a written plan in accordance with 40 CFR 109 that includes a written commitment of manpower, and equipment and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful or considered as a hazardous waste.	N/A	40 CFR 112 is applicable because 1) the USACE currently views the Black Rock playa as connected to the Waters of the US and 2) 40 CFR 112 also allows federal land managers to implement a spill containment and control plan to prevent resource degradation. Further, FLMPA directs the BLM to prevent unnecessary and undue degradation of federal lands.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1049	10	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Mitigation WHS-8 To prevent unnecessary and undue degradation, for BRC's fuel storage facilities, BRC will create a spill prevention control and containment plan in accordance with 40 CFR 112, or if determined impracticable, a written plan in accordance with 40 CFR 109 that includes a written commitment of manpower, and equipment and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful or considered as a hazardous waste. Background: Again, we are looking into this but currently understand that neither 40 CFR 112 nor 40 CFR 109 apply to Black Rock City. Black Rock City does however have a spill prevention control and containment plan already in place as a measure of good practice.	N/A	40 CFR 112 is applicable because 1) the USACE currently views the Black Rock playa as connected to the Waters of the US and 2) 40 CFR 112 also allows federal land managers to implement a spill containment and control plan to prevent resource degradation. Further, FLMPA directs the BLM to prevent unnecessary and undue degradation of federal lands.
925	5	Mitigation-Wastes, Hazardous or Solid	209.0800.00	N/A	Table E-1, Measure WHS-8 The proposed measure requires a plan in accordance with either 40 CFR 112 or 40 CFR 109. Neither section of the code appears to apply to this situation. How does the EIS propose to address these concerns?	N/A	40 CFR 112 is applicable because 1) the USACE currently views the Black Rock playa as connected to the Waters of the US and 2) 40 CFR 112 also allows federal land managers to implement a spill containment and control plan to prevent resource degradation. Further, FLMPA directs the BLM to prevent unnecessary and undue degradation of federal lands.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
665	3	Mitigation-Air Quality	209.0900.00	MITAQ-1	BLM Rangers and law enforcement, and the Pershing County Sheriff and Deputies routinely drive through non-designated areas repeatedly and at high speeds, causing significant, unnecessary whiteouts. The Draft EIS does not contemplate the impact of these agencies in this section or most sections of the Draft EIS.	Commenters are concerned the DEIS does not adequately address what the air impacts are from sources such as BLM or law enforcement vehicles and wind. Commenters suggest that mitigation measures already place an undue burden on BRC and Event participants.	While the playa is a naturally dusty environment, Black Rock City and its associated roads are where there is the largest human disturbance on the playa. Foot and vehicular traffic breaks the crust of the playa and exposes the loosely consolidated sediments to the air and wind. On page 2-45, the Black Rock High Rock Emigrant Trails National Conservation Area Resource Management Plan (hereafter NCA RMP) dictates that "The NCA and wilderness areas will be managed as a Prevention of Significant Deterioration Class II area as designated by the Clean Air Act. All BLM actions and use authorizations will be designed or stipulated to protect air quality." The high particulate concentration conditions during the Burning Man Event have been noted in the past but the concentrations had never been quantified in a formal study prior to this EIS. Additional mitigation measures have been developed as a result of the baseline monitoring data collected before and during the Event and the air modeling performed in support of this EIS. These studies provided additional information as to the extent of the particulate matter-related impacts during the Burning Man Event, particularly on human health. Air quality mitigation measures, as revised in the FEIS, are reasonable measures to reduce particulate levels, inform participants of potential health risks, and provide protection for BLM and contractor staff who will be on-site and are necessary for the Event to occur. AQ-2 has been changed to be a public health and safety mitigation measure (PHS-7) in the FEIS, though it would still contribute to reduced dust conditions by limiting vehicle speeds. This measure exempts law enforcement and emergency vehicles from posted speed limits because response to emergencies may require travel speeds in excess of posted limits; however, this mitigation is not intended to allow BLM staff and other law enforcement to travel at higher speeds when not warranted. While posted speed limits and speed limit enforcement have been part of the Burning Man Events in the past, because this is a new Special Recreation Permit, all mitigations must be codified in this new permit even if they already occur. AQ-1 in the DEIS has been removed in the FEIS.
1245	4	Mitigation-Air Quality	209.0900.00	N/A	BLM Rangers and law enforcement, and the Pershing County Sheriff and Mitigation AQ1 mitigating dust. Wind is the big driver of the dust in my experience. Also consider that deputies routinely drive through non-designated areas repeatedly and at high speeds, causing significant, unnecessary whiteouts. The Draft EIS does not contemplate the impact of these agencies in this section or most sections of the Draft EIS.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1537	4	Mitigation-Air Quality	209.0900.00	N/A	Mitigation AQ – 1 – Dust storms are a natural part of this climate and wind is responsible most of the time; I've hunkered down for 2 whole days because of nonstop dust storms from winds; not vehicles. While vehicles do cause dust, it's natural in this environment, and most participant vehicles adhere to the posted speed limits entering/exiting and are not allowed to drive around unless an art car, which go at a snails pace. The most common dust trails that can be seen for miles is from law enforcement and BLM trucks racing around the desert. How will BLM mitigate this issue? AQ – 2 exempts law enforcement, which I understand in an emergency, but it seems often unnecessary	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
678	2	Mitigation-Air Quality	209.0900.00	N/A	Has the BLM compared the dust created by Burners to the dust kicked up by natural events (e.g. wind storms)? Has the BLM considered taking the first step at dust mitigation by enforcing speed limits among its own personnel?	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
993	6	Mitigation-Air Quality	209.0900.00	N/A	How can BRC control dust events? Dust events are naturally occurring in the Black Rock desert. Burning Man participants are already cautious about driving slowly. We cannot stop the wind from blowing.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1098	9	Mitigation-Air Quality	209.0900.00	N/A	For this mitigation to be successful, BLM would need to account for its contribution to the dust and fully mitigate its own impact.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1933	5	Mitigation-Air Quality	209.0900.00	N/A	Mitigation AQ-1 As a trained professional who has studied the wind (as a wind farm analysis manager for many years) I can confidently say that any dust storms that occur in Black Rock Desert are naturally occurring and could not be caused by any attendee. It is completely unreasonable to expect a solution to be provided to mitigate a naturally occurring phenomena. I have attached a brief summary of the wind characteristics of Black Rock desert that I prepared for my camp and shared with several other camp organizers several years ago. This memo shows there are extreme wind events in the event location. In addition, with it is a commonly known condition that the desert heats up during the day causing turbulent wind flow from the uprising air. This is one cause of dust storm observed on the playa.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1520	4	Mitigation-Air Quality	209.0900.00	N/A	BLM proposes to require that BRC develop solutions to reduce dust events. BRC already employs measures to decrease agitation of the Playa surface and decrease the likelihood of intense dust storms. BRC has always been vocal about the dangers of breathing Playa dust, and safety measures participants can take to protect themselves. Additionally, BRC imposes strict driving limitations for participant vehicles on the Playa, limiting personal vehicle operation to entry and exit at very low speeds, and limiting the operation of art cars/mutant vehicles to very low speeds. Many of the mitigations proposed by BLM in this EIS involve increased vehicle activity from private security, work crews, and transport vehicles; has BLM taken this increased activity into account when asking BRC to mitigate the weather? This increased traffic is of BLM's own making; what measures will BLM themselves put in place to ensure that their ridiculous requirements do not cause increased dust agitation?	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
773	10	Mitigation-Air Quality	209.0900.00	N/A	Regarding AQ-1; will BLM require its vehicles to maintain the same 5 mile per hour speed limit (when not responding to emergencies) that the rest of the festival attendees maintain to mitigate dust? If not, what is the justification for BLM vehicles driving at greater than 5 mile per hour given the proposed mitigation of reducing dust to improve air quality?	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1701	4	Mitigation-Air Quality	209.0900.00	N/A	AQ-1 and AQ-2 identify some air quality actions, but the document fails to acknowledge that the BLM itself is a cause of significant fugitive dust. Every year that I have attended I have seen BLM and other law enforcement vehicles driving at a high rate of speed, sometimes with no target at the end of their drive, creating huge rooster tails of dust that often grow into dust storms.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
649	1	Mitigation-Air Quality	209.0900.00	N/A	First, can the BLM demonstrate a baseline data for "natural" PM2.5 and PM10 levels on the playa during this period to be able to attribute elevated levels to the Project, and thus hold the Project responsible in the EIS? Second, the BLM finding does not appear to consider evidence of existing rules and policy in place at Black Rock City related to 1) enforced speed limits of 5-10 miles per hour, and requirement of driving permits to be allowed to even travel on playa by car. Third, the BLM neglects to account for BLM Ranger, Pershing County Sheriff and Deputy actions--driving perimeters and non-designated areas repeatedly and at high speeds, creating elevated PM2.5 and PM10 in the process. Can the BLM separate out and demonstrate steps to hold accountable, as well, its own staff and Pershing County staff in this finding?	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1. The BLM is conducting air monitoring at Coyote Dunes just north of the closure area. Preliminary results indicate that when fewer than 2,000 people are on the playa pre-Event, particulate matter is within the NAAQS.
662	1	Mitigation-Air Quality	209.0900.00	N/A	The playa dust is kicked up by strong winds even when no one is out there. BRC cannot control the wind. The most effective control that I would appreciate as an occasional Burning Man participant would be for BLM to institute a low speed limit for the BLM vehicles that are not responding to emergencies.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
871	5	Mitigation-Air Quality	209.0900.00	N/A	Mitigation AQ-1 With the exception of wind-storms, the only dust I have seen at the festival that was present at sufficient concentrations to pose a health and safety risk was kicked up by law enforcement vehicles operated by local LEOs and BLM officers, who routinely flout BRC's 5m/h speed limit. If BLM is concerned about Black Rock City's air quality, they should train their officers to obey the law	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1873	8	Mitigation-Air Quality	209.0900.00	N/A	Mitigation AQ-1 The wind storms at Black Rock City are inevitable. But much of the dust generated in the City that poses a health and safety risk is kicked up by Law Enforcement vehicles operated by local LEOs and BLM officers who routinely flout the City's 5 MPH speed limit. If the Bureau is as concerned as it says it is, it might train its officers to obey the law while in the City.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
423	5	Mitigation-Air Quality	209.0900.00	N/A	Mitigation AQ-1 With the exception of wind-storms, the only dust I have seen at the festival that was present at sufficient concentrations to pose a health and safety risk was kicked up by law enforcement vehicles operated by local LEOs and BLM officers, who routinely flout BRC's 5m/h speed limit. If BLM is concerned about Black Rock City's air quality, they should train their officers to obey the law.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
883	1	Mitigation-Air Quality	209.0900.00	N/A	Mitigation AQ-1 With the exception of wind-storms, the only dust I have seen at the festival that was present at sufficient concentrations to pose a health and safety risk was kicked up by law enforcement vehicles operated by local LEOs and BLM officers, who routinely flout BRC's 5m/h speed limit. If BLM is concerned about Black Rock City's air quality, they should train their officers to obey the law.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
864	5	Mitigation-Air Quality	209.0900.00	N/A	Mitigation AQ-1 With the exception of wind-storms, the only dust I have seen at the festival that was present at sufficient concentrations to pose a health and safety risk was kicked up by law enforcement vehicles operated by local LEOs and BLM officers, who routinely flout BRC's 5m/h speed limit. If BLM is concerned about Black Rock City's air quality, they should train their officers to obey the law.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1297	1	Mitigation-Air Quality	209.0900.00	N/A	Furthermore, BLM Rangers and law enforcement, and the Pershing County Sheriff and Deputies routinely drive through non-designated areas repeatedly and at high speeds, causing significant, unnecessary whiteouts. The Draft EIS does not contemplate the impact of these agencies in this section or most sections of the Draft EIS.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
408	4	Mitigation-Air Quality	209.0900.00	N/A	* Mitigation AQ-1 With the exception of wind-storms, the only dust I have seen at the festival that was present at sufficient concentrations to pose a health and safety risk was kicked up by law enforcement vehicles operated by local LEOs and BLM officers, who routinely flout BRC's 5m/h speed limit. If BLM is concerned about Black Rock City's air quality, they should train their officers to obey the law	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
444	4	Mitigation-Air Quality	209.0900.00	N/A	* Mitigation AQ-I With the exception of wind-storms, the only dust I have seen at the festival that was present at sufficient concentrations to pose a health and safety risk was kicked up by law enforcement vehicles operated by local LEOs and BLM officers, who routinely flout BRC's 5m/h speed limit. If BLM is concerned about Black Rock City's air quality, they should train their officers to obey the law.	See Public Concern Statement MITAQ-I.	See Public Concern Statement MITAQ-I.
503	2	Mitigation-Air Quality	209.0900.00	N/A	Nearly every year I have to file notices with the Burning Man Rangers about unsafe driving by law enforcement; in 2018, I filed three notices. This happens both outside the city and inside the city when law enforcement speeds by pedestrians and bicyclists. The consistently irresponsible driving of BLM Rangers and Nevada county sheriffs also affects mitigation AQ-I.	See Public Concern Statement MITAQ-I.	See Public Concern Statement MITAQ-I.
1079	17	Mitigation-Air Quality	209.0900.00	N/A	AQ-I - The biggest dust events I have observed at Burning Man over 20 years have been caused by BLM and other police vehicles driving at high speed across the playa surface.	See Public Concern Statement MITAQ-I.	See Public Concern Statement MITAQ-I.
1743	2	Mitigation-Air Quality	209.0900.00	N/A	Regarding Measure AQ-I, I find it confusing that in the same place where land speed records are set, the BLM is interested in monitoring the speed limit to ensure it is not 'being broken'. The speed limit for BRC is set by BM, and monitored, maintained, and enforced. In all my years I have not encountered participants speeding cars on the open playa or the streets:there is not any problem of speeding, as evidenced by lack of collisions, pedestrian deaths, or other hazards. The primary sources of aerosol dust (due to speeding across the playa) seems to be caused by law enforcement vehicles, the only ones not sticking to the speed limit.	See Public Concern Statement MITAQ-I.	See Public Concern Statement MITAQ-I.
1068	5	Mitigation-Air Quality	209.0900.00	N/A	Mitigation AQ-I BRC must develop solutions to reduce dust events that are twice the NAAQS for PM2.5 and PM10. Well, if the dust is from movement of people and vehicles, I know what would work here. Every, single, time I see dust blown up from a vehicle, it is a ranger car. The Playa dust-cloud score board is dominated by the white ranger cars, (the ones with some yellow/light orange on them), racing across the Playa. And every now and then a black/grey one darts off ripping up dust the same way. Maybe it would help if they could slow down a little.	See Public Concern Statement MITAQ-I.	See Public Concern Statement MITAQ-I.
860	6	Mitigation-Air Quality	209.0900.00	N/A	Have you seen all the dust that is kicked up by BLM vehicles? All Burning Man participant vehicles are required to drive 4 mph or less at all times on the Playa. The only vehicles that do not abide by this regulation are the BLM vehicles themselves, which are very frequently driving onto/off of, at the event and around the perimeter of the event at speeds often exceeding 50 mph. This creates an enormous amount of unnecessary dust.	See Public Concern Statement MITAQ-I.	See Public Concern Statement MITAQ-I.
1707	1	Mitigation-Air Quality	209.0900.00	N/A	I have entered and exited the event by car more than ten times, and I have always been repeatedly informed about the speed limit. We can all agree that there is more than adequate speed limit signage. In my experience, the only vehicles that I have ever seen going at excessive high speeds that cause air quality disturbances like white outs are emergency and law enforcement vehicles which belong to BLM Rangers and Pershing County Sheriff and Deputies. Although this may be necessary, BLM may want to coordinate with these agencies to reduce air quality risks of high speed travel on the Playa.	See Public Concern Statement MITAQ-I.	See Public Concern Statement MITAQ-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1707	2	Mitigation-Air Quality	209.0900.00	N/A	AQ-1 and AQ-2 requests that Burning Man organization take steps to reduce dust events and hire a BLM contractor to monitor dust aerosols. I kindly request BLM remove these stipulations. Such monitoring will reveal very little. The fact will remain. It is a very dusty place and that wind creates this dust. The dust will continue to be a health risk for those with respiratory conditions. This is already known and the Burning Man Organization already takes many precautions for this environmental reality. The BLM does not have to use its limited resources to enforce speed limit. To hire a contractor to monitor the air quality, puts a unnecessary and unfair burden on the event, that is officially open for one week and occurs in a very dusty location.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
706	6	Mitigation-Air Quality	209.0900.00	N/A	It is impossible to prevent wind and dust on playa, and "develop solutions" is vague and doesn't take into account actions already taken by the event.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
2020	3	Mitigation-Air Quality	209.0900.00	N/A	Measure AQ-2: Monitoring of dust aerosols As covered in the bird migration comment, the Playa is dusty. You already have dust data and have shown that levels don't significantly change from year to year or from 50,000 to 70,000 participants as noted in your own analysis. Monitoring dust levels during the event is redundant and would not stop or reduce dust levels	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1787	4	Mitigation-Air Quality	209.0900.00	N/A	Dust storms are a natural occurrence in the Black Rock Desert, and it is ludicrous that the BLM does not distinguish between dust storms and dust events and exempt responsibility for the former when stating "BRC must develop solutions to reduce dust events that are twice the NAAQS for PM2.5 and PM10 ." (AQ-1, E-3). Black Rock City is not mentioned once in the scholarly article "Dust storm over the Black Rock Desert: Larger-scale dynamic signatures" (Atmospheres Journal of Geophysical Research, 29 March 2011), and the term dust event is used both by the scientific community and the media to describe dust storms. Air Quality Measure AQ-1 assigns BLM the duty of monitoring speed limits, which is unnecessary and ridiculous. The Black Rock City already enforces the speed limit, and the most frequent violator of this limit is BLM itself. How can BLM monitor everybody else when it cannot seem to monitor itself?	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1882	4	Mitigation-Air Quality	209.0900.00	N/A	Mitigation Measure AQ-1 Entrainment of total suspended particulates (TSP), particulate matter less than or equal to 10 microns (PM10), or particulate matter less than or equal to 2.5 microns (PM2.5) is a natural phenomenon caused by ambient winds that are frequently experienced at Black Rock Desert. Burning Man participant vehicles can also be sources of dust entrainment if not properly managed. Best in class suppression of vehicle caused TSP, PM2.5 or PM10 is the use of dust suppressants (i.e., wetting agents, water) and the uniform reduction in vehicle speeds. Current practice at the Burning Man event is mandating vehicle speed of no greater can 5 mph. This speed limit is enforced by both official Burning Man staff and participants themselves. This is a social contract that is adhered to for the benefit of all Burning Man participants. The use of dust suppressants in the form of water sprayed on Burning Man event streets is a frequent occurrence. I have observed this first hand over a 15 year period. This method of dust suppression is effective. Coupled with mandated vehicle speeds of no more than 5 mph, the Burning Man organization is executing the appropriate level of dust management. This strategy is an integral part of the Burning Man LNT ethic. In summary, dust emissions from Burning Man staff or participants at the Burning Man event are currently being effectively managed by the application of dust suppression water and maintaining staff and participant vehicle speed limits to 5 mph. The only on-playa vehicles that violate the 5 mph speed limit are law enforcement vehicles.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1576	1	Mitigation-Air Quality	209.0900.00	N/A	As an initial matter, the AERMOD Modeling Report and Air Resources Baseline Technical Report tell us that the Playa is dustier when there are more people and vehicles there and that particulate matter in the air increases. While this may be of concern if this scenario became a permanent 365-day-a-year circumstance, this is a highly temporary condition (~9.5 days a year). Further, there is no harm to neighboring communities, as found in the Assessment of Economics, Social Values and Environmental Justice (i.e., "Dust and particulate matter is typically transported by prevailing winds to the Northwest of the event, such that low income and minority communities are likely to be minimized."). The citizens of BRC are already made aware that they should wear dust masks, not idle vehicles unnecessarily and drive within speed limits. These precautions are taught not only by the BMORG, in the survival guide, but also by participants to one another. Please note that, the only vehicles that I have seen speeding and tracking up significant dust during the event are those law enforcement vehicles that are patrolling the perimeter of the event. These mitigation measures are unnecessary, for they are already addressed by BRC.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1575	7	Mitigation-Air Quality	209.0900.00	N/A	Opposition to AQ-2 and AQ-4. As an initial matter, the AERMOD Modeling Report and Air Resources Baseline Technical Report tell us that the Playa is dustier when there are more people and vehicles there and that particulate matter in the air increases. While this may be of concern if this scenario became a permanent 365-day-a-year circumstance, this is a highly temporary condition (~9.5 days a year).	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
654	1	Mitigation-Air Quality	209.0900.00	N/A	Preventing dust events is an interesting proposal that seems infeasible given the playa setting. The surface composition is so fine that even taking a step produces dust. I think it would make much more sense to continue the festival's education on wearing masks to prevent inhaling dust particles. This prevents exorbitant costs and allows individuals to protect their lungs at an inherently risky location.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1847	1	Mitigation-Air Quality	209.0900.00	N/A	Vol. II, E.1 AQ-1 BRC must develop solutions to reduce dust events that are twice the NAAQS for PM2.5 and PM10 Given the intensity of wind events on the playa and lack of naturally occurring objects for miles in every direction of the event site, it is unreasonable to believe that anything short of creating a ground cover large enough to cover the entire surface area of the closure area would be able to ensure the prevention of dust storms that exceed the parameters listed in AQ-1. To do so would be an unreasonable expectation. Participants are well informed the environment is extremely dusty and are able to make preparations in advance.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1650	1	Mitigation-Air Quality	209.0900.00	N/A	Air Quality Measure AQ-1, "BLM law enforcement and BRC will monitor speed limits within the Closure Area during the Closure Order" is unnecessary. In the 12 years I have been to Burning Man, the only vehicle that I have encountered going fast was an official vehicle. I don't recall if was police or BLM but do recall how unusual it was to see a vehicle going faster than all the other vehicles one sees. Speeding is not a problem at the event and BRC enforces the limits. Having additional BLM vehicles on the playa and BLM staff to monitor vehicle speeds is unnecessary and is an egregious waste of money. Moreover, the extra vehicles add pollution.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1843	1	Mitigation-Air Quality	209.0900.00	N/A	Measure AQ-1: There is no reason for BLM to monitor what is already being monitored most diligently by our own event crew. This measure would impose a waste of resources and is a redundant measure with no supportable claims for necessity.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1659	3	Mitigation-Air Quality	209.0900.00	N/A	Measure AQ-1 "BLM law enforcement and BRC will monitor speed limits within the Closure Area during the Closure Order." This is more superfluous surveillance of Burning Man participants. It is extremely well known that the Bureau of Land Management and other government agencies OFTEN and WITHOUT CONCERN unnecessarily speed through the nondesignated areas causing serious harm to air quality (something the BLM is supposedly committed to protecting). Participants rarely go over the Black Rock City (BRC) established and well-enforced speed limit. If the BLM is seriously concerned with this issue, they need to take it up with their own actors. It seems this Draft EIS fails to consider the fact that this is already monitored and enforced by BRC. The BLM should check its own people before hypocritically and erroneously points the finger at us. Measure AQ-2 "The BLM or BLM-approved contractor will monitor dust aerosols during the Closure Order. The costs of BLM employee and contractor labor will be recouped via cost recovery from the proponent." We know that it is dusty. You know that it is dusty. This is yet more unnecessary surveillance of Burning Man participants simply serves to create another redundant government contract to financially harm the BMP and gain profit for friends of the BLM. The BLM does not provide evidence to why it is necessary for the BMP to control NATURE.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1635	4	Mitigation-Air Quality	209.0900.00	N/A	AQ-1 Dust and dust storms in the late summer and autumn at Black Rock Desert are a naturally occurring phenomena. Years ago returning home from Burning Man I stopped for gas in Wadsworth and use a pay phone to call my family. (Yes, a pay phone. That's how long ago it was.) An elderly man came up to me wanting to talk. He told me that when he was young he worked at a ranch near Gerlach. He told me he personally knows that dust storms occur on that dry lake bed and he learned how to deal with them when working. We shared some dust storm stories. Then we both left for home. Look at it this way: Snow storms are a naturally occurring phenomena in Alaska. BLM doesn't try to make ranchers, native people, timber companies or others responsible to find solutions to mitigate snow storms in Alaska. Of course not. Those people just take care of themselves by finding ways to learn how to deal with them when working outside. So a BLM proposal to make Alaskans responsible to find ways to mitigate snow storms would make no sense. Because snow storms in Alaska are a naturally occurring phenomena. Likewise, it makes no sense to make Burning Man responsible for providing solutions to mitigate dust storms ---- because dust storms in Black Rock Desert are a naturally occurring phenomena. It appears that BLM failed to assess these faulty assumptions.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1846	4	Mitigation-Air Quality	209.0900.00	N/A	Measure AQ-1: There is no reason for BLM to monitor what is already being monitored most diligently by our own event crew. This measure would impose a waste of resources and is a redundant measure with no supportable claims for necessity.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
854	5	Mitigation-Air Quality	209.0900.00	N/A	The BMO is watering the streets to minimize the amount of dust in the air, and every participant is very well informed of the potential impact of the dust on our health. The BLM can't expect the BMO to minimize the wind and it's impact, the participant can't tip toe on the playa to minimize the dust disturbance. Dust is the part of the experience, and limiting it's presence seems unfeasible.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1754	3	Mitigation-Air Quality	209.0900.00	N/A	I'm also at a loss as to how Mitigation AQ-1 is justified. I routinely see BLM vehicles speeding next to the Gate road or outside the trash fence, throwing up clouds of dust. If it isn't an issue for the BLM, why is it different for attendees? The roads are routinely watered to reduce dust and law enforcement routinely stops anyone going even slightly over the speed limit. Will BLM require their drivers to avoid going any faster than absolutely necessary?	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1079	9	Mitigation-Air Quality	209.0900.00	N/A	AQ-1 - Dust events occur naturally in the Black Rock Desert and are primarily a function of wind, over which Burning Man has no control.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1667	3	Mitigation-Air Quality	209.0900.00	N/A	BRC already enforces its self-imposed speed limit during the Closure Order. The EIS does not make clear the additional value that would be added by requiring BLM to monitor speed limits nor how this would contribute to reducing dust events during the Closure order.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1705	13	Mitigation-Air Quality	209.0900.00	N/A	AQ-2 BRC, through the Black Rock Rangers or other appropriate group, must maintain speed limits on all motorized vehicles inside the city, except for law enforcement and emergency vehicles. This is already being done within the city and gate road by the Rangers. Law enforcement and emergency vehicles should obey the same speed limits at all times. In the event of an emergency, they need to exercise sound judgment when decided to exceed the speeds. How much time is saved if they are involved in an accident or strike someone? QUESTION: What evidence in the draft EIS document indicates that this is not happening today?	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1721	5	Mitigation-Air Quality	209.0900.00	N/A	The use of dust suppressants in the form of water sprayed on Burning Man event streets is a frequent occurrence. I have observed this first hand over a 15 year period. This method of dust suppression is effective. Coupled with mandated vehicle speeds of no more than 5 mph, the Burning Man organization is executing the appropriate level of dust management. This strategy is an integral part of the Burning Man LNT ethic. In summary, dust emissions from Burning Man staff or participants at the Burning Man event are currently being effectively managed by the application of dust suppression water and maintaining staff and participant vehicle speed limits to 5 mph. The only on-playa vehicles that violate the 5 mph speed limit are law enforcement vehicles.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1650	2	Mitigation-Air Quality	209.0900.00	N/A	Air Quality Measure AQ-2, "The BLM or BLM-approved contractor will monitor dust aerosols during the Closure Order" and its mitigation solution, "BRC must develop solutions to reduce dust events that are twice the NAAQS for PM2.5 and PM10" , are unnecessary. The playa is dusty. Tracking the particulate count is a waste of time and resources. It has no value. Because the playa is dusty, people attending Burning Man wear face masks when the dust is blowing. BRC already spreads water on the roads. In an effort to reduce the amount of particulates inhaled by attendees, BRC, in its communications with attendees, can highlight the need to wear dust masks and provide information about the health impacts of breathing the dust.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1966	3	Mitigation-Air Quality	209.0900.00	N/A	COMMENTS REGARDING MITIGATION MEASURE AQ-1 Listed in Appendix E Monitoring Measures under AQ-1 "BRC must develop solutions to reduce dust events that are twice the NAAQS for PM2.5 and PM10" Main Questions: 1. This seems to be assuming that BRC is responsible for the wind that stirs up the dust? a. As we know, the traffic is STRICTLY enforced on playa. I have rarely seen a vehicle travel over this posted speed limit. The most egregious infractions on this speed limit are the LEO's and BLM vehicles that can be seen traveling across playa at high speeds, followed by a plume of dust. BRC mitigates the dust by enforcing speed limits, and watering roads on a daily basis.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1881	11	Mitigation-Air Quality	209.0900.00	N/A	AQ -1 Dust storms are a naturally occurring event that happens on playa. Asking the BRC to find a way to stop them is like asking the eastern seaboard to develop a way to stop hurricanes. The BRC according to the EIS already sprays more than 16 million gallons of water on the play during the event as dust mitigation. Asking them to develop a way to stop a deserts worth of dust within the borders of the event seems unfair as it is requesting a near impossible task. They can no more stop the dust than they could stop the wind from blowing.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1049	11	Mitigation-Air Quality	209.0900.00	N/A	Air Quality Mitigation AQ-1 BRC must develop solutions to reduce dust events that are twice the NAAQS for PM2.5 and PM10. Background: The Black Rock Desert is made of compressed alkaline dust, which can be loosened by wind, people, and vehicles disturbing it year-round. Wind, a regularly-occurring weather phenomenon in Black Rock City and around the planet, will stir up dust into dust storms. The Department of Public Works already waters the streets and roads of Black Rock City, and we inform participants about the potential health effects of inhaling playa dust through our communications channels. Participants, armed with this information, are responsible for safeguarding their own personal health. Black Rock City can not mitigate the dust or the wind. BLM Rangers and law enforcement, and the Pershing County Sheriff and Deputies routinely drive through non-designated areas repeatedly and at high speeds, causing significant, unnecessary whiteouts. The Draft EIS does not contemplate the impact of these agencies in this section or most sections of the Draft EIS	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
665	3	Mitigation-Air Quality	209.0900.00	N/A	The Department of Public Works already waters the streets and roads of BM, and informs participants about the potential health effects of inhaling playa dust through BM's communications channels. Participants know this information and are responsible for safeguarding their own personal health. BM cannot mitigate the dust or the wind. We all know to bring dust masks, handkerchiefs, paint masks, or alternate means to protect ourselves at the event.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1730	1	Mitigation-Air Quality	209.0900.00	N/A	AQ-1 It is not clear what is asked for. As stated it appears that BRC must come up with plans to reduce the number of cases that PM10 and PM2.5 are greater than twice the NAAQS. This may envision additional control measures and modeling to assess if the measures are likely to be successful. Would this envision using continuous monitoring to reduce activities when levels approach twice the NNAQS or during duststorms? What is expected should be presented in more detail. Implementation of AQ-2 and AQ-3 mitigation measures should contribute to lowering PM10 and PM2.5	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
942	1	Mitigation-Air Quality	209.0900.00	N/A	It is not clear what qualifies and how to define a "dust event". Will air monitors be placed throughout the event area with some sort of communication system to notify the dust control people. Nowhere in any of the documentation provided by the BLM is it clearly stated why use of NAAQS as a screening level is appropriate for the event. The event is not located in a non-attainment zone, there are no down wind receptors that would be impacted by migrating dust and evidence of the toxicity of wind borne playa dust was not presented in the report. PM2.5 and PM10 NAAQS are generic screening levels that do not take into account different toxicity effects from different types of particulates. Diesel exhaust, forest fire smoke and air borne soil are all particulates and each has a different toxicity level.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1871	14	Mitigation-Air Quality	209.0900.00	N/A	Air Quality, AQ-1 BLM is imposing a burden on to Burning Man that it has not placed on any other event that takes place in the Black Rock desert. There has been no request for any of the other persons or organizations that use the Black Rock desert to mitigate the dust produced when the land is used. This includes those who go out to Black Rock to launch rockets, drive their vehicles at a high rate of speed across the desert which is not permitted for attendees of Burning Man, or any of the other events that occur there. Further, any use at all of the Black Rock desert is going to produce dust due to the fine nature of the particles in this environment, and BLM has not produced any scientific evidence that it would even be possible for Burning Man to reduce dust events to the level suggested.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1808	1	Mitigation-Air Quality	209.0900.00	N/A	Include in Mitigation Measure AQ-4, the written notice of air quality health risks, a recommendation that attendees bring N95 respirators (or other equipment to protect against air quality health risks) to the Event to better protect themselves from exposure to particulate emissions, particularly during times of higher wind speeds. Provide a sufficient number of N95 respirators available for purchase at Event medical facilities or other locations. Adopt a standard protocol for shelter-in-place recommendations for all Event attendees, extending this mitigation measure beyond BLM employees and contractors. Provide filtered air shelters, available to all Event attendees, as a refuge for those who may not otherwise have access to a filtered, enclosed space, or whose particulate filters may have been overwhelmed. This would also allow for mitigating impacts to those most environmentally sensitive, including children and the elderly.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1951	3	Mitigation-Air Quality	209.0900.00	N/A	The mitigation proposed for air quality issues is unacceptable. Mitigation measure AQ-1 is very vague and we cannot be sure it will result in a reduction in impacts - BLM needs to be far more specific in what it is requiring of Burning Man to reduce its impacts. For instance, BLM should specify dust control intervals, areas to be subject to dust control, and other variables. Additionally, Burning Man needs to study the issue, perform dust control monitoring based on different dust control techniques, in order to ascertain the best way to address this very significant issue. Mitigation measure AQ-3 may reduce dust exposure to participants, but will do nothing to alleviate the overall issue of particulate matter generation and release from the site - additionally it will impact parts of the playa that are not currently impacted by the event. As such, we do not recommend measure AQ-3. Without more stringent measures to suppress dust and air pollution, the Burning Man event will cause an unacceptable impact on air quality. BLM needs to require more proactive measures from the project proponents to guard against this outcome.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1102	9	Mitigation-Air Quality	209.0900.00	N/A	AQ-2 BRC, through the Black Rock Rangers or other appropriate group, must maintain speed limits on all motorized vehicles inside the city, except for law enforcement and emergency vehicles. NO. IT IS FOR EVERYONE. ONLY IN AM EMERGENCY SHOULD EMERGENCY VEHICLES BE ALLOWED TO CREATE DUST FROM VEHICLES.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1918	2	Mitigation-Air Quality	209.0900.00	N/A	Measure AQ-2 Dust: Since prevailing winds are generally from the West, why has a more northern Gate Road been proposed and investigated	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1357	7	Mitigation-Air Quality	209.0900.00	N/A	One of the areas where BRC could improve their education is regarding PM2.5 and PM10. We appreciate BLM's Mitigation Measure AQ-4, requiring BRC to notify all participants and workers about the air quality health risks in Black Rock Desert. However, written notice should be included in the ticketing package, or other more conspicuous location, rather than at the bottom of the newsletter as an afterthought. As BRC has always been proactive about ensuring the health and safety of their participants, we do not think this needs to be included as a required Mitigation Measure, but should be considered by BRC when implementing the Mitigation Measures included in the Final EIS.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1357	8	Mitigation-Air Quality	209.0900.00	N/A	Mitigation Measure AQ-5, for providing N95 masks to workers, is a reasonable and appropriate Mitigation Measure. However, BRC should consider including information to all participants about the benefits of using an N95, or N99 for sensitive populations, to reduce the health risks associated with the air quality in Black Rock Desert. Perhaps BRC could consider making a bulk buy of N95/N99 masks from a local supplier to support the regional economy as well as provide these essential masks to participants who may need them. Although "radical self-reliance" should encourage participants to account for their health beforehand, masks should be available (for a small fee, if necessary) to participants who may benefit from them while at the Event.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1537	3	Mitigation-Air Quality	209.0900.00	N/A	AQ -1 - Air quality would suffer due to the additional dust caused by weight of many more vehicles traversing the playa to transport these barriers. · The existing perimeter fencing allows the dust to pass through unobstructed. Erecting a barricade would cause the dust build up on either side and major disruption to the natural contours of the land probably make removal more difficult creating a negative impact to the environment. Restoring the land would take more effort and cost than by any perceived risk which the report fails to justify · The added vehicles and weight would further erode the roads leading to the event location	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1553	9	Mitigation-Air Quality	209.0900.00	N/A	We believe that this the issue of air quality is one sufficiently addressed by the BMO. These measures would require that the BMO take further steps to reduce dust and incur the costs of maintaining a BLM contractor to provide monitoring. The information that could be gleaned by monitoring and regulating to this level of NAAQS compliance would not justify the expense. It is therefore not feasible. We do believe that alternative points of entry to the north of the event site could allow for some reduction in dust given the typical wind pattern on playa and the reduced length of travel on the playa itself. We ask that the BLM give strong consideration to solutions that do not necessarily increase costs and manpower.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1741	11	Mitigation-Air Quality	209.0900.00	N/A	Please answer and/or explain: 1. Why is the BLM proposing this mitigation now, after decades of Burning Man being in the Black Rock Desert, and without a significant amount of attendees experiencing negative effects from breathing the dust. 2. Whether the BLM rangers will commit to driving slowly in the Black Rock Desert to reduce their contribution to human caused dust storms. 3. How it could even be possible to reduce the dust in a natural environment where the ground is made of dust beyond what Burning Man already does by watering the roads.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1817	2	Mitigation-Air Quality	209.0900.00	N/A	Have you done any studies to confirm that birds are impacted in any way by increased human activity causing increased dust during this time of year? Have you done any study to confirm that excessive vehicle speed is a problematic issue at Burning Man? They would be needed to confirm the problem before any action is taken.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1795	1	Mitigation-Air Quality	209.0900.00	N/A	Proposed particulate matter reduction I suggest no action be taken specific to the particulate matter that blows around during the event. 1)- The playa data gathered and analysis is commendable in its effort to achieve a valid result, but is flawed in its entire conclusion. A true data set would be taken hourly over the entire year, any other data set will be un-usable for conclusion. The fact is large dense particulate matter air borne plumes occur in mid April even with a very wet playa surface. (Observed from HWY-34 large dust plumes traveling the playa on 4-16-19) This is normal. 2)- The data as presented shows no negative environmental effects of air born particulate matter. No NEPA issues are indicated. 3)- The endurance of the dust storms is an integral part of the event and is a fundamental component of the communal cultural integrity that is a profound result of persons participating in the event.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
973	2	Mitigation-Air Quality	209.0900.00	N/A	B. Encourage solar panels and fewer generators, public outreach where solar camps are to charge batteries etc. C. Large explosions/burns to be with a minimum 3 mile per hour breeze D. Encourage low lighting in R.V.s/trailers with safe candles, lanterns etc. to reduce generator usage with a back to the basics mantra	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1236	3	Mitigation-Air Quality	209.0900.00	N/A	1) Although the wind can come from many directions, one of the primary wind directions is from southwest to northeast across Black Rock City. In this direction one of the chief problem areas is the dust picked up from the long, winding multilane entrance road that is quickly turned into a dust bog by all the incoming attendee cars. 2) The road is long and winding and multilane in order to get all the incoming attendees off of highway 34, to keep that road open. 3) One possible solution is to move the attendee entrance road to the second entrance currently used by Burning Man, the vendors and various government support agencies. Then move the attendee gate entrance area to the northwest side of Black Rock City. This would move a lot of the area of significant surface disturbance away from being down wind of the main Black Rock City area. 4) One negative impact would be the need to separate the BM, vender and agency traffic. 5) During the Lovelock EIS meeting I, and our camp lead, had a chance to discuss this at the site map display with Mark Hall BLM director. From our discussions another consideration is to position any new entrance staging to not block the north playa road and continue to give the rocket group and others access to the northeast playa, beyond Burning Man	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.
1102	2	Mitigation-Air Quality	209.0900.00	N/A	1. SPEED UP THE GREETER GATE BY ADDING A BYPASS LANE FOR ANYONE WHO WANTS TO BYPASS THE GREETER GATE. This should reduce air pollution by 50% alone on entry. 2. MAKE LARGE TURN-OUTS TO SPEED UP DEPARTURE TRAFFIC ALONG THE HIGHWAY REDUCING DRASTICALLY THE IDLING OF VEHICLES IN LONG LINES 3. CREATE A 2 LANE DEPARTURE. MODIFY TRAFFIC CONTROL TO CREATE A TWO LANE ONE-WAY ONLY HIGHWAY FOR SUNDAY. ADD LARGE PAVED TURN OUTS FOR SLOWER VEHICLES TO PULL OVER TO ACCOMMODATE PASSING AND EMERGENCY VEHICLES.	See Public Concern Statement MITAQ-1.	See Public Concern Statement MITAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1999	4	Mitigation-Air Quality	209.0900.00	N/A	<p>Air Quality, AQ-1- as explained in greater detail below from assessments of both the Revised Baseline Technical Report- Air Resources and AERMOD Modeling Report to Assess Direct and Cumulative Ambient Air Quality Impacts , BLMs methodology for monitoring and projecting future PM 10 and PM 2.5 emissions is inadequate. The quantification of existing PM 10 and PM 2.5 emission levels from monitoring at a past Event, including when a nearby wildfire was actively burning, and modeling of estimated emissions from future Events hold numerous significant errors as described below. In addition, the Black Rock Desert is comprised of very dust-like material comprised of PM 10 that can be easily disturbed by vehicles, people walking or biking, or simply the wind. The natural impacts of releasing this PM 10 was not considered nor included in BLMs air quality assessments. Further analysis is therefore needed and future Event emissions methodology should be revised. The following comments are generated from information provided in the Revised Baseline Technical Report- Air Resources : - Page 13, line 17 states that the status of the speciation data is unknown and data will be disclosed. Until this specific speciation data is provided, the source(s) of emissions are unknown and grant assumptions should not be made. - Page 18, line 16 states that this monitoring occurred during the Tohakum 2 Wildfire. This fire was located southwest of the Event, which is the same direction as the wind blowing to the Event, as documented on page 26, line 13. This fire began burning on August 29 th and ended after the Event. The effect of fire smoke emissions to these monitors and thus the air quality of the event is unknown. Fire smoke emissions may have greatly affected the monitor concentrations of both PM 10 and PM 2.5 , as well as hazardous air pollutant, toxics and metals constituents, and therefore the monitoring emissions during the Event are not accurate and thus have no merit. - Page 18, lines 18-22 states "The mass of crustal playa material on the recovered monitoring filters (photos of filters included in Appendix B) do however suggest that the main contributor to playa concentrations were on-playa anthropogenic activities...The majority of emissions generation resulted from vehicular and human traffic on the playa which liberated material for wind erosion." These are blanket assumption with no actual speciation data provided to support these statements. Once again, without speciation and the nearby wildfire, as well as lack of accurate emissions AERMOD modeling as stated below, the source of the emissions captured by the monitors at the Event is not provided. These generalizations have no data support them and therefore these gross assumptions should not be included. The following comments are derived from information provided in the AERMOD Modeling Report to Assess Direct and Cumulative Ambient Air Quality Impacts : - The end of page 26 and beginning of page 27, the final sentence states "Based on the total number of vehicle passes, the average number of gasoline and diesel vehicles was approximated utilizing a ratio of two thirds gasoline vehicles and one third diesel vehicles. This approximation was developed using onsite observations of participant vehicles during the 2017 Burning Man Event." The estimated total number of gasoline compared to diesel vehicles is a huge assumption and the actual fuel of these vehicles, gasoline compared to diesel, is widely unknown. No additional details or methodology were included on the onsite observations of participant vehicles during the Event. These onsite observations did not confirm the type of fuel used by all vehicles, or even a simple random sample of vehicles including: light-duty Class 1-2 engine size vehicles; medium-duty Class 3-6 engine size RVs, trucks and buses; or heavy-duty Class 7-8 engine size trucks or buses. Many RVs utilize gasoline and not diesel. Did the onsite observations during the event assume that all</p>	N/A	<p>The methodologies used for the air monitoring, emissions inventory development, and the AERMOD modeling were developed in coordination with the BLM National Operations Center air specialists and cooperating agencies, including the EPA. As such, the methodology is appropriate for this EIS analysis. While the playa is a naturally dusty environment, Black Rock City and its associated roads are where there is the largest human disturbance on the playa. Foot and vehicular traffic breaks the crust of the playa and exposes the loosely consolidated sediments to the air and wind. The high particulate concentration conditions during the Burning Man Event have been noted in the past but the concentrations had never been quantified in a formal study prior to this EIS. Air monitoring data were collected during the 2017 Burning Man Event to provide baseline information for the air analysis performed in support of the EIS. In addition to particulate concentrations, the chemical constituents of the monitor filters were analyzed for two of the filters collected on the Black Rock Playa. Measured constituents were shown in Tables 2-4 and 2-5 and filter speciation laboratory reports were included as Appendix C of the Air Resources Technical Baseline Report. The report was made available in conjunction with the DEIS on the BLM's ePlanning project website for this EIS. The speciation showed that the makeup of particulates was primarily playa materials and that the fire contribution was minimal. The speciation data confirm the statement on page 2-9 of the baseline report: "The influence of wild fire smoke was evidenced by elevated PM10 concentrations in the Winnemucca monitoring data and may have had an impact on playa particulate concentrations. The mass of crustal playa material on the recovered monitoring filters (photos of filters included in Appendix B) do however suggest that the main contributor to playa concentrations were on-playa anthropogenic activities. Site photos were documented to clarify emissions generating processes and have been included in Appendix B. The majority of emissions generation resulted from vehicular and human traffic on the playa which liberated material for wind erosion."</p>

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1999 (continued)	(see above)	(see above)	(see above)	(see above)	RVs use diesel fuel? Class 6 or larger trucks and buses, which could include mutant vehicles at the Event, are often diesel-fueled. As BRC required all mutant vehicles to be registered with the Department of Mutant Vehicles (DMV), BRC can provide the total number of registered vehicles from the 2017 Event. Many, thought not all, of these Mutant Vehicles fuels with diesel. which would be significantly lower than one third of the vehicles utilizing passes. Even including the known Class 6 or larger DMV-permitted vehicles that likely use diesel fuel, the limited diesel-fueled RVs vendors, and other minimal vehicles, this number of diesel-fueled vehicles would still not be anywhere near one third of the total permitted vehicles in the 2017 Event. Therefore, the total vehicle emissions calculated using the U.S. Environmental Protection Agency's (EPA's) MOVES/Mobile 6 model would show significantly higher, inaccurate emissions due to this grossly high and inaccurate estimate of diesel vehicles utilizing past Event vehicle passes. - Page 28, "Section D. Point Source- Combustion," discusses the gasoline- and diesel-powered generators, including that they "were placed at various locations within the camping area, with two gasoline generators and two diesel generators in each 'segment' bounded by an internal road." No details were included in why these assumptions were made of an equal number of gasoline and diesel-powered generators were used. No data was provided on the actual total number of generators by fuel/power type, engine size, engine model year, horsepower or operating hours throughout the Event. Once again, the assumptions that were made for point sources are not supported by actual nor reasonable data and therefore should not be included. - Page 29, "Section 8. Evaluation of BRC Direct Impact Dispersion Modeling Results", and page 35, "Section 10. Evaluation of Cumulative Impact Dispersion Modeling Results," emissions data results are not valid and therefore should not be used, especially in relation to PM 10 and PM 2.5 24-hour standard exceedances of the NAAQS. From the lack of accurate information in determining the total number of gasoline- and diesel-fuel vehicles and powered generators, he calculated emissions are inaccurate. As stated above, the assessment of the estimated gasoline and diesel fuel used by vehicles and power generators at the Event is grossly inadequate. Diesel fueled vehicles and engines emit significantly higher levels of PM 2.5 . According to the U.S. Department of Transportation's Bureau of Transportation Statistics Vehicle by Vehicle Type Using Gasoline and Diesel, ( <a href="https://www.bts.gov/content/estimated-national-average-vehicle-emissions-rates -vehicle-vehicle-type-using-gasoline-and">https://www.bts.gov/content/estimated-national-average-vehicle-emissions-rates -vehicle-vehicle-type-using-gasoline-and</a> ) gasoline-fueled model year 2010 light-duty vehicles emit 0.017 grams per mile of PM 2.5 exhaust compared to the same vehicle fueled by diesel at 0.023 grams per mile. Or a model year 2010 heavy-duty gasoline light duty vehicle emit 0.023 grams per mile of PM 2.5 compared to the diesel vehicle at 0.564 grams per mile, well above double the emissions level. As the high number of estimated diesel vehicles (i.e., one third of all vehicle passes) and generators (i.e., the same ratio as gasoline-fueled) was used to model emissions as compared to the NAAQS, these estimates are grossly accurate and should not be considered.	(see above)	(see above)
1435	I	Mitigation-Air Quality	209.0900.00	N/A	Regarding Mitigation & Monitoring AQ-I and SPEC-I, Black Rock Labs has been incubating the Black Rock City Environmental Status Program (BRC ESP) to provide real time telemetry to citizens and event operations on traffic, temperature, sound, dust, and atmospheric carbon and would like to contribute to the proposed solution measures.	N/A	The BLM looks forward to a concrete proposal from BRC and the Black Rock Labs. Air monitoring will continue until the BLM better understands the potential health impacts to employees and participants.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
188	5	Mitigation-Air Quality	209.0900.00	N/A	AQ-5: The requirement to provide/buy respirators for all employees and contractors seems excessive. Masks should be offered (free of charge even), but not a required for each employee and contractor. I do not see many, if any, employees or contractors using these expensive masks and it seems like a waste of resources.	N/A	BLM employees and contractors would not be exposed to air quality but for the Burning Man Event. BRC currently provides or reimburses the BLM for employees' personal protective equipment; because this is a new Special Recreation Permit, it is necessary to codify mitigation and monitoring requirements in this permit, even if such measures have been ongoing at past events.
1650	3	Mitigation-Air Quality	209.0900.00	N/A	Furthermore, the EPA does not believe it is necessary to measure and address air quality in a small locality. If the EPA does not, why should the BLM? NAAQS measures and averages air quality over time and regionally. The EPA relies on NAAQS, rather than individual site specific measurements. To put this into perspective regarding the value of monitoring the air quality on the playa during the Burning Man event, BLM should know that the EPA does not believe it is necessary to measure and address the highly toxic air in the vicinity near toxin-emitting facilities such as power plants and gas compressor stations. The people living, working and going to school near industrial and energy-related facilities such as the ones cited above are breathing in large amounts of carcinogens such as formaldehyde and benzene as well as large amounts of PM10 and PM25. Yet, the EPA uses its NAAQS data that evaluates average air quality regionally and over time and has made a decision to ignore the toxicity to people living in close proximity to the emitting facilities.	N/A	The commenter's characterization that the EPA does not believe it is necessary to measure and address air quality in a small locality is not accurate. The EPA in its comment letter on the DEIS identifies human health risk from exposure to particulate matter as an area of concern during the Burning Man Event and suggests additional mitigation measures to reduce this risk. Emissions from sources such as those described by the commenter are regulated by the states through their delegated authorities granted by EPA in implementing provisions of the Clean Air Act.
936	13	Mitigation-Air Quality	209.0900.00	N/A	AQ-3 asks to reroute the entrance road to be north of the city. This would greatly increase the distance that vehicles travel over the playa, creating more dust and degradation of the playa than already occurs.	N/A	Rerouting Gate Road may have the advantage of reducing the dust from the road that ends up in Black Rock City. Winds generally come from the south or southwest, which blows the dust from the road into city. While a road north of Black Rock City would not lower the overall dust levels in the airshed, it potentially has the advantage of reducing particulate matter in the city.
290	4	Mitigation-Air Quality	209.0900.00	N/A	AQ-3 – The idea of rerouting Gate Road to run north of Black Rock City is interesting to consider, but would require a complete reorientation of the city.	N/A	Comment noted. While a road north of Black Rock City would not lower the overall dust levels in the airshed, it potentially has the advantage of reducing particulate matter in the city.
1929	7	Mitigation-Air Quality	209.0900.00	N/A	AQ-3 is an interesting plan to consider but any change of such magnitude must be carefully examined. It would likely require changing the entire location of the event and force many departments and procedures to change drastically. For instance, what impact would moving gate road have on the airport? Putting gate road where the open playa is currently would put public vehicles close to the perimeter of the open event areas instead of in a controlled zone between the road and main ticketing and greeter stations. It would also require personnel that are based in Gerlach to travel much farther which would reduce efficiency of staff and the BLM personnel. I suspect the problems would outweigh the benefits, but I agree it is something to consider.	N/A	Comment noted. While a road north of Black Rock City would not lower the overall dust levels in the airshed, it potentially has the advantage of reducing particulate matter in the city, though as noted by the commenter, other resultant impacts would need to be evaluated.
1881	12	Mitigation-Air Quality	209.0900.00	N/A	AQ -3 this is an interesting idea, I like it. though entering in from the north would cause potential issues with traffic getting from one side of the city to the other and would increase the amount of traffic on the western side of the city would could cause routes in the playa which could potentially have environmental consequences.	N/A	Comment noted. While a road north of Black Rock City would not lower the overall dust levels in the airshed, it potentially has the advantage of reducing particulate matter in the city, though as noted by the commenter, other resultant impacts would need to be evaluated.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
531	8	Mitigation-Soils	209.1100.00	MITSOIL-1	Another vague mitigation, this neither defines "playa contours" nor what would be proper restoration. However, the addition of the Jersey barrier perimeter would significantly increase the creation of a 9-mile-long dune that would be decidedly more harmful to the playa.	Commenters requested that playa contours be defined in the EIS and that other mitigation measures be further analyzed for how they may impact soils and playa sediments.	This proposed mitigation has been reworded in the FEIS. The intent is for the proponent to ensure that the relatively flat playa is returned to that condition. If areas are dug out due to large spills, they get filled in with appropriate soils and smoothed over. No large dunes or mounds should be left either.
773	8	Mitigation-Soils	209.1100.00	N/A	Regarding SOIL-3; has BLM assessed the impact on PHS-3 and reconciled the contradiction of requiring less contour impact while also creating a massive contour impact from the proposed jersey-barrier? Does BLM have any factual basis from 15+ years of operation to demonstrate that this is even a problem worth addressing? Can BLM delineate specific failure of the festival event to restore desert contour in the past that justifies this mitigation?	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1299	1	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3 BRC will restore the playa contours by the end of the Closure Order. Again this is overbroad and underinclusive. BLM has not defined "playa contours" or "restore playa contours." However Black Rock City's Playa Restoration team runs a tactical dune-busting team that eliminates any large dunes on the event site. This is a very difficult, laborious, and time-consuming process, and one the Restoration team takes very seriously. Notably, the inclusion of a K-Rail terrorist perimeter around the event site, as required by BLM's proposed mitigation measure PSH-3, would create a massive 10-mile-long dune (potentially two, on either side of the barriers) that would need to be eradicated, at great expense and with heavy machinery over a period of weeks or months.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1794	6	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3 BRC will restore the playa contours by the end of the Closure Order. LEA Assessment: The LEA is concerned that (first off) the BLM has not adequately defined "playa contours" or what it means to "restore playa contours." The LEA recognizes however, that BRC's Playa Restoration team already runs a post-event strategic and even tactical dune elimination team, that reduces or removes any notable dunes that have developed within the event site.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
850	1	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3: BRC will restore the playa contours by the end of the Closure Order. BLM has not defined "playa contours" or "restore playa contours". BRC's restoration team spends weeks post-event restoring the playa, and busts dunes that may have been created, effectively eliminating dunes before leaving. We already "restore" your "contours".	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1933	2	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3: BRC will restore the playa contours by the end of the Closure Order. BLM has not defined "playa contours" however burning man's restoration team spends weeks post-event restoring the playa to its pristine condition. This includes busting any dunes that may have been created.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
996	2	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3: BRC will restore the playa contours by the end of the Closure Order. It is unclear what is meant by the ambiguous proposal that BLM has not defined "playa contours" or "restore playa contours". We extensively clean the city every year as proven by the renewed permits after inspections and Playa restoration has been performed. If anything the measures in BLM's latest proposal such as the boundary wall would actually increase the impact of the event and make it more difficult to restore the area.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1571	7	Mitigation-Soils	209.1100.00	N/A	BLM has not defined "playa contours" or "restore playa contours," but as part of its regular annual Leaving No Trace efforts, Black Rock City's Playa Restoration team runs a tactical dune-busting team that eliminates any large dunes on the event site.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
617	3	Mitigation-Soils	209.1100.00	N/A	It is unclear what is meant by the ambiguous proposal that BLM has not defined "playa contours" or "restore playa contours". We extensively clean the city every year as proven by the renewed permits after inspections and Playa restoration has been performed. If anything the measures in BLM's latest proposal such as the boundary wall would actually increase the impact of the event and make it more difficult to restore the area.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1244	7	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3 "BRC will restore the playa contours by the end of the Closure Order." BLM has not defined "playa contours" or "restore playa contours," but as part of its regular annual Leaving No Trace efforts, Black Rock City's Playa Restoration team runs a tactical dune-busting team that eliminates any large dunes on the event site. This is a very difficult, laborious, and time-consuming process, and one the Restoration team takes very seriously.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1689	2	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3: BRC will restore the playa contours by the end of the Closure Order. We already do this. We have a restoration team that spends weeks restoring the playa after the event. Again, what could possibly be gained from this?	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1881	13	Mitigation-Soils	209.1100.00	N/A	SOIL -3, the playa should be left in as close to a natural state as it was prior to the event. As for what constitutes a "contour" as it relates to the playa and the mitigation seems extremely vague.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
706	2	Mitigation-Soils	209.1100.00	N/A	What is the definition of "playa contours" and who determines the baseline?	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1099	1	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3: BRC will restore the playa contours by the end of the Closure Order. This request is vague as terms like "playa contours" are not defined, nor are restoration standards being provided. Post Burning Man, the DPW spend weeks cleaning and restoring the playa, and provide a map of results to the public in order for every camp to see what impact they had on the playa. As the last request, I see this one as unnecessary since it already happens.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1623	1	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3: BRC will restore the playa contours by the end of the Closure Order. BLM has not defined "playa contours" or "restore playa contours". Black Rock City's restoration team (DPW) spends roughly one month post-event to return the Black Rock Desert to its pre-event condition.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1619	4	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3: BRC will restore the playa contours by the end of the Closure Order. Is this intentionally vague? The BLM has not defined "playa contours" or "restore playa contours." At the end of Burning Man, BRC's restoration team spends weeks restoring the playa and busts dunes that may have been created... effectively eliminating dunes before leaving.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1313	4	Mitigation-Soils	209.1100.00	N/A	Both "playa contours" and "restore playa contours" are not defined in this document, leaving the interpretation open to debate. If this were adopted, it could leave BLM free to lay out more and stricter requirements for BRC to adhere to without any indication of when they would be satisfied.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1006	3	Mitigation-Soils	209.1100.00	N/A	It is also unclear what the "playa contours" are.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1241	1	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3 does not define its scope or terms. It is impossible to implement as worded.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
993	8	Mitigation-Soils	209.1100.00	N/A	What are the playa contours? The playa is a natural ecosystem. Wind, animals, and humans change the shape of the playa. My camp rakes our site to search for any trash at the end of the event. What would restoration entail? I understand the importance of removing trash, but how and why should the playa contours be restored?	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1434	3	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3: Vague definition. What defines a contour and how will it be measured? This will be difficult if not impossible to enforce.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1190	1	Mitigation-Soils	209.1100.00	N/A	Appendix E, Mitigation Measure SOIL-3 states: "BRC will restore the playa contours by the end of the Closure Order". This is a vague requirement with no feasible methods of complying with or confirming that contours have been restored. Does this requirement refer to surface elevation contours? What elevation difference determines compliance and how is this difference to be measured/determined. Due to the large area and very low relief, methods to collect data accurate enough to provide necessary elevation data do not exist. Even expensive pre- and post-event LiDAR surveys would not provide data accurate enough to determine if the playa surface elevation contours has been restored.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1799	32	Mitigation-Soils	209.1100.00	N/A	In the recommendation SOIL-3 which states "BRC will restore the playa contours by the end of the Closure Order", how are the baseline contours of the playa determined to which it should be restored? Is there any point to do this since in many years the playa floods and relevels itself"	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
724	1	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3: BRC will restore the playa contours by the end of the Closure Order. BLM has not defined "playa contours" or "restore playa contours". BRC's restoration team spends weeks post-event restoring the playa, and busts dunes that may have been created, effectively eliminating dunes before leaving. We already "restore" your "contours".	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1738	2	Mitigation-Soils	209.1100.00	N/A	SOIL-3: Playa "Contour" Restoration is Undefined and Unnecessary Burning Man already removes dunes created by the event making further mitigation unnecessary. This proposal fails to define the contours of the playa making mitigation to that standard impossible.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1741	13	Mitigation-Soils	209.1100.00	N/A	Please answer and/or explain: 1. Define a playa contour. 2. Define what the restoration of a contour means. 3. Explain how Burning Man isn't already adequately addressing the issue of playa restoration.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1871	12	Mitigation-Soils	209.1100.00	N/A	Dune Contours, SOIL-3 If the barriers or dumpsters are installed, this is essentially requiring Burning Man to clean up the problem that BLM has created. Burning Man already has restoration efforts on the site for well over a month restoring the Black Rock Desert to the same condition it was before Burning Man. Burning Man's permit has been repeatedly renewed because of its reputation of leaving no trace. BLM needs to clarify what it means by dune contours, and it also, again, needs to provide facts or science to demonstrate the need for this measure along with whether or not it will be effective in accomplishing their goal.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1865	3	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3: BRC will restore the playa contours by the end of the Closure Order. One of the most beautiful things about the Playa is that in the winter the area becomes a lake. In doing this, the contours naturally return. The power of that lake to restore itself has happened for eons. Allow nature to handle this one. Thank you for listening.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.
1798	6	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-3 This mitigation is directly contradictory to mitigation NAT-2, PHS-1, and PHS-3. The lack of consistency is a demonstration to the lack of due diligence of this EIS. Making contradictory mitigation strategies that are competing with each other is a clear demonstration of the lack of strategy in this report.	See Public Concern Statement MITSOIL-1.	See Public Concern Statement MITSOIL-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1795	4	Mitigation-Soils	209.1100.00	MITSOIL-2	SOIL-2 No action is needed to increase the current six (6) inch high burn barrel elevation to ten (10) inches. 1)-There is no documentation provided indicating the current six inch high burn barrel rule is resulting in environmental harm to the playa. E.2 Recommended Monitoring (scoping statement) ECON-1,EJ-1,SV-1,REC-1, TRAN-1 Reviewing the General DEIS report, it was noted that BLM has concerns in their challenge of providing BLM staff specific to BRC and other locations The BLM as with any government agency can elect to reduce staffing distribution issues by reducing the staff. The prudent application of task assignments of the BLM employees can always be adjusted. Example is the reduced use of BLM personal in traffic enforcement. The use of a team of officers including Canine (K-9) officers in following through on a simple pull over for a burnt out tail light, shows a focus on tasks that results in a high staff requirements. Accepting the proven and reliable activities currently provided by BRC staff and not expanding the Federal employee staff is good management and prudent. Best practices would be to allow BRC staff to be the primary environmental guardians and safety personal with the resulting benefit in reducing government size.	Commenters requested that further justification be provided as to why the current 6-inch-high burn barrel elevation needs to be increased to 10 inches. Commenters asserted that raising the height may increase the occurrence of containers tipping over.	SOIL-2 has been revised. This mitigation measure clarifies the exact height and is consistent with previous BRC messaging (Jackrabbit Speaks newsletter), which indicated 6 inches. Debris burn following the Man burn does require a State permit.
1841	6	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-2 The event already uses raised platform and every means necessary to avoid damage to soil. The Draft EIS does not offer clear data showing a significant impact requiring this mitigation.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1067	8	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-2: The onus is on the BLM to support the 10" requirement as being demonstrably better than the current 6" practice. Mitigation SOIL-3: This mitigation fails to take into account that the contours on the playa overall change regularly as 6" high dunes migrate around the playa. The proposed mitigation could state the obvious (even though not necessary, because it is done already) that holes and trenches should be filled in and man made piles should be flattened.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1032	5	Mitigation-Soils	209.1100.00	N/A	Burning Man rules already require elevated burn barrels and most participants abide by this rule, so the purpose of this mitigation seems redundant.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1049	12	Mitigation-Soils	209.1100.00	N/A	Soils Mitigation SOIL-2 BRC must require burn barrels for camp fires, which would be elevated at least 10 inches to prevent burn scarring. Background: The Draft EIS has failed to provide sufficient data to show that there are significant impacts that might need mitigations in the first place. Black Rock City has long required participants' burn barrels to be operated and monitored safely, using physical protections that avoid heat damage to the playa surface (burn scars). For 29 years, our effective recommendation has been for fire barrels to be raised 6' above the playa surface. We have found this to be more than sufficient to prevent burn scar damage. Raising barrels up to 10' makes them less stable and more prone to being tipped over, while not providing any significant additional burn scar protection. Mitigation SOIL-3 BRC will restore the playa contours by the end of the Closure Order. Background: BLM has not defined "playa contours" or "restore playa contours," but as part of its regular annual Leaving No Trace efforts, Black Rock City's Playa Restoration team runs a tactical dune-busting team that eliminates any large dunes on the event site. This is a very difficult, laborious, and time consuming process, and one the Restoration team takes very seriously. Notably, the inclusion of a K-Rail terrorist perimeter around the event site, as required by BLM's proposed mitigation measure PSH-3, would create a massive 10-mile-long dune (potentially two, on either side of the barriers) that would need to be eradicated, at great expense and with heavy machinery over a period of weeks or months.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1994	3	Mitigation-Soils	209.1100.00	N/A	Under Appendix E, page E-3, the BLM states "BRC must require burn barrels for camp fires, which would be elevated at least 10 inches to prevent burn scarring." There is no data backing up why such barrels and regulations would be needed. For nearly 30 years, BRC has required attendees to have burn barrels raised at least 6" above the playa surface. The BLM's recommendation that burn barrels be raised to 10" is unsubstantiated by evidence.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1754	4	Mitigation-Soils	209.1100.00	N/A	As far as Mitigation SOIL-2: do you have statistics on burn scarring from burn barrels during the event? How many burn scars are not addressed by the cleanup crew after the event? How did you arrive at raising barrels 10" to avoid scarring, as opposed to the 6" that BRC requires? Have you studied whether barrels raised 10" are more likely to tip over?	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1871	13	Mitigation-Soils	209.1100.00	N/A	Burn Barrels, SOIL-2 This is a major safety risk. If burn barrels have to be lifted 10 inches off of the ground, the potential for the barrels to tip and burn someone or cause nearby objects or structures to catch fire is a serious problem.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
993	7	Mitigation-Soils	209.1100.00	N/A	Burn barrels are already required, but the recommendation is 6 inches off the ground. How will increasing the distance off the ground by 4 inches better protect the playa? Increasing the height requirement may make the burn barrels less stable.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1472	1	Mitigation-Soils	209.1100.00	N/A	Raising the requirement from 6" to 10" is unnecessary and puts barrels at a greater risk of tipping.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1132	3	Mitigation-Soils	209.1100.00	N/A	due to the high winds, having a barrel much more elevated from the ground (at 10 inches or more) would likely make it very unstable: more barrels would tip over with obvious negative consequences.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1244	6	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-2 "BRC must require burn barrels for camp fires, which would be elevated at least 10 inches to prevent burn scarring." The Draft EIS has failed to provide sufficient data to show that there are significant impacts that might need mitigations in the first place. Black Rock City has long required participants' burn barrels to be operated and monitored safely, using physical protections that avoid heat damage to the playa surface (burn scars). For 29 years, our effective recommendation has been for fire barrels to be raised 6" above the playa surface. We have found this to be more than sufficient to prevent burn scar damage. Raising barrels up to 10" makes them less stable and more prone to being tipped over, while not providing any significant additional burn scar protection. Mitigation SOIL-2 and BLM has a lack of understanding about how a burn barrel should operate and it appears the Draft EIS failed to adequately provide enough evidence to support this claim.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1794	5	Mitigation-Soils	209.1100.00	N/A	The LEA acknowledges that for over 25 years, Black Rock City has made the effective recommendation that all fire barrels are to be raised 6" above the playa surface. This has been found more than sufficient to prevent damage to the playa surface (burn scars). BRC also continues to support the idea that burn barrels are to be operated and monitored safely, using physical protections that avoid heat contributing to burn scars. The LEA feels that raising barrels up to 10" makes them less stable and more prone to being accidentally tipped over, while not providing any significant additional burn scar protection (ultimately increasing the chance of a burn scar being created after being tipped). The DEIS seems to have failed to provide sufficient data to show that there are considerable impacts that need mitigations in the first place.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1636	10	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-2 (burn scarring prevention): The requirement of burning camp fires no lower than 6" inches off the ground is already in place, and there are already strict rules regarding the prevention of burn scars. Expanding this requirement to 10" has no merit, as the current track record has been excellent, and could cause any fire barrels to become even more unstable with the potential to be toppled over. There is no proven significant additional burn scar protection by raising them by another 4 inches. Mitigation SOIL-3 (restoring Playa contours by end of closure order): What are "playa contours"?	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1079	10	Mitigation-Soils	209.1100.00	N/A	SOIL-2 - Burning Man already requires burn barrels to be elevated 6 inches from the playa surface with a burn shield. That works better already than the proposed 10 inches, which would increase the risk of barrels blowing or tipping over and creating impacts to the desert surface. SOIL-3 - This becomes more difficult, expensive and burdensome, unnecessarily, if PHS-3 mitigation is implemented.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
531	7	Mitigation-Soils	209.1100.00	N/A	For nearly 30 years, BME has recommended that fire barrels be raised a minimum of 6' above the playa surface. We have found this to be more than sufficient to prevent burn scar damage. Raising barrels up to 10' makes them less stable and more prone to being tipped over, while not providing any significant additional burn scar protection.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1298	1	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-2 BRC must require burn barrels for camp fires, which would be elevated at least 10 inches to prevent burn scarring. The recommended height for burn barrels has been 6" since 1990 and previous EIS have not made mention of burn scarring from burn barrels at this height. Raising burn barrels by 4 inches makes them more unstable and prone to tipping would would have disastrous effect. The analysis has not shown that a 10" height provides significant or appreciable protection from burn scarring.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1474	17	Mitigation-Soils	209.1100.00	N/A	Why is it 10 inches for burn barrels? This seems strange as it is not tied to any particular research that I see where the draft establishes that 10 inches is the key number. This goes back to the suggestion that the final EIS specifically tie any mitigations to data to avoid critical thinking issues.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
773	7	Mitigation-Soils	209.1100.00	N/A	Regarding SOIL-2; does BLM have scientific data to show that burn barrel height of 10 inches is better than burn barrel height of 12 inches? If yes, then why is the proposed mitigation not 12 inches? If no, then why is the current 6" height not deemed sufficient by BLM? Has BLM considered and factored into this proposed mitigation the potential harm from the increased chance of fire barrels being overturned as their height above the ground increases? Is so, please provide this data on the relative risk of spillage versus the benefit to the ground from reduced scarring due to barrel height. In other words, precisely how much less scarring will the playa experience if the burn barrel is 10" above ground versus 6"?	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1133	5	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-2 Where is the data to support the need for a 10 inch standard vrs a 6 inch standard?	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1705	14	Mitigation-Soils	209.1100.00	N/A	SOIL-2 BRC must require burn barrels for camp fires, which would be elevated at least 10 inches to prevent burn scarring. This is a reasonable request if it is backed with actual evidence or test results indicating how high a burn barrel should be elevated. The higher a burn barrel is lifted off the playa, the chance of a tip over increases. QUESTION: What testing has been done to determine the proper height and design?	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1641	4	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-2 Regarding burn barrels: The EIS has not provided sufficient data for this. There are already measures taken to protect the playa from burn scars. Raising barrels would make them less stable and less safe, without increasing protection of the playa.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
518	8	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-1 is reasonable, but SOIL-2 doesn't address a demonstrable, evidenced issue. Current BRC regulation of a 6-inch gap to prevent burn scarring works well and there is no evidence otherwise. Lifting a burn barrel up to 10 inches will simply create a tipping hazard with no demonstrable benefit. Can you present evidence of this issue?	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
650	1	Mitigation-Soils	209.1100.00	N/A	In stating that burn barrels for fires on playa must be elevated 10 inches to prevent scarring, the BLM Draft EIS does not provide sufficient data to substantiate the need for the finding. The current Draft EIS does not appear account for the 29-years of history requiring any burn barrels be raised 6" above the playa surface to prevent burn scar damage. Can the BLM prove that 6" is insufficient? Can the BLM prove that 10" requirements will withstand high-winds and prevent undue damage by having barrels tip over due to increased instability?	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1798	5	Mitigation-Soils	209.1100.00	N/A	Mitigation SOIL-2 There is a lack of any evidence to suggest the change of 6 to 10 inches will make any significant effect. The evidence suggested appears to be superficial at best to support the change.	See Public Concern Statement MITSOIL-2.	See Public Concern Statement MITSOIL-2.
1481	5	Mitigation-Soils	209.1100.00	N/A	The impacts from digging trenches are discussed, including playa erosion and deformation. DEIS Volume 1, page 3-52 also states that these impacts could be lessened by "replacing the playa sediment, dampening the playa sediment, and raking to ensure that the playa surface is level during post-Event cleanup." However, these mitigation measures and the generat impacts from digging trenches are not included in Volume 2, Appendix E. Washoe County Parks recommends that these mitigation measures be incorporated into Appendix E.	See Public Concern Statement MITSOIL-2.	The FEIS has been revised to include an additional monitoring measure for soils (SOIL-3 in Appendix E). The final National Aeronautics and Space Administration (NASA) baseline study has also been included in the FEIS, which discussed playa erosion and deformation.
1741	12	Mitigation-Soils	209.1100.00	N/A	Regarding Mitigation SOIL-2, burn barrels and playa scarring. The BLM has not provided reasonable evidence that shows that there is a current problem with burn barrels scarring the Playa. For 29 years, Burning Man has effectively recommended fire barrels to be raised 6' off of the ground. I. Considering that the current system is working, what is the evidence and necessity for this mitigation?	See Public Concern Statement MITSOIL-2.	SOIL-2 has been revised. This mitigation measure clarifies the exact height and is consistent with previous BRC messaging (Jackrabbit Speaks newsletter), which indicated 6 inches.  Debris burn following the Man burn does require a State permit.
1871	1	Mitigation-Visual	209.1200.00	MITVIS-1	the basis of requiring a Night Sky Study comes from one study that lasted one second. This is inconsistent with scientific integrity and the BLM needs to base their conclusions on sound science so that the attempts to mitigate damage to the Black Rock desert do not create even larger problems that cause significantly more damage to the Black Rock desert along with creating new potential safety hazards.	Commenters stated that the mitigation measures for night skies are not sufficient and need more analysis due to the small amount of data collected in the supporting artificial light at night assessment.	Per the NCA RMP, the Burning Man Event occurs in an area that is designated as a Class II VRM viewshed. A Class II VRM viewshed can have alterations that are not noticeable to the casual observer. Both quantitative and qualitative studies indicate that the Burning Man Event at night exceeds the Class II VRM standards. While Black Rock City does not create as much light pollution as many communities in Nevada, it does not adhere to the Class II VRM rating.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1049	22	Mitigation-Visual	209.1200.00	N/A	Monitoring Measure VIS-1 The BLM will implement monitoring measure of the Burning Man Event Night Skies Study (Craine and Craine 2017). The costs of BLM employee and contractor labor will be recouped via cost recovery from the proponent. Background: This entire response is based on a single data point totalling less than 1 second in a five year period. BRC has already confirmed the inadequacy of this analysis with a third party subject matter expert. The lack of real, provable, sustained, repeated impact causes this BLM requirement to collapse. Here too is another example of BLM's proposed massively increased presence and excessive operational oversight. Monitoring Measure VIS-4 The BLM will monitor to ensure high-energy lasers and large lights (e.g., spotlights) are not used during the Event. Background: See VIS-1 above. This requirement is based on highly-questionable scientific analysis, and it leaves the BLM open to stop almost any light source they want. There is no definition in any of the specifications at all, and there is no statistically significant impact to warrant this new requirement.	See Public Concern Statement MITVIS-1.	See Public Concern Statement MITVIS-1.
1491	1	Mitigation-Visual	209.1200.00	N/A	Measure SPEC-2: The data collected during 2017 does not accurately calculate to true average light emissions from the event. The sample size is far too small to establish actual event light emissions. Additional data must be collected, both on the ground and using a broader data set, to be considered accurate.	See Public Concern Statement MITVIS-1.	See Public Concern Statement MITVIS-1.
1529	2	Mitigation-Visual	209.1200.00	N/A	I'm sure that satellite photos over the last several decades can show there has been a change. Have there been studies from other desert areas that show that bright events occurring over a short period (a week) have any environmental impacts?	See Public Concern Statement MITVIS-1.	See Public Concern Statement MITVIS-1.
1726	2	Mitigation-Visual	209.1200.00	N/A	Measure SPEC-2 Require Burning Man Project (hereinafter BRC or BMP) to reduce the amount of light pollution by banning the use of high-energy lasers and searchlights being pointed straight up, and requiring shields on sources of light at night where feasible. BLM is basing this mitigation off of little evidence. Poorly sampled, low quality satellite pictures is not sufficient evidence to support this mitigation. What accurate supporting documents does BLM have to make this mitigation?	See Public Concern Statement MITVIS-1.	See Public Concern Statement MITVIS-1.
1843	2	Mitigation-Visual	209.1200.00	N/A	Measure VIS-4: I am a lead researcher and developer in computer science, and if I proposed, according to a single data point, lasting less than one second, in a five year period, that I need an intense amount of resources to start monitoring whether that ever happens again, I would very likely waste so much of my company's resources, I'd be at risk of losing my job. The data is strongly insufficient for such a conclusion. Again, monitoring is already in place by the community for large lights and high-energy lights, as it is in our own interest that they are not used, so the measure would be a redundant expense that is not justified by the data.	See Public Concern Statement MITVIS-1.	See Public Concern Statement MITVIS-1.
1918	3	Mitigation-Visual	209.1200.00	N/A	Night Skies: What is the basis for the BLM to doubt the BMP's Third Party analysis of the DEIA data which confirms your Crane & Crane study methodology as being flawed!	See Public Concern Statement MITVIS-1.	See Public Concern Statement MITVIS-1.
1871	7	Mitigation-Visual	209.1200.00	N/A	Night Sky Study, VIS-1 BLM needs to provide scientific evidence that this study is needed. BLM cannot shift its burden of proof that light pollution needs to be mitigate on to Burning Man, where it has provided only one study lasting one second, where NEPA is clear that BLM must base their EIS suggestions on science, facts, and professional integrity.	See Public Concern Statement MITVIS-1.	See Public Concern Statement MITVIS-1.
1881	14	Mitigation-Visual	209.1200.00	MITVIS-2	VIS -3 To reduce Ambient Light at Night I can understand shielding lighting. though most of the lights that would be sheilded would be pointing downward at a stark white playa that would reflect the lights right back up. reducing the effectiveness of much of the light shielding. This seems like it would end up being an useless venture.	Commenters requested that the term light shielding be defined in the EIS and questioned how effective this mitigation would be, considering the possible reflective properties of the playa.	Change made; "shielding" has been defined in the FEIS.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1871	11	Mitigation-Visual	209.1200.00	N/A	Light Shielding, VIS-3 This is very unclear. BLM needs to define what it means by light shielding, and it also needs to provide the facts or science upon which this measure is based, along with how the light shielding would help them meet their stated goals.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1049	13	Mitigation-Visual	209.1200.00	N/A	Visual Resources Mitigation VIS-3 BRC and the BLM must implement shielding intervention on mast-mounted work lights. Background: BLM has failed to demonstrate what significant impact would need to be mitigated. Furthermore, BLM has not explained what is meant by "shielding intervention on mast-mounted work lights" and research reveals no matches for these words. If we assume this phrase refers to placing light shields above lights to limit upward light pollution, then this mitigation for Black Rock City is not supported by the analysis. Work lights, and the full light from them, are necessary for safety during nighttime work shifts. Many artists and theme camps choose to work at night due to cooler temperatures and other factors, and BMP staff supports these efforts. "Dimming" lights potentially decreases work safety and has no demonstrable benefit to wildlife or cultural values. (Note: Tower lights used to illuminate work sites generally have lights heads that can be angled - and head units that only emit light on one side - like a flashlight. BRC is unsure what further shielding would achieve given the default construction of the industry standard equipment.) The whole of this mitigation is befuddling.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
993	9	Mitigation-Visual	209.1200.00	N/A	What are mast-mounted work lights? What is shielding intervention? What is the purpose of this mitigation?	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1979	1	Mitigation-Visual	209.1200.00	N/A	The EIS fails to explain what impact needs to be mitigated, and it fails to define what shield intervention means. Most work lights are already directional and have some form of skirt to aim the light. Assuming this is a directive to place larger shields over the top of the lights, BLM and this EIS have not demonstrated that there is a significant issue to mitigate.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1067	9	Mitigation-Visual	209.1200.00	N/A	Mitigation VIS-3: The BLM, like the other night light mitigation proposal, has not demonstrated that bird migration occurs during this time of year over Burning Man, nor that it is a problem that needs addressing.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1741	14	Mitigation-Visual	209.1200.00	N/A	The EIS fails to explain what impact needs to be mitigated, and it fails to define what shield intervention means. Most work lights are already directional and have some form of skirt to aim the light. Assuming this is a directive to place larger shields over the top of the lights, BLM and this EIS have not demonstrated that there is a significant issue to mitigate. Please see my comments and questions to Measure Spec 2 above. Work lights are a necessity in Black Rock City - whether they are needed for the BLM's base of operations, for artists to set up art in the cool of the night, for the gate to welcome attendees, or camps to have a safe space to operate and work. Requiring all work lights to be retrofitted with a shield is an unnecessary burden and expense that would not mitigate a real problem	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1300	1	Mitigation-Visual	209.1200.00	N/A	BRC and the BLM must implement shielding intervention on mast-mounted work lights. BLM has failed to demonstrate what significant impact would need to be mitigated. Furthermore, BLM has not explained what is meant by "shielding intervention on mast-mounted work lights" and my own searching on the internet has not defined this either	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1636	12	Mitigation-Visual	209.1200.00	N/A	Mitigaion VIS-3 (Reducing light pollution from work lights): For those who are onsite early to build the city or their works of art (which are also part of the backbone of the event), this would create an enormous hardship since it would basically cease all build efforts in the evenings, which is often a much better alternative for the health and wellbeing of participants as opposed to in the direct heat of the day. These work lamps can also be angled to shine only on the subject at hand, like flashlights, and don't directly flood out into the environment. What further shielding is expected here? That hasn't even been clarified by the BLM. In order to build the city in a timely manner, work must continue through day and night as needed, which is a significant part of the hard-working, radical self reliant Burning Man culture.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1571	9	Mitigation-Visual	209.1200.00	N/A	BLM has not explained what is meant by "shielding intervention on mast-mounted work lights." If BLM refers to placing light shields above lights to limit upward light pollution, then this mitigation for Black Rock City is not supported by the analysis. Work lights, and the full light from them, are necessary for safety during nighttime work shifts. Many artists and theme camps choose to work at night due to cooler temperatures and other factors, and Burning Man staff supports these efforts. "Dimming" lights potentially decreases work safety and has no demonstrable benefit to wildlife or cultural values. Tower lights used to illuminate work sites generally have lights heads that can be angled — and head units that only emit light on one side — like a flashlight. It is unclear what further shielding would achieve given the default construction of the industry standard equipment.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
651	1	Mitigation-Visual	209.1200.00	N/A	Mitigation VIS-3 Regarding the request for "shielding", can the BLM be more descriptive to specify precisely the equipment, thresholds, and desired effect of any mitigation action?	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
518	10	Mitigation-Visual	209.1200.00	N/A	Mitigation VIS-3 Work lights already angle down toward a work zone, and self-shield themselves. They do not direct light upwards. This is a well-intended mitigation idea that just wasn't thoroughly thought out. Dimming work lights would present a major safety hazard, and that is out of accordance with the health and safety goals of the EIS.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1791	6	Mitigation-Visual	209.1200.00	N/A	Regarding VIS-3: this mitigation, as written, is ambiguous. Much of the lighting used during the event functions to provide a safe environment during work periods. Mitigations must be designed to not impact safety	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1924	1	Mitigation-Visual	209.1200.00	N/A	Mitigation VIS-3 BRC and the BLM must implement shielding intervention on mast-mounted work lights. BLM has failed to demonstrate what significant impact would need to be mitigated. Furthermore, BLM has not explained what is meant by "shielding intervention on mast-mounted work lights" and research reveals no matches for these words.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
47	9	Mitigation-Visual	209.1200.00	N/A	VIS-3: This would make night-time work more difficult for crews on playa early working 24 hours per day.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
773	9	Mitigation-Visual	209.1200.00	N/A	Regarding VIS-3; will BLM require the its own BLM ranger facility, usually headquartered centrally near center camp, shield its very bright and currently unshielded lights on the playa?	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1300	2	Mitigation-Visual	209.1200.00	N/A	It should also be noted again that the brightest area of the event is the Joint Operational Command (JOC) operated by BLM and their law enforcement partners and if BLM is so concerned as to the preservation fo the night sky then we must ask what efforts they will implement to reduce their own significant light pollution.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1133	6	Mitigation-Visual	209.1200.00	N/A	Mitigation VIS 3. Where is the data to support this proposal? What other events have been asked to do this?	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1543	1	Mitigation-Visual	209.1200.00	N/A	Measure SPEC-2 Burning Man nighttime light art is a major and essential part of the overall event experience. We go as far out of our way to create this art as far as possible from human and non-human populations as possible. In addition to the data being independently evaluated as poorly sampled and anomalous as far as overall light increase goes, previous studies have shown the absence of any impact of light pollution in Black Rock Desert during the hot summer months. It also bears mentioning that the BLM compound is the brightest continuous source of nighttime light generation - suggesting this is not a real environmental concern for the agency or anyone else.	See Public Concern Statement MITVIS-2.	See Public Concern Statement MITVIS-2.
1938	6	Mitigation-Visual	209.1200.00	MITVIS-3	I understand that the mitigations VIS-1 and VIS-4 are out of concern for migratory birds. Have migratory patterns of birds been assessed and demonstrated to be affected by the Burning Man event? What species would be affected, and do these species migrate at night? Have you tracked species of migratory birds that may be affected and demonstrated that they have changed course when nearing Burning Man during that time of year?	Commenters requested that specific species that could be affected from artificial light at night be listed and that migration patterns be added to the EIS.	The purpose of the biological resource baseline report is to provide a baseline of possible impacts on wildlife, as documented in peer reviewed literature. The types of impacts included in the report are those that could occur as a result of the Burning Man Event, such as traffic, light, and noise. The report's purpose is not to analyze the direct, indirect, or cumulative impacts on particular species found in the analysis area, but rather to provide an understanding of the types of impacts that could occur in similar conditions. Consistent with NEPA, specific impacts associated with the alternatives are analyzed in the DEIS.
1618	1	Mitigation-Visual	209.1200.00	N/A	I would like to comment specifically on the "Visual Resources" concerns (VIS-1 and VIS-4) identified within the DEIS and the references to Craine and Craine, 2018. I tend to notice birds, and in the 7 times I have been to Burning Man, I have never once seen a bird. There are not going to be any birds to be affected by the artificial light at night (ALAN). Respectfully, please do not force BLM to monitor artificial light by hiring a contractor. It's a waste of resources. Also, the chances of a high-power laser intersecting with the flight path of a bird are extremely low, even if there were birds present during the event. Please do not force BLM to prevent or monitor lasers or other high power lights. This also is a waste of resources. Finally, please do not force BLM to cause participants to add shields or blinders to their high power light sources. This will not effectively limit the light from going into the sky and will require costly engineering and product development. And, as I have said, there are no birds anyway	See Public Concern Statement MITVIS-3.	See Public Concern Statement MITVIS-3.
1759	2	Mitigation-Visual	209.1200.00	N/A	Measure SPEC-2 The nighttime BRC skyline is a hallmark of the Burning Man event. Previous environmental studies show the migration pattern of birds is not impacted by light pollution from the Black Rock Desert. Birds are rarely encountered on the playa in hot summer months. Can the EIS provide data about the species and quantity of birds affected by this alleged problem? I feel it is also worth noting that the brightest light cluster on playa is at the BLM compound.	See Public Concern Statement MITVIS-3.	See Public Concern Statement MITVIS-3.
1878	1	Mitigation-Visual	209.1200.00	N/A	environmental studies have shown the migration pattern of birds isn't impacted by light pollution emanating from the Black Rock Desert ... in fact, birds are rarely encountered on the playa in hot summer months.	See Public Concern Statement MITVIS-3.	See Public Concern Statement MITVIS-3.
1079	18	Mitigation-Visual	209.1200.00	MITVIS-4	VIS-4 - BLM has not adequately demonstrated harm caused by high energy lasers or large lights used during the event, so there is no justification for banning them.	Commenters requested additional text be added to define what types of large lights and high-energy lasers would be banned. Commenters also suggested that the BLM provide more justification on what environmental impacts could result from the use of lights and lasers.	The Artificial Light at Night Assessment states "Green lasers are generally higher energy, they can be deleterious to human vision, and they are a real potential threat to aircraft operations, even at considerable distances. The use of high energy green lasers should at least be discouraged if not stringently banned."

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
891	1	Mitigation-Visual	209.1200.00	N/A	We are looking at three different suggestions that do not correlate. Why would VIS-4 require monitoring of high-energy lights to ensure they are not used during the event when SPEC-2 and the WRC report 0318-01 do not recommend that?	See Public Concern Statement MITVIS-4.	See Public Concern Statement MITVIS-4.
1917	2	Mitigation-Visual	209.1200.00	N/A	VIS-4 - This measure does not provide any specificity in terms of what large lights and high-energy lasers constitute. If there is scientific evidence available to confirm with certainty that large lights and high-energy lasers are of a concern, then there should be scientifically confirmed data points to specify what level of luminosity is too much.	See Public Concern Statement MITVIS-4.	See Public Concern Statement MITVIS-4.
1871	10	Mitigation-Economics	209.1400.00	MITECON-1	CR-34, ECON-1 There is no other private event held on land, anywhere in the United States, that is required to pay for the maintenance of county, municipal, city, or interstate roads. If there is a problem with the current infrastructure, this is a problem for Washoe County to address, through taxation or raising funds to regularly maintain the road.	Commenters asked why mitigation measures are being proposed that would require the Burning Man Project to pay for maintenance on County Road 34. Commenters also asked if the BLM has required other private organizations to pay for road maintenance for other events or projects on public lands.	The BLM has done this on other project in the Winnemucca District Office before. The Ruby pipeline project (2010 EIS) required El Paso Gas/Kinder-Morgan to repair all County and State roads damaged by their equipment. The 1996 Twin Creeks Mine also required Newmont to do maintenance on a County road. One of the Hycroft Mine EIS also have them doing maintenance on part of Jungo Road. The traffic study indicates approximately 28% of the traffic on CR 34 comes from the Burning Man Event over the course of 2 weeks. Washoe County spends approximately \$250,000 during and after the Event for road repair. The road was not designed for the weight of vehicles nor the number of vehicles that pass over it in those 2 weeks. While BRC may be working with the County on this issue, they have not told the BLM what they have been doing and thus cannot be included in the DEIS. The County has reached out to the BLM and the DOI for a solution to the road issues.
204	1	Mitigation-Economics	209.1400.00	N/A	My first concern is regarding Table E-2 - ECON-1, which stipulated that BRC will negotiate with Washoe County to provide cost recovery for the maintenance of CR 34. Taking EIS at face value this seems to be a bold to offload costs from the county to BRC that are generally unrelated to the event. CR 34 year round traffic of tourists, locals, and those traveling between the Reno, NV area and Boise, ID. If the stipulation stays in the final draft, it should be made much more clear exactly what costs the county is attempting to recover and how that cost is being attributed to BRC (as opposed to the cost being a result of traffic the remaining 11 months of the year).	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
206	4	Mitigation-Economics	209.1400.00	N/A	Further, recommending the Burning Man Project pay for maintenance on County road 34, is an unprecedented transfer of responsibility from the public to a private organization. Where in the United States are private event hosts burdened with the management of adjacent public roads? Why would this be acceptable in the case of CR34?	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1738	3	Mitigation-Economics	209.1400.00	N/A	Mitigation ECON-1: Providing Funds to Washoe County is outside BLM's authority and Unnecessary Why is BLM requiring mitigations for land not managed by BLM	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
345	3	Mitigation-Economics	209.1400.00	N/A	regarding the maintenance of County Road 34, I do not believe the BMO must assume responsibility of the costs associated with this road maintenance. Data suggests the Burning Man event brings in roughly \$70 Million to the northern Nevada economy each year. The event is not "leeching" off of the land or using the roads in a parasitic way. The Burning Man event is generating revenue, creating jobs and opportunity for businesses along the entrance route which otherwise would not exist. Overall, the Burning Man event provides a very powerful and positive economic impact to the area. Ethically and legally it should not be the responsibility of the BMO to support the costs of the road maintenance.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
934	2	Mitigation-Economics	209.1400.00	N/A	I feel that it is unreasonable that BLM wishes to require Burning Man Project to pay for maintenance of County Road 34, which leads to the event's entrance. I believe that there are no other instances in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses. In addition, Nevada and Washoe County include a gas tax allocated in part for road repair (which participants have contributed to for 29 years) and Burning Man Project is already working closely in collaboration with Washoe County to find a more permanent solution for CR34.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
78	1	Mitigation-Economics	209.1400.00	N/A	I know of no other instance in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses. In addition, Nevada and Washoe County include a gas tax allocated in part for road repair (which participants have contributed to for 29 years) and Burning Man Project is already working closely in collaboration with Washoe County to find a more permanent solution for CR34.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1890	4	Mitigation-Economics	209.1400.00	N/A	I am traveling to public land on public roads, and paying taxes on the fuel I purchase as I go. These funds go towards our roads. I am unfamiliar with any other example of a private organization being forced to pay for public roads that are used year-round by residents, tourists, and government officials.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
673	1	Mitigation-Economics	209.1400.00	N/A	CR 34 is, as far as I know, a public road. Requiring an event that uses said road to, as it were, hire the public infrastructure is not justified by any law I know.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1049	14	Mitigation-Economics	209.1400.00	N/A	Economics Mitigation ECON-1 BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic. Background: This proposed mitigation is beyond the scope of BLM's authority. County Route 34 is a county-maintained road that was designed and built in the early 1970s to last 30-40 years, according to Washoe County records. It has surpassed its expected lifespan with year-round traffic from residents, land owners, businesses, law enforcement, tourists, tribes, ranchers, and nature lovers. Burning Man event traffic adds considerably to the use of CR 34 during summer months. State and county fuel taxes are imposed on drivers to pay for road maintenance. Burning Man staff and participants have paid millions of dollars into this fund over the years when they purchase fuel in Nevada on the way to and from the playa. Black Rock City has been working closely and successfully with Washoe County for several years behind the scenes to measure and study CR 34, and to understand options and costs for replacing sections of the road between Gerlach and 17 miles north where it turns to gravel at Jackson Lane. Because the road will need replacing, not just repairing, we have been working collaboratively to find a permanent solution instead of a temporary fix, and we believe we may have done just that. BLM's Draft EIS ignores the work Washoe County and BRC have done together and instead imposes a command and control solution that Washoe County did not suggest and does not support. Does the National Park Service make visitors pay local governments for road repair? No. Through initiatives like the Burner Express Bus, incentivizing carpooling through our vehicle pass program, and expanding capacity of the BRC Airport, Black Rock City has worked diligently and successfully with the Nevada Department of Transportation, Nevada Highway Patrol, Washoe County, and Pyramid Lake Paiute Tribe to reduce traffic on the roads leading to Black Rock City. We believe that mandated cost recovery above and beyond those efforts is excessive and that this proposed requirement goes far beyond the scope and authority of NEPA.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
868	4	Mitigation-Economics	209.1400.00	N/A	There is no precedent for requiring a private organization to pay for the maintenance of a public road.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1067	10	Mitigation-Economics	209.1400.00	N/A	Mitigation ECON-1: Management of CR 34 is not the BLM's job.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
391	2	Mitigation-Economics	209.1400.00	N/A	the costs of providing for public roads (that are used by everyone all year) will make the event unattainable to the artists and builders.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
239	4	Mitigation-Economics	209.1400.00	N/A	Finally, diversity in the truest sense, defines Burning Man. Forcing us to pay for County Road 34 will raise ticket prices and reduce access for those of us with less disposable income.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1754	5	Mitigation-Economics	209.1400.00	N/A	On Mitigation ECON-1: BRC has always worked with Washoe County to deal with traffic to and from the event. Would you explain how BLM has the legal authority to demand that BRC pay to use the roads beyond what we already pay in fuel taxes?	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1933	3	Mitigation-Economics	209.1400.00	N/A	Mitigation ECON-1: BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic. Burning man attendees have paid millions of dollars in taxes on Nevada fuel that go into the fund already allocated for road repair. County Route 34 is a county-maintained road that was designed and built in the early 1970s to last 30 to 40 years, according to Washoe County records meaning that it has already surpassed its expected lifespan, with or without the event.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
850	2	Mitigation-Economics	209.1400.00	N/A	Mitigation ECON-1: BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic. This proposed mitigation falls outside of the BLM's authority. Also, collectively, Burners have paid millions of dollars of taxes on Nevada fuel that go into the fund already allocated for this purpose. County Route 34 is a county-maintained road that was designed and built in the early 1970s to last 30 to 40 years, according to Washoe County records. It has already surpassed its expected lifespan, with or without Burning Man. On a related note, the National Park Service does not impose excessive fees to make visitors pay local governments for road repair. To say this is excessive and unfair is an understatement.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
157	3	Mitigation-Economics	209.1400.00	N/A	ECON -1 maintence of Rt. 34 Burners already support this by paying for gas purchased in Nevada. You can point to NO FACTs that people going or coming from the event cause additional maintance.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1124	8	Mitigation-Economics	209.1400.00	N/A	This proposed mitigation is beyond the scope of BLM's authority. County Route 34 is a countymaintained road that was designed and built in the early 1970s to last 30-40 years, according to Washoe County records. It has surpassed its expected lifespan with year-round traffic from residents, land owners, businesses, law enforcement, tourists, tribes, ranchers, and nature lovers. Burning Man event traffic adds considerably to the use of CR 34 during summer months. State and county fuel taxes are imposed on drivers to pay for road maintenance. Burning Man staff and participants have paid millions of dollars into this fund over the years when they purchase fuel in Nevada on the way to and from the play	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1301	1	Mitigation-Economics	209.1400.00	N/A	This proposed mitigation is beyond the scope of BLM's authority. County Route 34 is a county-maintained road that was designed and built in the early 1970s to last 30-40 years, according to Washoe County records. It has surpassed its expected lifespan with year-round traffic from residents, land owners, businesses, law enforcement, tourists, tribes, ranchers, and nature lovers. Burning Man event traffic adds considerably to the use of CR 34 during summer months. State and county fuel taxes are imposed on drivers to pay for road maintenance. Burning Man staff and participants have paid millions of dollars into this fund over the years when they purchase fuel in Nevada on the way to and from the playa. Simply put this is a matter between the State, the county and the event. A federal agency, no matter how well intentioned, has no authority make this demand.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1059	7	Mitigation-Economics	209.1400.00	N/A	Tax monies gleaned from the State of Nevada petrol sale assessments provide for the maintenance of this highway. It is not the responsibility of federal agencies to maintain this road nor to ask for a private entity to maintain this road.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1071	8	Mitigation-Economics	209.1400.00	N/A	ECON-1: This is beyond the role of BLM and is not consistent with policies of managing other properties.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1741	15	Mitigation-Economics	209.1400.00	N/A	To the best of my knowledge, no other private entity is required to pay for the use of a public road. Burner Man attendees already contribute to the cost of the highway's maintenance through the taxes they pay on the fuel purchased traveling to and from Black Rock City. The Draft EIS does not take into account efforts that are already taking place between Burning Man and Washoe County to upgrade CR 34. Please answer and/or explain: 1. How this mitigation falls within the BLM's authority. 2. How this mitigation falls within the scope of the National Environmental Policy Act. 3. What is the precedent for a private entity to pay for a public road.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1981	3	Mitigation-Economics	209.1400.00	N/A	Mitigation ECON-1 This mitigation seems like "scope creep" and beyond the BLMs authority.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
665	5	Mitigation-Economics	209.1400.00	N/A	County Route 34 is a county-maintained road that was designed and built in the early 1970s to last 30-40 years, according to Washoe County records. It has surpassed its expected lifespan with year-round traffic from residents, land owners, businesses, law enforcement, tourists, tribes, ranchers, and nature lovers. BM event traffic adds considerably to the use of CR 34 during summer months. State and county fuel taxes are imposed on drivers to pay for road maintenance. BM staff and participants have paid millions of dollars into this fund over the years when they purchase fuel in Nevada on the way to and from the playa.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1615	3	Mitigation-Economics	209.1400.00	N/A	it is unconstitutional for Burning Man to pay for the maintenance of County Road 34. I know of no other instance in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses. This ignores Burning Man's effort to working closely in collaboration with Washoe County to find a more permanent solution for County Road 34.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1909	5	Mitigation-Economics	209.1400.00	N/A	Economics, Mitigation ECON-1 As stated in Chapter 3 economics analysis: "Costs for road repair services would continue to be offset, at least in part, by taxes collected from event participant spending. For example, road repair costs in Washoe County for 2017 were estimated at \$248,000, and fuel taxes (which help fund road repairs) collected were estimated at \$524,000, a portion of which would be distributed to Washoe County. In total, an estimated \$4,619,000 in taxes would be collected from Event participant spending under Alternative A (Proposed Action). In addition, an estimated \$4,533,909 in taxes would be collected from nonlabor operational expenditure spending in the Assessment Area (Table 3-16). Establishing a cost-sharing agreement with Washoe County for road repairs on CR 34 associated with Event traffic could minimize impacts..." The state of Nevada also collects a 9% entertainment tax on each ticket sold for the event. Nevada collected some to some \$3,291,725 from BRC in 2017. The sum of all the taxes paid as a result of the event is very significant. These taxes are more than adequate to pay for the costs associated with maintenance of all the highways and roads within the assessment area. CR 34 is a public road used year round, not just for the event. BRC should negotiate with NDOT and the State of Nevada should assume responsibility for at least the paved portion of CR 34 and make it a state highway. The state of Nevada could also use federal highway funds for maintenance and replacement of highways. That would help ensure the event continues and ensure the state, counties and municipalities would continue to collect millions of dollars in taxes associated with the event.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1799	35	Mitigation-Economics	209.1400.00	N/A	Isn't this covered by event fees and fuel taxes? Although the event does bring a lot of traffic to Washoe County, almost all of the travelers purchase fuel and other things in the area upon entry and upon exit.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1050	7	Mitigation-Economics	209.1400.00	N/A	Given BMorg is contributing \$3.5 million annually through the sales of vehicle passes, it is unclear why additional monies are being requested for maintenance of a road that can be completely milled and resurfaced every two years with money already being collected for just that purpose. Since the inception of the vehicle pass program, I have not seen but rudimentary and basic upkeep of CR34.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1944	6	Mitigation-Economics	209.1400.00	N/A	Mitigation Measure ECON-1; Volume 2, Appendix E "BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic." I am concerned that this mitigation measure is not a sustainable solution to the problem. CR 34 was never built to handle the amount of traffic during the Burning Man season. The increase in traffic causing road failure is not just during the event week, but in the weeks surrounding the event as staff, vendors and other vehicles related to the set up travel this route. The County Roads crew based in Gerlach often cannot keep up with repairs, which are only a band aid, not a real fix. Before the event population is allowed to grow, a more permanent solution should be negotiated between Burning Man and Washoe County.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
235	5	Mitigation-Economics	209.1400.00	N/A	Furthermore, having the Burning Man community pay for the restoration of public roads is unprecedented and unlawful. Many public roads get flooded with traffic because of many different events in every state, and they aren't responsible for maintenance of public infrastructure, the government is.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1723	2	Mitigation-Economics	209.1400.00	N/A	As many Burners are citizens of the United States, their federal taxes dollars already go towards the repair to these highways. Further, ALL burners purchase fuels en route to and from the event, supplementing both county, state and Federal taxes on the fuels purchased, a portion of which is allocated to maintaining the state and Federal highways used by the burners. In addition to these facts, the Burning Man Organization supplements road repairs in the local area already.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
336	3	Mitigation-Economics	209.1400.00	N/A	Burning Man must not be held solely responsible for funding the maintenance of County Road 34 unless it can be proved that the only wear done to the road is done by those involved with the event. The requirement would set a problematic precedent for how public county roads are funded. If it can be proven that the wear done to CR34 by the Burning Man event creates an unsustainable drain on county resources, it would be reasonable to propose a tax or some other method of recuperating funds that is not so drastic and unfair.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
106	2	Mitigation-Economics	209.1400.00	N/A	Road Maintenance should not be the responsibility of the event. Already the tax revenue from the event brings in millions of dollars for local public works and the event has improved the local infrastructure in ways that would not have happened otherwise.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1989	5	Mitigation-Economics	209.1400.00	N/A	All of the taxes paid as a result of the event are more than adequate to pay for the costs associated with maintenance of all the highways and roads within the assessment area. CR 34 is a public road used year round, not just for the event. BRC should negotiate with NDOT and the State of Nevada should assume responsibility for CR 34 and make it a state highway. That would help ensure the event continues and ensure the state would continue to collect taxes associated with the event.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
173	5	Mitigation-Economics	209.1400.00	N/A	ECON-1: No private event or party should be expected to pay for public roads. Not to mention that route 34 is used for an exceptionally small stretch of the entry route.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
188	4	Mitigation-Economics	209.1400.00	N/A	ECON-1: I don't know any instance of an event that is required to pay for public road maintenance. It would also seem hard to determine what was caused by event traffic and by normal wear and tear therefore hard to objectively mitigate.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
515	2	Mitigation-Economics	209.1400.00	N/A	I feel that the cost of road maintenance is also an unreasonable request on Burning Man. I could not find any organization that has been responsible for road maintenance for an annual event.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
639	1	Mitigation-Economics	209.1400.00	N/A	As a Nevada resident since 2005 I see no reason to try to make the participants of this event pay again for use of the road beyond what they are already paying through fuel taxes and the like.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
659	2	Mitigation-Economics	209.1400.00	N/A	The road is used year-round by residents and other visitors. Requiring one single event to pay the entire cost to maintain the road is discriminatory and goes against the principles of government in our country. We all pay gas taxes that go to support the public roads. Burners buy much of their gas in Nevada so they contribute directly in this fashion. I would support a modest \$5 fee on each ticket sold to go towards road maintenance in September after the event concludes.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1571	10	Mitigation-Economics	209.1400.00	N/A	Mitigation ECON-I: This proposed mitigation is clearly beyond the scope of BLM's authority. This proposal is akin to the National Park Service making visitors to a national park pay for government roads. State and county fuel taxes are imposed on drivers to pay for road maintenance. Burning Man staff and participants have paid millions of dollars into this fund over the years when they purchase fuel in Nevada on the way to and from the playa.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
347	6	Mitigation-Economics	209.1400.00	N/A	The cost recovery for the maintenance of the road is unusual. Even when permanent commercial centers are constructed the burden on the developers are carefully considered in contrast to the municipality's responsibility. Is there a documented degradation of the road due to this intermittent traffic? We will all agree that the number of vehicles traversing this section of road during the event creates traffic issues. What is the problem or solution that is at the core of this mitigation recommendation? Without a clear understanding of the issue it is hard to support this kind of request.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1619	5	Mitigation-Economics	209.1400.00	N/A	Mitigation ECON-I: BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic. This proposed mitigation falls outside of the BLM's authority. Also, collectively, participants have paid millions of dollars of taxes on Nevada fuel that go into the fund already allocated for this purpose. County Route 34 is a county-maintained road that was designed and built in the early 1970s to last 30 to 40 years, according to Washoe County records. It has already surpassed its expected lifespan (with or without Burning Man). On a related note, the National Park Service does not impose excessive fees to make visitors pay local governments for road repair. To say this is excessive and unfair is an understatement.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
611	5	Mitigation-Economics	209.1400.00	N/A	Lastly, the recommendation that the Burning Man Project pay for maintenance of County Road 34 is a large overstepping of government bounds. I know of no other instance in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses. Burning Man participants already contribute to a local gas tax allocated for road repair – as any other traveler through the area – and the Burning Man Project is already working closely in collaboration with Washoe County to find a more permanent solution for CR34.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
772	4	Mitigation-Economics	209.1400.00	N/A	4. It appears to be a "taking" to hold Burning Man financially responsible for roads used by public vehicles, heavy commercial vehicles, etc.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1705	15	Mitigation-Economics	209.1400.00	N/A	ECON-I BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic. This is outside BLM's jurisdiction. This is between BRC and Washoe County. Furthermore, Washoe County receives funding from state and other sources for road repair. This requirement is NOT REASONABLE. QUESTION: What authority or regulation gives BLM the authority to force a private entity to negotiate with a local government that is independent from BLM and the Federal government?	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
30	3	Mitigation-Economics	209.1400.00	N/A	There is no other instance in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses. In addition, Nevada and Washoe County include a gas tax allocated in part for road repair (which participants have contributed to for 29 years) and Burning Man Project is already working closely in collaboration with Washoe County to find a more permanent solution for CR34	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
101	1	Mitigation-Economics	209.1400.00	N/A	I think it is too much to require Burning Man Project to pay for maintenance of County Road 34, which leads to the event's entrance. We know of no other instance in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses. In addition, Nevada and Washoe County include a gas tax allocated in part for road repair (which participants have contributed to for 29 years) and Burning Man Project is already working closely in collaboration with Washoe County to find a more permanent solution for CR34.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
114	3	Mitigation-Economics	209.1400.00	N/A	I feel that it is unreasonable that BLM wishes to require Burning Man Project to pay for maintenance of County Road 34, which leads to the event's entrance. I believe that there are no other instances in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses. In addition, Nevada and Washoe County include a gas tax allocated in part for road repair (which participants have contributed to for 29 years) and Burning Man Project is already working closely in collaboration with Washoe County to find a more permanent solution for CR34	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
122	1	Mitigation-Economics	209.1400.00	N/A	Forcing Burning Man to pay for repairs of county road 34 (will drive ticket prices up unreasonably, and it's the responsibility of the county to maintain the road, not private entities)	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
286	4	Mitigation-Economics	209.1400.00	N/A	Further, requiring Burning Man to pay for maintenance and upkeep of public roads outside the event is shocking in that no other event I know of has a similar requirement. Those roads are used year-round by tourists and locals alike.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
436	1	Mitigation-Economics	209.1400.00	N/A	Requiring a private entity to pay for the maintenance of a public county road that is used year round by locals, businesses, and tourists is not only legally unprecedented, it is proposed without any reasonable evidence and is clearly a cash grab by the local government to increase revenue. Gas taxes already pay for road maintenance, something that nearly every driver attending BM pays into when they pour millions of dollars into the local economies of the communities surrounding the Black Rock Desert. If road maintenance is a concern of the local or federal governments, then I suggest they use their power to raise the gas taxes in that area rather than target and demonize a population that has helped to prop up the local economies through annual sales.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
499	1	Mitigation-Economics	209.1400.00	N/A	Another point in the EIS is the one requiring Burning Man Project to pay for all maintenance of County Road 34 (CR34). This is outside of the scope of BLM. BLM is responsible for its lands not roadways that are part of a county to maintain. Please consider the road is used year-round by the residents and business' in the area and this causes wear and tear on the roadway. If he road was used exclusively by Burning Man the cost would be warranted. Burning Man has been and continues to offset the cost of repair to CR34 with the Vehicle Pass which all vehicles that enter Burning Man must purchase along with the gas tax that is imposed by Nevada & Washoe county.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
518	11	Mitigation-Economics	209.1400.00	N/A	Mitigation ECON-1 It's unreasonable to ask a private organization to pay for a public road. This is akin to demanding a sports team to pay for maintenance on highways surrounding their stadium. It's beyond the scope of the EIS and beyond the scope of the BLM to make this demand.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
617	4	Mitigation-Economics	209.1400.00	N/A	Mitigation ECON-1: BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic. I love BLM land and appreciate the officers that work to enforce LNT principles and that our lands are used for many to love in the years to come, but this request seems totally unreasobable. Every year we pass countless dollars of taxes on Nevada fuel that go into the fund already created for this purpose and even beyond this County Route 34 built to last 30 to 40 years, according to Washoe County records many of those years before Burning Man was even going on. This is a clear money grab and taking advantage of the Burning Man event. Not one other park in the US charges specifically for road enhancements.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1245	5	Mitigation-Economics	209.1400.00	N/A	This county road 34 is not in the BLM authority, as it is a county road.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1357	10	Mitigation-Economics	209.1400.00	N/A	Mitigation Measure ECON-1, requiring BRC to negotiate with Washoe County to provide cost recovery for CR 34, threatens this balance. This type of big government intervention is unprecedented and ignores the value of local control and autonomy. The record does not support this Mitigation Measure and the maintenance of CR 34 should properly be left to a free discussion between Washoe County, its taxpayers, and any party they determine.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
2009	2	Mitigation-Economics	209.1400.00	N/A	ECON-1: No private event or party should be expected to pay for public roads. Not to mention that route 34 is used for an exceptionally small stretch of the entry route. This seems like a blatant cash grab by Washoe county - and route 34 is always left in fine condition post-event, anyways. Thank you for working with Burning Man to ensure the event can continue on public lands. I do believe that you have the best interests of all parties at heart, and most of your recommendations are sensible and reasonable. However, I believe that the above mitigation measures would irreparably harm the event, and I would ask that you reconsider these measures by working with Burning Man to 1) identify whether a problem to be solved actually exists and 2) co-creating novel solutions to said problems that would not cause an undue burden on the event or its participants.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1791	7	Mitigation-Economics	209.1400.00	N/A	Regarding ECON-1: this mitigation is beyond the scope of the NEPA. BMP has worked with the local communities and governance to find collaborative permanent solutions to many issues, including roadways. This mitigation has no regard for this collaborative work, and does not have the support of Washoe County.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
1919	1	Mitigation-Economics	209.1400.00	N/A	Mitigation ECON-1: There is not one other instance in the United States where a private entity is responsible for year round road maintenance of a public road that is used year round by the public. It is beyond BLM's authority to require this mitigation measure.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.
531	9	Mitigation-Economics	209.1400.00	N/A	County Route 34 is a county-maintained road that is nearly 20 years past its use-by date. While Burning Man traffic adds considerably to the use of the road during summer months, state and county fuel taxes are imposed on drivers to pay for road maintenance; Burning Man staff and participants have paid millions of dollars into this fund over the years when they purchase fuel in Nevada on the way to and from the playa.	See Public Concern Statement MITECON-1.	See Public Concern Statement MITECON-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1350	2	Mitigation-Economics	209.1400.00	N/A	I'd ask the assembled to provide to me and the assembled here a single instance in which a permitted Department of Interior group has been required to financially augment any public thoroughfare in the US? And why is it that the federal government through the BLM is inserting such a requirement into a DEIS when the responsibility of public road maintenance is primarily the prevue of state and local government?	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
82	1	Mitigation-Economics	209.1400.00	N/A	The concentration of cars on a public road should not create a responsibility by the event to pay for said public road. The cars coming down this road are licensed. They pay road and gas tax. These are the requirements for public road use.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
86	2	Mitigation-Economics	209.1400.00	N/A	Why should the Burning Man Project pay for maintenance of County Road 34, which leads to the event's entrance...? I know of no other instance in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
138	2	Mitigation-Economics	209.1400.00	N/A	Finally, I don't think there's any fair-minded person who would ask a private organization, a non-profit no less, to pay for a road that is used at least 11 out of 12 months only by private citizens, tourists, etc. This is onerous and seems designed to hurt the event / organization. Surely it's fair to ask the organization to help keep the road in good shape, or to be responsible for damage that is directly related to the event, but this goes much too far.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
302	2	Mitigation-Economics	209.1400.00	N/A	In addition, having to service the public road is absolutely ludicrous. This is not required for any other event in the nation.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
358	3	Mitigation-Economics	209.1400.00	N/A	Burning Man participants, staff, and volunteers have paid millions in Nevada state fuel taxes in the almost three decades that Burning Man has taken place. Those taxes go toward a road maintenance fund which can be used to maintain CR34. Additionally, the county built CR34 in the 1970s with a 30 to 40 year lifespan. Since the road is past its lifespan, the county should consider using its available funds to replace the road. That is, after all, the responsibility of the county. Burning Man has already worked closely with the county to mitigate damage to the road by providing an on-site airport, regular buses, and encouraging carpooling. BMORG also limits the number of car and RV Passes to the event. Requiring BMORG to pay for CR34's "maintenance" (an undefined term in this EIS) would potentially cost this private event millions of dollars for something that is not their responsibility	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
403	3	Mitigation-Economics	209.1400.00	N/A	Speaking of the road to the event - this is a PUBLIC road and as such teh responsibility of the cities, counties, state AND government handling. Funding which is provided to BLM for the event should be considered for the upkeep of the road considering BMORG does EVERYTING at the event already.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
467	3	Mitigation-Economics	209.1400.00	N/A	In no other instance is a private event held responsible for upkeep of state roads. Already Burning Man does a lot to maintain the roads leaving to the event, which is not asked of them. I would like to see review on this clause and evidence for why it is necessary.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
479	1	Mitigation-Economics	209.1400.00	N/A	Are there other instances in the US where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses? If not, why is BM required to do so? Also, Burning Man participants are already contributing to the Nevada and Washoe County gas taxes, part of which is allocated for road repair. If the current taxes aren't enough to cover road maintenance, shouldn't that be a county and state policy change instead of a federal policy change?	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
496	2	Mitigation-Economics	209.1400.00	N/A	we use the area heavily for less than 2 weeks, yet you are asking to cover road maintenace costs for the entire year.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1006	4	Mitigation-Economics	209.1400.00	N/A	I already pay taxes on Nevada fuel that goes into a fund that is for this purpose. The road is old regardless of the BM traffic and has exceeded its expected lifespan.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1313	5	Mitigation-Economics	209.1400.00	N/A	County Route 34 is a COUNTY-maintained road. As a federal agency, BLM has no authority to propose this mitigation. Burners pay millions in taxes on Nevada fuel in getting to and home from the playa. That money goes toward mainting state roads. BLM cannot expect burners to pay for the wear and tear on the roads surrounding the playa specifically because they are going to Burning Man. This would set a precedent for other agencies to insist similar fees be paid on people visiting casinos, concert venues, or any other national park that gets a certain amount of traffic.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1459	4	Mitigation-Economics	209.1400.00	N/A	As a Washoe County resident and property owner, I was shocked to read that the BLM thinks Burning Man should help maintain State Route 34 (Mitigation ECON - 1) which is paid for through gas tax paid by participants as well anyone purchasing gas in Washoe County, and by taxes from residents like me	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
58	4	Mitigation-Economics	209.1400.00	N/A	Further, what is the decision regarding maintenance of Route 34? Is there another private event in the country that is required to maintain a public road as part of its permit? Isn't that the entire purpose of a public DOT, to manage public roadways? Why then these special circumstances?	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1098	10	Mitigation-Economics	209.1400.00	N/A	Also, how does this approach conform with the Secretary of the Interior's Order Number 3366 that encourages more use and accessibility of public lands by creating a private tax paid only by the participants of Burning Man? Since CR 34 is the way to access the public lands described in the Order, it needs to remain accessible to all and not taxed to the few.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
846	5	Mitigation-Economics	209.1400.00	N/A	Aren't some of the taxes on gas to cover road maintenance costs?	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1636	13	Mitigation-Economics	209.1400.00	N/A	This is unfair to attempt to impose responsibilities that are beyond what BRC is even authorized to manage when so much effort has already been done. BRC has also made great efforts to reduce traffic on this road by always encouraging carpooling or taking the Burner Express Bus, expanding the BRC airport, and working with the Nevada Department of Transportation, Nevada Highway Patrol, Washoe County, and Pyramid Lake Paiute Tribe. This cost recovery would be another reason to increase ticket costs for participants, and do National Parks make visitors pay local governments for road repair?	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
354	2	Mitigation-Economics	209.1400.00	N/A	National Park Service does not require visitors to pay local government for road access...why should Burners be required to pay for the condition of the road accessing BLM lands on the playa?	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1033	1	Mitigation-Economics	209.1400.00	N/A	I am aware of NO other instance in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
22	2	Mitigation-Economics	209.1400.00	N/A	It seems completely unreasonable to me that the Burning Man organization would be responsible for the upkeep of a public road that attendees of their event use for one week out of the year, but is used year round by residents and other tourists visiting the area.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
79	1	Mitigation-Economics	209.1400.00	N/A	Any road for public use must be maintained by the public. Forcing Burning Man to upgrade or maintain a public road is, frankly, absurd. Every participant of Burning Man already pays their taxes for road maintenance, and forcing them to pay again is simply unnaeptable.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1257	3	Mitigation-Economics	209.1400.00	N/A	Asking the event to pay for the upkeep fo the county road (beyond the current contributions) also seems excessive. It would be like asking somebody renting a car to pay its insurance the entire year, not just the week they were renting it. How does BLM justify asking the event to pay for so much of the upkeep of roadways not used by the event for most of the year? Are other events on federal lands similarly asked to pay for the year-round upkeep of their public access roads?	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
142	2	Mitigation-Economics	209.1400.00	N/A	Burning man already pays taxes and requiring the event to maintain Road 34 is extortion. No other private event in the United States is asked to pay for the maintenance of a public road that is in use year-round by citizens. This would drastically raise the cost of tickets	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
168	1	Mitigation-Economics	209.1400.00	N/A	Burning Man Project should not have to pay for maintenance of County Road 34, which leads to the event's entrance. We know of no other instance in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses. In addition, Nevada and Washoe County include a gas tax allocated in part for road repair (which participants have contributed to for 29 years) and Burning Man Project is already working closely in collaboration with Washoe County to find a more permanent solution for CR34.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
170	2	Mitigation-Economics	209.1400.00	N/A	This is a public road, just because Burning Man attendees are using a public road does not mean we should pay more to maintain it - plenty of people going to the event use Highway 80 and are not being asked to pay for extra maintenance on that highway. County Road 34 is no different - they are there for the public to use.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
178	3	Mitigation-Economics	209.1400.00	N/A	forcing the event attendees to pay for maintenance on a public road is unprecedented and without merit. I at least understand a need for a solution with the trash generated that oftentimes ends up being left in places where it is not supposed to be, but it is still not the right solution for this event.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
298	3	Mitigation-Economics	209.1400.00	N/A	Maintaining the state highway year-round: This is a public road, and requiring the event pay for maintentince seems like an abdication of the responsiblity of the state and federal government. It was my understanding that the rationale for the cost of a permit is meant to pay for the maintenance of the land and roads in the area, and so adding additional burdens here seems like an overreach.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
453	2	Mitigation-Economics	209.1400.00	N/A	Requiring the Burning Man Organization, a non-profit with a specifically community-based and collaborative mission, to pay for maintainence of a public road is without precedent and outrageous. The amount of tax money the comes into the area during the event is a MAJOR resource for Nevada and for the local residents and public works.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1436	5	Mitigation-Economics	209.1400.00	N/A	itigation ECON-1: BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic. Response: As many Burners are citizens of the United States, their federal taxes dollars already go towards the repair to these highways. Further, ALL burners purchase fuels en route to and from the event, supplementing both county, state and Federal taxes on the fuels purchased, a portion of which is allocated to maintaining the state and Federal highways used by the burners. In addition to these facts, the Burning Man Organization supplements road repairs in the local area already.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1458	4	Mitigation-Economics	209.1400.00	N/A	The proposed requirement of the Burning Man Project to pay for maintenance of County Road 34 is unheard of. We know of no other instance in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses. In addition, Nevada and Washoe County include a gas tax allocated in part for road repair (which participants have contributed to for 29 years). More importantly, Burning Man Project is already working closely in collaboration with Washoe County to find a more permanent solution for CR34. This is a brazen overreach at best. The BLM and Department of the Interior should be aiming to REDUCE the burdens of those who operate on public lands. That is our right.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
854	6	Mitigation-Economics	209.1400.00	N/A	The EIS seems to neglect the positive impact of the collaboration with the county coming up with a solution that was not suggested or even supported by the Washoe county. Nevada's gas taxes are also partially made for this kind of application, and Burners through the years participated in this paying these taxes by filling up their tanks in the State of Nevada.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
598	1	Mitigation-Economics	209.1400.00	N/A	First, CR 34 was built in the early 1970s to last maximum 40 years, meaning expected lifespan has already been exceeded. Maintenance responsibility for replacement thus falls to the County, not a single event. Further, Burning Man Project event traffic already pays into this maintenance through State and County fuel taxes. Second, the BLM Draft EIS ignores existing agreements and between the Project and Washoe County regarding transportation. The BLM recommendation is not supported by Washoe County and represents a Federal over-reach of authority. Finally, the BLM Draft EIS ignores a range of carpooling incentives and solutions, airport capacity, and Nevada DOT, Highway Patrol, and Pyramid Lake Paiute Tribe collaborations to manage traffic. The revised EIS should better account for these actions.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
390	1	Mitigation-Economics	209.1400.00	N/A	My experience attending burning man multiple years was of people not respecting the leave no trace rule and dumping their trash on the entry road- because of that and the toll of the huge volume of Burning Man traffic, yes Burning Man should pay to maintain that road.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1874	4	Mitigation-Economics	209.1400.00	N/A	In Appendix E. Mitigation and Monitoring section, under title Economics Recommended Monitoring, line ECON - 1 the EIS states: "BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR-34 associated with Event Traffic" Please provide examples of other non-profits that have been made responsible for the cost of maintaining publicly owned roads year round as a result of a timed event being produced in the surrounding and overlapping areas.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
23	1	Mitigation-Economics	209.1400.00	N/A	I do not support the measure proposing that Burning Man Project has to pay for maintenance of County Road 34, which leads to the event's entrance. We know of no other instance in the United States where a private entity is required by the federal government to pay for maintenance of a public county road that is also used year-round by residents, tourists, and businesses. In addition, Nevada and Washoe County include a gas tax allocated in part for road repair (which participants have contributed to for 29 years) and Burning Man Project is already working closely in collaboration with Washoe County to find a more permanent solution for CR34.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
175	2	Mitigation-Economics	209.1400.00	N/A	Another concern is the proposal that Burning Man pay for maintenance of County Road 34, a road that is used year round by locals, businesses and tourists. I would understand this if the road was used only by Burning Man and those attending it but that is not the case. If there are environmental concerns regarding the highway, perhaps there is a better option for Burning Man to contribute to the environment?	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1050	6	Mitigation-Economics	209.1400.00	N/A	As I understand it, there is no precedent for a federal agency requiring a private entity to be responsible for the upkeep of a state or county funded roadway. However, it cannot be denied that BMorg has a modicum of culpability in the degradation of CR34 between its intersection with SR447 and 12 mile entrance. Perhaps the BMorg could shoulder some of the maintenance costs of CR34 between SR447 and 12 mile entrance with the monies it collects from the 35,000 vehicle passes that are sold above and beyond ticket prices. At \$100 for each pass, this equates to 3.5 million dollars each year.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
266	5	Mitigation-Economics	209.1400.00	N/A	While Burning Man bears responsibility for maintaining County Road 34, It should not bear full responsibility. The road is used year round for other purposes. Participants currently pay extra for every vehicle pass and every year, the fee rises.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
572	1	Mitigation-Economics	209.1400.00	N/A	Trash sweeps during exodus along Route 34 are a must, and proper road maintenance should be considered. There is currently almost no shoulder for cars to move off, and the large ravines in either side are a haven for trash to collect. Both of these issues can be addressed by a onetime road widening project to help manage traffic, and to discourage trash drops. I don't think Burning Man should pay for the road maintenance entirely, but contribute to it based on how much additional wear the traffic creates. A widening project is far too expensive for the organization to pay for, but I'm sure there are plenty of volunteers willing to help.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
623	1	Mitigation-Economics	209.1400.00	N/A	The BLM, in Mitigation ECON-I, recommends cost recovery for maintenance of CR 34. These two mitigation measures are directly opposed to each other. Mitigation PHS-3 recommends a drastic increase in heavy truck traffic on CR 34 while Mitigation ECON-I attempts to solve for the degradation of CR 34 from traffic associated with the Event	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
1481	2	Mitigation-Economics	209.1400.00	N/A	Impacts to public infrastructure: Key considerations for Washoe County is the effect of event related activity on public infrastructure specifically CR 34 which is the primary access to the event site. Washoe County supports mitigation ECON-OI providing opportunity for Washoe County and Burning Man to remediate direct damage to CR 34 has a result of increased use pre, during and post event. Washoe and Burning Man have worked collaboratively in finding solutions to the conditions that have materialized over the life of the event and will continue to collaborate and negotiate roles and responsibilities. In the same regard, the use of the proposed physical perimeter barriers in PHS - 3 will directly impact our roadway network. We proposed an alternative solution be used to meet security needs and access needs by the applicant.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
2004	6	Mitigation-Economics	209.1400.00	N/A	ECON-I: BLM will negotiate with Washoe County to provide cost recover for maintenance of CR34 associated with Event traffic. As aWashoe County taxpayer, I see this as a user fee.	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.
94	1	Mitigation-Economics	209.1400.00	N/A	My first concern is regarding Table E-2 - ECON-I, which stipulated that BRC will negotiate with Washoe Country to provide cost recovery for the maintenance of CR 34. Taking EIS at face value this seems to be a bold to offload costs from the country to BRC that are generally unrelated to the event. CR 34 year round traffic of tourists, locals, and those traveling between the Reno, NV area and Boise, ID. If the stipulation stays in the final draft, it should be made much more clear exactly what costs the county is attempting to recover and how that cost is being attributed to BRC (as opposed to the cost being a result of traffic the remaining 11 months of the year).	See Public Concern Statement MITECON-I.	See Public Concern Statement MITECON-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1400	1	Mitigation-Economics	209.1400.00	N/A	<p>Conducting mandatory, unwarranted searches of 80,000 or more Burning Man participants poses significant practical and constitutional concerns. Did the BLM consider the extreme cost and delays at the gate of requiring these searches? When extreme weather or BLM-mandated gate shutdowns require Burning Man to close the gate to the event (as happened in 2019 on Wednesday of the event), the traffic impact on Highway 447 and CR 34 is tremendous and dangerous. In those cases, the traffic has sometimes backed up all the way to I-80. Not only does this impact surrounding communities, it also requires multiple agencies in both Nevada and California to coordinate together to prevent participants from heading towards the event location during long wait times or gate closures, including the Nevada Department of Transportation, Washoe and Pershing Sheriff Departments, the BLM, Burning Man, and Cal-Trans. Did the BLM consider the violation of individual rights and the 4th amendment when making the recommendation for mandatory gate searches? These stops would amount to a government-mandated search and edge dangerously close to a violation of the 4th Amendment which guarantees the protection of every citizen against unreasonable search and seizure. As author, Brian Doherty, points out in his recent article in Reason.com, published on March 26, 2019, "Even TSA agents are not operating under a mandate that they must be searching for illegal drugs." There has been precedent for local agencies rejecting federal government prosecution of cases that involve unreasonable search and seizure of Burning Man participants. In 2018, there was a spate of traffic stops performed by the U.S. Bureau of Indian Affairs and the tribal police in and around the towns of Wasdworth, NV, and Nixon, NV, with participants on their way to the Burning Man event. These stops were used as an opportunity to search those vehicles for drugs and firearms. As cited in the Reno Gazette Journal in an article titled, "Prosecutors reject Burning Man traffic stop cases citing probable cause, search issues," published October 30, 2018, the Washoe County District Attorney's Office rejected seven out of the nine cases that came before them "citing uncertainty over probable cause in the searches by federal agents and tribal police."</p>	N/A	<p>It is recommended by law enforcement agencies generally and cooperating agencies with expertise in the area that a comprehensive security plan should begin with screening for banned items at the points of entry and a hardened perimeter. For the Burning Man Event, BLM has recommended a systematic screening process to provide participant health and safety at the Event site, as required by FLPMA and the BLM's SRP regulations and policy. DHS publications recommend designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands. The BLM plans to institute this protection measure with the least amount of disruption to existing gate operations as possible. There is no evidence that this will increase wait times to days instead of hours. NEPA requires the BLM to consider and discuss the human environment in environmental impact statements (40 CFR 1508.8 and 1508.14). The constitutionality of the proposed security screening is well supported in instances where the Department of the Interior contracts for or requires security at points of entry to large outdoor mass gatherings.</p>
742	3	Mitigation-Economics	209.1400.00	N/A	<p>ECON-1 BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic. I understand the basis for this recommendation, however I must disagree with it. In my professional position I oversee the maintenance and improvements of approximately 40 miles of municipal roadways. There is a private entity that operates a large quarry and has heavy trucks hauling material five days per week throughout the year on our public roads. This traffic causes accelerated wear to the roads and it has been frequently discussed that this private entity should be "made to pay" for repair of these roads. However, this is not how public right of ways and highways operate. I agree that CR-34 is in poor condition and it is narrow, but I also will state that a bituminous asphalt surfaced road will deteriorate faster when there is very light traffic as compared to frequent traffic and this is due to the heavy oil in the asphalt mixture being "mixed" into the overall roadway surface due to traffic. Lack of traffic results in the oil settling out of the surface and the aggregate becoming loose. indeed the fastest route for an asphalt road to deteriorate is for it to have little or no use. The few days per year that CR-34 has heavy traffic is highly unlikely to be the primary contributor to the problems of that road. The problems with CR-34 are likely due to the expansive soils in the sub-grade during the seasonal freeze-thaw cycle and light use throughout the rest of the year.</p>	N/A	<p>As noted in the DEIS and traffic baseline, approximately 28% of the usage along CR 34 is from the Burning Man Event. Washoe County spends money to repair the road just before, during, and just after the Event. BRC committed in writing to the BLM to address this issue in 2015; to date, the BLM has not been party to any of the BRC-Washoe County talks on CR 34. Washoe County in the fall of 2018 reached out to the BLM and the Department of the Interior for help on resolving this issue. The BLM has the authority to require proponents to repair County road damage; as examples, this was done as mitigation in the 1996 Twin Creeks Mine EIS and in the 2010 Ruby Pipeline EIS.</p>

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1794	7	Mitigation-National Conservation Areas	209.1700.00	MITNCA-I	Mitigation NCA-I BRC must post a reclamation bond sufficient to remove large art installations and theme camps left behind after Exodus. This bond is intended to remove the risk of unnecessary or undue degradation to the NCA and defray the costs to taxpayers. LEA Assessment: The LEA feels that the BLM has failed to provide data significant enough to justify this proposed mitigation. From our knowledge, only one art project (since 1998) has had serious trouble leaving the playa at the end of the event. That project left the Burning Man event closure area only days after the event ended (while projects were still allowed to be on site dismantling). The removal of the project only left shallow, temporary tracks in the playa surface within the Burning Man closure area. At that time, the BLM subsequently charged the producers of that project directly for the costs BLM incurred as a result of the Special Recreation Permit they were issued. From our understanding, no US taxpayers were affected or billed.	Commenters were concerned that not enough justification was provided in the EIS to require the mitigation measure of the Burning Man Project having to post a reclamation bond to remove the risk of unnecessary or undue degradation to the National Conservation Area.	BRC needs to mitigate impacts from their Event. Reclamation bonds are common stipulations for companies whose operations may have impacts on public lands. Artwork and theme camps are at the Event operating under BRC's SRP and with BRC's permission; they do not have a separate SRP from the BLM. The 2018 747 theme camp illustrated the risks for the federal government and the US taxpayer.
1049	15	Mitigation-National Conservation Areas	209.1700.00	N/A	National Conservation Areas Mitigation NCA-I BRC must post a reclamation bond sufficient to remove large art installations and theme camps left behind after Exodus. This bond is intended to remove the risk of unnecessary or undue degradation to the NCA and defray the costs to taxpayers. Background: Since 1998, only one project has had serious trouble leaving the playa at the end of the event. That project left the Burning Man event closure area just days after the event ended (while projects were still allowed to be on site dismantling), and left shallow, temporary tracks in the playa surface within the Burning Man closure area. BLM subsequently charged the producers of that project directly for the costs BLM incurred as a result of the Special Recreation Permit they were issued. No taxpayers were harmed. BLM can not remove the risk of unnecessary or undue degradation to the NCA outside of the Burning Man event closure area by charging Black Rock City a bond, and they have conflated the actions of a separate party with BRC's responsibilities under our permit. BLM has failed to provide data significant enough to justify this proposed mitigation. Black Rock City has passed every Site Inspection on time, well within our environmental stipulations, even under duress of severe weather, dust storms, and playa flooding. We believe this bond is unnecessary, unjustified, arbitrary, and capricious.	See Public Concern Statement MITNCA-I.	See Public Concern Statement MITNCA-I.
1071	9	Mitigation-National Conservation Areas	209.1700.00	N/A	NCA-I: This proposal ignores the exemplary track record of BM. One-off occurrences are unfortunate, but rare. Furthermore, responsibility for those occurrences was in place, solutions achieved, and the taxpayer was not harmed. The need for bonding is not substantiated.	See Public Concern Statement MITNCA-I.	See Public Concern Statement MITNCA-I.
1754	6	Mitigation-National Conservation Areas	209.1700.00	N/A	The BLM has granted BRC permits since 1991. The Black Rock Desert has become an essential part of the event, so it is completely in BRC's interest to make sure that Leave No Trace is part of the culture and is strictly adhered to. Would you please clarify how Mitigation NCA-I is justified in requiring BRC to post a bond for possible problems by other people? In the one case where there was temporary damage while an installation was removed, BLM was reimbursed directly by the responsible party. Will Mitigation NCA-I apply to every event by anyone on federal land? If it is only to apply to BRC, you really need to clarify why the current arrangement is inadequate. In particular, what are the chances that an issue will occur again.	See Public Concern Statement MITNCA-I.	See Public Concern Statement MITNCA-I.
665	6	Mitigation-National Conservation Areas	209.1700.00	N/A	BLM cannot remove the risk of unnecessary or undue degradation to the NCA outside of the BM closure area by charging BM a bond, and they have conflated the actions of a separate party with BRC's responsibilities under BM's permit. BLM has failed to provide data significant enough to justify this proposed mitigation.	See Public Concern Statement MITNCA-I.	See Public Concern Statement MITNCA-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1741	16	Mitigation-National Conservation Areas	209.1700.00	N/A	Please answer and/or explain: 1. If any taxpayer money has ever been used to remove a theme camp or art installation after the closure date. 2. Assuming, that there has never been taxpayer money used to remove art or theme camps in 28 years of Burning Man in Black Rock Desert, why should Burning Man be required to post a bond now?	See Public Concern Statement MITNCA-1.	See Public Concern Statement MITNCA-1.
599	1	Mitigation-National Conservation Areas	209.1700.00	N/A	Mitigation NCA-1 The BLM proposal to post a reclamation bond for art installation and removal ignores the evidence that in the past 21 years, only one project had trouble leaving the event. On what data does the BLM justify this mitigation?	See Public Concern Statement MITNCA-1.	See Public Concern Statement MITNCA-1.
518	17	Mitigation-National Conservation Areas	209.1700.00	N/A	Mitigation NCA-1 My understanding is that in the entire 29-year history of the event, there has only been one instance of an art project being left on-playa. In this instance, Burning Man charged the perpetrators for the full cost to BLM. If this were a common problem it would be a major issue, but it is not.	See Public Concern Statement MITNCA-1.	See Public Concern Statement MITNCA-1.
1402	1	Mitigation-National Conservation Areas	209.1700.00	N/A	From Table E-1, Proposed Mitigation Measures Mitigation NCA-1 BRC must post a reclamation bond sufficient to remove large art installations and theme camps left behind after Exodus. This bond is intended to remove the risk of unnecessary or undue degradation to the NCA and defray the costs to taxpayers. Where is the data that indicates that art installations and theme camps have been left behind after Exodus, justifying the necessity of a reclamation bond?	See Public Concern Statement MITNCA-1.	See Public Concern Statement MITNCA-1.
1705	16	Mitigation-National Conservation Areas	209.1700.00	N/A	NCA-1 BRC must post a reclamation bond sufficient to remove large art installations and theme camps left behind after Exodus. This bond is intended to remove the risk of unnecessary or undue degradation to the NCA and defray the costs to taxpayers. There is no evidence presented in the draft EIS that indicates that there is a problem with large art installations being left on playa. BRC has always cleaned the playa better than the minimum standards as set by BLM. This requirement is NOT REASONABLE. QUESTION: What evidence does BLM have that indicates that this is a problem that requires an expensive mitigation?	See Public Concern Statement MITNCA-1.	See Public Concern Statement MITNCA-1.
1571	11	Mitigation-National Conservation Areas	209.1700.00	N/A	Mitigation NCA-1: The bond propose in this proposal is unnecessary, unjustified, arbitrary, and capricious. Since 1998, only one project has had serious trouble leaving the playa at the end of the event. That project left the Burning Man event closure area just days after the event ended (while projects were still allowed to be on site dismantling), and left shallow, temporary tracks in the playa surface within the Burning Man closure area. BLM subsequently charged the producers of that project directly for the costs BLM incurred as a result of the Special Recreation Permit they were issued. No taxpayers were harmed. BLM has failed to provide data significant enough to justify this proposed mitigation.	See Public Concern Statement MITNCA-1.	See Public Concern Statement MITNCA-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1302	1	Mitigation-National Conservation Areas	209.1700.00	N/A	Mitigation NCA-1 BRC must post a reclamation bond sufficient to remove large art installations and theme camps left behind after Exodus. This bond is intended to remove the risk of unnecessary or undue degradation to the NCA and defray the costs to taxpayers. In 21 years only one art project has had a problem leaving the playa on time. That project left the Burning Man event closure area just days after the event ended (while projects were still allowed to be on site dismantling), and left shallow, temporary tracks in the playa surface within the Burning Man closure area. BLM subsequently charged the producers of that project directly for the costs BLM incurred as a result of the Special Recreation Permit they were issued. No public funds were used or wasted in this event. BLM can not remove the risk of unnecessary or undue degradation to the NCA outside of the Burning Man event closure area by charging Black Rock City a bond, and they have conflated the actions of a separate party with BRC's responsibilities under our permit. BLM has failed to provide data significant enough to justify this proposed mitigation. Black Rock City has passed every Site Inspection on time, well within our environmental stipulations, even under duress of severe weather, dust storms, and playa flooding. I agree with BRC's assessment that this bond is unnecessary, unjustified, arbitrary, and capricious.	See Public Concern Statement MITNCA-1.	See Public Concern Statement MITNCA-1.
1874	3	Mitigation-National Conservation Areas	209.1700.00	N/A	In Appendix E. Mitigation and Monitoring section, under title National Conservation Areas Recommended Monitoring, line NCA - 1 the EIS states: "BRC must post a reclamation bond sufficient to remove large art installations and theme camps left behind after Exodus. This bond is intended to remove the risk of unnecessary or undue degradation to the NCA and defray the costs to taxpayers." Where is the research that shows examples of taxpayers being responsible for costs as a direct result of art being left behind after Exodus? Where is the data that shows measured degradation to the NCA due to art installations being left behind after Exodus?	See Public Concern Statement MITNCA-1.	See Public Concern Statement MITNCA-1.
1049	16	Mitigation-National Conservation Areas	209.1700.00	MITNCA-2	Mitigation NCA-2 The BLM will provide permittees with car passes for easy transit across the playa. Background: Burning Man Project already does this. We worked with BLM and other user groups to provide BLM permittees with car passes for easy transit across the playa through our closure order. We have gone above and beyond to accommodate rocketeer groups and ranchers, including erecting signs for them, to ensure their shared use of the area during our closure order.	Commenters questioned why a mitigation measure is needed to provide permittees with vehicle passes when the Event already provides and enforces vehicle passes.	The intent of NCA-2 is to ensure that other users, such as rocketry enthusiasts and livestock grazing permittees, have access to areas within and surrounding the Black Rock Playa.
1881	15	Mitigation-National Conservation Areas	209.1700.00	N/A	NCA -2 i don't quite understand, it almost seems to be granting playa access to cars for areas outside of the city and off of gate road. I don't know if this is necessary - though i don't quite understand the reasoning for it.	See Public Concern Statement MITNCA-2.	See Public Concern Statement MITNCA-2.
1079	11	Mitigation-National Conservation Areas	209.1700.00	N/A	NCA-2 - The Burning Man event already provides and enforces vehicle passes for the event. There is no problem for which requiring BLM vehicle passes provides a better solution. This would add complexity and cost, while not changing outcomes in any way.	See Public Concern Statement MITNCA-2.	See Public Concern Statement MITNCA-2.
706	5	Mitigation-National Conservation Areas	209.1700.00	N/A	Mitigation NCA-2 The BLM will provide permittees with car passes for easy transit across the playa. This is already done. Again, if more needs done or there are specific issues related to the proposal of this mitigation strategy, it seems that BLM should cite more specifics in this requirement.	See Public Concern Statement MITNCA-2.	See Public Concern Statement MITNCA-2.
2004	7	Mitigation-National Conservation Areas	209.1700.00	N/A	NCA-1 requires a reclamation bond sufficient to remove large art installations and theme camps left behind. This is not unlike reclamation bonds required of exploration and mining disturbances. Thank you for the opportunity to comment.	See Public Concern Statement MITNCA-2.	See Public Concern Statement MITNCA-2.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
518	12	Mitigation-National Conservation Areas	209.1700.00	N/A	Mitigation NCA-2 According to my research, this already happens. Do you have demonstrable evidence of a failure on BRC's part?	See Public Concern Statement MITNCA-2.	See Public Concern Statement MITNCA-2.
600	1	Mitigation-National Conservation Areas	209.1700.00	N/A	BLM finding and mitigation action for NCA-2 ignores existing data and evidence: Burning Man Project already permits cars with a very limited number of passes for transport on playa.	See Public Concern Statement MITNCA-2.	See Public Concern Statement MITNCA-2.
993	10	Mitigation-National Conservation Areas	209.1700.00	N/A	Please explain why this mitigation measure is necessary. The Burning Man organization already has a car permit system. Is this mitigation measure written correctly? Who are the permittees? Are car passes for easy transit across the playa necessary?	See Public Concern Statement MITNCA-2.	See Public Concern Statement MITNCA-2.
1881	16	Mitigation-Recreation	209.2000.00	MITREC-1	REC -1, film permits 194 days before the event? most people don't know if they're going to the event 6 and a half months before labor day, what issue does this seek to resolve?	Commenters stated that 194 days is too long prior to the Event for film permit requests to be submitted and asked why this is an issue.	Vendor and vendor permit applications are required 194 days prior to the Event to ensure the maximum number of individuals on the playa, including vendors, does not exceed the maximum limit. As BRC is required to submit the final operating plan to BLM 45 days prior to the first Closure Order, the 194 day limitation allows for the inclusion of all vendors into the operating plan.
1079	12	Mitigation-Recreation	209.2000.00	N/A	REC-1 - 194 days is an unreasonably long lead time to submit vendor and film permit requests, and this mitigation provides no mechanism for adding vendor and film requests after that deadline passes, which is unreasonable and unnecessary. There is no harm being addressed by this mitigation requirement.	See Public Concern Statement MITREC-1.	See Public Concern Statement MITREC-1.
1741	17	Mitigation-Transportation and Traffic	209.2100.00	MITTRAF-1	Please answer and/or explain: 1. Is BLM aware that Burning Man is already issuing car passes to allow transit across the playa during the closure order? 2. What is wrong with the current system, and why does it need a new mitigation?	Commenters questioned why a mitigation measure is needed to limit vehicle passes when vehicle passes are already being issued and what will happen if vehicles arrive at the Event without a pass?	In the absence of an applicant-committed mitigation measure, the BLM reinforced what is currently done by BRC.
1944	5	Mitigation-Transportation and Traffic	209.2100.00	N/A	Mitigation Measure TRAN-1; Volume 2, Appendix E "BRC will issue no more than 35,000 vehicle passes. This number includes all participants, BRC staff and volunteers, and BRC contractors. The intent of this measure is to minimize traffic impacts on the surrounding roads and communities." I am concerned about the practicality of enforcing this mitigation and would like there to be a contingency plan. If the 35,000 limit is reached, and vehicles without passes arrive to the event, what will happen? These additional vehicles will have already increased the impact on traffic and roads. I am concerned that if these vehicles are turned away, they may end up in Gerlach, and our town does not have the capacity for overflow of vehicles.	See Public Concern Statement MITTRAF-1.	See Public Concern Statement MITTRAF-1.
1850	18	Mitigation-Transportation and Traffic	209.2100.00	N/A	The number of vehicle permits (35,000) proposed for Alt. A is actually more than in 2018. This is not a mitigation means for an already unacceptable traffic congestion; it will apparently make it worse.	See Public Concern Statement MITTRAF-1.	See Public Concern Statement MITTRAF-1.
1881	18	Mitigation-Transportation and Traffic	209.2100.00	MITTRAF-2	TRAN -2, seems unnecessary, the cars allowed into the event all have a vehicle pass, and the amount of vehicles entering playa is probably close to the amount of vehicle passes sold.	Commenters questioned why an additional mitigation measure is needed to have a third-party provide a tracking service.	The BLM is requesting that the vehicles entering the Event associated with participants, workers, staff, and volunteers get reported directly to the BLM without being processed by BRC. Currently the BLM has no data on the number of vehicles falling into each of those categories.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1881	18	Mitigation-Transportation and Traffic	209.2100.00	N/A	TRAN -2, seems unnecessary, the cars allowed into the event all have a vehicle pass, and the amount of vehicles entering playa is probably close to the amount of vehicle passes sold.	See Public Concern Statement MITTRAF-2.	See Public Concern Statement MITTRAF-2.
1079	13	Mitigation-Transportation and Traffic	209.2100.00	N/A	TRAN-2 - Burning Man already tracks and reports number of vehicles entering the event. There is no additional value to requiring a third-party to provide this service. There is no problem for this proposed mitigation to address. It adds burdensome costs to the event with no improved outcomes.	See Public Concern Statement MITTRAF-2.	See Public Concern Statement MITTRAF-2.
1037	2	Mitigation-Transportation and Traffic	209.2100.00	N/A	The Traffic Management section B.2.6 of the DEIS states no more than 1,000 vehicles can be released per hour. This is the same level of release as the 2017 permit, which created considerable traffic congestion problems. Why wasn't the stipulation changed to 880 cars released per hour? Perhaps because it would take 15 hours to release 13,355 cars and 20 hours to release 17,680 vehicles? More people mean more traffic. Capping the vehicle permits at 35,000 doesn't change that reality. In 2017, 32,150 vehicle passes were issued and the traffic congestion was significant. Is it acceptable to have people waiting 8-20 hours in vehicles in line to get into and out of an event?	N/A	The BLM will install traffic counters at 12-Mile and Gate Road (Monitoring Measure TRAN-1; Appendix E). The results of this monitoring would inform the need for any adjustments to the SRP related to transportation and traffic. The 880 release is the recommendation of the traffic report; however, the Proposed Action requests 1,000 as the metered release per hour.
1778	1	Mitigation-Transportation and Traffic	209.2100.00	N/A	I believe for safety reasons, NV34 should be widened to a minimum of 3 lanes to the NV447 to North and South. That would allow improved emergency evacuation where outbound vehicles could be staged on NV447 North. I would suggest that the Burning Man organizers finance municipal bonds for the construction cost of widening the road. If the Burning Man event corporation ceases, the servicing of the bonds would pass to the county. Ongoing maintenance would be covered within the existing event payments. A possibility is that the NV34 segment between gate entrance and vendor entrance may have a different maintenance funding mechanism in the event vendor cost structure	N/A	Comment noted.
2014	5	Mitigation-Transportation and Traffic	209.2100.00	N/A	SR447 is currently the only viable route for participants to access the event. There is no alternative access road that can handle this level of traffic. Given this roadway is prone to washouts in the fall, there should be some sort of contingency plan to accommodate event traffic if SR 447 is compromised during or after the event.	N/A	BRC's evacuation plan, which is part of their Plan of Operations, takes into account potential road closures. Should SR 447 south of Gerlach become impassable, participants would have to go in and out via SR 447 north of Gerlach. This would entail a lengthy detour.
2014	1	Mitigation-Transportation and Traffic	209.2100.00	N/A	BRC has historically been an important economic event for the region which NDOT has supported; however, it is important that the event mitigate its impact to the roadway system. SR 447 is the only State Highway providing event ingress/egress. The facility has no shoulders or "safe pull over locations" along the route from SR 427 (Old US 40). NDOT and Washoe County are investigating the use of various grants to help provide enhanced safety features for SR 447.	N/A	Comment noted.
2014	6	Mitigation-Transportation and Traffic	209.2100.00	N/A	In the past, BRC had continual outreach with NDOT and its other stakeholders to review, inform and improve practices and procedures. There is a recommendation to revive these practices to improve communication, transparency, procedures, and processes.	N/A	Due to concerns of NDOT and other cooperators, the FEIS has been revised to include mitigation measure PHS-8.
1808	3	Mitigation-Transportation and Traffic	209.2100.00	N/A	Update the FEIS to address the vehicle per hour metered release discrepancies. Include mitigation measures that Nevada Department of Transportation (NDOT), tribal, and other traffic control authorities can put in place to minimize delays in traffic flow during Exodus. For example, consider temporary emergency pull-off areas along CR34 and SR447 to optimize tow truck accessibility and increased temporary speed restrictions. Since the Event plans to maximize the use of Burner Express Bus to transport 15,000 to 24,000 participants by the year 2028, identify if increased staging areas to facilitate efficient bussing will be incorporated into the route.	N/A	The FEIS was updated to further discuss bussing. The BLM will install traffic counters at 12-Mile and Gate Road (Monitoring Measure TRAN-1; Appendix E). The results of this monitoring would inform the need for any adjustments to the SRP related to transportation and traffic. The 880 release is the recommendation of the traffic report; however, the Proposed Action requests 1,000 as the metered release per hour.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2014	4	Mitigation-Transportation and Traffic	209.2100.00	N/A	In the past, NDOT has contracted enhanced freeway service patrols on I-80 and self-performed service patrols on SR447 before, during and after the event. Increasing event population will potentially require increased patrols on NDOT highways. Suggest consideration of requiring BRC to contract with a contractor to develop a program to provide motorist service patrols on SR447 before, during and after the event. NDOT will continue to provide enhanced freeway service patrols on I-80.	N/A	Comment noted. NDOT and other State agencies can consider moving to a cost-recovery model to receive appropriate funding for expenses related to this Event. In future conversations, NDOT should keep the BLM informed as to issues with the servicing of the Event.
1474	5	Monitoring-General	211.0000.00	N/A	Where is BLM going to procure the necessary people power to monitor all of these things, and are they really necessary when we have wildfires and other things to handle? How, specifically, are the monitoring recommendations supported by data contained within the draft EIS?	N/A	Monitoring ensures that mitigations are successful and effective. Adaptive management practices require monitoring. Justification for the monitoring is documented through Chapter 3 in the DEIS. Some of the monitoring recommended in the DEIS would be done by third-party contractors that answer to the BLM, such as air monitoring and night skies monitoring; other monitoring, such as environmental compliance and vending is currently done by BLM employees at the Event. The Event rarely requires employees from the Division of Fire and Aviation.
1584	1	Monitoring-General	211.0000.00	N/A	There are 48 monitoring proposals in table E-2 that will increase costs some of which do not appear to be gathering data aimed at reduction of environmental impact. Please provide a justification for each as it relates to reducing environmental impact and a long-term (3+ years) plan for the use of such data with clearly outlined key decision and statistical criteria for taking actions that positively impact the environment.	N/A	Monitoring ensures that mitigations are successful and effective. Adaptive management practices require monitoring. Justification for the monitoring is documented through Chapter 3 in the DEIS. Some of the monitoring recommended in the DEIS would be done by third-party contractors that answer to the BLM, such as air monitoring and night skies monitoring; other monitoring, such as environmental compliance and vending is currently done by BLM employees at the Event. The Event rarely requires employees from the Division of Fire and Aviation.
1829	5	Monitoring-Migratory Birds, Wildlife, SSS, and TES	211.0100.00	N/A	Measure SPEC-2 Where is the data supporting this measure? Where are year over year trends measuring avian behavior trends and impact? I personally have never seen a single bird during the event on the playa.	N/A	The DEIS and biological report indicate that the potential for impacts from ALAN from the Burning Man Event would be limited because of the "general rarity at which most species are found within the playa during dry periods" (DEIS p. 3-17). Further, all alternatives are subject to applicable laws, as described in Section 2.1 of the DEIS. These include, among many others, compliance with the Migratory Bird Treaty Act (MBTA). The CEQ regulations (40 CFR 1502.1) require that the BLM consider reasonable alternatives that would avoid or minimize adverse impacts on or enhance the quality of the human environment. To this end, the BLM has included Mitigation Measure SPEC-2 (now VIS-2) to reduce the likelihood for impacts on migratory birds and ensure compliance with the MBTA.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1481	4	Monitoring-Migratory Birds, Wildlife, SSS, and TES	211.0100.00	N/A	Washoe County Regional Parks and Open Space reviewed the Environmental Impact Study for impacts to wildlife, fowl, migratory birds and environmental impacts primarily noting impacts highlighted in the DEIS by not addressed in the mitigation measures and opportunities for improved monitoring by identifying success criteria in monitoring programs.	N/A	Mitigation and monitoring measures presented in Appendix E are proposed measures and are intended to serve as talking points between the BLM, BRC, and the cooperators. Once the FEIS is published and a decision is made, the BLM will be better able to determine the necessary measures and monitoring success criteria to include in the SRP.
989	1	Monitoring-Cultural	211.02000.00	N/A	There is no reference for how the California National Historic Trail would be monitored. What measures will be taken to ensure there is no permanent change to the setting and feeling of this resource	N/A	The Burning Man Event is a temporary event on the playa, and mitigations are proposed to return the playa to its original condition wherever possible. Monitoring is also proposed to ensure the effectiveness of the mitigations.
1481	6	Monitoring-Vegetation	211.0300.00	N/A	Washoe County parks raised concerns over monitoring effectiveness due to the absence of success criteria for education campaigns, water and noxious weed management.	N/A	Mitigation and monitoring measures presented in Appendix E are proposed measures and are intended to serve as talking points between the BLM, BRC, and the cooperators. Once the FEIS is published and a decision is made, the BLM will be better able to determine the necessary measures and monitoring success criteria to include in the SRP.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1049	19	Monitoring-Public Health and Safety	211.0700.00	MONPHS-1	<p>Monitoring: Public Health &amp; Safety Monitoring Measure PHS-1 The BLM will monitor illegal substance activity for the full duration of the Closure Order using contracted resources if necessary. The costs of BLM employee and contracted labor will be recouped via cost recovery from the proponent. Background: BLM is trying to use the National Environmental Policy Act to place surveillance on Burning Man staff and participants while they are working and recreating on public lands. BLM personnel do not go on rafting trips to "monitor" the behavior of operators and clients on BLM managed lands. This mitigation is seriously overreaching.</p> <p>Monitoring Measure PHS-2 The BLM will monitor the effectiveness of perimeter barriers (e.g., Jersey Barriers and K-rail fencing) from the time of installation until removed. Background: See above discussion outlining the preposterous foundation of this recommendation for barriers. For the last two years, BLM has said that they are going to reduce their staffing and that BLM should not be involved in the running of a private event. Now BLM appears to be ignoring our capabilities and track record and instead assuming responsibility for watching the BRC operation 24 hours a day for the duration of closure order, an unprecedented requirement in Burning Man's history or the history of BLM permitting operators on public lands. We have been assured time and again by the BLM Authorized Officer that BLM is not interested in escalating the agency's operations on site and that their rightful role is top level assurance that the playa is returned after use according to our inspection guidelines. This recommendation from BLM is inconsistent with any actual data from history or analysis in the Draft EIS. Now they want to waste time and our money monitoring the installation of an absurd 9-mile Jersey barrier?</p> <p>Monitoring Measure PHS-5 The BLM will monitor effectiveness of BRC's and the BLM's environmental and vending compliance programs. Background: We have worked for years internally and with BLM to ensure the effectiveness of our environmental and vending compliance programs. These programs are extremely successful and run by Black Rock City, as they should be. We have learned from the current BLM Authorized Officer that this language disguises BLM's real intent, which is to catch people mid-act instead of assessing overall performance afterwards. This mitigation makes no sense and could lead to a situation where BLM would cite someone for failure to provide secondary fuel containment if they just arrived on playa and, in the act of unpacking, places their fuel can on the ground while they unload the secondary container.</p>	Commenters questioned the need for monitoring measures for public health and safety issues.	Monitoring illegal substance use, as outlined in the mitigation measures, means analyzing the number of cases and working with cooperating agencies to develop strategies to combat illegal substances on public lands during the Event. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all Special Recreation Permit events. The BLM is required by NEPA to analyze the Event's effects on the human environment, which includes public health and safety. Monitoring mitigations and compliance programs is a standard function to provide for adaptive management and may be completed by any government personnel to find improvements and the efficiencies in systems. This is not a law enforcement-specific measure and may include evaluation of programs and statistics after each Event.
1919	7	Monitoring-Public Health and Safety	211.0700.00	N/A	Monitoring Measure PHS-1: The BLM is using NEPA to initiate surveillance on BM staff & participants solely based on a perception that there is an uncontrolled illegal substance problem at the event that needs to be solved by the BLM. First off, this has nothing to do with the NEPA - there are no environmental issues being addressed by this measure. Secondly, in my 19 years of experience with the BM event, I have never seen illegal substances being used, nor have I seen them being used in a manner that in any way negatively affects the environmental of the Black Rock Desert or it's environs.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
1741	23	Monitoring-Public Health and Safety	211.0700.00	N/A	Please answer and/or explain: 1. How monitoring staff, participants, and patrons fits within a EIS or under the NEPA. 2. Why Burning Man should bear the costs of a federal law enforcement operation to monitor what individuals do. 3. What precedents exist for the inclusion of this measure. 4. How "monitoring" won't be a slippery slope to violations of the 4th amendment.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1796	4	Monitoring-Public Health and Safety	211.0700.00	N/A	Measure PHS-1: The BLM will monitor illegal substance activity for the full duration of the Closure Order using contracted resources if necessary. The costs of BLM employee and contracted labor will be recouped via cost recovery from the proponent. Again, this kind of surveillance seems clearly unconstitutional and outside the scope of the BLM's legal authority. I am unclear how this measure is related to environmental impact.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
1067	13	Monitoring-Public Health and Safety	211.0700.00	N/A	Monitoring Measure PHS-2: If the nutty Jersey Barriers were to be mandated, what, other than the obvious environmental impact of the barriers themselves (and their deployment impact) needs to be monitored? Either they work, or they don't.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
1043	3	Monitoring-Public Health and Safety	211.0700.00	N/A	Regarding Mitigation PHS-3 if BRC, what data exists about the number of people who have illegally entered Black Rock City? How would the cost of implementing Jersey barriers and K-rail fence compare the current protections in place that reduce the risk of unauthorized entry to the event? There is a lack of data to support the need for this mitigation. In addition, the placement of concrete barriers would be detrimental to the Burning Man event because the additional trucks and fuel needed to place the concrete barriers would have an unhealthy impact on the traffic, emissions, and air quality. The current trash fence is put up by hand, by volunteers, which requires no burning of fossil fuels.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
1375	4	Monitoring-Public Health and Safety	211.0700.00	N/A	1) Because the monitoring measures PHS-1, AQ-2, VIS-1 and TRANS-1, involves a cost recovery, the impact on the proponent's budget is unclear, and the costs and benefits, as required in the EIS, cannot be assessed, and 2) because these monitoring measures affect budgets within the SWCAP (see above, a "plan"), and because they use central services, Internal Service Fund services, or both (see the attached interviews B-INT-1 and B-INT-2) the EIS cannot be assessed, and those monitoring measure should be removed.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
1642	2	Monitoring-Public Health and Safety	211.0700.00	N/A	At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event. This is entirely unconstitutional. It violates, in particular, the 4th Amendment: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. Burning Man is a private event, not a public or state-sponsored event. Demanding that Burning Man hire private security to conduct searches, under supervision of the state, is a clear attempt to circumvent the 4th Amendment and is totally unacceptable.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
339	2	Monitoring-Public Health and Safety	211.0700.00	N/A	BRC has proven capable of implementing its own structural monitoring, barrier monitoring, and illegal substance monitoring systems. Incidents of serious injury or fatalities are very rare given the number of people at BRC. Moreover, requiring BLM involvement, rather than relying on volunteers as has been done historically, will greatly increase the cost of tickets and decrease accessibility. Thus, I do not believe additional BLM monitoring is warranted.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
444	5	Monitoring-Public Health and Safety	211.0700.00	N/A	Monitoring Measure PHS-1 The National Environmental Policy Act cannot be lawfully stretched to cover surveillance of this sort. It is grossly improper for BLM to request it.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
725	5	Monitoring-Public Health and Safety	211.0700.00	N/A	PHS-1 – BLM has not demonstrated a public health problem which justifies a need for BLM to monitor illegal substance activity.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
993	11	Monitoring-Public Health and Safety	211.0700.00	N/A	Where is the nexus between an environmental impact statement and illegal substance activity? How does the monitoring of illegal substance activity align with the mission of the BLM?	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
993	12	Monitoring-Public Health and Safety	211.0700.00	N/A	Why are Jersey Barriers and K-rail fencing necessary? How does the monitoring of the permitter of a private event align with the mission of BLM?	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
1642	3	Monitoring-Public Health and Safety	211.0700.00	N/A	At best, the intent of Mitigation PHS-2 is redundant. In practice, it erases the victim's right to privacy AND delays the testing of their post-assault kit AND provides inferior support and services compared to what Burning Man already has in place.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
764	2	Monitoring-Public Health and Safety	211.0700.00	N/A	I reiterate that the use of J Barriers and K rail fence has the potential to have disastrous impact on the Black Rock Desert surface. The current trash fence effectively captures rare windblown detritus, provides a boundary that is perfectly well monitored and managed internally, as well as providing a visually appropriate boundary for the art works and attendees. The impact just of delivering 9 miles of the proposed concrete barriers into place, would vastly exceed the environmental impact of all art pieces and events put together. The existing fence does its job. No further boundary is required.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
404	1	Monitoring-Public Health and Safety	211.0700.00	N/A	I have never encountered a single issue with illegal substances / drugs. The proposed monitoring will increase costs and already absurd wait times.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
404	2	Monitoring-Public Health and Safety	211.0700.00	N/A	The costs of millions of pounds of concrete and plastic barriers around the city is extremely unnecessary and will raise the price of tickets to a point that is unaffordable for the people who need to experience this life changing event. And even then, these things are so easy to climb over.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
652	2	Monitoring-Public Health and Safety	211.0700.00	N/A	The BLM proposing to monitor illegal substance activity through this measure is blatantly unconstitutional, as this mitigation would seemingly give BLM the right to "search and seizure" at any moment without probable cause, which would be in deep violation of the 4th Amendment.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
718	2	Monitoring-Public Health and Safety	211.0700.00	N/A	Furthermore, the proposed monitoring of "illegal substance activity" is incredibly vague, to the point of being completely ineffective. What will define "illegal substance activity" for the purposes of this monitoring? Does the BLM propose to monitor all activity of all playa residents, screening for any "illegal substance" flags? How will the proposed monitoring happen? How will it be documented, if at all? And, what legal precedent can the BLM cite regarding surveillance of private citizens in a privately-run event on public lands?	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.
1375	3	Monitoring-Public Health and Safety	211.0700.00	N/A	1) Because transitions between screening, reporting and monitoring are unclear, the accounting cannot be attributed to specific events, and 2) because it is possible the treatment, whether at the federal, state or local level—will be audited, and 3) because the mitigation measure PHS-1 may report to law enforcement and, per the EIS, that may include Highway Patrol (Budget Account 4713), and 4) because the monitoring measure PHS-1 involves a cost recovery, the impact on the proponent's budget is unclear, and the costs and benefits, as required in the EIS, cannot be assessed. Thus, the EIS is unclear and those mitigation and monitoring measures should be removed.	See Public Concern Statement MONPHS-1.	See Public Concern Statement MONPHS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1049	20	Monitoring-Wastes, Hazardous or Solid	211.0800.00	MONWHS-1	Black Rock City already monitors litter in and around the event site, and on SR 447 for the entire duration of the closure order. In fact, we're out there on foot and in vehicles picking up litter along the roads for two weeks after Labor Day, including picking up other people's trash - year-round users including residents, land owners, truck drivers, businesses, law enforcement, tourists, tribes, ranchers, and nature lovers. This is our duty and our gift to nearby communities and the users of these public roads. We already have inspection standards for the event site and have passed them every year. Let our teams continue doing their excellent work. Dumpsters will not improve anything. Monitoring Measure WHS-4 The BLM will audit the effectiveness of roadside cleanup by BRC along SRs 445, 446, and 447 and CR 34 post-Event. Background: See WHS-1 above.	Commenters believe that the addition of trash receptacles is unneeded and redundant due to the presence and success of the Burning Man Project's current trash cleanup. Commenters believe that the addition of trash receptacles along Hwy. 447 and Gate Road would be costly and may overflow and increase the overall impacts of solid and hazardous waste. Commenters stated that volunteers and organizers spend weeks picking up both Event and non-Event trash and that Burning Man is a "leave no trace" event, thus the addition of trash receptacles is not required.	Comments from cooperators and the public identify trash as an issue that needed to be analyzed in the EIS, even considering the Burning Man principles and the current cleanup programs that will continue to be implemented. The BLM will be using an adaptive management approach, which will start with mitigation approaches developed by BRC in consultation with BLM; then it will monitor then adjust approaches accordingly. The BLM, in consultation with BRC, would develop a list of potential mitigation measures that could be applied if adaptive management measures are not effective. The BLM has committed to work with PLPT to understand the effectiveness or lack thereof of the BRC trash effort. An audit needs to occur to ensure BRC is doing what it says.
1043	1	Monitoring-Wastes, Hazardous or Solid	211.0800.00	N/A	Because the Burning Man event is currently a Leave No Trace event, the BLM recommendation for adding dumpsters along highway 447 and on Gate Road is not supported by enough evidence to be necessary for improvement. Is the conclusion made by BLM for the proposed addition of dumpsters based on evidence? Monitoring Measure WHS-1 will be very costly, cumbersome, and will not improve litter. This measure does not take into consideration that Burning Man volunteers and staff are picking up trash for weeks after the event, including trash that is from year-round usage and non-event sources.	See Public Concern Statement MONWHS-1.	See Public Concern Statement MONWHS-1.
1636	17	Monitoring-Wastes, Hazardous or Solid	211.0800.00	N/A	Monitoring Measure WHS-4 (auditing effectiveness of roadside cleanup): Again, BRC teams are tirelessly working for weeks after the event closure to remove ALL trash along the road. This is redundant, unnecessary and a huge waste of time and money as well.	See Public Concern Statement MONWHS-1.	See Public Concern Statement MONWHS-1.
1197	7	Monitoring-Wastes, Hazardous or Solid	211.0800.00	N/A	The Draft EIS doesn't make clear what is meant by "Solid Waste," is that trash/refuse or is that human excrement? If it is the former, then none is disposed - it is all removed from the playa by participants and volunteers. If it is the latter, I apologize for the confusion.	See Public Concern Statement MONWHS-1.	See Public Concern Statement MONWHS-1.
1636	16	Monitoring-Wastes, Hazardous or Solid	211.0800.00	N/A	Monitoring Measure WHS-1 (reviewing effectiveness of dumpsters): Not only have we already gone over the enormous carbon footprint these dumpsters would cause, but again, more wasted time and money which will be passed down to the ticket costs. BRC also already monitors litter around the event and are on foot cleaning up litter around these roads for weeks after the event closure, and already has inspection standards for the Playa.	See Public Concern Statement MONWHS-1.	See Public Concern Statement MONWHS-1.
764	1	Monitoring-Wastes, Hazardous or Solid	211.0800.00	N/A	If the current BMP-organised clean up of the surrounding areas and highways post event, is deemed insufficient to eliminate waste caused by incompetent load coverage on departure: After evidence has been gathered, perhaps the BLM - via the EIM - can suggest an exit strategy. Such as monitoring exiting vehicles, providing extra tie downs and tarps for loose loads.	See Public Concern Statement MONWHS-1.	See Public Concern Statement MONWHS-1.
993	13	Monitoring-Wastes, Hazardous or Solid	211.0800.00	N/A	How can BLM enforce roadside cleanup on public roads? Why should BLM require BRC to clean public roads? BRC already cleans up the roads. How can BRC be responsible for what happens on public roads?	See Public Concern Statement MONWHS-1.	See Public Concern Statement MONWHS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1888	2	Monitoring-Air Quality	211.0900.00	MONAQ-1	The presence of the dust is wholly advertised among event participants as a defining feature of the experience of attending Burning Man and mitigation procedures are put in effect by most, if not all to that effect. The requirement to monitor dust aerosols during the Closure Order seems wholly duplicative of common sense, well recorded past experience and entirely useless.	Commenters stated that the presence of dust aerosols are well known and understood by Event participants. Commenters believe that monitoring dust aerosols is not needed because the Burning Man staff educate participants wholly regarding dust and the potential hazards and impacts of being on the playa. Additionally, commenters asked that monitoring take place outside of the Closure Order, so that a comparison can be made.	Because this is a new Special Recreation Permit, it is necessary to codify mitigation and monitoring requirements in this permit, even if such measures have been ongoing at past Events. As such, Monitoring Measure AQ-1 has been retained in the FEIS. Dust monitoring will allow the BLM and BRC to determine when shelter-in-place conditions are occurring and will provide ongoing data that can be used by the BLM and BRC to adjust air quality mitigation measures as needed during future Burning Man Events.
1796	2	Monitoring-Air Quality	211.0900.00	N/A	We know it's dusty out on the playa, and it will likely continue to be dusty far into the foreseeable future. Requiring the BLM to monitor the specific amount of dust seems like an extra regulatory burden (and unnecessary expense) that will not result in any further protection of birds and wildlife.	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
1888	1	Monitoring-Air Quality	211.0900.00	N/A	Measure AQ-1 is redundant as there is already well established and amply signaled limits inside the Closure Area regarding the maximum speed allowed by vehicles.	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
1071	4	Monitoring-Air Quality	211.0900.00	N/A	AQ-2: Dust monitoring is ridiculous. The very nature of the BRD is that it is dusty. It gets dustier with the activity of the event. The dustiness decreases when the event is over. No additional monitoring is necessary to understand this fact and would be thoroughly wasteful.	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
1743	4	Monitoring-Air Quality	211.0900.00	N/A	Regarding Measure AQ-2, What is the benefit of monitoring dust aerosols during the event? Unlike most visitors to the Black Rock Desert the rest of the year, BM focuses on dust mitigation, both for environmental impacts and human health - visitors the rest of the year race across the desert in their vehicles, kicking up exorbitant dust. BM limits the speed of (the few) vehicles driving on the playa; provides watering services to try to tamp down the dust, and having been out in the Black Rock Desert for decades, BLM and BM have both seen that aerosol levels in the air in the desert can peak and valley, often related to weather more than participants; it's unclear to me what the necessity of monitoring the levels are. Is it for BLM staff safety? Let's put a fee on the ticket price to provide a safe respirator to all BLM staff; I am sure participants would be willing to do so to keep our federal employees feeling safe.	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
1921	1	Monitoring-Air Quality	211.0900.00	N/A	My question is, if you consider monitoring the dispersion of dust in the air during the event, this means that they will also do it throughout the rest of the year, of course, in an area that is dusty in itself because of the sediment that covers everything the surface, the monitoring of this dust in the air, how can this protect the birds of the area that live exposed to a dusty environment all year round? If the highest peaks of dust in the area are developed during episodes of storms, which in turn do not occur on the dates of the event, who monitors those stages of the year in Black Rock?	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
1517	2	Monitoring-Air Quality	211.0900.00	N/A	Measure AQ-2 I am against this measure. Having been on the playa for 30 years, and being fairly sure that the dust is not going to decrease (as an average) during any given event, why would BLM suddenly need BRC to pay for a vendor to say it is dusty? It would be fair for BRC to buy/support providing N95 masks for federal employees to protect their lungs.	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1846	5	Monitoring-Air Quality	211.0900.00	N/A	Measure AQ-2: The desert is dusty and windy - the proposed measure does not benefit anyone. The wildlife part is already commented on for measure SPEC-3, and the human attendees are all well aware of and prepared for the dust. It is part of our environmental education to prepare everyone for the exposure, and there is no benefit in another measurement confirming that that is the natural environment we chose to spend our time in.	See Public Concern Statement MONAQ-I.	See Public Concern Statement MONAQ-I.
1796	7	Monitoring-Air Quality	211.0900.00	N/A	Measure AQ-1: BLM law enforcement and BRC will monitor speed limits within the Closure Area during the Closure Order. Similarly, the Burning Man organization and participant volunteers already monitor speed limits, and turning this around to be the BLM's responsibility seems to add extra work and be unjustified and excessive.	See Public Concern Statement MONAQ-I.	See Public Concern Statement MONAQ-I.
666	1	Monitoring-Air Quality	211.0900.00	N/A	BM is confident that the dust in this ancient lakebed is not going away and that wind is not predictable. Why would BLM suddenly need BRC to pay for a vendor to say it is dusty?	See Public Concern Statement MONAQ-I.	See Public Concern Statement MONAQ-I.
1043	5	Monitoring-Air Quality	211.0900.00	N/A	In regard to monitoring dust aerosols above Black Rock City, can you address how this monitoring will do anything to protect migratory birds or wildlife? What will the cost be for the monitoring and will this offset the cost of the unspecified damage caused by the dust in the air of Black Rock City?	See Public Concern Statement MONAQ-I.	See Public Concern Statement MONAQ-I.
1049	21	Monitoring-Air Quality	211.0900.00	N/A	Monitoring Measure AQ-2 The BLM or BLM-approved contractor will monitor dust aerosols during the Closure Order. The costs of BLM employee and contractor labor will be recouped via cost recovery from the proponent. Background: We want to make one thing perfectly clear: the proponent (in this case the Burning Man organization) pays for EVERYTHING. Every penny BLM spends related to Burning Man comes from us and you. The cover page of this Draft EIS saying BLM paid \$280,000? Wrong. We paid that. Last year we even reimbursed a BLM law enforcement officer for his Smart Cart at the airport. Plus 23% extra for administrative processing of his expense. Having been on the playa for 30 years, we are confident that the dust in this ancient lakebed is not going away and that wind is not predictable. Why would BLM suddenly need BRC to pay for a vendor to say it is dusty? Good question.	See Public Concern Statement MONAQ-I.	See Public Concern Statement MONAQ-I.
1817	1	Monitoring-Air Quality	211.0900.00	N/A	Monitoring dust aerosols during Burning Man is unnecessary as it's by nature a dusty desert environment. The wind will impact dust aerosols levels in the same way regardless of human activity on the surface. In addition, birds know how to avoid dusty storms, they simply fly around or above them.	See Public Concern Statement MONAQ-I.	See Public Concern Statement MONAQ-I.
1730	2	Monitoring-Air Quality	211.0900.00	N/A	AQ-2 More details needs to be given as to the monitoring to be required. What equipment is to be used, where and for what purpose (e.g. to recommend in-place sheltering)?	See Public Concern Statement MONAQ-I.	See Public Concern Statement MONAQ-I.
1938	4	Monitoring-Air Quality	211.0900.00	N/A	Mitigation SPEC-3 and AQ-2: The BLM or BLM-approved contractor will monitor dust aerosols during the Closure Order. The costs of BLM employee and contractor labor will be recouped via cost recovery from the proponent. I do not see a purpose behind monitoring dust aerosols at the event. Have there been reports of adverse effects from dust inhalation at the event? If so, how many participants require medical attention due to dust inhalation? Burning Man already distributes information about dust and potential health effects. Participants should be expected to be responsible for their own health after being armed with the proper information. I do not see any other measure that Burning Man could take beyond providing educational resources, which they already do.	See Public Concern Statement MONAQ-I.	See Public Concern Statement MONAQ-I.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1587	1	Monitoring-Air Quality	211.0900.00	N/A	AQ-2 monitoring: It makes no sense to monitor air quality during the event if there is not comparable air quality data for the comparable non-event time frames. However, even if it is shown that the event causes more dust than would be present if the event were not held, any potential impact of the excess dust is only an impact to the people that are there because of the event. Given the information described above, that it is very dusty at BRC, and the appropriate mitigation to that dust is to wear respiratory protection, which is already known, there is no justification for BRC to be required to pay for BLM to monitor the dust.	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
1901	1	Monitoring-Air Quality	211.0900.00	N/A	Do we need to fund a (presumably not cheap) study that parks precise measuring machines in the middle of this barren land only to conclude that, when the machines were working, they measured dust? Do we really need to fund a (presumably not cheap) study that chemically analyzes the dust?	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
2000	2	Monitoring-Air Quality	211.0900.00	N/A	Page E-6 AQ-2; More details needs to be given as to the monitoring to be required. What equipment is to be used, where and for what purpose (e.g. to recommend in-place sheltering)?	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
1741	25	Monitoring-Air Quality	211.0900.00	N/A	Please answer and/or explain: 1. Do the authors of the Draft EIS know that Burning Man takes place on an alkaline desert made of compressed dust? 2. Will BLM officials agree to drive slowly on desert to reduce the creation of dust? 3. What is the utility of confirming that the desert is dusty?	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
1636	18	Monitoring-Air Quality	211.0900.00	N/A	Monitoring Measure AQ-2 (Monitoring dust aerosols): Again, dust and wind is a NATURAL part of the Playa. This is a total waste of money that will again, be passed down to ticket holders.	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
518	13	Monitoring-Air Quality	211.0900.00	N/A	Monitoring Measure AQ-2 I am unclear as to why the Burning Man Organization is going to be required to pay for the BLM to hire a private contractor in order to ascertain that a dusty lakebed is, in fact, dusty?	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
652	1	Monitoring-Air Quality	211.0900.00	N/A	Monitoring dust aerosols during the Closure Order is an excessive measure not adequately backed up by evidence as to the need and effectiveness of dust monitoring, especially given the naturally dusty environment of the black rock desert. Moreover, the impact of wind and weather on the average dust content in the air overall is outside of the control or scope of the event. Monitoring the dust quality provides no environmental or health benefits, as the dust is a natural part of this environment, including high-wind dust storms. Every attendee and Federal employee that attends is well aware of the dust and the measures one should take to protect themselves. This measure should be eliminated, as there is no clear purpose.	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
985	1	Monitoring-Air Quality	211.0900.00	N/A	The multiple plans for monitoring air quality (Measure SPEC-3, Measure PHS-5, Measure AQ-1, Measure AQ-2, Measure VIS-1) are all burdensome regulations that would not improve the environment one bit. They each seem designed to measure things we already know the answer for -- during the event, Burning Man is well-lit at night, including LED lights, lasers, and fire effects. Day and night, there's a lot of dust, because the event takes place on a high desert alkali flat. There's no issue with either of these facts and none of these measures will help in any way.	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
1006	5	Monitoring-Air Quality	211.0900.00	N/A	Burning Man is dusty. No one is arguing that. But why would you need to study the amount of dust- what does this accomplish?	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.
1197	6	Monitoring-Air Quality	211.0900.00	N/A	What exactly regarding "dust aerosols" need monitoring? This place has been dusty and windy since long before humans ever arrived. It's unclear what goals will be serviced by observing what is obvious to everyone who has spent more than a few minutes in the Black Rock Desert - it is indeed dusty.	See Public Concern Statement MONAQ-1.	See Public Concern Statement MONAQ-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1850	10	Monitoring-Soils	211.1100.00	N/A	Only two monitoring programs are proposed (SOIL-1 and SOIL-2) for soils. Neither addresses the need to characterize the soil degradation within the perimeter of the events where soil disturbance is extreme and widespread. We recommend that an additional soil monitoring project be done to establish the "health" of the soils within the perimeter compared to sites on the playa outside the perimeter. How is the soil composition changed, at surface and at depth? What fraction of the soil still contains viable life forms after the event? Specifically, what is the concentration of branchiopods in the event area relative to the remainder of the playa? Is the soil more subject to being wind-blown? Do many measures recover through the wet season of winter-spring? A thorough baseline on the changes in the soil profile due to the Burning Man event is needed. This would inform any future decision to move the event, as considered in Alt. C. Would movement of the event simply create another dead zone?	N/A	The BLM is monitoring the contours of the playa using LiDAR and other remote sensing techniques (Monitoring measure SOIL-2). As these studies are completed, they will be available to the public. As noted in Section 2.8 of the Biological Baseline Report, the branchiopods found within the Closure Area are "common and widely distributed throughout the Great Basin playas"; Section 3.3.6 of the DEIS discloses the impacts on branchiopods. Given the abundance of these species, the BLM's proposed mitigation measures would be sufficient to reduce the impacts on branchiopods. Monitoring measure SOIL-3 has been added to the FEIS to monitor branchiopods. Monitoring measure WHS-4 is intended to capture contamination of the playa from petrochemicals.
1794	10	Monitoring-Visual	211.1200.00	MONVIS-1	Monitoring Measure VIS-1 The BLM will implement monitoring measure of the Burning Man Event Night Skies Study (Craine and Craine 2017). The costs of BLM employee and contractor labor will be recouped via cost recovery from the proponent. LEA Assessment: From our understanding, this monitoring measure is based off of data that does not accurately portray the effects on the night sky. From our understanding, this proposal is based on a single data point totalling less than 1 second in a five-year period, not giving clear and concise data about the effects. Our understanding is that BRC has also already confirmed the inadequacy of this analysis with a third -party expert on the subject matter. It seems that the lack of sustained, provable, repeated and even real impact should be enough to have this request withdrawn. Monitoring Measure VIS-4 The BLM will monitor to ensure high-energy lasers and large lights (e.g., spotlights) are not used during the Event. LEA Assessment: Please also review our LEA Assessment on Public Health & Safety monitoring measure VIS-1. The LEA agrees that the BLM has failed to define any of the specifications or requirement on high energy lasers and large lights, and there is no statistically significant impact to warrant this new requirement.	Commenters asked that the BLM clarify the specifications and requirements for high-energy lasers and large lights. Commenters also ask that the BLM emphasize a more thorough investigation of night skies, specifically over several years.	The Burning Man Event takes place in a Class II VRM viewshed. Alterations to the landscape should be such that a casual observer would not notice them; this is not the case for Black Rock City at night. Both quantitative and qualitative monitoring needs to continue to guide adaptive management practices. The goal of the monitoring is to ensure that the amount of light emitted by the Event does not exceed 2017 levels, and where possible, mitigations are implemented that help reduce the amount of light pollution in the NCA from the Event.
825	1	Monitoring-Visual	211.1200.00	N/A	Monitoring Measure VIS-1 The BLM will implement monitoring measure of the Burning Man Event Night Skies Study (Craine and Craine 2017). The costs of BLM employee and contractor labor will be recouped via cost recovery from the proponent. Background: This entire response is based on a single data point totalling less than 1 second in a five year period. BRC has already confirmed the inadequacy of this analysis with a third party subject matter expert. The lack of real, provable, sustained, repeated impact causes this BLM requirement to collapse. Here too is another example of BLM's proposed massively increased presence and excessive operational oversight.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
1994	4	Monitoring-Visual	211.1200.00	N/A	Under Appendix E, page E-6, the BLM states "The BLM will monitor to ensure high-energy lasers and large lights (e.g., spotlights) are not used during the Event." What type of lasers and large lights are not defined and their potential risks and not discussed. It's common knowledge there are a lot of lasers and large lights at Burning Man, and this would give the BLM the discretion to shut any down at any time for any reason. It's unclear why this would be necessary.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
522	1	Monitoring-Visual	211.1200.00	N/A	"HIGH ENERGY" – what does this mean? Does it refer to 100 megawatt lasers? 10 watt? 2 watt? If a point is being made, it should be quantified. Where is the justification for picking on green lasers? "higher energy"? This reads like a commercial. Statements like this should be quantified. It is well known that green laser light is more readily absorbed by eyes, making it potentially more harmful at equal power levels, but there is absolutely zero justification for the concept that green lasers are inherently significantly more powerful (or HIGH ENERGY) than red ones.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
1796	8	Monitoring-Visual	211.1200.00	N/A	Measure VIS-4: The BLM will monitor to ensure high-energy lasers and large lights (e.g., spotlights) are not used during the Event. I have similar reservations about this measure as to the one above. And it also seems to be very vague in definition and scope-what constitutes too much light?	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
1071	10	Monitoring-Visual	211.1200.00	N/A	VIS-1: Like AQ-2, this proposal is ridiculous because it suggests significant cost to establish a known fact. Yes there are lights on at night. The study used in this proposal captures a mere moment of light sample and attempts to extrapolate to a flawed scale.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
666	5	Monitoring-Visual	211.1200.00	N/A	The BLM will implement monitoring measure of the BM Night Skies Study.*** thoughts: This entire response is based on a single data point totaling less than 1 second in a five-year period.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
1874	2	Monitoring-Visual	211.1200.00	N/A	In Appendix E. Mitigation and Monitoring section, under title Visual Resources Recommended Monitoring, line VIS - 4 the EIS states: "The BLM will monitor to ensure high-energy lasers and large lights (e.g., spotlights) are not used during the Event." As the Burning Man website clearly states, lasers are only permitted on art pieces, mutant vehicles and in theme camps that comply with the specific restrictions and guidelines outlined for laser use. It is clearly stated that unsafe laser installations will not be permitted to operate. It includes the suggestion of using a professional laser operator if crew members are not proficient in laser operation. Information on safety, federal laws, and audience awareness are provided. There are staff members on the BRC Rangers teams equip to investigate any potentially unsafe laser use. Burning Man thrives on a cooperative and empowered community to be responsible and informed participants. They are encouraged to be educated and report any potential dangers they may witness. Installing an external team to monitor systems that are already successfully managed opens up the environment to the risk of bystanders effect, drastically altering the effectiveness of community oriented monitoring.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
1741	26	Monitoring-Visual	211.1200.00	N/A	Regarding Monitoring Measure VIS-4, Monitoring lasers and large lights There is no statistically significant impact to warrant this monitoring measure, and it would allow BLM to subjectively tell people that their lights are too bright. This would degrade the enjoyment of Burning Man and the use of public lands. Please answer and/or explain: 1. How this measure would not harm the Burning Man experience. 2. Give subjective power to BLM authorities.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
666	2	Monitoring-Visual	211.1200.00	N/A	This requirement is based on highly-questionable scientific analysis, and it leaves the BLM open to stop almost any light source they want. There is no definition in any of the specifications at all, and there is no statistically significant impact to warrant this new requirement.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
825	2	Monitoring-Visual	211.1200.00	N/A	Monitoring Measure VIS-4 The BLM will monitor to ensure high-energy lasers and large lights (e.g., spotlights) are not used during the Event. Background: See VIS-1 above. This requirement is based on highly-questionable scientific analysis, and it leaves the BLM open to stop almost any light source they want. There is no definition in any of the specifications at all, and there is no statistically significant impact to warrant this new requirement.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
1888	3	Monitoring-Visual	211.1200.00	N/A	The Measure VIS-4 proposal is possibly worth considering where it not for the fact that it includes no technical specifications for what would qualify as "high-energy lasers and large lights". As it is, the proposal is vague and questionable. It puts additional, unneeded, and arbitrary responsibilities on the shoulders of BLM agents, (and consequently BMO staff) to decide what qualifies as "high-energy lasers and large lights" and stop it.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
1071	5	Monitoring-Visual	211.1200.00	N/A	VIS-4: This is too vaguely written to be realistic. Without further definition, BLM could bring enforcement to a small, family camp with a standard camp lantern. While I have greater faith in the discretion of the attending officers, the directives they receive should be as thoughtful. As with the conflict identified above for AQ-1, the brightest, largest, and longest running lights are actually those BLM facilities at BRC.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
713	2	Monitoring-Visual	211.1200.00	N/A	Monitoring Measure VIS-4 (again - no data, no research, not one example or reference?)	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
1740	2	Monitoring-Visual	211.1200.00	N/A	I also have grave concerns that there is no definition or specification on the light sources mentioned in this proposed mitigation. The term "high energy lasers" refers to a military weapons system, while the commercial lasers typically used at Burning Man are categorized by an internationally recognized classification system. Most lasers are required by law to have a label listing the class, and the term "high energy" is not included in the standard classification system. This mitigation is highly unclear in its definition.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
1636	19	Monitoring-Visual	211.1200.00	N/A	Monitoring VIS-4 (monitoring high energy lasers and spotlights): Based on no provable analysis and provides the potential for abuse and overreaching for the BLM to shut down any light source they want as there are no specifics defining these types of lights.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
1197	8	Monitoring-Visual	211.1200.00	N/A	The parameters of this requirement are not rigorously specified, making it unenforceable and interpretable. Any requirement or mandate that involves disputable quantities must specify those quantities (I.E. provide a number and a unit) so that there is no ambiguity. In the case of "high-energy lasers and large lights" a relevant measure may be lumens (a unit of luminous flux). Input measures like wattage that the light consumes are not relevant, since different lighting technologies may produce different brightnesses from the same wattage.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
652	5	Monitoring-Visual	211.1200.00	N/A	Measure VIS-4 If the BLM is proposing to monitor large lasers and lights during the event, they need to clearly define the size and light quality specifications of lasers and lights that they propose to prohibit to allow attendees to adequately downscale ahead of time.	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.
993	14	Monitoring-Visual	211.1200.00	N/A	Should this read "monitoring measures"? Please be more specific about the monitoring measures. The Burning Man event is a brief event; how does lighting at the event effect the ecosystem?	See Public Concern Statement MONVIS-1.	See Public Concern Statement MONVIS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1743	3	Monitoring-Recreation	211.2000.00	MONREC-1	Regarding Measure Rec-1, the BLM already has access to a live, up-to-the-minute database showing the count of persons on site in the closure area at any given time. There is no need to duplicate efforts (see above), at great cost, when there is already an efficient and effective system in place that is accessible to the BLM. Regarding Measure Rec-3: this is the most far-out proposal in the entire draft environmental impact statement: "BLM will... determine if desired experiences are being achieved"? Given that this is a participation-focused arts festival, how would the federal government define "desired experiences"? My experience of art is different than everyone else's; no one is able to "validate" whether it is the "desired" experience: not the artist, not the government, not the BM Project organization.	Commenters questioned why further monitoring is needed, considering Burning Man already has a population monitoring system in place.	The BLM would like a population report that is not filtered through the BRC. Other recreation users are in the NCA during the Burning Man Event, and the BLM needs to understand the impacts of the Event on these other recreationists. The BLM already evaluates the effectiveness of its RMP every 5 years; recreation is only a small part of the reevaluation, and this monitoring would be done in addition to the RMP evaluation process.
1694	3	Monitoring-Recreation	211.2000.00	N/A	REC-1 A third party population monitoring system is redundant - BRC already does that. This would needlessly raise the cost of the event.	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.
1685	1	Monitoring-Recreation	211.2000.00	N/A	Regarding REC-1, Burning Man has already developed and implemented a population monitoring system to meet the needs in accordance with existing population stipulations. A secondary system to provide population reporting would be a duplicative effort. Having a third-party population monitoring platform developed could expose participants' personal ticket purchase details to a vendor who is not contracted to BRC, which would prevent us from ensuring the security of their personal data and could be in violation of the European General Data Privacy Regulation (GDPR). The Draft EIS fails to show why this mitigation is needed and appears to conflate the system of population counting with the fact that in 2018 the number of paid participants on site exceeded the BLM imposed cap after BRC consulted with the BLM Authorized Officer and received permission to exceed the cap.	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.
1659	4	Monitoring-Recreation	211.2000.00	N/A	Measure REC-1 "The BLM will work with BRC to develop an independent third-party population monitoring system for the Event. The purpose would be to ensure that the total number of attendees visiting the playa during the Closure Order is equal to or less than the maximum permitted population." The 2018 event proved that the already established and monitored system functions as intended, in alerting Burning Man staff in the case of overpopulation according to a permit. This is yet more unnecessary surveillance of Burning Man participants that simply serves to create another redundant government contract. This measure clearly fails to consider the fact that population count is already monitored and enforced by BRC. The BLM must provide further explanation for why a second system needs to be put in place if the current one already works as needed. Measure REC-3 "The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved." As a citizen of the United States, this is EXTREMELY DISTURBING TO ME. Not only is it completely out of the authority of the BLM, but it also violates my privacy. If this is to be taken at all seriously (though it absolutely should not as it is severely inappropriate of the BLM to do), the BLM needs to explain how they intend to measure "experience." Again, the mission of the BLM "is to sustain the health, diversity, and productivity of public lands. . ." not to sustain or monitor or concern themselves at all with the experiences of participants.	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.
1846	7	Monitoring-Recreation	211.2000.00	N/A	Measure REC-1: We have a population counting and reporting system in place that BLM has access to. Again, it is in our own best interest to have that information, and therefore resources would be wasted to employ a redundant system for that.	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
2005	1	Monitoring-Recreation	211.2000.00	N/A	Measure REC-1 The BLM will work with BRC to develop an independent third-party population monitoring system for the Event. The purpose would be to ensure that the total number of attendees visiting the playa during the Closure Order is equal to or less than the maximum permitted population. Black Rock City already has a highly accurate and updated population counting system in place. The BLM has access to the system 24 hours a day. Using this system, the organization was able to identify down to the minute in 2018 when there were 61 extra people on site. A third-party monitoring system would be redundant and would unlikely be able to have the accuracy and transparency of an already mature system co-developed and co-utilized by the BLM. This is redundant, expensive, and almost certainly would be unsuccessful in implementation. Measure REC-3 The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved. What metrics will be used to "determine if desired experiences are being achieved"? Who determines what a "desired experience" is? I believe that it is entirely out of the scope of the BLM's authority to monitor and regulate "desired experiences". If these "desired experiences" are not being met as determined by the BLM would this put the organization out of compliance with their permit? This is a blatant overreach and there are no other events held on public land with a clause similar to this.	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.
1796	9	Monitoring-Recreation	211.2000.00	N/A	It is my understanding that the Burning Man organization already has a population counting and reporting system in place for the event, and that BLM has 24/7 access to it. Once again, this measure seems unnecessary, unjustified and excessive.	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.
1147	2	Monitoring-Recreation	211.2000.00	N/A	Recreation Measure REC-1 This is a redundant measure. Population monitoring is already in place and effective. Last year many of us were aware of a gate closure when the population numbers were exceeded permitted levels. Burning Man officials waited for the population to return to the permitted census. It is my understanding that the BLM has access, on demand, to Burning Man's system for tracking the population.	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.
1888	4	Monitoring-Recreation	211.2000.00	N/A	Measure REC-1 is duplicative of existing population counting and reporting in use during past events. BLM already has access to this data, as proven by pas instances where access to the city was stopped for new entrants until the population cap was brought to acceptable levels, as was the case in 2018. This effort would again result in another unacceptable added financial burden on the Burning Man organization, which would ultimately result in higher ticket prices for participants	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.
652	6	Monitoring-Recreation	211.2000.00	N/A	Measure REC-1 BRC already has a population counting and reporting system in place, reports it to the BLM every day, and BLM has access to this system and data 24 hours a day. This mitigation is unsupported by the data and completely unjustified.	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.
1079	19	Monitoring-Recreation	211.2000.00	N/A	REC-1 - BRC already monitors the population for the event and assures that permit caps are not exceeded. There is no need for a 3rd party to provide this service. It simply adds burdensome cost with no improved outcomes. REC-3 - What is the definition of "desired experiences" BLM would be monitoring and evaluating?	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.
1704	5	Monitoring-Recreation	211.2000.00	N/A	REC-1 A third party population monitoring system is redundant - BRC already does that. This would needlessly raise the cost of the event.	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1874	1	Monitoring-Recreation	211.2000.00	N/A	In Appendix E. Mitigation and Monitoring section, under title Recreation Recommended Monitoring, line REC - 3 the EIS states: "The BLM will monitor and assess visitor use numbers, patterns, and activities, and determined if desired experiences are being achieved." Desired experience is not a quantifiable term. Given the co-collaborative, subjective, and individual experience based nature of the Burning Man event, it seems unlikely to find a universal definition and metrics that would allow one to properly measure whether "desired experiences" are achieved. What are the specific metrics BLM would use to monitor this? What is the operating definition of "desired experiences"? Where is the data and research to prove the appropriateness of using such a definition and metrics?	See Public Concern Statement MONREC-1.	See Public Concern Statement MONREC-1.
1718	3	Monitoring-Recreation	211.2000.00	MONREC-3	Monitoring Measure REC-3: Every individual attending Burning Man will have a different experience. This is the strangest of all; why would it be necessary to review whether someone had the "desired" experience? Every experience is individual, and should be different; my desired experience will be drastically different than many, and we would still enjoy the event.	Commenters requested more details be added to clarify what criteria the BLM would use to determine if desired experiences are being achieved.	The BLM monitors other recreational activities for experiences during the Event and to assess Event impacts. The BRC census also requests information on the "authentic Burning Man experience."
1888	5	Monitoring-Recreation	211.2000.00	N/A	Measure REC-3 is extremely vague both in what its desired end is supposed to be, and what the justifications (if any) for it to assume such a role are; to say nothing of how it even hopes to can measure undetermined/unspecified "numbers, patterns, and activities" to see if Burning Man achieves the desired end states. Under what criteria would BLM determine if "desired experiences are being achieved"?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
933	2	Monitoring-Recreation	211.2000.00	N/A	Monitoring REC-3: I have concern with the language to "determine if desired experiences are being achieved". Who decides this? Who measures this? What are the costs of this determination and what are the intended outcomes? This is ambiguous and unclear.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1796	10	Monitoring-Recreation	211.2000.00	N/A	This measure is far too vague and like PHS-1, seems completely outside of BLM's legal authority. What is a "desired experience", and who decides what criteria are included? Again: unnecessary, unjustified and excessive.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
854	8	Monitoring-Recreation	211.2000.00	N/A	How will this monitoring be conducted? Based on which expertise and based on what reference will be used to determine the expected level of satisfaction of a private event?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
846	6	Monitoring-Recreation	211.2000.00	N/A	Measure REC-3, the BLM will monitor and assess visitor use numbers, patterns, and activities to determine if desired experiences are being achieved. This is absurd, who in the BLM, or anywhere for that matter, can decide what is the appropriate experience someone should have at Burning Man. This is a private event where everyone has incredible, diverse experiences that can't be quantified, what does the BLM hope to gain from this waste of time and money?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1636	21	Monitoring-Recreation	211.2000.00	N/A	Monitoring REC-3 (monitoring visitor use numbers/patterns/activities): Specifics? How would this be implemented? What is a desired experience? Is this supposed desired experience even realistic for such a private event?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1051	1	Monitoring-Recreation	211.2000.00	N/A	I'm not sure what the intent of REC 3 is. The BLM should not be in the business of monitoring people's experiences and it seems completely outside of the Bureau's expertise to evaluate.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1981	5	Monitoring-Recreation	211.2000.00	N/A	Monitoring Measure REC-3 What does this even mean? How will the BLM measure if a desired experience achieved? How does the BLM have any authority to place criteria for enjoyment on a private event?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
666	4	Monitoring-Recreation	211.2000.00	N/A	How will BLM conduct this monitoring and assessment? Does the BLM have the expertise or mandate from Congress to judge or establish what a desired experience is and whether or not it is achieved at a private event?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
675	1	Monitoring-Recreation	211.2000.00	N/A	How would one measure participants experiences? What could be justified by "assessing visitor activities"?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1741	28	Monitoring-Recreation	211.2000.00	N/A	Please answer and/or explain: 1. What is the desired outcome that you wish to measure for? 2. What authority has defined this desired outcome? 3. How is it not evident that the popularity of Burning Man shows that tens of thousands of people are getting their own subjective desired outcome from attending Burning Man.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
920	1	Monitoring-Recreation	211.2000.00	N/A	What could possibly be the impetus of REC-3? Why does BLM feel their required to "monitor and assess visitor use numbers, patterns, and activities and determine if desired experiences are being achieved"? How big of a team will this require and how much will that cost BRC? What will the staff background expertise in sampling be? What will your sampling strategy be (Random, Systematic, Convenience, Cluster, or Stratified) given the unique and diverse citizenry in Black Rock City? Does BLM believe they will be able to retrieve useful, unbiased data given the contempt people already have for the BLM's aggressive behaviors and gluttonous resource consumptions on playa, coupled with the disruptions/burdens being imposed on the culture in Black Rock City and the producers of the event by this and the other EIS proposed mitigations? And lastly, why is this BLM's business? Do you monitor all events on federal land this way? Did you know that BRC already gathers this information annually? This EIS draft was clearly well intentioned. However, it is also clear that someone's pen got away with them. The number of poorly thought out assumptions and the resulting fallacious conclusions is staggering. What could have been a powerful document that intelligently supported the land, its native occupants, and the people in surrounding communities, is instead a disgraceful abuse of power.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1871	9	Monitoring-Recreation	211.2000.00	N/A	Monitoring Measure, REC-3 BLM needs to be specific and clear in their language here. If BLM is trying to ensure any measures taken are effective, they need to be specific in how they plan to do this. This statement is overbroad, and it is difficult to even determine what BLM is attempting to do. Broad language like this will create problems if no one is sure what is intended, nor how it will be carried out, or why it is being carried out. Please rephrase this language for clarity.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1619	2	Monitoring-Recreation	211.2000.00	N/A	Measure REC-3 The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved. This is a vague statement. What metrics will be used to determine if desired experiences are being achieved? Who determines what a "desired experience" is? I believe that it is entirely inappropriate for the BLM to attempt to control and regulate what they define as a desired experience. To think that the BLM would attempt to hold permits hostage in order to exert control over events held on public land is disconcerting.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1846	8	Monitoring-Recreation	211.2000.00	N/A	Measure REC-3: I am missing where the BLM specified what is understood as "desired experiences". This is very individual per visitor. Some of us go for the art pieces, some of us go for good music, some of us go for meeting with friends, for meeting new friends, for decompressing from a stressful everyday schedule, for feeling the desert elements, for cycling around an incredibly spectacular landscape and seeing beautiful sunsets and maybe even sunrises. I am surprised to hear the BLM would attempt to classify all sought after desired experiences - and why would that be a goal? This measure is completely out of scope for the BLM's authority. Again, if I was to write that in a project proposal of mine, it would certainly never receive approval because it does not target at all the BLM mission.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1859	1	Monitoring-Recreation	211.2000.00	N/A	I would like to comment on Measure REC-3, as that is one that I feel qualified to address. "The BLM will monitor and assess visitor use numbers, patterns, and determine if desired experiences are being achieved." This measure brings up many questions: What are the methods and parameters used in the assessment? What are the criteria for determining satisfaction of desire? How will monitoring use numbers and patterns determine achievement or the lack there of? Who will design this assessment and who will carry it out? Will there be a team of licensed psychologists doing the monitoring? Will graduate students be tasked with asking participants a series of questions? Who will analyze the data? What is their area of expertise? Any well-designed study requires a control group. Who would that be? Visitors at Universal Studios? Music fans at Coachella? Campers at a national park? What is a comparable control? Where else in the vast territories that the BLM manages, is such a question addressed? Are hunters or horseback riders monitored to access the satisfaction of their experiences? Are ranchers observed to find out if their grazing experience is what they desired? What happens if the BLM finds that some of the people who attend Burning Man do not achieve the experience that they desired? Will the organization be barred from future permits?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1802	1	Monitoring-Recreation	211.2000.00	N/A	REC-3 The Playa is public lands. What "desired experience" is BLM going for here? It is not up to the BLM to cator or curate anyone's experience. This is an absolute infringement on our constitutional rights # 1,4,9 and 11. The BLM has no jurisdiction or authority as related to monitoring for a " desired experience	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1099	2	Monitoring-Recreation	211.2000.00	N/A	Measure REC-3 The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved. I am confused on how this is in the authority of the BLM and how any of this would even be assessed in the first place. This request is inappropriate and unnecessary. Each attendee is an individual and attends the event for different reasons. There is no way of measuring any of this. The statement itself is vague and undefined.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1604	1	Monitoring-Recreation	211.2000.00	N/A	The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved." Issue: There is a vagueness to this statement that doesn't actually provide direction. I do agree that certain characteristics about the burning man attendee would be helpful to know. How does one monitor and assess? Focus groups? Required surveys upon entry, or required information before admission to the event? Questions that would be helpful to know: How much cultural diversity exists at Burning Man and how do we create initiatives to increase it? How does the ticket price of the event reflect the economics of the participants and how accessible is this ticket to the local communities in surrounding towns like Gerlach? How does the 'plug-and-play' camps that hire staffs to do their kitchen or infrastructure detract from the 10 principles of the event, and what can we do to encourage more contribution from all attendees no matter what their social or economic standing?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1123	1	Monitoring-Recreation	211.2000.00	N/A	Measure REC-3: "The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved". My commentary: There are several issues with this measure. 1) It is very vaguely defined 2) I think it is outside of the scope of the BLM and 3) It assumes that there IS a "desired experience" that needs to be achieved. This is a faulty assumption.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1049	24	Monitoring-Recreation	211.2000.00	N/A	Monitoring Measure REC-3 The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved. Background: How will BLM conduct this monitoring and assessment? Does the Bureau of Land Management have the expertise or mandate from Congress to judge or establish what a desired experience is and whether or not it is achieved at a private event?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1147	3	Monitoring-Recreation	211.2000.00	N/A	Recreation Measure REC-3 This measure provides for BLM monitoring of the Burning Man experience. This is antithetical to the Burning Man culture in which everyone is responsible for their own experience. The BLM has no expertise or authority to monitor the "...desired experience..." at Burning Man.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1880	3	Monitoring-Recreation	211.2000.00	N/A	Monitoring Measure REC-3: Every individual attending Burning Man will have a different experience. This is the strangest of all; why would it be necessary to review whether someone had the "desired" experience? Every experience is individual, and should be different; my desired experience will be drastically different than many, and we would still enjoy the event.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1782	1	Monitoring-Recreation	211.2000.00	N/A	Monitoring and assessing visitor activities and experiences is extremely vague overind. If BLM is to require this, they must provide more substance than just the few words used so far. The implementations of these requirements could range from a voluntary survey of participants to an Orwellian implementation of GPS tagged wrist bands and surveillance cameras at each intersection. I comment on this from my experiences as a onetime attendee. My second attendance will be in 2019. I know fellow attendees who have gone many years, and even with their insight, i did not know what my experienes an activities would be. Yes, I knew I would go to the MAN. Yes, I knew I would go to teh Temple. Yes, I knew I would get dirty. These are all very common activities and probably achieved by msot attendees. I went to the Man early in the morning and was alone there except for one Ranger who gave me gi?? and hug which meant more to me than any other hug that week. I went to the Temple burn surrounded by friends and 70,000 other people yet felt all alone till one stranger turned around and hugged me. I was dirty as was everyone and it all felt normal and OK. I did NOT xpect any of those experiences. My actual experiences associated with those three given activities cannot be quantified, rated, or expressed in any measurable method.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1629	1	Monitoring-Recreation	211.2000.00	N/A	Measure REC-3 What exactly is the experience that you are hoping for us to achieve at an event like Burningman? If any authoritative party has actually taken the time to experience a Burningman event, they would discover that there is no one size fits all, and that is the reason we come to Burningman. Here we are free to have our own experiences, one that is unique to our individual journey. There is nothing to measure this by, no right or wrong way to be. Monitoring and then (likely) dictating how we are supposed to be participating in the Burningman event, would require a narrow scope of view to somehow encompass a city of people. How does one measure each and every person's activities and patterns in, say, Reno?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
710	2	Monitoring-Recreation	211.2000.00	N/A	Monitoring Measure REC-3 The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved. Is this a requirement of other private events on public lands? How is the BLM going to measure "desired experiences" of participants of the event? What does this measure even mean?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1463	1	Monitoring-Recreation	211.2000.00	N/A	BLM may be able to count people, cars, or camps (with the backup of lots of time and taxpayer money). However, as a 4-year Burning Man attendee, I personally could not articulate my own "desired experiences" and whether or not they were achieved. Burning Man is such an intense, personal experience and everyone's experiences are different. What will BLM consider to be a "desired experience"? How will they measure the experience? On a scale of 1-10? We are talking about very subjective experiences here.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1642	1	Monitoring-Recreation	211.2000.00	N/A	Measure REC-3 could be used wontily and arbitrarily to suddenly find Burning Man out of compliance with its permit.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1642	1	Monitoring-Recreation	211.2000.00	N/A	Measure REC-3: The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved. What constitutes a desired experience? Who is achieving them? What "numbers, patterns, and activities" are being considered and by whom? Is there data already available to suggest general satisfaction or dissatisfaction among participants?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1667	2	Monitoring-Recreation	211.2000.00	N/A	there is not a set of "desired experiences" that the event or the participants are trying to achieve. This measure is not sufficiently specific on what is considered a "desired experience" or how this would be measured. Determining the goals of the Event or the participants is outside of the scope of the BLM's authority.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1102	10	Monitoring-Recreation	211.2000.00	N/A	REC-3 The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved. YOU CERTAINLY DO NOT HAVE MY PERMISSION TO DO THIS AND WHO ARE YOU TO DETERMINE MY EXPERIENCE? What is the intended outcome? Why do you have any interest in this?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
713	1	Monitoring-Recreation	211.2000.00	N/A	how is BLM going to determine a persons / attendees reaching their desired experience ..... ?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
817	1	Monitoring-Recreation	211.2000.00	N/A	REC-3 - I do not believe that the BLM is responsible for assesing whether the desired experience is being acheived. This is ambiguous and assumes a level of consistency among attendees such that desired experience is even measurable.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1029	1	Monitoring-Recreation	211.2000.00	N/A	What is a desired experience? Measure should be further defined before measure is re-evaluated.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1921	2	Monitoring-Recreation	211.2000.00	N/A	eamure REC-3 How do you expect to monitor if attendees get the desired experience? What experience is supposed to be obtained? in my 5 years of attendance each year has been different and the experiences reached very different from each other and of course impossible to establish a comparison of satisfaction between one and the other .. so what could benefit and who get a survey as subjective as that, in the event that something so abstract could be achieved? ... I understand the customer satisfaction surveys, but I do not see the connection here, since there is neither a client nor a product on which to establish said survey, the experiences are unique and personal.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1829	4	Monitoring-Recreation	211.2000.00	N/A	Monitoring Measure REC-3 Since when is it the job of BLM to monitor the experience of participants at a private event? How are they qualified to do so and what does it have to do with protecting the public lands?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
518	16	Monitoring-Recreation	211.2000.00	N/A	Monitoring Measure REC-3 This requirement is vague and unclear. Please explain the specific scope of this requirement.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
652	7	Monitoring-Recreation	211.2000.00	N/A	Firstly, how would BLM determine what "the desired experience" is? What if having BLM monitoring visitor experience is actually to the detriment of visitor experience? BLM should consider that it is outside its scope to enforce any type of experience, and in fact the wide diversity of experience that the event cultivates, since the event organizers and participants are the creators of their own experience. In fact, there is no way to define the "desired experience" because every attendees' is different. How would BLM monitor this? Why does BLM want to monitor this?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1311	1	Monitoring-Recreation	211.2000.00	N/A	Monitoring Measure REC-3 The BLM will monitor and assess visitor use numbers, patterns, and activities, and determine if desired experiences are being achieved. How and when will this assessment happen. What standards will be used? Whose "desired experiences" are being tracked? Does the Bureau of Land Management have the expertise or mandate from Congress to judge or establish what a desired experience is and whether or not it is achieved at any private event? Is the fact that the event has sold out in a matter of minutes since 2011 not evidence enough that the people coming to this are achieving their desired experiences?	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1504	1	Monitoring-Recreation	211.2000.00	N/A	Because the monitoring measure REC-3 involves subjectivity, and it includes the vagueness associated with patterns, it cannot be implemented and should be removed.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1504	1	Monitoring-Recreation	211.2000.00	N/A	Monitoring Measure REC-3 Because of the ambiguity regarding monitoring measure REC-3, the EIS cannot be fully analyzed. Overall, a "full and fair discussion of significant environmental impacts," as required by 40 C.F.R. § 1502.1. (2019), cannot be achieved. Therefore, the associated monitoring measure should be removed from the Final EIS.	See Public Concern Statement MONREC-3.	See Public Concern Statement MONREC-3.
1071	6	Monitoring-Recreation	211.2000.00	MONREC-4	REC-4: BM already works with BLM to address the impact of the event. This language is redundant to that effort and adds an impossible degree of assessment. Written as is, a BLM officer would arguably have to follow my car home and track which grains of dust end up where, how I clean my property, and where I dispose of my own personal waste.	Commenters requested that the BLM provide more information on how recommended monitoring number REC-4 would be assessed and implemented.	The BLM will work with the communities of Gerlach, Fernley, and Reno and the PLPT to understand the level of unauthorized dumping and trash disposal and bicycle and vehicle abandonment that occurs from this Event. This information will be used to implement adaptive management practices and future stipulations in an attempt to curtail the problem. The BLM will also continue to do its post-Event inspection of the closure area in October after the Event.
1888	6	Monitoring-Recreation	211.2000.00	N/A	Measure REC-4 again is an arbitrary and overreaching proposal as it is unclear how BLM proposes to assess "the magnitude, distribution, and subsequent impacts of all debris generated by the Event"? This proposal is confusing in its wording and leaves much open to speculation. Given the way Black Rock City is laid out via tens of thousands of camps and individual tents and RVs, does BLM propose to devote agents and resources solely devoted to policing each camp's and individual campers' trash? Or does BLM propose to assign agents to scour the entire surface of the closure area at regular intervals to measure the quantity of any and all debris that might be located there? Either way, this seems like a wasteful expenditure of human, financial, and time resources.	See Public Concern Statement MONREC-4.	See Public Concern Statement MONREC-4.
652	8	Monitoring-Recreation	211.2000.00	N/A	Measure REC-4 This measure, allowing BLM to assess "all debris" generated by the event, is vague and unenforceable. If the BLM wants to make sure the event is doing its job (which it is) then it should clearly define what type of debris it will be monitoring for and where.	See Public Concern Statement MONREC-4.	See Public Concern Statement MONREC-4.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1796	11	Monitoring-Recreation	211.2000.00	N/A	Measure REC-4: Through post-Event inspections, the BLM will assess the magnitude, distribution, and subsequent impacts of all debris generated by the Event. Similar to the above, this measure is far too vague and broad in scope. How will the BLM even be able to assess this? Will it follow debris away from the event and even onto private land for said assessments?	See Public Concern Statement MONREC-4.	See Public Concern Statement MONREC-4.
1704	6	Monitoring-Recreation	211.2000.00	N/A	REC-4 This is so broadly worded that it is meaningless. How would the BLM assess all debris that the event generates? During the event, I pick up all debris I see and take it home to dispose of it properly. How would the BLM monitor that?	See Public Concern Statement MONREC-4.	See Public Concern Statement MONREC-4.
1694	5	Monitoring-Recreation	211.2000.00	N/A	REC-4 This is so broadly worded that it is meaningless. How would the BLM assess all debris that the event generates? During the event, I pick up all debris I see and take it home to dispose of it properly. How would the BLM monitor that?	See Public Concern Statement MONREC-4.	See Public Concern Statement MONREC-4.
1841	9	Monitoring-Recreation	211.2000.00	N/A	REC-4 An event is not responsible for what someone does hundreds of miles away from the event. There is no way to track this. The request is vague with no clear direction on steps on how this is accomplished due to the measure being unmeasurable and unrealistic.	See Public Concern Statement MONREC-4.	See Public Concern Statement MONREC-4.
1846	9	Monitoring-Recreation	211.2000.00	N/A	Measure REC-4: There is no debris. One of our ten principles is to leave no trace. Every outdoor event or trip I ever take, I pack out what I bring, and throw it away at home. And for someone who happens to leave something after visiting me, I'll take it out for them. That is what makes us a community, and we have developed elaborate measures for complying with this. Every event I have attended, we sweeps of grounds multiple times a day to ensure we leave no trace, as well, at event close, we have built close lines of people walking the ground after everything was packed away and done several more rounds of sweeping and picked up the most tiny items. Apart from that, we try to bring as little of what could turn into trash in the first place. Our community does deploy a lot of effort on this and educate every newcomer.	See Public Concern Statement MONREC-4.	See Public Concern Statement MONREC-4.
1921	3	Monitoring-Recreation	211.2000.00	N/A	Measure REC-4 Speaking in my personal experience the first 3 years we left the event in rented car in the state of Nevada, we transported our waste with us to the recycling center where we pay for depositing our waste. The next 2 years I attended the organization's bus, greatly reducing my volume of waste that I always deposit in authorized centers for this function with the consequent cost. If I already pay for the recycling of my waste, why would I have to pay for a special monitoring twice? of said waste?	See Public Concern Statement MONREC-4.	See Public Concern Statement MONREC-4.
1743	1	Monitoring-Transportation and Traffic	211.2100.00	MONTRAF-1	Regarding Measure TRAN-1, requiring BM to pay for BLM to install traffic counters: the Nevada Department of Transportation has already done this to great effect; what benefit will be achieved by a duplicative federal system being put in place? Is there any reason to believe that the state's monitors are not working properly or providing accurate numbers?	Commenters requested that the BLM provide more information regarding why traffic counters are needed when the Nevada Department of Transportation currently installs counters for Burning Man participants entering the Event.	While NDOT has traffic counters on SR 447 and sometimes on CR 34, the BLM would like counts of vehicles entering through the Main Gate, single deliveries entering via the Main Gate, and the amount of vendor traffic coming in Gate 1. None of these points are currently monitored by NDOT. BRC does not count the vehicles entering via Gate 1, nor do they report the number of single entry deliveries to the BLM.
1694	4	Monitoring-Transportation and Traffic	211.2100.00	N/A	TRAN-1 This is another duplicative effort - BRC already scans all vehicles. Is there a reason this is insufficient?	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1917	3	Monitoring-Transportation and Traffic	211.2100.00	N/A	TRAN-1 - Black Rock City currently installs counters for Burning Man participants entering the event. To have BLM install traffic counters would provide no added value whatsoever at an additional cost.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1869	5	Monitoring-Transportation and Traffic	211.2100.00	N/A	There are already NDOT installed counters on SR447 and every vehicle entering the event, regardless of site of entry is monitored and counted. Why does the BLM believe work already being done by the State of Nevada must be duplicated? There is no evidence presented to warrant this unnecessary operation and related expenses.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1843	3	Monitoring-Transportation and Traffic	211.2100.00	N/A	Measure TRAN-1: Last redundant measure I will comment on. NDOT has installed counters on SR447 and we scan all vehicles coming in. There is no reason to pay for another external vendor to validate what is already being carried out and diligently reported on.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1846	10	Monitoring-Transportation and Traffic	211.2100.00	N/A	Measure TRAN-1: Last redundant measure I will comment on. NDOT has installed counters on SR447 and we scan all vehicles coming in. There is no reason to pay for another external vendor to validate what is already being carried out and diligently reported on.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1667	1	Monitoring-Transportation and Traffic	211.2100.00	N/A	With regard to Measure TRAN-1 (Appendix E, Page E-7) The BLM will install traffic counters at 12 miler and Gate Road 14 days before Labor Day, and they will remain in operation until 7 days after Labor Day. The costs of the equipment and BLM employee labor will be recouped via cost recovery from the proponent. Traffic counters are already installed by NDOT on SR447 and BRC tracks all vehciales that enter BRC via scanned tickets. Did the BLM consider using these sources of data to inform future actions to reduce environmental justice impacts from Event-related traffic and transportation? Per Table ES-1 Summary of Environmental Consequences on Page ES-5, this is the purpose of TRAN-1.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1871	8	Monitoring-Transportation and Traffic	211.2100.00	N/A	Vehicle Counters, TRAN-1 NDOT has vehicle counters installed along the route to get to Black Rock City. Additional vehicle counters is redundant and does not make financial sense.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1659	5	Monitoring-Transportation and Traffic	211.2100.00	N/A	Measure TRAN-1 "The BLM will install traffic counters at 12-Miler and Gate Road 14 days before Labor Day, and they will remain in operation until 7 days after Labor Day. The costs of the equipment and BLM employee labor will be recouped via cost recovery from the proponent." NDOT already installed a counter and the BMP already scans all vehicles. The BLM does not explain why a second system needs to be put in place if the current one already works as needed. This is yet more unnecessary surveillance of Burning Man participants that simply serves to create another redundant government contract.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1704	7	Monitoring-Transportation and Traffic	211.2100.00	N/A	TRAN-1 This is another duplicative effort - BRC already scans all vehicles. Is there a reason this is insufficient?	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1049	23	Monitoring-Transportation and Traffic	211.2100.00	N/A	Monitoring Measure TRAN-1 The BLM will install traffic counters at 12-Mile and Gate Road 14 days before Labor Day, and they will remain in operation until 7 days after Labor Day. The costs of the equipment and BLM employee labor will be recouped via cost recovery from the proponent. Background: NDOT already installed counters on SR447, and BMP scans all vehicles coming into Black Rock City. Why must BMP pay for an external vendor or additional agency to validate work already undertaken by the state of Nevada and BMP? The Draft EIS analysis does not provide evidence of impacts to warrant this unnecessary operation and expenses.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
825	3	Monitoring-Transportation and Traffic	211.2100.00	N/A	Monitoring Measure TRAN-1 The BLM will install traffic counters at 12-Mile and Gate Road 14 days before Labor Day, and they will remain in operation until 7 days after Labor Day. The costs of the equipment and BLM employee labor will be recouped via cost recovery from the proponent. Background: NDOT already installed counters on SR447, and BMP scans all vehicles coming into Black Rock City. Why must BMP pay for an external vendor or additional agency to validate work already undertaken by the state of Nevada and BMP? The Draft EIS analysis does not provide evidence of impacts to warrant this unnecessary operation and expenses.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
604	1	Monitoring-Transportation and Traffic	211.2100.00	N/A	BLM's proposal in the Draft EIS to install traffic counters at 12-Mile and Gate Road 14 days before Labor Day and 7 days after ignore the evidence that the Nevada Department of Transportation already installs counters on these roads, and that Burning Man Project already scans all vehicles entering into Black Rock City. Further, the Draft EIS does not provide evidenced justification of why additional BLM monitoring would be necessary--therefore making any costs associated with the action arbitrary, and placing undue burden on a private party.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1741	27	Monitoring-Transportation and Traffic	211.2100.00	N/A	Please answer and/or explain: 1. Are the authors of EIS aware that NDOT is already monitoring traffic? 2. What is the reason to have multiple agencies doing the same work?	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
666	3	Monitoring-Transportation and Traffic	211.2100.00	N/A	NDOT already installed counters on SR447, and BMP scans all vehicles coming into BM. Why must BMP pay for an external vendor or additional agency to validate work already undertaken by the state of Nevada and BMP? The Draft EIS analysis does not provide evidence of impacts to warrant this unnecessary operation and expenses.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1796	12	Monitoring-Transportation and Traffic	211.2100.00	N/A	It is my understanding that NDOT has installed counters on Highway 447 already and every vehicle that enters the event is scanned and counted. It seems unnecessary, unjustified and excessive to have the proponent pay for an additional outside vendor to provide data about something that is already measured.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
652	9	Monitoring-Transportation and Traffic	211.2100.00	N/A	Measure TRAN-1 This measure proposes to duplicate work already being done. This is costly and ineffective and a waste of resources. NDOT already has installed trackers on SR447 and BRC already scans and counts vehicles entering the event. This measure should be eliminated.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1102	11	Monitoring-Transportation and Traffic	211.2100.00	N/A	TRAN-1 The BLM will install traffic counters at 12-Mile and Gate Road 14 days before Labor Day, and they will remain in operation until 7 days after Labor Day. The costs of the equipment and BLM employee labor will be recouped via cost recovery from the proponent. THIS DATA WILL BE MADE PUBLIC. BLM AT BLM'S COST SHOULD THEN MONITOR THE TRAFFIC FOR THE ENTIRE YEAR TO ESTABLISH A TRAFFIC COUNT. THESE NUMBERS, TOGETHER, ARE TO BE USED TO DETERMINE FUTURE NEEDS AND SUBSEQUENT SHARED COSTS IN REGARDS TO THE HIGHWAY.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1028	1	Monitoring-Transportation and Traffic	211.2100.00	N/A	NDOT already installed counters, and BRC scans all incoming vehicles. Measure is redundant, and therefore wasteful and unnecessary.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1310	1	Monitoring-Transportation and Traffic	211.2100.00	N/A	Monitoring Measure TRAN-1 The BLM will install traffic counters at 12-Mile and Gate Road 14 days before Labor Day, and they will remain in operation until 7 days after Labor Day. The costs of the equipment and BLM employee labor will be recouped via cost recovery from the proponent. NDOT already installed counters on SR447, and BMP scans all vehicles coming into Black Rock City. Why must BMP pay for an external vendor or additional agency to validate work already undertaken by the state of Nevada and BMP? The Draft EIS analysis does not provide evidence of impacts to warrant this unnecessary operation and expenses.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1636	20	Monitoring-Transportation and Traffic	211.2100.00	N/A	Monitoring TRAN-1 (installing traffic counters): Counters were already installed by the Nevada Department of Transportation on SR447, and Burning Man already scans vehicles coming into BRC. Can we stop trying to add more costs for things that are already perfectly under control?	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
710	6	Monitoring-Transportation and Traffic	211.2100.00	N/A	this doesn't seem to be a requirement in the Special Recreation Permit of other large events that take place on public lands when events like King of the Hammer draw 45-50,000 spectators who arguably increase traffic, road use, litter in nearby communities, etc. etc. This measure also allows the BLM another area of excessive oversight at the expense of BRC. This monitoring measure does not take into account already existing NDOT counters and monitoring that is being done by the state of Nevada.	See Public Concern Statement MONTRAF-1.	See Public Concern Statement MONTRAF-1.
1163	1	Monitoring-Transportation and Traffic	211.2100.00	N/A	The Traffic Analysis Study used some flawed assumptions to determine mitigation measures needed for Alternative A and to predict impacts of traffic in Alternatives B-E. In particular, anticipated average daily trips were calculated using exiting conditions (without the event) plus the peak period of traffic measured on the highest volume of traffic. Page 11/44, Burning Man Environmental Impact Statement Traffic Analysis" The daily traffic volume data collected during the event is the basis of the existing plus 2017 Burning Man roadway segment level of service. The highest daily traffic volumes on State Route 447 and County Road 447 occurred on Monday, September 4, 2017. The existing daily traffic volumes on these two segments were deducted from the count volumes and the resulting daily traffic volume combined to obtain a peak Burning Man daily traffic volume of 14,294 vehicles per day on County Road 34." The average daily volume cannot be measured by using the peak times of the event and assume that will be the daily volume especially in an event where most participants drive in and do not use their vehicle until they leave. Hence all assumptions used in the LOS conditions analysis are skewed.	N/A	The traffic analysis study used industry standard best practices and methodology to provide a baseline of possible impacts on levels of service (LOS). Assumptions of future LOS are based on data collected before, during, and after the 2017 Burning Man Event. The types of impacts in the report are those that could occur as a result of the Burning Man Event. The report's purpose is not to analyze the direct, indirect, or cumulative impacts, but rather to provide an understanding of the types of impacts that could occur in similar conditions. Consistent with NEPA, specific impacts associated with the alternatives are analyzed in the EIS.
2014	7	Monitoring-Transportation and Traffic	211.2100.00	N/A	NDOT would request that formal plans be developed by BRC for outside of the event. These plans should have the following primary elements: a. Monitoring Plan - Along SR 447. BRC currently operates numerous monitoring devices along the SR 447. If within NDOT Right-of-Way, these devices will need permits. Shared access of this information will also help cooperating agencies assist in their various response roles. b. Emergency Response Plan - Formal coordination between BRC and outside agencies during the event. c. Incident Management Plan - Formal plan for incident and mass emergency evacuations. d. Trash Plan - Formal plan outlining specific details for trash mitigation both on and off the playa. e. Transit Plan/Mitigation - suggest BRC develop a transit plan with set milestones to reduce net trips of patrons to and from the event. i. To further reduce delay, emissions, and enhance safety consider ingress/egress strategies such as arrival metering, alternate route accesses, towing services, etc. f. Event Participant Outreach Plan- Information outreach to include but not limited to i. No Ticket, No Entry ii. Trash/Debris Mitigation off playa iii. Off playa services iv. Event egress map	N/A	Due to concerns of NDOT and other cooperators, the FEIS has been revised to include mitigation measure PHS-8.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1443	1	AERMOD Modeling Report and Air Resources Baseline Technical Report	212.0100.00	AERM-R-1	<p>Reducing the PM10 and PM2.5 to twice the NAAQS is almost certainly impossible in a playa environment even under non-event conditions. For example, Cahill, Gill, Reid, et al (1996) demonstrated the highest concentration of PM10 measured to date (40,620 ug/m-3) during a dust storm at Lake Owens. Holding Burning Man responsible to reduce the PM10 concentration such that it exceeds 300 ug/m-3 only once per year over an average of three years, and reducing the three-year mean of PM2.5 to 30 ug/m-3 is an impossible standard. Further, the AERMOD technical report and the accompanying baseline report use an inappropriate baseline value for PM. Whereas using the statewide pristine background value is likely appropriate for other criteria air pollutants, using a pristine background to evaluate particulate matter Burning Man environment is completely inappropriate. A measured value under natural conditions or values from similar environments would be more appropriate. As such, it is impossible to discern from this study what proportion of the PM exceedance values can be directly attributed to the Burning Man event. Additionally, since exceedences are expected to occur under normal playa conditions, there is no need to monitor whether a PM2.5 or PM10 exceedence occurs during, before, or after the event. Please apply this comment, for the reasons stated above, to the following measures: Mitigation AQ-1 Mitigation AQ-5 Mitigation SPEC-1 Monitoring AQ-2 Monitoring VIS-2</p>	<p>Commenters expressed concerns with the methodology and conclusions associated with the analysis and the resulting mitigation measures for air quality in the EIS, particularly the selection of baseline conditions and the comparison of Burning Man Event concentrations against these conditions.</p>	<p>While the playa is a naturally dusty environment, Black Rock City and its associated roads are the largest human disturbance on the playa. Foot and vehicular traffic breaks the crust of the playa and exposes the loosely consolidated sediments to the air and wind to a greater degree than under natural conditions. Because BRC is applying for a Special Recreation Permit for this Event, it is necessary to evaluate the impact of Burning Man Event activities on air quality and on human health, which must consider overall pollutant levels during the Event. Appendix D of the Air Technical Baseline report, posted to the BLM ePlanning project website concurrent with the DEIS, reports the purpose of the AERMOD modeling was to “to assess both current event air quality dispersion and the impact of the proposed SRP revisions and its alternatives.” As such, the data collected for the 2017 Burning Man Event were used in assessing the likely criteria pollutant concentrations that would result from larger and smaller Event alternatives. To meet this purpose, it is not necessary to collect monitoring data outside of Event activities. As such, the data collected began with Event setup, when power was brought to the site but before the Event commenced, and continued throughout the Event. The methodology used for the AERMOD modeling was developed in coordination with the BLM National Operations Center air specialists and cooperating agencies. The method took into consideration the precedents set forth in the Nevada Division of Environmental Protection (NDEP) guidance document “General Air Dispersion Modeling Guidelines” (NDEP, Bureau of Air Pollution Control [BAPC] Guidance, September 2008) and the Environmental Protection Agency (EPA) Guideline on Air Quality Models (Guidelines, 40 CFR Part 51, Appendix W, January 2017). Additional references taken into consideration are the EPA’s Meteorological Monitoring Guidance for Regulatory Modeling Applications (February 2000) and guidance documents available through the EPA’s Technology Transfer Network Support Center for Regulatory Atmospheric Modeling website at <a href="http://www.epa.gov/ttn/scram/">http://www.epa.gov/ttn/scram/</a>. As such, the methodology is appropriate for this EIS analysis. As described in Section 5 of the protocol, NDEP BAPC recommended the use of statewide “pristine” background concentrations for State permitting analyses, as provided by NDEP BAPC dispersion modelers. The intent of the mitigation measures presented in the DEIS was to minimize particulate concentrations to the extent possible to minimize health and safety impacts associated with high particulate concentration levels. Based on</p>

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1443 (continued)	(see above)	(see above)	(see above)	(see above)	(see above)	(see above)	public comment and further discussions between BLM and BRC, mitigation measures AQ-1 and SPEC-1, to reduce dust events that are twice the NAAQS for PM2.5 and PM10, have been removed from the FEIS due to the ambiguity of the measure. The dust-reducing components of the Proposed Action, described in Section 2.2.2 of the DEIS, are retained in the FEIS. Because of the health risks associated with high particulate concentrations, mitigation measure AQ-5 in the DEIS is appropriate to protect BLM staff and contractors who must be on the playa in order for the Event to occur; it has been retained in the FEIS. See Public Concern Statement MONAQ-1 regarding monitoring measure AQ-2 (and thus VIS-2).
837	1	AERMOD Modeling Report and Air Resources Baseline Technical Report	212.0100.00	N/A	the EIS reliance on the Strohm 2018a Trinity Consulting report for particulate matter analysis does not fully consider the unique local geology of the alkali flat/playa in the Black Rock Desert. As noted in the report the majority of the particulate matter was consistent with dust from the natural environment " This finding is consistent with the material on the filter being made up primarily of native playa soils (see Table 2-5 in Strohm 2018a)." I reviewed the data from the appendix of the direct analysis of the data provided in the appendix and while the 24hr limits were high in all 3 Alternatives A, B and C there was no impact in year round levels so this would not impact the health of year-long Nevada residents in the area. The analysis also failed to take into account that the background particulate matter at that site may not be the same as the reference from Great Basin which was used as the 24hr baseline level in the analysis report. The year of the analysis 2017 was a particularly dusty year.	See Public Concern Statement AERM-R-1.	See Public Concern Statement AERM-R-1.
837	2	AERMOD Modeling Report and Air Resources Baseline Technical Report	212.0100.00	N/A	I think the modeling fails to address the unusual nature of the alkali dust and the association with wind rather than human activity. In my personal experience the largest exposure to particulate matter is due to wind but this is unfortunately anecdotal and not data. In the report there is not data or evidence to support a link between participant activity and high particulate levels and in the summary you describe relying on "anecdote". The relevant text is below for context. " The monitoring results showed that the PM10 and PM2.5 concentrations recorded during the Event dates drastically exceeded the NAAQS (see Section 2.1 of Strohm 2018a). Although not directly disclosed by the 24-hour concentration data, on-site observations and anecdotal descriptions suggest that particulate emissions peak and subside at specific, and potentially predictable, times of the day. Concentration peaks coincide with increases in attendee activity and significantly with higher wind speeds."	See Public Concern Statement AERM-R-1.	See Public Concern Statement AERM-R-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1000	1	AERMOD Modeling Report and Air Resources Baseline Technical Report	212.0100.00	N/A	Table 2-1 presents the results of Particulate Monitoring from August 14, 2017 to September 6, 2017. It is not clear how this represents baseline ambient air quality when the monitoring took place during a short time period coinciding with activities associated with the event. No data collection results from other time periods were presented in the report. How is it determined that activities from the event cause exceedances of air quality when data showing the background concentration was not presented in the report. How dusty is the playa during windy events outside of the event timeframe. The air monitoring results may be biased due the location of the air monitoring equipment and nearby speeding of BLM and law enforcement vehicles (as shown on Figure 2-1). Page 3-1 states "Potential emissions from the event include criteria air pollutants. The criteria air pollutants which are regulated under Nevada law are carbon monoxide (CO), lead (Pb), sulfur dioxide (SO2), particulate matter less than or equal in diameter to 10 microns (PM10), particulate matter less than or equal in diameter to 2.5 microns (PM2.5), ozone (O3), and nitrogen dioxide (NO2)." What Nevada law is the report referring to and is there a required air permit associated with the referenced law. It is not clear of the purpose of Figure 5-1 that shows wind speed from Lovelock, Nevada located approximately 50 miles southeast of the event. How is this related to wind speed and direction at the event site.	See Public Concern Statement AERM-R-1.	See Public Concern Statement AERM-R-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1957	1	AERMOD Modeling Report and Air Resources Baseline Technical Report	212.0100.00	N/A	<p>Particulate Air Pollution Report &amp; Mitigation AQ-I The Particulate report fails to quantify the actual impact of BMP activities or to demonstrate that levels of dust in excess of the NAAQS (even two times the NAAQS) would not already naturally occur within the closure area, absent human disturbance. The report captures temporal data on site and comparison data between two sites. Both methodologies are flawed and unable to demonstrate what how much the dust levels are actually elevated above what would otherwise be natural for the area at that time of year. Site Comparisons: The report does capture measurements comparing between two sites: the test locations within the closure area and Winnemucca. The Winnemucca site and resulting comparison is invalid, however, and creates a disturbingly biased image of particulate pollution from the event. A proper comparison would have been between an undisturbed part of the playa miles outside the closure area and the Closure zone. If anything, the choice of using the Winnemucca test site seems like it was meant to bias the outcomes of the analysis (or was chosen based on laziness or cheapness; its not clear). The topography and soil composition of the comparison site at Winnemucca was completely different from the playa surface. For one, there is no alkaline lake bed at the Winnemucca site. Secondly, the presence of plants, impervious surfaces (paved roads, roofs, parking lots, etc), buildings and other barriers all would inhibit the powerful straight-line and dust-devil winds that commonly whip up dust storms on the playa. Not only would the winds be weakened, but they would also simply not have as much dust to pick up. As a consequence, the Winnemucca site could never possibly see PM10 or PM2.5 levels the playa might experience on an average day. the Winnemucca test site seems like it was meant to bias the outcomes of the analysis (or was chosen based on laziness or cheapness; its not clear). The topography and soil composition of the comparison site at Winnemucca was completely different from the playa surface. For one, there is no alkaline lake bed at the Winnemucca site. Secondly, the presence of plants, impervious surfaces (paved roads, roofs, parking lots, etc), buildings and other barriers all would inhibit the powerful straight-line and dust-devil winds that commonly whip up dust storms on the playa. Not only would the winds be weakened, but they would also simply not have as much dust to pick up. As a consequence, the Winnemucca site could never possibly see PM10 or PM2.5 levels the playa might experience on an average day. As a result, it is invalid to claim that the extreme numbers the consulting firm measured were strictly due to human disturbance of the playa surface by comparing it with the Winnemucca site. In order to make that claim, they would need to have an undisturbed comparison site that is actually of the same surface and wind patterns as the study site. It is certain that playa dust levels were elevated during the event; however, how elevated they were above base-line (or a "no event" scenario) because of human activity is impossible to say from the data the consultants collected.</p>	See Public Concern Statement AERM-R-1.	See Public Concern Statement AERM-R-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1443	I	AERMOD Modeling Report and Air Resources Baseline Technical Report	212.0100.00	N/A	Reducing the PM10 and PM2.5 to twice the NAAQS is almost certainly impossible in a playa environment even under non-event conditions. For example, Cahill, Gill, Reid, et al (1996) demonstrated the highest concentration of PM10 measured to date (40,620 ug/m-3) during a dust storm at Lake Owens. Holding Burning Man responsible to reduce the PM10 concentration such that it exceeds 300 ug/m-3 only once per year over an average of three years, and reducing the three-year mean of PM2.5 to 30 ug/m-3 is an impossible standard. Further, the AERMOD technical report and the accompanying baseline report use an inappropriate baseline value for PM. Whereas using the statewide pristine background value is likely appropriate for other criteria air pollutants, using a pristine background to evaluate particulate matter Burning Man environment is completely inappropriate. A measured value under natural conditions or values from similar environments would be more appropriate. As such, it is impossible to discern from this study what proportion of the PM exceedance values can be directly attributed to the Burning Man event. Additionally, since exceedances are expected to occur under normal playa conditions, there is no need to monitor whether a PM2.5 or PM10 exceedance occurs during, before, or after the event. Please apply this comment, for the reasons stated above, to the following measures: Mitigation AQ-1 Mitigation AQ-5 Mitigation SPEC-1 Monitoring AQ-2 Monitoring VIS-2	See Public Concern Statement AERM-R-1.	See Public Concern Statement AERM-R-1.
1957	I	AERMOD Modeling Report and Air Resources Baseline Technical Report	212.0100.00	N/A	Further, the dust that would be picked up at the Winnemucca site would be of a different composition to the playa sites, making any comparison of dust content between the Winnemucca and on-playa sites, again, false and invalid. Temporal Data: While the temporal comparison (before, during, after) possible from the data collected onsite does suggest a correlation between vehicle traffic and increased PM10 and PM2.5 levels, they still fail to show true causation or that PM10 and PM2.5 levels would not have naturally risen to levels in excess of the NAAQS in the absence of the event. Weather and wind changes from day-to-day and the regional wildfires, as the report notes, would have contributed to elevated levels without cars and people ever being present. In order to truly quantify the portion of the extra emissions BMP might be held responsible for, the consultants would have needed to, again, collected data from another site on the playa that is a) similar or identical to the surfaces and wind-dynamics of the closure area and b) sufficiently distant from the closure area to not be impacted by activities there. Such a place could have no doubt been found by traveling out onto the farther reaches of the playa, miles beyond the closure area, and setting up secondary monitoring stations there. Conclusion: BLM has not adequately demonstrated that particulate levels in excess of the NAAQS for the area are unnatural in their occurrence (or due solely to human disturbance). It is entirely within reason to assume that excessive dust emissions from the closure area can and do occur even in the absence of human disturbance. Before seeking remedy, then, the BLM needs to do a better job demonstrating what portion of dust emissions BMP is actually responsible for creating and, therefore, actually responsible for mitigating	See Public Concern Statement AERM-R-1.	See Public Concern Statement AERM-R-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1655	2	AERMOD Modeling Report and Air Resources Baseline Technical Report	212.0100.00	N/A	there is no baseline data for which to compare the results to (i.e. what is the particulate matter produced when the event is not happening?); sampling should have continued well after the event to document baseline conditions. Second, there was a major regional fire during the collection period. The authors of the report claim that this fire impacted sample collections at the Winnemucca site, but make no similar claim for elevated PM10 levels at the playa site. As the climatic conditions are unique at the playa site, given that the desert is bounded by mountains, it is unclear how the fire impacted the samples, and the results should be interpreted with great caution. Third, the authors of the report state "The majority of emissions generation resulted from vehicular and human traffic on the playa which liberated material for wind erosion." However, there is no scientific evidence whatsoever to support the claim that human and vehicular traffic caused the particulate matter sample levels. Photos are offered as evidence, but these are not scientific, do not show vehicular or human traffic as the cause of elevated particulate matter, and are a very poor basis for which to make these conclusions. Further, there is no wind monitoring in conjunction with the sample collections, and thus, it is unclear whether wind alone can account for the high levels of particulate matter. Finally, several of the samples have extremely high variances, many 3 times as large as the mean itself, meaning that there is extreme variability and uncertainty in the collections - again suggesting that the results are not valid, or extreme caution should be made in attempting to interpret meaning from these samples.	See Public Concern Statement AERM-R-1.	See Public Concern Statement AERM-R-1.
837	1	AERMOD Modeling Report and Air Resources Baseline Technical Report	212.0100.00	N/A	the EIS reliance on the Strohm 2018a Trinity Consulting report for particulate matter analysis does not fully consider the unique local geology of the alkali flat/playa in the Black Rock Desert. As noted in the report the majority of the particulate matter was consistent with dust from the natural environment " This finding is consistent with the material on the filter being made up primarily of native playa soils (see Table 2-5 in Strohm 2018a)." I reviewed the data from the appendix of the direct analysis of the data provided in the appendix and while the 24hr limits were high in all 3 Alternatives A, B and C there was no impact in year round levels so this would not impact the health of year-long Nevada residents in the area. The analysis also failed to take into account that the background particulate matter at that site may not be the same as the reference from Great Basin which was used as the 24hr baseline level in the analysis report. The year of the analysis 2017 was a particularly dusty year.	See Public Concern Statement AERM-R-1.	See Public Concern Statement AERM-R-1.
667	1	Artificial Light at Night Assessment	212.0300.00	N/A	The VIIRS data used to support this proposal does not adequately sample the full event over enough years to make an adequate scientific study.	N/A	There are data in the report from multiple years that indicate increased artificial light at night levels during the Event. Light sources observed in the satellite data are also supported by ground-based photographic observations in the report.
1740	1	Artificial Light at Night Assessment	212.0300.00	N/A	I am writing with specific concerns surrounding Measure VIS-4: The BLM will monitor to ensure high-energy lasers and large lights (e.g., spotlights) are not used during the Event. There has not been sufficient analysis to warrant this mitigation. In the ALAN assessment, all evidence for increased ALAN comes from a single point of data over a 6-year period. One data point clearly cannot be considered statistically significant, and should not be a relevant basis for decision making.	N/A	The ALAN report includes data from 2012 through 2017. The report illustrates the increasing radiance levels through time. Qualitative information contained in the report illustrates that the Burning Man Event at night does not meet a Class II VRM viewshed, as dictated in the NCA RMP.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1813	1	Artificial Light at Night Assessment	212.0300.00	N/A	On a radiance per person basis, a sharp drop was actually observed between 2012-2013, followed by an essentially constant level for several years, and an increase from 2016-2017. Again, there's no reason to assume the radiance/person would change in upcoming years. The study's models used for extrapolating trends into the future often use apparently arbitrarily chosen polynomials functions, and use the R2 as a measure of the fit of the model. This is an amateur mistake, and makes me question the study's scientific integrity. Without sufficient justification, only a linear model should be used. Instead of the R2 coefficient, the "adjusted R2" coefficient should be used, to realistically evaluate the quality of model fits. The study claims that the dust clouds present at the event contribute to horizontal scattering of light that could have "undesirable environmental effects." What environmental effects are being referred to? More concerning, is that this statement contradicts other recommendations. Throughout the study, recommendations were made to place shielding on work lights (which reduce upward radiance, at the cost of reflecting light horizontally). By the study's logic, dust clouds would serve a role similar to shielding in reducing ALAN levels.	N/A	Comment noted. The patterning of the radiance data suggests that the data fit a polynomial equation and the R2 value is presented.
2022	1	Artificial Light at Night Assessment	212.0300.00	N/A	Measure SPEC-2 requiring BMP to reduce light pollution and install shields on lights at night both draws from insufficient data and increases safety risk to workers and participants alike. In regards to the data from which this measure draws its assessment of light pollution in Black Rock City (BRC), the assessment relies primarily on VIIRS satellite measurements taken from a night with outstanding light; one that has not been repeated. Furthermore, light in BRC is variable depending on the moment, the light sample used in this data was taken at a moment of high light intensity, which does not represent a continuously maintained level of light emission. Therefore the data comes from a sample that is a complete outlier to the event at large and insufficient evidence to base the measure upon. Previous environmental studies have been undertaken in regards to this matter of BRC's impact on bird migration and have found that the event does not impact migratory patterns. Additionally, in the summer months, there is little bird migration through the area. The requirement to lower light emissions and install light shields causes a safety hazard due to the necessity of light for workers and participants. High temperatures cause most traffic to happen at night when the climate is more amiable. To reduce crashes, blind movement through the city, and enable BRC workers to carry out their necessary tasks high-intensity light is required.	N/A	A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event. Shielding and light minimizing measures are used by mine operators, such as Hycroft at the edge of the NCA and Coeur Rochester. Their lighting plans do not impact worker safety.
875	2	Artificial Light at Night Assessment	212.0300.00	N/A	The frequency and period of light measurements during the event are in no way sufficient to measure a trend in ambient light creation for a 9 day event. As I am sure you are aware the variability of man made events over such a short duration, particularly at an event that includes performance light, is extremely variable. - Many data points are unlabelled not indicating the day-of-event measurement which would be critically important in such a comparison over such a relatively small (sample size = 5 years) comparison set. - While the report relies on primarily satellite based data which by nature is less precise there is a surprisingly small amount of independent ground based measurement which could mitigate this problem and help for eventu In light of this I wish to point out and ask the committee to consider before implementing mitigation purported to be justified by ALAN concerns: - As discussed above and in the external contractor's report - a thorough and evidence based data set upon which to make conclusions. The data collected so far is by no means complete or long enough.	N/A	A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1087	5	Artificial Light at Night Assessment	212.0300.00	N/A	One of the main conclusions of the report is a purported rise in artificial light at night (ALAN) pollution at Burning Man. The authors state: "[...] However, this pattern was noticeably changed in 2017 with a significant increase in average nightly radiance (e.g. see Figure 4.5). In addition, the radiance per person increased in 2017. These increases are consistent with the model presented in Figure 4.5 and would predict further increases in ALAN in future years." Data shown in Figure 4.5 is the main basis for this conclusion. No error bars are presented to characterize measurement uncertainty. Figure 4.6 provides daily data points that are the basis for the averaged data in Figure 4.5. Fig. 4.6 shows that once the population of Black Rock City exceeds >8k participants, radiance is fairly independent of population size, with no appreciable difference between pre-event nights and event nights. Nightly data points of radiance have a very high variance, with radiances ranging between ~7.5 and ~17.5 W/sr. From the high variance of non-averaged daily data points in Fig 4.6, it is clear that the error bars missing in Figure 4.5 are not insignificant, since event averages are taken over the very short time of approximately 7/8 nights. One would expect no statistically significant change within errors for the years 2012 to 2016. The authors however fit a polynomial to the data (arbitrarily chosen as quadratic), and describe an increase in ALAN from 2014 on. Moreover, they extrapolate a general trend based on a *single* data point for 2017. Their conclusion, that "The data show a trend of increasing amounts of ALAN since 2014." is not sound. The authors are certainly aware of the deficiency of their method, stating "[...] that polynomial models can easily over-fit data and are not very reliable for extrapolation." (page 20). It is worse than that: the authors have an extremely low number of observations, are completely disregarding both random and systematic errors, and are relying on one single observation (potentially an outlier!) to establish a trend. This is not sound scientific practice, and would certainly have trouble passing peer review.	N/A	The ALAN report includes data from 2012 through 2017. The report illustrates the increasing radiance levels through time. Qualitative information contained in the report illustrates that the Burning Man Event at night does not meet a Class II VRM viewshed, as dictated in the NCA RMP.
1087	8	Artificial Light at Night Assessment	212.0300.00	N/A	Laser wavelength/color is not indicative of the optical power transmitted and not conclusive for associated danger. Specifically green lasers are usually frequency-doubled infrared lasers, where improper filtering of the *far more powerful* infrared portion is a much greater source of concern, since this part of the spectrum is invisible to the human eye. The singular focus on green lasers is misguided. The useful criteria are not only wavelength, but more importantly optical power and beam waist. All these considerations are reflected in the laser classification schemes, which inform established safety regulations both for laboratories and at events.	N/A	See Public Concern Statement VIS-I.
1652	1	Artificial Light at Night Assessment	212.0300.00	N/A	It is recommended that further research needs to be conducted to see if actually there is an increase, and if so, what and who does this impact over the 6 week period. What animals are impacted? What aspect of the environment overall is impacted in a negative manner? The current data is insufficient to make any conclusions. .	N/A	A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event.
522	4	Artificial Light at Night Assessment	212.0300.00	N/A	Every year there are two major burns – the main burn on Saturday night, and the Temple burn on Sunday. This has been the case for literally dozens of years. Both are visible from space without special equipment. Both are artificial light at night of significant proportions. If there real[ly] was concern about light why were these not considered as part of the assessment?	N/A	Per the NCA RMP, the Burning Man Event occurs in an area that is designated as a Class II VRM viewshed. A Class II VRM viewshed can have alterations that are not noticeable to the casual observer. Both quantitative and qualitative studies done indicate that the Burning Man Event at night exceeds the Class II VRM standards. While Black Rock City does not create as much light pollution as many communities in Nevada, it does not adhere to the Class II VRM rating.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
605	1	Artificial Light at Night Assessment	212.0300.00	N/A	The VIIRS satellite data used for the measurement to substantiate the BLM finding selected a single, maximum value, on a single day in a single year, rather than a valid average over the duration for which data are available.	N/A	The ALAN report includes data from 2012 through 2017. The report illustrates the increasing radiance levels through time. Qualitative information contained in the report illustrates that the Burning Man Event at night does not meet a Class II VRM viewshed, as dictated in the NCA RMP. A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event.
652	4	Artificial Light at Night Assessment	212.0300.00	N/A	Regarding implementing monitoring measures related to the Burning Man Event Night Skies Study, the Burning Man Organization's third party analysis of DEIA data confirms the Craine and Craine study methodology is flawed, and their conclusions rely too heavily on a single data point lasting less than one second in a five year period. Why would BLM ask the organization to implement measures based on inherently flawed methodology?	N/A	See Public Concern Statement MITVIS-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1087	6	Artificial Light at Night Assessment	212.0300.00	N/A	<p>An obvious question is not addressed: is it possible that most of the observed variance is a direct result of taking the satellite image during varying dust episodes? It seems unlikely that the average stray light of the whole city is varying by a large amount over any given night, or over the nights of any single year. The authors mention that "To measure the artificial light at night component it is preferable to obtain imaging in the absence of moonlight and the absence of interfering cloud cover or severe atmospheric conditions (e.g. heavy dust storms)." (page 9) They then document steps taken during the analysis to exclude moonlight effects, and effects of cloud covered nights. Dust storms are certainly a common occurrence during some nights, and will drastically alter the amount of light scattering, as the authors concede later on: "The event is often characterized by large, dense dust clouds; these aerosols contribute to significant horizontal scattering of light" (page 37). However, no further discussion or analysis of the effects of light scattering by dust clouds is undertaken. This appears to be a problematic omission in their analysis. E.g., inclusion of wind data might be able to clarify whether "high radiance" nights are indeed correlated with high average winds, and only reflect the fact that significant dust clouds were present at the moment the satellite measurement was done. Figure 4.8 shows, according to the authors, that "After relatively stable values of radiance per person from 2013-2016 a significantly increased value (approaching that observed in 2012) was measured in 2017. The increase in radiance per person tracks with the increased trend in average ALAN observed in 2017 (see Figure 4.5)" (page 23). Again, the authors provide no error bars, rendering this comparison problematic in the light of data presented in Fig. 4.6. Investigating the 2012 data point in Figure 4.8, radiance per person is comparable to - actually, exceeds - the 2017 data point. 2012 had only ~8% less people than the subsequent years according to <a href="https://en.wikipedia.org/wiki/Burning_Man">https://en.wikipedia.org/wiki/Burning_Man</a>, shows an ~10% increase in average radiance according to Fig. 4.5, but at the same time has a ~70% increase in radiance/person. A quick back-of-the-envelope calculation: <math>\sim 0.37 \text{ W}^* \text{sr}^{-1} / \text{person}</math> (Fig. 4.8, 2012) <math>\times 56149</math> (2012 population) = <math>\sim 20.8 \text{ k W}^* \text{sr}^{-1}</math> average radiance, compared to <math>\sim 14 \text{ k W}^* \text{sr}^{-1}</math> average radiance as presented in Fig. 4.5. It appears there is a discrepancy, or the average radiance per person is sensitive to which nights are included into the calculation (early in the event with fewer participants vs. at capacity). It would be appropriate to detail the participant numbers used in a table, to make the calculations traceable. It's reasonable to assume most radiance is actually due to infrastructure/art installations/camp lighting, which to a large degree is independent from the number of participants at any given night - e.g. camp lighting infrastructure is set up in the beginning, regardless of how many participants have already arrived. Though there is some relationship between the order of magnitude of the number of participants and radiance, radiance per participant might not be a very useful measure.</p>	N/A	The purpose of the NASA study is to provide a baseline understanding of how playa materials might move. The study's purpose is not to analyze the direct, indirect, or cumulative impacts, but rather to provide an understanding of the types of impacts that could occur in similar conditions. Consistent with NEPA, specific impacts associated with the alternatives are analyzed in the EIS.
518	1	Artificial Light at Night Assessment	212.0300.00	N/A	<p>The VIIRS data used to assess this issue is insufficient to draw a reliable conclusion. There are not nearly enough data points to extrapolate the scope of the issue. I analyzed yearlong VIIRS data from 2018, 2017, 2016, and 2015, as well as ATLAS data from 2015. This information put Black Rock City firmly in the green rating, with nearly no light pollution at all. The maximum reading was a value of .44 in BRC. To contrast, the town of Empire has a rating of 8.17. and Reno clocks in at 59.9. That puts Black Rock City at a nearly imperceptibly small amount. (Citation: <a href="https://www.lightpollutionmap.info/#zoom=12&amp;lat=4796186&amp;lon=-13332304&amp;layers=B0TFFFFF">https://www.lightpollutionmap.info/#zoom=12&amp;lat=4796186&amp;lon=-13332304&amp;layers=B0TFFFFF</a>)</p>	N/A	Per the NCA RMP, the Burning Man Event occurs in an area that is designated as a Class II VRM viewshed. A Class II VRM viewshed can have alterations that are not noticeable to the casual observer. Both quantitative and qualitative studies done indicate that the Burning Man Event at night exceeds the Class II VRM standards. While Black Rock City does not create as much light pollution as many communities in Nevada, it does not adhere to the Class II VRM rating.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
522	3	Artificial Light at Night Assessment	212.0300.00	N/A	"Satellite data discussed in this report suggest that there may be changes taking place in the nature and/or quantity of light being generated during the event. This evolution may be independent, or loosely dependent, upon the attendance at the event. If this is true, then future efforts at mitigation could require registration of light sources and regulation of allowed lighting. This could be based on measureable factors such as light intensity, spectral energy distribution, and directional distribution of light energy." "may be changes"? In a draft notice, references should be nailed down a lot more than "may be". "if this is true"? why not ascertain if it is true or not before using it as source material for a draft notice? "could require registration"? Burning Man already prohibits all lasers except those exceptions that are registered and inspected. This is public knowledge and has been available on the Burning Man website for years.	N/A	A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event.
891	2	Artificial Light at Night Assessment	212.0300.00	N/A	Most of our laser equipment is RGB which requires green to produce other hues and shades of colors. Banning green would ruin the opportunity to create different colors and is also short sided given we have equipment that can produce equally high powered beams at all frequencies/colors.	N/A	Per the NCA RMP, the Burning Man Event occurs in an area that is designated as a Class II VRM viewshed. A Class II VRM viewshed can have alterations that are not noticeable to the casual observer. Both quantitative and qualitative studies done indicate that the Burning Man Event at night exceeds the Class II VRM standards. While Black Rock City does not create as much light pollution as many communities in Nevada, it does not adhere to the Class II VRM rating.
1850	12	Artificial Light at Night Assessment	212.0300.00	N/A	The Craine and Craine (2018) ALAN study must be extended to 2019 and future years. One conclusion for the 2017 event was: "Quantitative measurements of ALAN produced in association with the Event confirmed that significant levels are limited to a short period of approximately 42 days." Significant levels over 42 days is not a "short period". It represents 12% of the year. Please remove "short period". If the BRC's preferred increase in participants is allowed (Alt. A), the event activities would last 78 days (21% of the Year) and the period of significant ALAN levels will surely increase.	N/A	A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event.
1350	1	Artificial Light at Night Assessment	212.0300.00	N/A	To the light pollution contention I'd like to point out that Sky glow and radiance measures using acquired satellite VIIRS (Visible Infrared Imaging Radiometer Suite) or scanning satellite radiometer data are woefully inconclusive given the poor degree of data collected and the less than sufficient applicability of that data some of which was obviously cherry picked for the DEIS. Further as has been pointed out the most egregious affront to the issue is not from the myriad lights from Black Rock City but rather, the intense luminosity generated by the BLM/law enforcement/Nevada Highway Patrol compound located on the periphery of the larger encampment.	N/A	Per the NCA RMP, the Burning Man Event occurs in an area that is designated as a Class II VRM viewshed. A Class II VRM viewshed can have alterations that are not noticeable to the casual observer. Both quantitative and qualitative studies done indicate that the Burning Man Event at night exceeds the Class II VRM standards. While Black Rock City does not create as much light pollution as many communities in Nevada, it does not adhere to the Class II VRM rating.
1774	1	Artificial Light at Night Assessment	212.0300.00	N/A	It appears BLM relied on very few observations in the Artificial Light at Night Assessment.	N/A	Per the NCA RMP, the Burning Man Event occurs in an area that is designated as a Class II VRM viewshed. A Class II VRM viewshed can have alterations that are not noticeable to the casual observer. Both quantitative and qualitative studies done indicate that the Burning Man Event at night exceeds the Class II VRM standards. While Black Rock City does not create as much light pollution as many communities in Nevada, it does not adhere to the Class II VRM rating.
518	15	Artificial Light at Night Assessment	212.0300.00	N/A	The Burning Man Event Night Skies Study (Craine and Craine 2017) is insufficient and draws on an insufficient sample size. In fact, it is not a sample size- it is a single data point.	N/A	A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
526	1	Artificial Light at Night Assessment	212.0300.00	N/A	The data collected on the impacts of Burning Man on the night sky are not sufficient to establish the need for the proposed mitigation measure. In particular, it appears to be based on measurements taken on a single night, August 29, 2017, even though the event lasts for nine nights and is held every year. Why was this particular night singled out, rather than focusing on the mean or median over every night covering several years? This is likely an outlier data point and is certainly not sufficient to establish a trend. Sound practice dictates considering the median and quantiles or mean and standard deviations, rather than basing decisions on an outlier data point.	N/A	A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event.
518	15	Artificial Light at Night Assessment	212.0300.00	N/A	As stated above, in my response to measure SPEC-1, the Burning Man Event Night Skies Study (Craine and Craine 2017) is insufficient and draws on an insufficient sample size. In fact, it is not a sample size- it is a single data point.	N/A	A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event.
526	1	Artificial Light at Night Assessment	212.0300.00	N/A	The data collected on the impacts of Burning Man on the night sky are not sufficient to establish the need for the proposed mitigation measure. In particular, it appears to be based on measurements taken on a single night, August 29, 2017, even though the event lasts for nine nights and is held every year. Why was this particular night singled out, rather than focusing on the mean or median over every night covering several years? This is likely an outlier data point and is certainly not sufficient to establish a trend. Sound practice dictates considering the median and quantiles or mean and standard deviations, rather than basing decisions on an outlier data point.	N/A	A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event.
518	1	Artificial Light at Night Assessment	212.0300.00	N/A	The VIIRS data used to assess this issue is insufficient to draw a reliable conclusion. There are not nearly enough data points to extrapolate the scope of the issue. I analyzed yearlong VIIRS data from 2018, 2017, 2016, and 2015, as well as ATLAS data from 2015. This information put Black Rock City firmly in the green rating, with nearly no light pollution at all. The maximum reading was a value of .44 in BRC. To contrast, the town of Empire has a rating of 8.17. and Reno clocks in at 59.9. That puts Black Rock City at a nearly imperceptibly small amount. (Citation: <a href="https://www.lightpollutionmap.info/#zoom=12&amp;lat=4796186&amp;lon=-13332304&amp;layers=B0TFFFFF">https://www.lightpollutionmap.info/#zoom=12&amp;lat=4796186&amp;lon=-13332304&amp;layers=B0TFFFFF</a> )	N/A	Per the NCA RMP, the Burning Man Event occurs in an area that is designated as a Class II VRM viewshed. A Class II VRM viewshed can have alterations that are not noticeable to the casual observer. Both quantitative and qualitative studies done indicate that the Burning Man Event at night exceeds the Class II VRM standards. While Black Rock City does not create as much light pollution as many communities in Nevada, it does not adhere to the Class II VRM rating.
1087	4	Artificial Light at Night Assessment	212.0300.00	N/A	I want to comment on an issue within my academic and professional experience. Specifically, I will address the following study: "Craine, Dr. E. R., and Dr. B. L. Craine. 2018. Black Rock City, Nevada. Artificial Light at Night Assessment. Western Research Company, Inc., Tucson, Arizona. Draft Final Report. March 15, 2018.", as downloadable at <a href="https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&amp;currentPageId=139649">https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&amp;currentPageId=139649</a> , which was used to inform the Draft Environmental Impact Statement. One of the main conclusions of the report is a purported rise in artificial light at night (ALAN) pollution at Burning Man. The authors state: "[.] However, this pattern was noticeably changed in 2017 with a significant increase in average nightly radiance (e.g. see Figure 4.5). In addition, the radiance per person increased in 2017. These increases are consistent with the model presented in Figure 4.5 and would predict further increases in ALAN in future years." Data shown in Figure 4.5 is the main basis for this conclusion. No error bars are presented to characterize measurement uncertainty. Figure 4.6 provides daily data points that are the basis for the averaged data in Figure 4.5. Fig. 4.6 shows that once the population of Black Rock City exceeds >8k participants, radiance is fairly independent of population size, with no appreciable difference between pre-event nights and event nights. Nightly data points of radiance have a very high variance, with radiances ranging between ~7.5 and ~17.5 W/sr. From the high variance of non-averaged daily data points in Fig 4.6, it is clear that the error bars missing in Figure 4.5 are not insignificant, since event averages are taken over the very short time of	N/A	A proposed monitoring measure is to continue the night skies studies to better understand the light pollution from the Burning Man Event.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1087 (continued)	(see above)	(see above)	(see above)	(see above)	<p>approximately 7/8 nights. One would expect no statistically significant change within errors for the years 2012 to 2016. The authors however fit a polynomial to the data (arbitrarily chosen as quadratic), and describe an increase in ALAN from 2014 on. Moreover, they extrapolate a general trend based on a *single* data point for 2017. Their conclusion, that "The data show a trend of increasing amounts of ALAN since 2014." is not sound. The authors are certainly aware of the deficiency of their method, stating "[..] that polynomial models can easily over-fit data and are not very reliable for extrapolation." (page 20). It is worse than that: the authors have an extremely low number of observations, are completely disregarding both random and systematic errors, and are relying on one single observation (potentially an outlier!) to establish a trend. This is not sound scientific practice, and would certainly have trouble passing peer review. As detailed, Figure 4.6 illuminates the magnitude of radiation variance, by showing they daily observations for multiple Burning Man events used to compute the averages in Figure 4.5. An obvious question is not addressed: is it possible that most of the observed variance is a direct result of taking the satellite image during varying dust episodes? It seems unlikely that the average stray light of the whole city is varying by a large amount over any given night, or over the nights of any single year. The authors mention that "To measure the artificial light at night component it is preferable to obtain imaging in the absence of moonlight and the absence of interfering cloud cover or severe atmospheric conditions (e.g. heavy dust storms)." (page 9) They then document steps taken during the analysis to exclude moonlight effects, and effects of cloud covered nights. Dust storms are certainly a common occurrence during some nights, and will drastically alter the amount of light scattering, as the authors concede later on: "The event is often characterized by large, dense dust clouds; these aerosols contribute to significant horizontal scattering of light" (page 37). However, no further discussion or analysis of the effects of light scattering by dust clouds is undertaken. This appears to be a problematic omission in their analysis. E.g., inclusion of wind data might be able to clarify whether "high radiance" nights are indeed correlated with high average winds, and only reflect the fact that significant dust clouds were present at the moment the satellite measurement was done. Figure 4.8 shows, according to the authors, that "After relatively stable values of radiance per person from 2013-2016 a significantly increased value (approaching that observed in 2012) was measured in 2017. The increase in radiance per person tracks with the increased trend in average ALAN observed in 2017 (see Figure 4.5)" (page 23). Again, the authors provide no error bars, rendering this comparison problematic in the light of data presented in Fig. 4.6. Investigating the 2012 data point in Figure 4.8, radiance per person is comparable to - actually, exceeds - the 2017 data point. 2012 had only ~8% less people than the subsequent years according to <a href="https://en.wikipedia.org/wiki/Burning_Man">https://en.wikipedia.org/wiki/Burning_Man</a>, shows an ~10% increase in average radiance according to Fig. 4.5, but at the same time has a ~70% increase in radiance/person. A quick back-of-the-envelope calculation: <math>\sim 0.37 \text{ W} \cdot \text{sr}^{-1} / \text{person}</math> (Fig. 4.8, 2012) <math>\times 56149</math> (2012 population) = <math>\sim 20.8\text{k W} \cdot \text{sr}^{-1}</math> average radiance, compared to <math>\sim 14\text{k W} \cdot \text{sr}^{-1}</math> average radiance as presented in Fig. 4.5. It appears there is a discrepancy, or the average radiance per person is sensitive to which nights are included into the calculation (early in the event with fewer participants vs. at capacity). It would be appropriate to detail the participant numbers used in a table, to make the calculations traceable. It's reasonable to assume most radiance is actually due to infrastructure/art installations/camp lighting, which to a large degree is independent from the number of participants at any given night - e.g. camp</p>	(see above)	(see above)

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1087 (continued)	(see above)	(see above)	(see above)	(see above)	lighting infrastructure is set up in the beginning, regardless of how many participants have already arrived. Though there is some relationship between the order of magnitude of the number of participants and radiance, radiance per participant might not be a very useful measure. In summary, it appears the analysis of satellite data is incomplete, and the projections of future increases are not sound. Furthermore, authors state "The WRC team on-site observed the use of green lasers. Green lasers are generally higher energy, they can be deleterious to human vision, and they are a real potential threat to aircraft operations, even at considerable distances. The use of high energy green lasers should at least be discouraged if not stringently banned." (page 37). Laser wavelength/color is not indicative of the optical power transmitted and not conclusive for associated danger. Specifically green lasers are usually frequency-doubled infrared lasers, where improper filtering of the *far more powerful* infrared portion is a much greater source of concern, since this part of the spectrum is invisible to the human eye. The singular focus on green lasers is misguided. The useful criteria are not only wavelength, but more importantly optical power and beam waist. All these considerations are reflected in the laser classification schemes, which inform established safety regulations both for laboratories and at events. In my personal experience, those laser safety measures already are well implemented at Burning Man. All kinds of hand held lasers have been banned from the event since 2015, and high-powered lasers installed on e.g. art cars require both prior notification and a laser safety contact present at all times, see <a href="https://burningman.org/event/black-rock-city-guide/lasers/">https://burningman.org/event/black-rock-city-guide/lasers/</a> . High power lasers are usually, in my experience, directed into the surrounding mountains rather than simply pointed up. In this context, images taken with cameras (e.g. page 30) are usually highly misleading. Similar images taken by myself appear to show that lasers point up straight towards the sky, while in fact they were terminated by the surrounding mountains. To best of my knowledge, there were no relevant incidents of lasers at Burning Man interfering with any type of air traffic. The authors of the study actually ascertain a great track record for Burning Man, stating: "Although Black Rock City (during Burning Man event) is the tenth largest city in Nevada with a peak population of 79,379 (including attendees, staff and volunteers [12]), it has the third best LANI in the state(rank of 90.1). Twenty of twenty-three communities with a population greater than 10,000 have a poorer LANI than Black Rock City. [...] The Burning Man event is true to one of their main principles of "leave no trace" with respect to artificial light (which could be considered as a pollutant". While the data collection effort to investigate ALNA by the authors is commendable, there appear to be deficiencies in the analysis and interpretation of the data. It furthermore seems regulation of light sources place an overly broad and unnecessary burden on Burning Man, both without apparent benefits, and without adequate supporting data.	(see above)	(see above)
1568	2	Assessment of Economics, Social Values, and Environmental Justice	212.0400.00	N/A	The Assessment of Economics, Social Values, and Environmental Justice highlights some of the concerns voiced by its representatives, however it does not reflect the possibilities that could be achieved. Tribal lands have long been overlooked in the United States, but because of Burning Man, there is an opportunity to better enlighten visitors from all over the world about our indigenous residents.	N/A	Executive Order 12898 requires that federal agencies identify and address any disproportionately high and adverse human health of environmental effects. The environmental justice section of the FEIS analyzes the potential negative impacts on social values on minority and low-income communities.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1568	5	Assessment of Economics, Social Values, and Environmental Justice	212.0400.00	N/A	Although the Assessment of Economics, Social Values, and Environmental Justice is quite comprehensive, it is unfortunate that the Assessment Areas did not include a thorough evaluation of the cultural resources, which should also comprise the arts, and the impact they are making. Certainly, that Report does not adequately address the greater positive impacts that could be realized.	N/A	Under NEPA, cultural resources are considered to be human remains, tangible material culture, or traces of an activity or event that is 50 years old or older. The 50-year mark comes from the National Historic Preservation Act. Executive Order 12898 requires that federal agencies identify and address any disproportionately high and adverse human health of environmental effects. The environmental justice section of the FEIS analyzes the potential negative impacts on social values on minority and low-income communities. The economic contribution of participant spending, including those consisting of spending on supplies and materials that may be used for the arts, are considered in the BRC census on participant spending (the categories of participant spending are food, lodging, fun, fuel, and survival).
1375	1	Assessment of Economics, Social Values, and Environmental Justice	212.0400.00	N/A	The EIS and the supporting report entitled "Assessments of Economics, Social Values, and Environmental Justice" (BLM 2019) has scant discussion on the Live Entertainment Tax. There appears to be only one sentence in each, providing merely a single Black Rock City, LLC expense. The problem is that without a "reasonably accurate estimate of the effects of [a] proposal. The public and agency decision makers 'cannot rationally weight its relative benefits and costs—and that, of course, is the ultimate NEPA objective'" (Coggins and Glickman. 2013, as quoted by Langberg, 2014, p. 726). Provided within the EIS is that one-time expense, but nowhere to be found is the treatment of State revenues. Since BLM did not articulate budget consequences, and the executive budget is the plan for the State of Nevada, the impact of Alternative E (No Permit/Event Alternative) cannot be discerned and should be removed from the Final EIS.	N/A	Tax contributions were analyzed from the participant spending. Tax contributions associated with operational retail revenue were estimated for the environmental consequences analysis. Live entertainment tax and property tax values were used as reported by BRC and were not calculated from expenditures.
926	3	Biological Resources Baseline Report	212.0500.00	BRBR-1	I take issue with the background assumptions based on articles referenced in the BIOLOGICAL RESOURCES BASELINE REPORT MARCH 2019 which discusses the impact of trash on wildlife. First, many of the articles cited in the report are about permanent structures, which Black Rock City is not. For example, the reference article Kapfer, J. M., and R. A. Paloski. 2011. "On the threat to snakes of mesh deployed for erosion control and wildlife exclusion." Herpetological Conservation and Biology 6(1): 1-9. o The permanent structures discussed such as turf reinforcement mats and open textile weave erosion control are not used in Black Rock City. o The trash fence barrier is a temporary installation that has a very minor impact on the wildlife in the area.	Commenter expressed concern that the effects on wildlife from trash described in Section 3.5 of the Biological Resources Baseline Report are not relevant to the Event.	No change made. Chapter 3 of the Biological Resources Baseline Report is a synthesis of human-caused effects on wildlife that have been documented in the literature, including from trash. This synthesis is not an exhaustive analysis of the effects of all potential trash that may be deposited in the environment by Event participants; rather, it illustrates the mechanism of potential effects, such as entanglement, strangulation, or ingestion, from common trash items. While it is unlikely that erosion control netting or wildlife exclusion fencing would be used by Event participants, similar trash items, such as nylon netting, parachutes, and tarpaulins, may have similar effects. The BLM does not expect detrimental effects on wildlife from installation of the trash fence; rather, it acknowledges that the trash fence would substantially reduce the amount of trash released into the environment, thus reducing the potential for detrimental effects.
926	3	Biological Resources Baseline Report	212.0500.00	N/A	Parker, G. H., and C. G. Blomme. 2007. "Fish-line entanglement of nesting mourning dove, Zenaida macroura." Canadian Field Naturalist 121: 436-437 o Paper is less than a page long and is a case report, not a research study. o In it, the author describes one bird that he found entangled in fish line outside of the city of Sudbury Ontario which has a population of 161,531 people.	See Public Concern Statement BRBR-1.	See Public Concern Statement BRBR-1.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
629	1	Biological Resources Baseline Report	212.0500.00	N/A	The Biological Resources Baseline Report (Report), Dated March 2019, prepared by the BLM, failed to identify any specific migrating bird species that may be impacted by high intensity lights during the Event time period. Diagram 1 shows Migratory Bird Flyways for the whole United States, but the due to scale of the map, it's lacks any usefulness. The Playa was identified as a migratory pathway during periods of the year when the playa is a lake. This period does not coincide with the Event time period, so migratory birds would not be impacted as implied in the Report. Furthermore, Figure 1 of the reports shows an extended Biological resource assessment area that extents to Reno and Lovelock. It is not clear how high intensity lights on the playa, pointing up, impact birds in this large area. The Report did not include bird inventory surveys performed at or during the event. Therefore, how can the impact be considered significant if the number of birds impacted by high intensity lights is not known. SPEC-2 is an arbitrary requirement to reduce an impacted that has not been demonstrated to be significant.	N/A	No change made. As noted in the Biological Resources Baseline Report, the potential for migratory bird species to occur in the assessment area was based on a review of protected species under the Migratory Bird Treaty Act, habitat in the assessment area, and information from the NDOW and USFWS. At the request of the proponent, wildlife surveys were not conducted as part of this EIS; therefore, the BLM assumes that wildlife are present. This is typical of other proponents not wanting to bear the cost of wildlife surveys. As noted in Section 3.3.1 of the DEIS, migratory birds that use the playa when it is inundated are not expected to be affected by the Event; however, other migratory bird species may be present in suitable habitat throughout the assessment area during the Event time frame, and these species may be affected, both directly or indirectly, by Event activities. For example, the assessment area includes major travel routes to the Event. This is because migratory birds may be affected by traffic, as noted in the Biological Resources Baseline Report Wildlife Effects Synthesis, and in Section 3.3.1 of the EIS. Proposed Mitigation Measure SPEC-2 (now VIS-2) would protect not just migratory birds, but also other general and special status wildlife.
1850	4	Biological Resources Baseline Report	212.0500.00	N/A	Sec. 3.3.6, p. 3-17 We did not find the DEIS's Biological Resources Baseline Report (EMPSi 2018a) to have specific baseline information on wildlife species or their habitats, nor event impacts on both species and habitats. Instead it was more of a literature review. The final EIS should include more specific information on event impacts on wildlife/habitat.	N/A	No change made. The Biological Resources Baseline Report contains sufficient baseline information on wildlife and habitats in the assessment area to analyze Event effects on these resources. Because the commenter does not identify the specific information that should be added to the FEIS, no change was made. Further, Chapter 3 of the Biological Resources Baseline Report is a synthesis of human-caused effects on wildlife that have been documented in the literature. It is not an analysis of Event effects. An analysis of Event effects on wildlife and their habitats is given in Section 3.3 of the DEIS.
1655	7	Biological Resources Baseline Report	212.0500.00	N/A	The BRBR report suggests that high intensity light or LED light sources may negatively impact mammals through direct effects via ocular damage. However, the studies have limited applicability to assessing environmental impact of the BM event, as the studies assess chronic exposure (e.g. 28 days constant exposure, (Shang et al., 2014)) and not intermittent exposure. The cited damage to humans was based on military lasers and involved personnel looking directly into the lasers for purposes of maintenance and repair (Harris et al., 2003). Further, distances to light sources greatly reduces impacts.	N/A	The BLM revised the effect synthesis discussion to include studies that examine mammal ocular damage from intermittent light exposure. The BLM removed the reference to Harris et al. 2003.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1655	18	Biological Resources Baseline Report	212.0500.00	N/A	The BRBR cites Sánchez-Bayo (2006) to suggest an impact of chemical toxicity and bioaccumulation. However, this study reports the LC50 levels of various potential indicator invertebrates to assess levels of pollution in future studies - thus it is a baseline study to be used for assessing environmental impacts, not for suggesting there is one. The pollutants assessed are largely agrochemicals and have little relevance to the BM event. Further, there is no evidence that the BM event is causing impacts to aquatic invertebrates through agro-chemical pollution, or any other chemicals assessed in the baseline study of Sánchez-Bayo (2006). Finally, the last study relates to soaps or detergents on aquatic resources. In the closure area during the event, there are no aquatic resources. There is also no evidence of soaps or detergents impacted aquatic invertebrates from the BM-event. Based on the BRBR report, there is no discernable evidence of an impact to wildlife from pollution due to the BM-event.	N/A	The references identified by the commenter are located in Section 3.5.3 of the Biological Resources Baseline Report. The report cites Sanchez-Bayo (2006) as a study that compared published acute toxicity values (LC50 values) of organic pollutants on aquatic invertebrates. While this study can be used to assess environmental impacts, as the commenter suggests, it also indicates that acute toxicity levels for these indicator species have been determined for environmental pollutants other than agriculture chemicals. The Biological Resources Baseline Study does not cite Sanchez-Bayo (2006) when discussing bioaccumulation, as the commenter suggests. The study by Sada et al. (2001) identifies soaps and detergents as having detrimental effects on aquatic wildlife in spring habitats. Event participants are known to use surrounding hot springs before, during, and after the Event; it is reasonable to assume that aquatic wildlife in these springs could be affected by soaps or detergents if recreationists use such products there. Further, while the playa is dry during the Event, the USFWS classifies the playa as a wetland, and the USACE classifies it as a playa. The USACE assumes that the playa is a Water of the US until an Approved Jurisdictional Determination is done; Thus, introduction of soaps or detergents onto the playa would be an introduction into the aquatic environment.
1235	2	Biological Resources Baseline Report	212.0500.00	N/A	The report makes the case that the playa is an important seasonal habitat for migratory birds. What would have been extremely useful is information on what, if any, migratory birds use the playa habitat, or migrate over the Closure Area during the Event, particularly the last week of August and through Labor Day weekend. It is an obviously important question for the preparers and I'm puzzled that it is not addressed.	N/A	No change made. As noted in the Biological Resources Baseline Report, the potential for migratory bird species to occur in the assessment area was based on a review of protected species under the Migratory Bird Treaty Act, habitat in the assessment area, and information from the NDOW and USFWS. At the request of the proponent, wildlife surveys were not conducted as part of this EIS; therefore, the BLM assumes that wildlife are present. This is typical of other proponents not wanting to bear the cost of wildlife surveys. Species that may use the playa are summarized in Section 2.3 of the Biological Resources Baseline Report. As noted in Section 3.3.1 of the DEIS, migratory birds that use the playa when it is inundated are not expected to be affected by the Event because they would generally not be present during the Event.
966	2	Biological Resources Baseline Report	212.0500.00	N/A	Apparently, the "Biological Resources Baseline Report" has resource-based problems. As a minimum, this seriously brings question to 2.6 Vegetation. By reference 2.7 Wetlands and Riparian Areas, p. 2-19 within the span of pages 2-18 through 2-10 and 2.8 Wildlife, p. 2-20 within the span of pages 2-20 through 2-22 are also questionable. This is because they reference 2.6 which references Conquist, et al., 1972. This vegetation-based error has widespread consequences.	N/A	No change made. Cronquist et al.'s (1972) Intermountain Flora was cited when describing the assessment area's regional setting. The BLM believes this is an appropriate citation for describing this relatively general setting information. Vegetation in the assessment area is described using land cover descriptions from the Southwest Regional GAP Analysis Project (SWReGAP 2005).

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1655	3	Biological Resources Baseline Report	212.0500.00	N/A	Several aspects of the BRBR summary are false, misleading, or scientifically invalid and negative impacts to avian species of concern due to the BM event have not been clearly demonstrated. Further the proposed mitigation is unlikely to translate to reducing putative negative impacts of ALAN caused by the BM event. For example, the BRBR suggests that LED lighting impacts avian species, stating, "(LEDs), has been shown to alter avian foraging behavior (Lind et al. 2013) and breeding biology (Bennett et al., 1997; Hunt et al. 2003)". However, the cited studies do not assess the impact of LEDs on avian foraging behaviour or breeding. Lind et al. (2013) examines the spectral range of raptor UV sensitivity, Bennett et al. (1997) tests UV reflectance of male plumage and its impact on female mate choice, and Hunt et al. (2003) examines mouth and flange colors of passerine birds and its impact on chick begging.	N/A	The BLM revised Section 3.1.1 of the Biological Resources Baseline Report to clarify use of the identified references. These studies demonstrate that a variety of avian species are sensitive to ultraviolet (UV) light; thus, the BLM assumes that exposure to human UV light sources, such as those associated with the Event, may affect avian behaviors.
1655	4	Biological Resources Baseline Report	212.0500.00	N/A	The BRBR report states: "Bright LED lights can also act as an avian deterrent, causing alert responses in passerine species (Doppler et al. 2015) and avoidance behavior in red-tailed hawks ( <i>Buteo jamaicensis</i> ; Foss et al. 2017)". Both of these studies investigate the use of Bright LED lights to prevent avian collisions with aircraft (Doppler et al., 2015) through avoidance. Deterring avian species from the BRC airport and closure area would be ideal during the event to prevent collisions and potential impacts on avian species. Thus, the proposed mitigation measures may produce the unwanted effect of not deterring potential migratory birds or species of concern in the assessment area. There was also no clear evidence of owls foraging in the closure area during the BM event, or their prey, suggesting no negative impact of BM-produced ALAN on owls.	N/A	No change made. As summarized in Section 3.1.1 of the Biological Resources Baseline Report and identified by the commenter, bright light-emitting diode (LED) lights can act as avian deterrents; thus, avian species can be affected by these light sources. This statement is not an analysis of the effectiveness of avian deterrent mechanisms that may or may not be used at the BRC airport; instead it is an account of documented effects from LEDs on avian species published in the literature. No change made. As summarized in Section 2.3 of the Biological Resources Baseline Report, NDOW has identified several owl species with ranges that overlap the Event Closures Area (see also Appendix A for agency consultation): barn owl, burrowing owl, great horned owl, long-eared owl, northern saw-whet owl, short-eared owl, and western screech owl.
1655	5	Biological Resources Baseline Report	212.0500.00	N/A	The BRBR report suggests that migrating birds may be negatively impacted by artificial lights. For migrating avian species to be negatively impacted by ALAN, there would need to be night migrating species in the assessment area (specifically the closure area) during the time of the event and a documented negative effect on those specific species. However, the work cited by the BRBR (Rich and Longcore, 2006) points out that the impact of artificial light on migrating birds is poorly known. As Gaston et al. (2015) emphasizes in a recent summary of the scientific literature, the effects of ALAN on most species is not well understood, and how these effects translate to actual impacts on populations, communities and ecosystems remains poorly known, largely because the number of studies is conducted is very limited. Further, there are no known studies on how temporary ALAN, such as that caused by the BM event, negatively impact migrating avian species. Thus, the requested mitigation measures for reducing ALAN are not scientifically valid for mitigating effects on any avian species within the assessment area. Further, the BRBR report does not document which avian species may be migrating at night during the event period, making scientific analysis of possible environmental impacts of the BM event to avian species difficult.	N/A	Proposed Mitigation Measure SPEC-2, referenced by the commenter, has been reclassified as a proposed mitigation measure for effects on visual resources from ALAN. As discussed in the FEIS, incorporating this measure may indirectly beneficially affect avian species, if present during the Event.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1655	6	Biological Resources Baseline Report	212.0500.00	N/A	The BRBR report suggests that solar arrays may negatively impact some avian species. However, a comprehensive review of the literature (Smith and Dwyer, 2016) suggests that impacts are site and species specific, making generalizations to any specific species impossible. Further, the empirical studies themselves relate to very large solar array energy facilities (Smith and Dwyer, 2016), and none address short-term smaller scale solar energy as is used at the BM event.	N/A	No change made. The BLM acknowledges that published studies on the effects of small-scale solar arrays on wildlife are difficult to find and that impacts would be site- and species-specific. Section 3.1.1 of the Biological Resources Baseline Report discloses that the cited sources relate to industrial-scale solar arrays, as the commenter points out; however, the mechanism of potential effects, such as reflection of polarized light from photovoltaic cells, attraction of certain avian species and insect prey, and increased potential for collision with structures, may be the same between large- and small-scale arrays.
1655	8	Biological Resources Baseline Report	212.0500.00	N/A	Given the lack of mammals within the closure area during the BM event when lights could potentially cause damage to wildlife, there is unlikely to be any negative impacts to non-flying mammals. For bats to be negatively impacted by ALAN, there would need to be alteration of their foraging behavior due to prey (primarily large moths) attracted to lights and some consequential effect on fitness or mortality (Rich and Longcore, 2006). However, there is no substantial evidence that bats are foraging within the closure area during the event that could be determined from the BRBR report. Further, there is no ascertainable knowledge on the specific insects that may be attracted to lights in the closure area during the BM event, and whether these are the prey of the bats that are of concern. Thus, there does not appear to be any evidence of negative impacts of BM event-produced ALAN on bat species found within the assessment area.	N/A	No change made. Numerous bat species have been recorded in the vicinity of the Closure Area, and at least one species (silver-haired bat) has been recorded foraging or flying over the playa itself (see Section 2.4 and Appendix A of the Biological Resources Baseline Report). Because there are numerous bat species that inhabit the Closure Area vicinity, the BLM has determined that the Event may affect bat species, as described in the DEIS (Section 3.3.2 Special Status Species). The BLM disagrees with the commenter that there would be no effects on non-flying mammals. Effects on nocturnal mammals (e.g., kangaroo rats) from lighting sources may be unlikely in portions of the Closure Area due to lack of suitable habitat, but these species likely use surrounding habitats, such as habitats along County Route 34. In general, any temporary increases in various lighting sources in or near suitable habitat would increase the potential for indirect effects.
1235	1	Biological Resources Baseline Report	212.0500.00	N/A	There are findings in the Baseline Report which are useful in considering whether proposed mitigation measures are appropriate. Some of these include: "According to the updated greater sage-grouse habitat data, there are approximately 280 acres of General Habitat in the Closure Area (USGS GIS 2016). There are no greater sage-grouse habitat management areas in the Closure Area according to the BLM 2015 RMP Amendment and ROD. There is no greater sage-grouse lekking, nesting, summer, or winter habitat in these areas. There are no leks within 4 miles of the Closure Area (NDOW 2017)." Page 2-8. "Given the lack of vegetation and permanent water sources, the playa's value to wildlife is ephemeral. During dry periods, the playa does not support terrestrial wildlife, though some species, such as coyote ( <i>Canis latrans</i> ), mule deer ( <i>Odocoileus hemionus</i> ), and pronghorn antelope ( <i>Antilocapra americana</i> ), may occasionally cross the playa when travelling between habitats." Page 2-20.	N/A	No change made. The BLM acknowledges that the Closure Area generally lacks high-quality Greater Sage-Grouse habitat; however, the BLM feels that proposed mitigation measure SPEC-6 is appropriate. This is because, as described in Section 2.4 of the Biological Resources Baseline Report, travel routes in the assessment area traverse Greater Sage-Grouse core, priority, and general habitat, there is Greater Sage-Grouse lekking, nesting, summer, and winter habitat in these areas, and there are six known active or inactive leks within 4 miles of travel routes (NDOW GIS 2017a).

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
468	1	NASA Develop Group Study on the Black Rock Playa	212.0700.00	N/A	Assessment of the data presented in the "Technical Memorandum: NASA Develop Group Study on the Black Rock Playa", as well as the details given in Ch 3-48 does not support proposed changes to the event parameters including activities that result in soil erosion, a change in perimeter barrier, or increased restrictions in activities that cause soil erosion. Moreso, recommendations to replace the current permeable barrier with a rigid concrete barrier have not been properly assessed for their effects on drifted clay/silt compaction and related mitigation of mound formation that would be required following the Burning Man festival. Additionally, it is likely that the change to a rigid barrier from a permeable barrier would result in increased anthropogenic disturbance to the Black Rock Desert playa due to both the temporary mounds created by the proposed concrete barrier, the increased chance of persistent mounding due to a rigid barrier, as well as the intensive mound removal activities requiring heavy equipment that would be necessitated as concrete barriers are removed.	N/A	The perimeter barrier is a recommendation from DHS, a cooperator for this EIS. Their recommendations are best management practices for large events.
468	2	NASA Develop Group Study on the Black Rock Playa	212.0700.00	N/A	On page two of the Technical Memorandum, Hall writes, "With the NAIP imagery, they looked at changes in the dune/mound field from 2000 to 2015 on the old western shoreline of the playa. There is some slight mound formation but nothing overly significant in terms of growth." Based on this assessment, current practices such as modifying the event's road system locations from year to year, and the mesh "garbage fence" barrier around the event do not result in significant mound creation. However, it is also important to note that extreme wind events have caused isolated temporary perimeter mounds to persist through seasonal flooding, as was the case in 2007-2008 (3-50). Considering the established research of snow deposition, it is likely that a change in perimeter fencing material could result in significantly increased anthropomorphic effects on the Black Rock Desert playa.	N/A	Comment noted. Should perimeter barriers be implemented, the FEIS would need to be revised or a separate NEPA document would need to be prepared.
468	6	NASA Develop Group Study on the Black Rock Playa	212.0700.00	N/A	Additionally, based on the "SAR and Optical Comparisons for 2014" it is clear that the annual flooding of the Black Rock Desert playa causes a disturbance many orders of magnitude greater than the Burning Man festival. It is also clear that annual variations in meltwater runoff result in a significant difference in surface coverage and subsequent consolidation of silt/clay surfaces. From a cursory examination of the data, it is clear that changes in annual precipitation accumulation pose a much greater hazard to the Black Rock Desert playa than does the Burning Man festival. It is also clear that regular flooding, even if it doesn't occur annually, has been sufficient to repair any changes to the Black Rock Desert topography as it relates to surface mounding under the present event conditions.	N/A	The Burning Man Event is the largest human disturbance on the Black Rock playa. Flooding of the playa is a natural process and its footprint can vary from thousands of acres to hundreds of thousands of acres each year. It is very much contingent on snow and rainfall.
468	5	NASA Develop Group Study on the Black Rock Playa	212.0700.00	N/A	The images in the Technical Memorandum suggesting that the change in color of the floodplain is the result of the Burning Man festival significantly lacks inferential support and should be removed from the document unless analytical data is provided. When more question marks (6) are used than complete sentences to explain the relationship of an image to a technical document, it is a sign that the inclusion of the material is not scientific and highly susceptible to bias.	N/A	The technical memorandum has been revised; a mistake was made and a draft version was originally released with the DEIS.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
995	1	Public Health and Safety at the Burning Man Event	212.1000.00	N/A	Public Health and Safety at The Burning Man Event, dated March 2019, Table 2 presents a summary of Medical Incidents for the period 2012 to 2017. In the footnote the following statement is presented "Bayesian and frequentist Poisson regression analysis indicates that there is a strong relationship between the total number of medical incidents and the population". A simple review of the data indicates that there is no trend based on a correlation of population to medical responses. In 2012 the population was 56,149 with 4,821 medical responses and in 2016 the population was 67,290 with 4,899 medical responses. This difference in medical responses with an increase in population of 11,141 is less than the year-over-year variation without population increases. The conclusions in the footnote are based on a flawed analysis and any decisions based on this analysis would be faulty.	N/A	As written, "simple review" does not explain the methodology that was used to come to the conclusion, nor does "simple review" indicate why the BLM's analysis is perceived as flawed.
1799	19	Public Health and Safety at the Burning Man Event	212.1000.00	N/A	In 2017 BLM issued 413 citations, 196 of which were for drugs and performed 0 drug related arrests for 79,000 BM attendees. Pershing County had 64 arrests but the number of Drug Arrests was not specified. According to the DEIS on Page 9 "Law enforcement arrests include but are not limited to instances of assault, assault on officers, battery, battery on officers, interstate drug trafficking, distribution of narcotics, and possession of controlled substances." The different approach to gathering data by BLM and Pershing County make it difficult to interpret their activities and justify any remediations. What were the Pershing County arrests for? More information is presented in Table I, Public Health and Safety at the Burning Man Event, Pages 8-9. The statistics are incomplete, thus no conclusion can be drawn either way about the effectivity of any security forces, in particular Private Security with respect to keeping drugs out.	N/A	The BLM used the best data available in drafting the document. This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.
1799	18	Public Health and Safety at the Burning Man Event	212.1000.00	N/A	Assuming the same crime rate it would be expected that the Burning Man event would have more crime of every type. It is also stated on Page 13 that 196 citations were issued by the Winnemucca District Office at Burning Man compared to six for the rest of the year. The number of visitors for the rest of the year or the responsibility of the BLM during that period is necessary to determine the significance of this comparison. Is this high or low compared to the 80,000 people for a week at Burning Man?	N/A	Burning Man is the largest human impact on the Black Rock Playa. Public use in the Winnemucca District Office outside of the Event is consistent with public lands in rural Nevada and is less dense than 80,000 per week.
1376	2	Public Health and Safety at the Burning Man Event	212.1000.00	N/A	One problem is that "[p]rivatization does threaten constitutional rights" (Sullivan, 1987, p. 461). Like any city, the infringements could be myriad. However, one difference with Black Rock City is the miles-long queuing road to enter. One must look hard within the EIS supporting document titled "Public Health and Safety at the Burning Man Event" (BLM 2019b). Table I in that document has some problems. First, the methodology is listed as "Poisson regression analysis." Yet, as is common with any form of regression analysis, this reviewer is concerned with the possibility of multicollinearity. Was multicollinearity assessed? Should multicollinearity, or the lack thereof, be reported? This reviewer thinks so. If not, the interactions of two or more variables could have a detrimental influence on the model.	N/A	Multi-collinearity was not checked for since no other potential variables were identified (nor does the reviewer suggest any). Issues with collinearity are reduced in a Bayesian analysis through the use of a proper prior.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
730	6	Public Health and Safety at the Burning Man Event	212.1000.00	N/A	In the 2019 Public Health and Safety at the Burning Man Event document, the BLM states: "Burning Man Event evacuation may be necessary in the case of natural or human-made disasters during event operations. Wildfire, rain, sustained high winds, mass casualties, and large-scale structure fires may create conditions necessary to evacuate the event site location" Putting up a k-rail barrier around the event could in essence be akin to setting up a death trap situation. There is far more likely to be sufficient equipment on hand at the event to remove perimeter fencing to allow for mass evacuation than there would be to shift a perimeter constructed of k-rails. The proposed solution for a single unlikely terrorist scenario falls contrary to a need for the ability to have a mass evacuation.	N/A	Comprehensive security plans begin with screening for banned items at the points of entry and a hardened perimeter. A systematic screening process is necessary to provide health and safety at the Event site, which is required by FLPMA, 40 CFR 1508.8 and 40 CFR 1508.14, and BLM SRP Handbook 2930-1. DHS recommends designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands. NEPA requires the BLM to consider and discuss the human environment in environmental impact statements (40 CFR 1508.8 and 40 CFR 1508.14). The constitutionality of such security screening is well supported in instances where the Department of the Interior contracts for security at points of entry to large outdoor mass gatherings.
449	3	Public Health and Safety at the Burning Man Event	212.1000.00	N/A	The background report neglected to mention current prosecutorial practice of the D.A.s office in Nevada.	N/A	Prosecution practices are determined based on prosecutorial analysis and priorities and are not in the control of affected agencies.
1376	3	Public Health and Safety at the Burning Man Event	212.1000.00	N/A	Second, the scientific "unit of analysis" is unclear. It is an individual? Or, is it a vehicle? The granularity of the model indicates, perhaps an individual. However, as participants, staff, volunteers and law enforcement officers know, many—if not all individuals—arrive in a vehicle. Of course, ride-sharing is encouraged. One assumption of Poisson regression is variable independence (Wikipedia, 2019). This assumption is clearly violated as individuals mostly arrive together, after untold miles of driving, again, in vehicles. Thus, the individuals are not independent, but grouped. Because the assumptions for Poisson are not met, Table I may be misleading within the EIS and should be removed accordingly.	N/A	The BLM used the best data available in the drafting of the document. This report is a description of the existing human environment, relative to public health and safety, as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.
435	1	Public Health and Safety at the Burning Man Event	212.1000.00	N/A	I note that the background for this information, contained in the Special Study "Public Health and Safety at the Burning Event" was poorly gathered. Statistics in this report are wrong, and then are applied backwards. For example, the report states that 3 out of 10 sexual assaults are not reported. This is a statistic that is related to urban environments, and not events like music festivals where this statistic, where studied, is vastly different. Plus... the 3 out of 10 statistic is backwards. The actual statistic is that 7 out of 10 sexual assaults are not reported. At music festivals, this statistic rises to about 9 out of 10 sexual assaults are not reported.	N/A	The BLM used the best data available in the drafting of the document.  This report is a description of the existing human environment, relative to public health and safety, as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1808	2	Traffic Analysis	212.1100.00	N/A	We note an inconsistency between the Proposed Alternative A's metered release rate of 1000 vehicles per hour (also shared with Alternative C), and maximum metered release rates in the DEIS's Technical Studies. The Traffic Study that analyzed the 2017 Event with 70,000 participants noted that while 1010 vehicles per hour were released (50 northbound and 960 southbound) during the peak departure period (with a Level of Service of E), the report recommended that the Event's "Traffic plan be revised to state that a maximum of 880 vehicles per hour be released onto County Road 34 in order to serve the existing plus future Burning Man conditions." The report specifically recommends no more than 800 vehicles released per hour southbound only to maintain a Level of Service D operation. Additionally, the Public Health and Safety report for the Event notes that if the entire participant population needs to be evacuated, "SR 447 is a paved road but is limited by degradation or possible road failure if vehicle traffic exiting the event were to exceed 700 vehicles per hour (Burning Man 2017)."	N/A	The BLM will install traffic counters at 12-Mile and Gate Road (Monitoring Measure TRAN-1; Appendix E). The results of this monitoring would inform the need for any adjustments to the SRP related to transportation and traffic. The 880 release is the recommendation of the Traffic Report; however, the Proposed Action requests 1,000 as the metered release per hour.
1944	9	Traffic Analysis	212.1100.00	N/A	Special Studies Supporting the Environmental Impact Statement: Traffic Analysis The traffic analysis study noted the following: "significant delays were observed for southbound vehicles on State Route 447 between Gerlach and Empire during the peak departure hours on Monday....The high delays appeared to be a result of vehicle and pedestrian conflicts in Empire. In an effort to substantially reduce vehicle/pedestrian conflicts within Empire, it is recommended that parking be prohibited on the east side of State Route 447 and the crosswalk be removed during the Sunday and Monday peak departure hours." This recommendation is counter to the economic benefit of participants spending money at local businesses. Before any action is taken on this recommendation, a conversation should be had with the businesses to be impacted by this proposal. The Empire Store heavily relies on income from Burning Man participants and this recommendation would have a negative economic impact on the local community.	N/A	This was not a recommended mitigation. No change needed.
1850	17	Traffic Analysis	212.1100.00	N/A	The Solaegui Engineering report recommends a maximum of 880 cars per hour be released to keep the LOS at E for CR-34 and D for SR-447. The Traffic Management stipulation of the DEIS states no more than 1,000 vehicles can be released per hour. This is the same level of release as the 2017 permit, which created considerable traffic congestion problems. Why wasn't the stipulation changed to 880 cars released per hour? Perhaps because it would take 15 hours to release 13,355 cars and 20 hours to release 17,680 vehicles? More people mean more traffic. Capping the vehicle permits at 35,000 doesn't change that reality. In 2017, 32,150 vehicle passes were issued and the traffic congestion was significant. Is it acceptable to have people waiting 8-20 hours in vehicles in line to get into and out of an event? We can only speculate that such conditions lead to bad choices for human waste and lead to excessive fuel consumption.	N/A	Comment noted. The FEIS has been updated for clarity.
1088	1	Notice of appeal or litigation	502.0000.00	N/A	My name is Fane Lozman. I am the only individual that has won two separate cases at the United States Supreme Court, with two different questions presented. My first case was decided in 2013, a landmark admiralty decision, that clarified exactly the definition for a vessel under federal admiralty law. But it was my second case, <i>Lozman v. Riviera Beach</i> , 138 S.Ct. 1945 (2018), that is relative to the Burning Man EIS. This case dealt with government retaliation because the leaders in Riviera Beach did not appreciate my exercise of Free Speech. A similar argument was made recently by President Trump, in a letter sent on April 5, 2019, to the General Counsel of the U.S. Department of the Treasury. In this letter the President's attorney stated that "the First Amendment prohibits government-including	N/A	The mitigation measures outlined in the EIS are proposed to meet the BLM's requirements under FLPMA and the BLM SRP regulations and policy to protect public health and safety and ensure resource protection. Permit stipulations, which also ensure resource protection and orderly administration, are generally a requirement for every project or special event on public lands. If the BLM does implement any mitigation as proposed in the EIS, the BLM will comply with all relevant constitutional protections, including those set forth in the First

Letter #	Comment Number	Comment Code Name	Comment Code Number	Public Concern Statement Number (if applicable)	Comment Text	Public Concern Statement (Comment Summary)	Response
1088 (continued)	(see above)	(see above)	(see above)	(see above)	<p>Congress-from harassing political opponents, and retaliating against disfavored speech. Lozman v. City of Rivera Beach, 138 S.Ct. 1945, 1949(2018)." My concern, is that there are individuals in the BLM, that are using unreasonable, arbitrary and capricious mitigations, that are not based on solid scientific facts (i.e. artificial light at night assessment) or practical necessity (installation of concrete and plastic barriers around the perimeter). Instead, these government officials are improperly wielding their regulatory authority based on their personal beliefs that Burning Man is morally wrong and not in step with their view of how individuals should behave. The First Amendment was not adopted to protect the speech that government approved of, but instead to protect speech that was different, critical, negative (to include disgusting), that previously would have been punishable under English Law that governed our country prior to the American Revolution. I attended Burning Man for the first last August, and will be attending again this August. My personal experience was that the Burning Man organization was obsessive in supervising the conduct of the participants to identify those that did not behave in a legal manner, through the constant oversight of local law enforcement that was positioned throughout the event. There was also daily reminders and admonishments for trash collection, with the repeated mantra that nothing could remain on the playa. Everything in my camp that was not playa dirt, was bagged up and placed in the members personal vehicles when they departed the playa. There were also two final raked sweeps of our camp, a level of detail that would have made my Marine Corps drill instructor proud, to confirm that there was not a single item, regardless of how small, that remained on the playa. I observed this same attention to detail in the camps that were in our immediate vicinity. There is absolutely no need for the additional expense, along with damage to the playa, that would take place by dragging needless dumpsters in and out of the playa. The EIS should also have looked at, in extreme detail, the socio-economic aspects of Burning Man. But yet the EIS report was lacking in this regard. Instead, the EIS statement went beyond the statutory and regulatory purview that governs its production, to have a chilling effect on even holding the event. Rest assured, that will be an independent challenge by the members of my Supreme Court legal team, that includes one attorney that heads the most respected environmental practice group in the country, if the Record of Decision has a negative impact on 4/23/2019</p> <p>DEPARTMENT OF THE INTERIOR Mail - [EXTERNAL] President Trump referenced my United States. Supreme Court case that is relev...  <a href="https://mail.google.com/mail/b/AH1rexTLNzn72ydcJLERY2LTVeAyDHv5jx3XtC0-aX9eQGV6m-yf/u/0?ik=c99f4c2013&amp;view=pt&amp;search=all&amp;permthid=t...">https://mail.google.com/mail/b/AH1rexTLNzn72ydcJLERY2LTVeAyDHv5jx3XtC0-aX9eQGV6m-yf/u/0?ik=c99f4c2013&amp;view=pt&amp;search=all&amp;permthid=t...</a> 2/2 the ability for Burning Man to conduct its annual event on the playa. Also, those at the BLM that are retaliating against the Burning Man attendees because of their Free Speech, you should not underestimate the impact and respect that the current administration has for a small group of prominent public figures that will fight to see this event continues unfettered with new regulations. My suggestion would be to renew Burning Man's permit, under the same conditions that were in place for the last ten years. Thank you for your consideration and courtesy in reviewing my comment. Fane Lozman www.fanelozman.com</p>	(see above)	<p>Amendment. Monitoring allows for adaptive management and efficiencies in deployment to be developed over the next 10 years to provide for safety and resource protection. If any of the proposed mitigation measures are implemented, they will be done so under the concept of adaptive management. Adaptive management involves exploring alternative ways to meet management objectives, predicting the outcomes of alternatives based on the current state of knowledge, implementing one or more of these alternatives, monitoring to learn about the impacts of management actions, and then using the results to update knowledge and adjust management actions. This means that the proposed mitigation measures will be implemented as needed and may also be modified over time as necessary. It is unlikely that any mitigation requiring significant time and logistics will be implemented immediately, in order to determine the best possible solutions. Please refer to the Burning Man Event Special Recreation Permit Environmental Impact Statement Assessment of Economics, Social Values, and Environmental Justice (BLM 2019) available on ePlanning for the detailed socioeconomic impacts studied relative to the Burning Man Event.</p>

---

# Attachment 2

Project Proponent Comments and BLM Responses

This page intentionally left blank.

Comment Text	BLM Response
<p>· The DEIS fails to consider whether certain proposed mitigation measures are technically and economically practical or feasible, and whether these measures would effectively avoid, minimize or compensate for an effect, as mandated by NEPA regulations and policies. Some of the proposed mitigation measures raise serious constitutional questions — for example, the government requiring searches of event participants by an outside security force — while others raise serious practical considerations for example, recommending deployment of approximately 10 miles of concrete barricades on the surface of the dry lake bed.</p>	<p>The BLM has complied with NEPA, as well as all other applicable federal law, regulation, and policy, in its analysis contained in the EIS. The analysis of mitigation measures is contained in Chapter 3 of the FEIS; those related to public health and safety are in Section 3.5 of the FEIS. Appendix E has a list of mitigation measures.</p>
<p>· The DEIS fails to consider the environmental impacts and effects of certain proposed mitigation measures, as mandated by NEPA regulations and policies and as specifically required in the BLM's NEPA implementation handbook. As an example, there is no evaluation of environmental impacts associated with the placement of 10 miles of multi ton concrete blocks or hundreds of dumpsters on the playa.</p>	<p>The BLM has complied with NEPA, as well as all other applicable federal law, regulation, and policy, in its analysis contained in the EIS. The analysis of mitigation measures is contained in Chapter 3 of the FEIS; those related to public health and safety are in Section 3.5 of the FEIS. Appendix E has a list of mitigation measures.</p>
<p>· The DEIS focuses on multiple issues, such as speculative individual behaviors, that are not major environmental effects or that occur outside of the temporary closure area and that should be addressed through the long established process of refining event permit stipulations and consulting with regional interests.</p>	<p>The BLM is required by NEPA to analyze effects of the Event on the human environment (40 CFR 1508.8 and 1508.14). That analysis is not limited to the Closure Area.</p>
<p>· The DEIS appears to ignore the simple fact that the Burning Man event has taken place at this location for the past 30 years and is conducted based on detailed environmental protection and mitigation measures that have successfully reduced impacts below the significance threshold. The regular occurrence of the event provides BLM with substantial information from which to analyze the effects of a 10-year permit. Moreover, the record of experience demonstrates that the existing mitigation measures and event operation plan, including environmentally protective design, features are regularly implemented and effective.</p>	<p>The DEIS contained a section that explained the history of the Burning Man Event on public lands. See FEIS Section 1.1. The BLM's analysis was informed by the issues raised during scoping, input from cooperators and the public, and the agency's experience administering the permit.</p>
<p>· The DEIS fails to consider whether certain proposed mitigation measures are technically and economically practical or feasible, and whether these measures would effectively avoid, minimize or compensate for an effect, as mandated by NEPA regulations and policies.</p>	<p>The BLM has complied with NEPA, as well as all other applicable federal law, regulation, and policy, in its analysis contained in the EIS. The analysis of mitigation measures, as applicable to specific resources and uses, is provided throughout Chapter 3 of the FEIS.</p>
<p>· The DEIS fails to consider the environmental impacts and effects of certain proposed mitigation measures, as mandated by NEPA regulations and policies and as specifically required in BLM's NEPA implementation handbook.</p>	<p>The BLM has complied with NEPA, as well as all other applicable federal law, regulation, and policy, in its analysis contained in the EIS. The analysis of mitigation measures, as applicable to specific resources and uses, is provided throughout Chapter 3 of the FEIS.</p>
<p>II. The DEIS fails to comply with NEPA's mandates to consider (a) whether alternatives and mitigation measures are technically and economically practical or feasible; (b) whether they would avoid, minimize or compensate for an environmental effect; and (c) the potential environmental impacts of the proposed mitigations themselves.</p>	<p>The BLM has complied with NEPA, as well as all other applicable federal law, regulation, and policy, in its analysis contained in the EIS. The analysis of mitigation measures, as applicable to specific resources and uses, is provided throughout Chapter 3 of the FEIS.</p>
<p>NEPA Section 102 requires agencies to analyze any adverse effects which cannot be avoided.<sup>30</sup> CEQ regulation 40 CFR section 1502.14(f) requires "appropriate mitigation measures not already included in the proposed action or alternatives" in the consideration of reasonable alternatives. Agencies commonly adopt mitigation measures to address "significant" environmental impacts, which is the fundamental purpose of the EIS. Not every issue identified in an EIS must be mitigated and not every impact stemming from the Burning Man event must be considered and mitigated. The SRP does not federalize every action that happens before, after and during the event.</p> <p>30 42 U.S.C. § 4332(C)(ii).</p>	<p>Comment noted.</p>
<p>DOT regulation 43 CFR 46.420(b) states that "[i]n addition to the requirements of 40 CFR 1502.14," the term "reasonable alternatives" includes "alternatives that are technically and economically practical or feasible and meet the purpose and need of the proposed action." DOT regulation 43 CFR 46.130 provides that the analysis of mitigation measures is a component of the alternatives assessment. CEQ regulation 40 CFR section 1508.20 establishes that the purpose of a NEPA mitigation measure is to avoid, minimize, rectify, reduce and compensate for an environmental effect.<sup>31</sup> It is axiomatic that a mitigation measure must not itself generate significant environmental effects. Indeed, the BLM NEPA Handbook (page 62) instructs as follows: "During impact analysis, analyze the impacts of the proposed action (including design features) and with all mitigation measures (if any) applied, as well as any further impacts caused by the mitigation measures themselves. Address the anticipated effectiveness of these mitigation measures in reducing or avoiding adverse impacts in your analysis." Consequently, to comply with NEPA, mitigation measures must be economically practical or feasible, meet the purpose and need of the proposed action, and must actually avoid, minimize or compensate for an environmental effect.</p> <p>31 40 CFR § 1508.20</p>	<p>Comment noted.</p>
<p>The DEIS fails to comply with applicable NEPA mitigation requirements by focusing on impacts that are purely speculative and/or outside the scope of agency review; by failing to establish a sufficient nexus between the mitigation and an identified impact; and by failing to analyze the potential impacts of the implementation of the stated mitigation. A number of the proposed mitigation and monitoring measures also have serious Constitutional defects, which will cause issues if challenged. The following sections discuss the deficiencies with reference to specific mitigation and monitoring measures listed in DETS Volume 2, Appendix E.</p>	<p>The BLM has complied with NEPA, as well as all other applicable federal law, regulation, and policy, in its analysis contained in the EIS.</p>

Comment Text	BLM Response
<p>A. DEIS mitigation measures AQ-1 and AQ-3 Mitigation measure AQ-1 states that “BRC must develop solutions to reduce dust events that are twice the NAAQS for PM2.5 and PM10.” The acronym “PM” refers to particulate matter, which within the Black Rock Desert playa largely consists of dust from the playa surface. The DETS asserts that the implementation of AQ-1 would reduce impacts to special status species, wildlife, recreation and air quality (DETS, Table ES-1). The DETS concedes, however, that even if AQ-1 and other measures were implemented by BRC, PM2.5 and PM10 emissions would still be likely to exceed the referenced NAAQS criteria because “a primary factor of high particulate concentrations are high winds” (DETS p. 3-43).</p>	<p>As outlined in the EIS, the playa is a naturally dusty environment, but Black Rock City and its associated roads are the largest anthropogenic disturbance on the playa (see FEIS Section 3.6.1). Foot and vehicular traffic breaks the crust of the playa and exposes the loosely consolidated sediments to the air and wind. The Black Rock High Rock Emigrant Trails National Conservation Area Resource Management Plan (hereafter NCA RMP)(p. 2-45) dictates that: "The NCA and wilderness areas will be managed as a Prevention of Significant Deterioration Class II area as designated by the Clean Air Act. All BLM actions and use authorizations will be designed or stipulated to protect air quality."</p> <p>The EPA's air quality assessment conducted in 2017 found that most emissions resulted from vehicle and pedestrian traffic and result in the liberation of PM2.5 and PM10. Soils contain alkali and gypsum (see letter). Found emissions exceeded Occupational Safety and Health Administration limits - silica (see letter). In response to AQ-4, the EPA provided additional recommend mitigation measures (see letter). BLM recommended mitigation measures are not as extensive or costly as the EPA's.</p> <p>The BLM has modified AQ -1 to state that the mitigation measure will be implemented in order to "reduce exposure to dust events."</p> <p>The BLM would use an adaptive management approach, which would start with mitigation approaches developed by BRC in consultation with the BLM, then monitor, and then adjust approaches accordingly. The BLM, in consultation with BRC, would develop a list of potential mitigation measures that could be applied if adaptive management measures are not effective.</p>
<p>BRC has implemented dust control measures, including onsite speed limit controls and surface watering, and will continue to implement these measures in the future. Prior NEPA reviews of the event, including the EA, acknowledge that dust occurs on the playa site and affects air quality. AQ-1 is included in the DETS — for the first time in the history of the event (and the even longer history of public use of this land, and BLM staff's operations on it) — apparently in response to modeled estimates of particulate matter air concentrations and a single set of monitoring results from a recent event (some of which could not be used due to equipment malfunction), and during which nearby wild fires (unrelated to the Burning Man event) impacted air quality on site.<sup>32</sup> The Burning Man event has taken place in the Black Rock Desert for nearly 30 years, with many hundreds of thousands of participants over those decades. The DEIS provides no evidence whatsoever that the short-term exposure to playa dust — even when significant winds are present during an event or any other activity permitted under the RMP — has had a significant adverse effect on anyone, including event attendees, BLM staff or other users of the public lands.</p> <p><sup>32</sup> See <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168746/205370/Air_Resources_Baseline_Technical_Report.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168746/205370/Air_Resources_Baseline_Technical_Report.pdf</a> and <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168746/205370/Air_Resources_Baseline_Technical_Report.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168746/205370/Air_Resources_Baseline_Technical_Report.pdf</a>.</p>	<p>The BLM's Air Resources Baseline Technical Report outlines how data were collected and how the impacts were modeled. The air quality baseline was designed to assess both current Event air quality impacts and the air quality environment within which the Event exists. BRC and the BLM supplied environmental evaluations and regional data for use in the development of the report.</p> <p>External meteorological data, on-site air quality and meteorological data, permitting information from the Nevada Department of Environmental Protection, and publicly available ambient air quality data were also utilized.</p>
<p>Not only is the rationale for AQ-1 entirely lacking, the DEIS provides no information evaluating whether AQ-1 is technically and economically practical or feasible. Although the DEIS accurately characterizes wind as a “primary factor” affecting air quality, it does not explain how BRC could practically or feasibly control the force or intensity of winds on the playa. AQ-1 does not, in fact, identify any specific action that BRC might take, nor does it provide any basis for assessing the measure's economic or technical practicability and effectiveness, as required by NEPA. The DEIS also lacks any basis for characterizing the extent to which AQ-1 would avoid, reduce or compensate for dust impacts and thereby satisfy the requirements of CEQ regulation 40 CFR section 1508.20. And since AQ-1 cites no specific action that BRC must implement, there is certainly no basis in the DEIS for assessing the potential impacts of implementing the measure, as required by NEPA. For example, playa dust and particulate matter referenced in the DEIS might be controlled by applying calcium chloride or magnesium chloride to the playa surface, but the use of enhanced dust control compounds would likely affect other biological resources discussed in the DEIS, such as water quality and brachiopod eggs. The DEIS wholly fails to assess this potential effect. Mitigation measure AQ-3 proposes that “BRC should consider rerouting Gate Road to an area north of Black Rock City” because “[g]iven general wind directions, this has the potential to reduce the amount of PM2.5 and PM10 reaching the city.” The DEIS contains no analysis of the effectiveness or impacts of this mitigation measure, however.</p>	<p>The BLM would use an adaptive management approach, which would start with mitigation approaches developed by BRC in consultation with the BLM, then monitor, and then adjust approaches accordingly. The BLM, in consultation with BRC, would develop a list of potential mitigation measures that could be applied if adaptive management measures are not effective.</p>
<p>As the DEIS analysis of mitigation measure AQ-1 is legally deficient, the measure and related analysis of air quality impacts and mitigation effects must be revised, and the DEIS recirculated for public review and comment, in order to comply with NEPA.</p>	<p>The BLM has complied with NEPA, as well as all other applicable federal law, regulation, and policy, in its analysis contained in the EIS.</p>

Comment Text	BLM Response
<p>B. DEIS mitigation measure NAT-2 (also included as measure WHS-1 and VIS-1). Mitigation measure NAT-2 states, "To reduce litter and trash in the PLPT [Pyramid Lake Paiute Tribe] Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01 a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place." The purported purpose of this measure is to address incidental deposits of trash by a small number of event participants, generally when leaving the site, in violation of the event's guiding principles and express requirements that all waste and trash be controlled and removed by each participant from the NCA for proper off-site disposal. The DEIS asserts, without any supporting evidence, that the dumpsters will reduce impacts to the PLPT, migratory birds and visual resources potentially associated with trash from the event (DEIS, Table ES-1).</p> <p>From the inception of the event, BRC has stressed that, consistent with the Burning Man Principles of Radical Self-reliance and Leaving No Trace, each participant has an obligation to contain and remove all trash and waste from the site and the surrounding region. BRC has also implemented post-event onsite and regional cleanup programs, including along CR 34 and SR 447, and has coordinated with the PLPT and NDOT to address event-related trash deposits. These measures will continue to be implemented. BRC has met or exceeded all SRP trash stipulations, and event trash management and post-event cleanups have been successfully refined and improved in consultation with BLM and the surrounding community. Each year the Nevada Department of Transportation (NDOT) videotapes the entire drive from Wadsworth to Gerlach on SR 447 both before the event and after cleanup. NDOT has concluded that the roads were cleaner after Burning Man's crew are finished with cleanup than they were before the event starts. This confirms that after BRC staff finish complying with the stipulations relating to road cleanup, no impact remains to be mitigated. Furthermore, it illustrates that much of the trash on the road is not from Burning Man participants, but from local traffic and other users during the 11 months between BRC's cleanup activities and the next year's event.</p> <p>The DEIS provides no evidence whatsoever that dumpsters, as opposed to continued event cleanup procedural refinements, would effectively mitigate for incidental trash that affects the PLPT. Participants who were inclined in the past to ignore the event's heavily emphasized requirement that all trash and waste be removed from the region are likely to be even more inclined to discharge waste traveling from the site, including near the PLPT, with the provision of dumpsters during the event.</p>	<p>Comments from cooperators and the public identify trash as an issue that needed to be analyzed in the EIS, even considering the Burning Man principles and the current cleanup programs that would continue to be implemented. The BLM would use an adaptive management approach, which would start with mitigation approaches developed by BRC in consultation with the BLM, then monitor, and then adjust approaches accordingly. The BLM, in consultation with BRC, would develop a list of potential mitigation measures that could be applied if adaptive management measures are not effective.</p>
<p>The DEIS also fails to assess any of the potential impacts of NAT-2 itself as required by NEPA. The implementation of this measure would likely result in multiple significant impacts that are ignored the DEIS. For example:</p> <ul style="list-style-type: none"> <li>· The transportation, installation, maintenance and removal of large numbers of dumpsters would require the constant use of heavy vehicles traveling to and from the site.</li> <li>· The vehicles would generate new sources of criteria air emissions, particulate emissions from diesel fuels, greenhouse gas emissions, and visual, noise and traffic impacts throughout the region, including in local communities along the route such as Gerlach, Nixon, and Wadsworth.</li> <li>· The dumpsters would adversely affect visual resources and are likely to attract avian and other species to locations where they could be harmed or killed.</li> <li>· The presence of dumpsters at the event would reduce participant incentives to control and remove their trash from the region in accordance with the event's guiding principles of Leaving No Trace and Radical Self-reliance. Instead, the dumpsters would provide incentives for participants to transport and dump waste on-site, rather than be responsible for containing and removing such materials from the region. Participants could be much less conscious of the need to manage their own trash and waste, which could generate additional incidental discharges from improperly managed trash onsite, notwithstanding (and indeed, as a result of) the provision of dumpsters.</li> <li>· Discharges would likely occur from the conveyance of waste and trash by event participants across the playa for disposal, during the physical disposal of these materials into dumpsters, and from dumpster transportation and removal. Compared with historical events, a substantially greater amount of trash and waste is likely to be retained within the region and become exposed to wind and other risks of accidental discharge.</li> </ul>	<p>The BLM would use an adaptive management approach, which would start with mitigation approaches developed by BRC in consultation with the BLM, then monitor, and then adjust approaches accordingly. The BLM, in consultation with BRC, would develop a list of potential mitigation measures that could be applied if adaptive management measures are not effective.</p>

Comment Text	BLM Response
<p>C. DEIS mitigation measure PHS-4. Mitigation measure PHS-4 states that “BRC will facilitate all structures over 10 feet to be inspected by qualified and Nevada-certified building inspectors prior to occupancy.” According to the DEIS, “Inspection by Nevada-licensed building inspectors of habitable structures over 10 feet tall provides additional protection in preventing structure collapses during the Event (Mitigation Measure PHS-4; Appendix E). Implementation of licensed inspections reduces the threats of structure collapse to the health and safety of participants and first responders (BLM 2018b)” (DEIS, p. 3-31). As discussed above, the citation to “BLM 2018b” apparently refers to the Public Health and Safety Report (PHSR).33</p> <p>33 See <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168663/205281/Public_Health_and_Safety_at_the_Burning_Man_Event.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168663/205281/Public_Health_and_Safety_at_the_Burning_Man_Event.pdf</a>.</p>	<p>This mitigation and monitoring were only intended to apply to structures over 10 feet that are designed for lodging space unless expressly manufactured for this purpose (i.e., motorhomes, RVs, and tents). PHS-4 has been updated to clarify the intent.</p> <p>Due to the uniqueness of this event, Nevada-certified building inspectors are the best known entity for this work.</p>
<p>PHS-4 is included in the DEIS, for the first time in the history of the event, despite the lack of evidence supporting the conclusory assertions in the DEIS that inspection is required to reduce structural impact risks. The event includes a number of temporary structures that are built specifically for the event and completely dismantled and removed each year. The PHSR states that “[h]istorically, there is a low occurrence of structure collapse within the city” and cites to a single instance in 2016 when a structure collapse caused three minor injuries and one trauma injury, which were fully addressed using existing event medical and safety protocols. The PHSR concludes that the event-related structural failure “remains a low-risk impact on public health and safety with minor to traumatic injuries depending on the severity of the incident.”</p>	<p>The BLM would use an adaptive management approach to mitigation. Further education efforts by BRC may address these issues and preclude the need to implement this mitigation. Further, this mitigation was intended only for structures over 10 feet that are designed for lodging space unless expressly manufactured for this purpose (motorhomes, RVs and tents). This is not intended to be applied to art. PHS-4 has been updated to clarify the intent.</p>
<p>None of these conclusions supports the determination in the DEIS that building inspections would reduce existing “low risk” effects to participants (PHSR, p. 17). There is no discussion of risk to first responders in the PHSR, notwithstanding the DEIS’s citation to this document in support of this purported concern. The DEIS and the PHSR likewise provide no information of any kind evaluating whether PHS-4 is economically practical or feasible, including inspection costs, insurance, management and coordination expenses, and inspector transportation and accommodation costs. The DEIS discussion of the risks and effects of mitigation measure PHS-4 is wholly unsupported and conclusory in nature.</p>	<p>The BLM would utilize an adaptive management approach to mitigation. Further education efforts by BRC may address these issues and preclude the need to implement this mitigation. Further, this mitigation was intended only for structures over 10 feet that are designed for lodging space unless expressly manufactured for this purpose (motorhomes, RVs, and tents). This is not intended to be applied to art. PHS-4 has been updated to clarify the intent.</p>
<p>The DEIS analysis of mitigation measure PHS-4 is deficient under NEPA in every respect. The need for the inspections must be reconsidered, and the DEIS must be revised and recirculated with a sufficient analysis of building-related impacts and mitigation effects to comply with NEPA.</p>	<p>The BLM would utilize an adaptive management approach to mitigation. Further education efforts by BRC may address these issues and preclude the need to implement this mitigation. Further, this mitigation was intended only for structures over 10 feet that are designed for lodging space unless expressly manufactured for this purpose (motorhomes, RVs, and tents). This is not intended to be applied to art. PHS-4 has been updated to clarify the intent.</p>
<p>D. DEIS mitigation measure PHS-3. Mitigation measure PHS-3 states that “BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction.” According to the DEIS, “Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing, would reduce the risk of vehicle entry through perimeter fencing (BLM 2018b)” (DEIS p. 3-31). There is no document entitled “BLM Public Health and Safety Baseline Report” in the references section of the DEIS or posted on the DEIS website. As discussed above, the citation to “BLM 2018b” apparently refers to the PHSR, which appears to provide the only substantive discussion of potential terrorism issues produced by BLM and states, in relevant part:</p> <p>Burning Man organizers resist physical barriers to prevent vehicular attacks against its population, citing vehicle operation restrictions during the event without regard for malicious intent. The event does not use barriers to mitigate high-speed avenues of approach, deny vehicle entry, and provide perimeter protection. The perimeter fence at the event is an orange plastic trash fence; the event lacks effective physical barricades for protection of unauthorized entry. In 2018, a vehicle drove through the plastic trash fence and through the walk-in camping section of the city, entering the event without authorization and at great public safety risk. The vehicle was never located by BRC or law enforcement after it gained entry to the event. Barriers would reduce vehicle speeds and prevent vehicle penetration to help mitigate concerns. Options for barriers include, but are not limited to, fixed and retractable bollards, heavy objects walls and ha-ha barriers, water obstacles, and Jersey barriers (PHSR p. 18).</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. Monitoring allows for adaptive management and efficiencies in deployment to be developed over the next 10 years to provide for safety.</p> <p>Department of Homeland Security (DHS) publications recommend designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. The example outlined in the DEIS of an individual defeating all practices in place during the 2018 Event only illustrates how fortunate it was that no one was hurt. Implementing DHS best practices, as outlined in mitigation measure PHS-3 and identified in DHS publications, could have precluded this event from occurring in the future.</p> <p>This mitigation measure identified possible examples and did not specify a continuous K-rail or jersey barrier fence around the entire Event. The Public Health and Safety at the Burning Man Event Report lists many other options; the mitigation was purposely left open for input and ideas from the proponent, cooperators, and public. Adaptive management would allow for alternative solutions to reduce vehicle penetration of the Event perimeter.</p>
<p>The failure to provide even a cursory summary of an issue considered to be significant in a DEIS fundamentally conflicts with NEPA’s public disclosure and analysis requirements. Applicable NEPA regulations and streamlining policies require that relevant facts and analysis be clearly stated in an EIS. In addition to being outside the scope of NEPA, burying the required discussion in a document that is not part of the DEIS, and improperly referenced as a source, undermines effective review of the analysis.</p>	<p>Recommendations from the DHS provided during cooperating agency meetings include designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. While the BLM acknowledges that terrorism has not occurred at the Event in the past, the example outlined in the DEIS of an individual defeating all practices in place during the 2018 Event is an example of how the Event is a soft target. Implementing DHS best practices, as outlined in mitigation measure PHS-3 and identified in DHS publications, could have prevented this event from occurring. Accordingly, the BLM is required by NEPA to analyze mitigation.</p>

Comment Text	BLM Response
<p>PHS-3 is yet another mitigation that has no nexus to an identified significant environmental impact and therefore has no place in an EIS. It is included in the DEIS, for the first time in the history of the event, apparently on the basis of a single vehicle intrusion incident (causing no injury) in nearly three decades. The PHSR includes reckless speculation about the possibility of a terrorist attack, based in part on an unidentified novel describing a fictional attack on Burning Man, and in part on the mass shooting at a country music festival in Las Vegas, Nevada, on October 1, 2017. 34 The PHSR fails to explain the relevance of the Las Vegas attack to this discussion, given that it did not involve a vehicle intrusion or the entry of the perpetrator into the event venue, and perimeter barriers would have had no effect on preventing that tragedy. The PHSR does note that “[t]he changing global culture around acts of terrorism makes this risk difficult to adequately assess” (PHSR p. 18), underscoring the negligence and impropriety of including any such discussion in a public document, let alone a draft environmental impact statement under NEPA. The bias and unsupported assertions throughout the PHSR render this report inappropriate for inclusion in this EIS, even to the extent that consideration of these issues is appropriate under NEPA’s exclusively environmental framework.</p> <p>34 According to the PHSR, “A novel depicting the Burning Man Event as a terrorist target was published in 2017 and depicts weaknesses in the event security and actions to overcome existing security mitigations” (PHSR p. 18). Neither the novel nor the novelist’s capacity to meaningfully evaluate event security risks are identified or discussed in any manner. The novel appears to be Use of Force, one of a series of “spy genre” books by Brad Thor. According to The New York Times, Thor has no formal military training and is primarily a media personality. Although he apparently has participated in “gaming out ideas for unconventional attacks from the terrorist’s perspective” in some capacity with the Department of Homeland Security, The Times article discloses that he did not travel to Nevada to write his book and has never attended a Burning Man event. None of this information is disclosed in the PHSR or mentioned in any manner in the DEIS. That the author of the PHSR chose to reference this novel in a NEPA document underscores the inappropriateness of the PHSR in its entirety for consideration in connection with this EIS.</p>	<p>The BLM has complied with NEPA, as well as all other applicable federal law, regulation, and policy, in its analysis contained in the EIS. As one component of identifying Event vulnerabilities, the BLM identified pop culture references that described harm to the Event; however, the BLM also relied on the expertise and input of its cooperating agencies. All that information is contained in the EIS and its supporting documents.</p>
<p>BRC shares BLM’s concern for event safety, contrary to the insinuations in the PHSR about “Burning Man organizers.” BRC is concerned that the DEIS fails to analyze the extent to which vehicle intrusion presents a significant risk compared with other potential scenarios that could affect public safety at the event. BRC has implemented, and will continue to implement and refine, measures to prevent unauthorized site access. A detailed gate crasher contingency plan, for example, is included in Appendix 2 of the 2012-2016 EA. BRC provides round-the-clock perimeter monitoring with staff, vehicles, and sophisticated technology including radar and night vision. BLM Rangers also extensively patrol the perimeter of the city. The DEIS does not provide any assessment of whether the continued implementation and refinement of existing perimeter control and unauthorized entry measures would insufficiently address potential vehicular risks. The single incident the PHSR describes, where a person apparently snuck into the event and no injuries occurred, wholly fails to support the proposed mitigation.</p>	<p>This mitigation is in place based on DHS best practices and recommendations. The example of an individual defeating all practices in place during the 2018 Event only illustrates how fortunate all involved were that no one was hurt. Implementing DHS best practices could have precluded this event from occurring.</p>
<p>Moreover, the DEIS provides no information of any kind evaluating whether PHS-3 is economically practical or feasible, including barrier transport, installation, removal, insurance, transportation fuel and other expenses. The implementation of this measure would also likely result in multiple significant impacts that the DEIS entirely ignores. For example:</p> <ul style="list-style-type: none"> <li>· The transport, placement and removal of thousands of heavy barriers on the playa will require the significant use of heavy vehicles and equipment traveling to, from and operating within the site.</li> <li>· The vehicles would generate new sources of criteria air emissions, particulate emissions from diesel fuels, greenhouse gas emissions, and visual, noise and traffic impacts throughout the region, including in local communities along the route such as Gerlach, Nixon, and Wadsworth.</li> <li>· The vehicles would increase the mobilization of dust from playa surfaces and adversely affect air quality, particularly the levels of particulates that are discussed elsewhere in the DEIS.</li> <li>· The placement of heavy barriers throughout the perimeter of the event would impact playa surfaces, including by compression when emplaced and by loosening playa surfaces when removed. Similar impacts would occur from heavy equipment operating along the event perimeter to install and remove the barriers.</li> <li>· According to the DEIS, the compression and decompression of playa surfaces adversely affects the prevalence of brachiopod eggs and species food sources in playa soils and could be associated with mounding activity. Hardened barriers surrounding the event site would accumulate wind-blown sediments that would likely affect the surface of the playa.</li> </ul>	<p>The proposed mitigation in Appendix E included types of barriers as examples. The Public Health and Safety at the Burning Man Event Report identifies other options. The BLM intends to implement this mitigation measure with input and ideas from the proponent and cooperators. The BLM anticipates using an adaptive management approach in which initial approaches are monitored for effectiveness and adapted as necessary to address the public health and safety concerns identified in the EIS.</p>
<p>The DEIS analysis of mitigation measure PHS-3 is deficient under NEPA in every respect. The need for and effectiveness of a perimeter barrier must be reassessed by analyzing potential risks in more detail and considering other far more reasonable alternatives, including the further refinement of existing unauthorized access detection and interdiction programs. The DEIS must also sufficiently analyze the impacts that could be associated with the implementation of the proposed mitigation measure. Consequently, the DEIS must be revised and recirculated with the necessary analysis to comply with NEPA.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>

Comment Text	BLM Response
<p>E. DEIS mitigation measure PHS- I. Mitigation measure PHS-I states, "At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event." According to the DEIS, "Contracted BLM-approved, third-party, private security at all portals of entry to screen participants, staff, and volunteers entering the Event (Mitigation Measure PHS- I; Appendix E) would reduce entry of firearms and other contraband into the Event (BLM 2018b). For example, events like the Electric Daisy Carnival hire security personnel for entry screening to reduce subsequent impacts on law enforcement staffing the Event from banned contraband entering the Event (BLM 2018b)" (DEIS p. 3-31). As discussed above, the citation to "BLM 2018b" apparently refers to the PHSR.</p>	<p>Reference to BLM 2018b has been corrected to reference the Public Health and Safety at the Burning Man Event Report (BLM 2019b).</p>
<p>The PHSR accurately notes the following: "BRC has an illegal substance policy that clearly states the use and possession of illicit drugs and drug paraphernalia are violations of law" (PHSR, p. 13); "[p]ossession of weapons, including firearms, is prohibited during the event"; and "[p]revious BRC entrance policies have informed participants their cars would be searched for prohibited items, some of which include explosives, fireworks, firearms, loose feathers, and tubs of confetti" (PHSR, pp. 13 and 19). The PHSR then alleges that BRC entry staff should be searching for prohibited substances but have not effectively done so, and that law enforcement responses to violent event participants overextend available resources and endanger law enforcement personnel. The PHSR contends that "[i]t is imperative to note the root of violent behavior against others at the event, to include law enforcement, is illegal drug use" and goes on to conclude that "[a]ttempting to stem violent participant behavior without addressing illegal drug use will not have a significant impact on participant or law enforcement safety" (PHSR, pp. 13 to 14). These conclusory assertions are not supported by any data in the PHSR or any other documentation published in connection with the DEIS, however. As discussed above, the PHSR is a flawed document that wholly fails to comply with NEPA and is inappropriate for consideration in connection with this EIS.</p>	<p>A good policy unenforced is merely a suggestion to the population. Comprehensive security plans begin with screening for banned items at the points of entry and a hardened perimeter. A systematic screening process is necessary to provide health and safety at the Event site, which is required by FLPMA, 40 CFR 1508.8, 40 CFR 1508.14, and BLM SRP Handbook 2930-1. DHS recommends designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands.</p> <p>The constitutionality of such security screening is well supported in instances where the Department of the Interior contracts security at points of entry to large, outdoor, mass gatherings. PHS-3 has been updated to reflect that this will be a direct government contract to remove any concern that the government is mandating the proponent to commit to the security plan for the Event.</p> <p>Private security can augment limited numbers of law enforcement from agencies involved. Existing examples, such as the individual inside the Event during build week with an assault rifle and approximately 40 grams of cocaine, provide rationale that existing measures are lacking and formal screening is necessary.</p> <p>Pershing County does not have adequate law enforcement to safely respond to calls for assistance and/or criminal activity currently. Outside law enforcement officers are brought in from other counties to assist during the Burning Man Event. Even with this additional help there is still not enough law enforcement to protect and serve the current number of participants, let alone an increase in participants. The Event "technically" starts 2 months prior to the actual Burning Man Event 9.5-day period and ends over a month afterward. There are up to 10,000 volunteers and vendors setting up prior to the Event, and law enforcement and services are required as needed. BLM law enforcement has had to respond to crimes and even a death on the playa prior to the start of the official Event.</p>
<p>Mitigation measure PHS-I is not only contrary to NEPA, but its implementation would violate both the Fourth Amendment rights of Burning Man attendees and the Unconstitutional Conditions Doctrine. As the Supreme Court has held: [T]he government may not deny a benefit to a person because he exercises a constitutional right. ... [T]he unconstitutional conditions doctrine, that vindicates the Constitution's enumerated rights by preventing the government from coercing people into giving them up. ... [The Supreme Court has] recognized that regardless of whether the government ultimately succeeds in pressuring someone into forfeiting a constitutional right, the unconstitutional conditions doctrine forbids burdening the Constitution's enumerated rights by coercively withholding benefits from those who exercise them.... [L]and-use permit applicants are especially vulnerable to the type of coercion that the unconstitutional conditions doctrine prohibits because the government often has broad discretion to deny a permit.<sup>35</sup></p> <p><sup>35</sup> Koontz v. St. Johns River Water Management Dist., 570 U.S. 595-606 (2013).</p>	<p>Comments from Pershing County included concerns regarding how the Pershing County Sheriff's Office receives complaints and crimes reported months after the Event has occurred when there is little opportunity to collect evidence or collaborate what the victims claim.</p>
<p>Thus, even though BLM could be "entirely within its rights in denying the permit for some other reason, that greater authority does not imply a lesser power to condition permit approval on [the] forfeiture of [BRC's and event attendees'] constitutional rights." Id. Therefore, BLM cannot justify conditioning its issuance of the Burning Man permit on a requirement to violate attendees' Fourth Amendment rights.</p>	<p>Screening does not necessarily mean searching every individual or vehicle passing through a point of entry. The BLM is cognizant of protecting all citizens' constitutional rights.</p>

Comment Text	BLM Response
<p>Suspicionless searches of public event attendees have been held unconstitutional in a long line of cases.<sup>36</sup> It does not excuse the Fourth Amendment violation that BLM would be requiring BRC to employ private security who would in turn be required to report to law enforcement the results of their unlawful searches.<sup>37</sup> BLM has no lawful basis for mandating a warrantless search of every Burning Man attendee as a condition of entry, PHS-I must be withdrawn from the DEIS on that basis alone.</p> <p><sup>36</sup> See, e.g., <i>Nakamoto v. Fasi</i>, 64 Haw. 17, 22–23 (1981) (warrantless search without probable cause violated the constitutional rights of a concert attendee; “[O]nce having extended, through the rock concert promoter, an invitation to the public to use its arena upon paying the price of admission, [the city government] could not further condition the exercise of this privilege upon compliance with an unconstitutional requirement.”) (citing <i>United States v. Chicago, Milwaukee, St. Paul &amp; Pac. R.R.</i>, 282 U.S. 311, 328-29 (1931)); see also <i>Jacobsen v. City of Seattle</i>, 98 Wash. 2d 668, 674 (1983) (pat-down searches of concert patrons are “not analogous to airport or courthouse searches or any other exception to the warrant requirement of the state and federal constitutions”); <i>State v. Iaccarino</i>, 767 So. 2d 470, 478 (Fla. Dist. Ct. App. 2000) (the interests supporting searches for drugs do not rise to the level of “vital interests,” and to hold otherwise would effectively justify any search of any person at any time and to any degree); <i>Ringe v. Romero</i>, 624 F. Supp. 417, 422–423 (W.D. La. 1985) (“[N]o court has ever approved a dragnet search of all citizens in a high crime area based upon the justification that the danger of criminal conduct would be reduced.... so a degree of public necessity alone cannot justify an otherwise unreasonable search.”).</p> <p><sup>37</sup> The Fourth Amendment applies to the actions of a private party if it is “regarded as an instrument or agent of the state.” <i>Coolidge v. New Hampshire</i>, 403 U.S. 443, 487 (1971); see also <i>United States v. Walther</i>, 652 F.2d 788, 791 (9th Cir. 1981); <i>United States v. Andrini</i>, 685 F.2d 1094, 1097 (9th Cir. 1982).</p>	<p>The BLM and all other law enforcement would comply with constitutional requirements if the proposed mitigation in PHS-I is implemented. It is the intent of the BLM to provide for best practices of security; the BLM would implement this mitigation within the bounds of constitutionality.</p>
<p>In addition to its incurable constitutional deficiencies, PHS-I also lacks any nexus to an identified environmental impact. While BRC shares BLM’s concern for event safety, there is no evidence in the PHSR or elsewhere that either firearms or illegal drug use present a health and safety issue of any significance at the Burning Man event. The DEIS also provides no assessment of the extent to which third-party entry inspections would effectively reduce firearm or illegal substance effects, as compared with other reasonable alternatives including the refinement of BRC’s existing entry protocols.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>The PHSR cites to just two instances of a firearm detection at the event, one in 2015 and another in 2017 (PHSR, pp. 19), but does not contain any analysis of whether third-party entry inspections would measurably decrease the risk of unauthorized firearms entering the site. Similarly, there is no evidence that third-party inspections would deter the use of illegal substances. Although the DEIS asserts that third-party entry inspectors at the Electric Daisy Carnival, a multi-day music festival at the Las Vegas Speedway, “reduce subsequent impacts on law enforcement staffing...from banned contraband” (DEIS p. 3-31), the PHSR summary of that event does not discuss either third-party entry inspections or illegal substance searches. The sole relevant statement in the PHSR concerning third-party security at the Electric Daisy Carnival is with reference to BRC considering the hiring of private security staff for the 2017 and 2018 events (PHSR, Section 1.3.2). As BLM has been repeatedly informed, however, BRC is considering a small private security force to help within the city limits on specific calls, and not for general inspections or duties at the entrance Gate.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>In addition to its failure to evaluate the effectiveness of PHS-I at mitigating any identified impacts, the DEIS provides no information of any kind evaluating whether PHS-I is economically practical or feasible, including security personnel hiring, insurance, transportation, liability exposure, housing costs, and management expenses. The DEIS also fails to analyze, as required by NEPA, any of the many significant impacts that would likely be associated with implementation of PHS-I. For example:</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>

Comment Text	BLM Response
<ul style="list-style-type: none"> <li>· Increased entry screening would substantially reduce the rate at which vehicles and participants are admitted to the site. A larger number of vehicles would be required to queue along roadways accessing the site for longer periods of time. Additional queuing would adversely affect visual resources, noise and traffic conditions throughout the region.</li> <li>· Vehicular delays would also likely generate additional criteria air and greenhouse gas emissions from idling and vehicular air conditioning, sound system and other equipment use during longer waiting periods.</li> <li>· As discussed in the PHSR, entry delays might also increase the risk of participant disorderly conduct, which in turn could place additional demands on BRC and public law enforcement and security personnel (PHSR, p. 3).</li> <li>· The incidence of incidental trash or waste disposal along regional roadways during prolonged wait times for event entry would also likely increase, as would the likelihood of personal belongings being blown away or inadvertently left behind when they are removed from vehicles during the search process, resulting in increased trash deposits on the NCA.</li> <li>· We understand that BLM has received a comment from Lindsay Dimitri (M.S Biology) - a field ecologist affiliated with the University of Nevada, Reno, who specializes in small mammal ecology and invasive species population genetics, with field sites throughout northern Nevada and eastern California, including the Pyramid Lake delta - noting that potential negative environmental impacts of this mitigation include disruption to kangaroo rats, increased likelihood of invasive species introduction, and increased likelihood of wildfires.</li> <li>· The Burning Man event currently generates approximately \$75 million per year in the Nevada, largely due to the unique, experimental community participants experience with the implementation of the event's ten principles. Significantly more intrusive and unconstitutional entry searches by personnel unaffiliated with Burning Man is likely to reduce the appeal of the event for significant numbers of current and future participants. A significant reduction in demand for event participation would substantially reduce the economic benefits that are generated within Nevada, and the failure to permit the event would eliminate these benefits entirely. The DEIS does not include any discussion of the extent to which PHS-I, or any of its other new and unprecedented mitigation measures, could adversely affect the demand for the event and reduce the economic benefits that are generated within Nevada.</li> </ul>	<p>If this proposed mitigation is implemented, the BLM would develop screening protocols in coordination with BRC to reduce unnecessary delays in operations. In addition, screening may be performed prior to the gate operation so as to not affect participants' expected environment upon arrival at the gate.</p>
<p>The DEIS analysis of mitigation measure PHS-I is deficient under NEPA in every respect. The DEIS must therefore be revised and recirculated with the necessary analysis to comply with NEPA and resolve the constitutional issues identified herein.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>F. DEIS mitigation measure ECON-I. Mitigation measure ECON-I states, "BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic." This measure must be withdrawn because it goes well beyond the scope and authority of an EIS and is unsupported by any NEPA-compliant analysis.</p>	<p>See the Washoe County letter supporting ECON-I, which does not address grant or other options. The rationale is that 25 percent of traffic on CR 34 annually is during the Event. See other EISs (for example, Ruby Pipeline) for precedent.</p> <p>In documented correspondence to the BLM dating to April 2015, BRC committed to resolving the CR 34 road issue for this EIS. In the same document, the BRC committed to evaluating alternative routes to access the Event site.</p>
<p>The DEIS fails to note that County Road 34 is a county-maintained road that was designed and built in the early 1970s; expected to last about 30 to 40 years (without consideration for Burning Man, of course, as the first such event in the Black Rock Desert was not until 1990); and has reached its expected lifespan with year-round traffic from residents, land owners, businesses, law enforcement, tourists, tribes, ranchers, and nature lovers. Fuel taxes are imposed on drivers to pay for road maintenance, but the road will need replacing, not just repairing. BRC understand that Burning Man traffic adds considerably to the use of CR 34 during summer months and has been working with closely with Washoe County for several years to measure and study the road, and to understand the options and costs for replacing sections of the road between Gerlach and Jackson Lane. The DEIS ignores the work Washoe County and BRC have done and continue to do together and instead imposes a command and control solution that Washoe County did not suggest and does not support. Had BLM engaged Washoe County appropriately, it would have confirmed the County's collaborative work with BRC to find a lasting solution for CR 34 instead of more temporary fixes, and the fact that the parties believe they may have found such a solution. BRC understands that a number of other mitigations have been designed without the input of the central stakeholders and objects to BLM's failure to engage cooperators appropriately in this EIS process.</p>	<p>See the Washoe County letter supporting ECON-I, which does not address grant or other options. The rationale is that 25 percent of traffic on CR 34 annually is during the Event. See other EISs (for example, Ruby Pipeline) for precedent.</p> <p>In documented correspondence to the BLM dating to April 2015, BRC committed to resolving the CR 34 road issue for this EIS. In the same document, the BRC committed to evaluating alternative routes to access the Event site.</p>
<p>BRC has also worked diligently and successfully with the Nevada Department of Transportation, Nevada Highway Patrol, Washoe County, and Pyramid Lake Paiute Tribe to reduce traffic on the roads leading to Black Rock City, through initiatives like the Burner Express Bus, incentivizing carpooling through our vehicle pass program, and expanding capacity of the BRC Airport. Mandated cost recovery above and beyond those efforts exceeds the scope of NEPA and the authority of BLM to regulate via an EIS. Measure ECON-I must therefore be withdrawn.</p>	<p>See the Washoe County letter supporting ECON-I, which does not address grant or other options. The rationale is that 25 percent of traffic on CR 34 annually is during the Event. See other EISs (for example, Ruby Pipeline) for precedent.</p> <p>In documented correspondence to the BLM dating to April 2015, BRC committed to resolving the CR 34 road issue for this EIS. In the same document, the BRC committed to evaluating alternative routes to access the Event site.</p>

Comment Text	BLM Response
<p>G. DEIS mitigation measure PHS-2. Mitigation measure PHS-2 states, “The BLM will contract a sexual assault response team beginning 7 days prior to Labor Day through Tuesday following Labor Day to better facilitate investigations and prosecutions of sexual assaults on public lands. BRC will compensate the government for this expense through cost recovery.”</p>	<p>See the Public Health and Safety at the Burning Man Event Report, which includes statistical analysis of sexual assault reporting. The BLM asserts any report of sexual assault on public lands is one too many, especially during an SRP event. The problem is discussed in the Burning Man Theme Camp Symposium, and despite attempts to curtail these incidents by BRC and its community, the problem persists. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>The existence of a sexual assault response team (SART) does not mean that law enforcement would identify victims wishing to remain anonymous. The SART team addition is intended solely to provide resources with the least disruption to the victim and allow the victim to use the Critical Incident Team in conjunction with a personal support network of their choosing. Pershing County receives complaints and crimes reported months after the Event when there is little opportunity to collect evidence or corroborate the victims' accounts. Providing this resource would make it easier for victims to receive care and for evidence to be collected, anonymously if the victim chooses. BLM law enforcement has an obligation to provide information and services to victims of crime who suffer direct physical, emotional, or pecuniary harm, as set forth in 42 USC 10607, the Victims' Rights and Restitution Act.</p>
<p>As with so many of the other proposed mitigations in the DEIS, PHS-2 has no relationship to the physical environment and therefore no place in an EIS. And even if the infrequent occurrence of a particular person-on-person crime at the event were appropriate subject matter for an EIS, this mitigation would be wholly unwarranted. The DEIS lacks sufficient data to support the proposed mitigation and appears to entirely disregard the resources already provided by BRC and the systems already in place for handling reported sexual assaults at the Burning Man event. Furthermore, BRC has evidence spanning several years confirming negative outcomes for participants whenever BLM and the Pershing County Sheriff's Office have ignored existing BRC sexual assault resources. The DEIS should take these resources into account.</p>	<p>See the Public Health and Safety at the Burning Man Event Report, which includes statistical analysis of sexual assault reporting. The BLM asserts any report of sexual assault on public lands is one too many, especially during an SRP event. The problem is discussed in the Burning Man Theme Camp Symposium, and despite attempts to curtail these incidents by BRC and its community, the problem persists. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>The existence of a SART does not mean that law enforcement would identify victims wishing to remain anonymous. The SART team addition is intended solely to provide resources with the least disruption to the victim and allow the victim to use the CIT team in conjunction with a personal support network of their choosing. Pershing County receives complaints and crimes reported months after the Event when there is little opportunity to collect evidence or corroborate the victims' accounts. Providing this resource would make it easier for victims to receive care and for evidence to be collected, anonymously if the victim chooses. BLM law enforcement has an obligation to provide information and services to victims of crime who suffer direct physical, emotional, or pecuniary harm, as set forth in 42 USC 10607, the Victims' Rights and Restitution Act.</p>
<p>While BLM's main focus may be on “investigating and prosecuting” a case of sexual assault (and BRC appreciates their role), the Department of Justice, RAINN and many other governmental and nongovernmental agencies concur that the primary objective in cases like these should actually be to support the survivor. It is no accident that both Nevada law (Assembly Bill No. 97, 2017, NRS 49.2541-49.2549) and federal laws and guidelines (including the Violence Against Women Act) seek to protect the right of survivors to choose what resources to access, how, and when. These laws and guidelines have resulted from a healthy and rigorous conversation about the best interests of survivors and the best public policy for addressing issues of sexual violence. Yet this mitigation, as well as Stipulation 20 in BRC's 2018 SRP, ignore the rights of survivors by requiring law enforcement engagement immediately, rather than at the request of the survivor.</p>	<p>The existence of a does not mean that law enforcement would identify victims wishing to remain anonymous. The SART team addition is intended solely to provide resources with the least disruption to the victim and allow the victim to use the CIT team in conjunction with a personal support network of their choosing. Pershing County receives complaints and crimes reported months after the Event when there is little opportunity to collect evidence or corroborate the victims' accounts. Providing this resource would make it easier for victims to receive care and for evidence to be collected, anonymously if the victim chooses. BLM law enforcement has an obligation to provide information and services to victims of crime who suffer direct physical, emotional, or pecuniary harm, as set forth in 42 USC 10607, the Victims' Rights and Restitution Act.</p>
<p>The current process for handling sexual assault reporting at the event provides for certified community-based advocates, air transport to Reno for an examination in an authorized state-licensed SART center, immediately accessible advanced-level care in an area hospital should it be needed, and support after the exam, including lodging, meals, additional advocacy, and transport back to the event if desired. This system has proven highly effective and is used by local governments including Pershing County and is endorsed and supported by Reno-area sexual assault support services organizations. Only when BLM and PCSO law enforcement have failed to engage BRC's on-site advocacy team has the system become ineffective. As the DEIS disregards these BRC-supplied resources in its analysis of this issue, its recommendations lack a legal and operational foundation.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be discussed during an EIS. This mitigation is intended to work in conjunction with the proponent's established practices with CIT services, not to supplant these programs.</p>
<p>Given the lack of any evidence that measure PHS-2 would mitigate a significant environmental impact, and the failure to engage in any analysis of the impacts of the mitigation itself, this proposed mitigation must be removed and the DEIS must be revised and recirculated to comply with NEPA.</p>	<p>PHS-2 mitigates the human environment impacts as required by 40 CFR 1508.8 and 40 CFR 1508.14.</p>

Comment Text	BLM Response
<p>H. DEIS mitigation measure PHS-5 Mitigation measure PHS-5 states, "During the Closure Order, BRC will minimize disruption of services to the PLPT and local communities for art installation arrivals and departures." This proposed mitigation should be deleted, as it has nothing to do with the environment and therefore no place in an EIS. The DEIS also fails to provide supporting evidence to show that a disruption of services due to art installation arrivals and departures has proven to be an issue with significance environmental impact.</p>	<p>The disruption of electricity and emergency response capabilities (fire, medical, and law enforcement) creates an impact on the human environment (40 CFR 1508.8 and 40 CFR 1508.14) and disadvantages communities affected in environmental justice underserved populations. In 2018, the movement of the 747 aircraft created an undue loss of electricity to the community of Gerlach and federal firefighters; it blocked traffic to emergency services as the art traveled up CR 34, cutting off passage to emergency response.</p> <p>A comment from the Pyramid Lake Paiute Tribe included "We support Mitigation Measure Number PHS-5, which requires BRC to minimize disruption of services to the Tribe and local communities for art installation arrivals and departures during the Closure Order. The Tribe requests that they receive notification by BRC prior to transporting large art installations via state highways that may result in temporary road closures or delays."</p>
<p>The DEIS analysis of mitigation measure PHS-5 is legally deficient. The need to minimize disruption of services to the PLPT and local communities must be reassessed by stating the services disrupted and the resulting significance, and by analyzing potential risks in more detail and considering reasonable alternatives. The DEIS must also sufficiently analyze the impacts that could be associated with the implementation of the proposed mitigation measure which it fails to do. Consequently, the DEIS must be revised and recirculated with the necessary analysis to comply with NEPA.</p>	<p>The disruption of electricity and emergency response capabilities (fire, medical, and law enforcement) creates an impact on the human environment (40 CFR 1508.14) and disadvantages communities affected in environmental justice underserved populations. In 2018, the movement of the 747 aircraft created an undue loss of electricity to the community of Gerlach and federal firefighters; it blocked traffic to emergency services as the art traveled up CR 34, cutting off passage to emergency response.</p> <p>The socioeconomic section of Chapter 3 discusses these impacts on disruption of emergency services during the Event, as well as affecting basic social services due to Event traffic.</p>
<p>I. DEIS mitigation measure PHS-6 Mitigation measure PHS-6 states, "During pre- and post-event times within the Closure Order, BRC will contract an ambulance service for emergency services." As this mitigation has nothing to do with the environment, it has no place in the DEIS. Even to the extent a mitigation measure of this nature complied with EIS guidelines, this mitigation would be inappropriate because it fails to sufficiently analyze existing systems and relative risk.</p>	<p>The disruption of emergency medical response creates an impact on the human environment (40 CFR 1508.8 and 40 CFR 1508.14) and disadvantages communities affected in underserved minority populations. PLPT comments state that BRC assumes that PLPT emergency medical services (EMS) would support Event operations; however, one call or deployment by PLPT EMS would preclude the PLPT from supporting other emergency operations. Supporting the Event would leave the tribal community with zero EMS coverage at times.</p>
<p>Following each event cycle, BRC's Emergency Services Department performs a risk assessment, analyzing the numbers and acuities of patients seen, and dates of care delivery to consider modifications to BRC's pre-, during, and post-event medical coverage and capabilities for subsequent event cycles. During the approximately 65 days of the Closure Order when on-site ambulance services are not available, the average number of off-playa ambulance/air transports over the last five (5) years has been three (3). BRC works closely with local ground and air ambulance services to provide swift triage and expedited transport, experiencing no adverse outcomes since establishing these processes decades ago.</p>	<p>The BLM has clarified the time frame and added new mitigation measures. The BLM has modified the time frame to indicate build week through the Saturday following Labor Day. The risk increases when the Event preparation transitions from survey work to the construction of vertical structures.</p>
<p>The DEIS likewise provides no information of any kind evaluating whether PHS-6 is economically practical or feasible, including labor costs, insurance, management and coordination expenses, and accommodation costs. Preliminary figures suggest this mitigation would cost BRC approximately \$500,000, or \$167,000 per transport. This mitigation is economically impractical and lacks any evidence showing it is necessary to provide for the health and safety of the small pre- and post-event population.</p> <p>Measure PHS-6 must be withdrawn for failure to comply with NEPA.</p>	<p>The BLM has clarified the time frame and added new mitigation measures. The BLM has modified the time frame to indicate build week through the Saturday following Labor Day. The risk increases when the Event preparation transitions from survey work to the construction of vertical structures.</p>
<p>J. DEIS mitigation measures WET-1 and WHS-8 Mitigation measure WET-1 provides, "BRC must ascertain with the ACOE if a Clean Water Act Section 404 Nationwide Permit 33, and/or Nationwide Permit 18 is needed. If so, the proponent must obtain those permits and provide copies to the BLM 30 calendar days before the start of the Closure Order." Mitigation measure WHS-8 provides, "To prevent unnecessary and undue degradation, for BRC's fuel storage facilities, BRC will create a spill prevention control and containment plan in accordance with 40 CFR 112, or if determined impracticable, a written plan in accordance with 40 CFR 109 that includes a written commitment of manpower, and equipment and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful or considered as a hazardous waste."</p>	<p>While the playa is dry during the Event, the USFWS classifies the playa as a wetland, and the USACE classifies it as a playa. As such, in email correspondence in 2018, the USACE noted that it is assumed that the playa is a Waters of the US until an Approved Jurisdictional Determination (AJD) is done. The AJD and determination of Waters of the US are under the jurisdiction of the USACE and not the BLM. An AJD does not have to be done if BRC does not contest the Waters of the US assumption; a permit can be issued. The bringing in of decomposed granite and the trenching activities may need a Nationwide Permit from the USACE. The conditions of receiving a SRP from the BLM require a proponent to obtain all other federal, state, county, and local government permits. Refer to correspondence from the USACE.</p> <p>Spill prevention was a noncompliance issue during the 2018 Event because tanks were single walled, not double walled as required. The BLM will provide additional details on the nature of noncompliance.</p>

Comment Text	BLM Response
Neither the DEIS nor any of the studies provided in connection with it provide any evidence that the cited regulations apply to the NCA or to BC's activities related to fuel storage at the event. Both of these proposed mitigations should be deleted.	<p>While the playa is dry during the event, the USFWS classifies the playa as a wetland, and the USACE classifies it as a playa. As such, in email correspondence in 2018, the USACE noted that it is assumed that the playa is a Waters of the US until an AJD is done. The AJD and determination of Waters of the US are under the jurisdiction of the USACE and not the BLM. An AJD does not have to be done if BRC does not contest the Waters of the US assumption; a permit can be issued. The bringing in of decomposed granite and the trenching activities may need a Nationwide Permit from the USACE. The conditions of receiving a SRP from the BLM require a proponent to obtain all other federal, state, county, and local government permits. Refer to correspondence from the USACE.</p> <p>Spill prevention was a noncompliance issue during the 2018 Event because tanks were single walled, not double walled as required. The BLM will provide additional details on the nature of noncompliance in the SRP.</p>
K. DEIS mitigation measures REC-1 Mitigation measure REC-1 provides, "Vendor and film permit applications associated with the Event must be submitted 194 calendar days before Labor Day. The costs of BLM employee labor will be recouped via cost recovery from BRC."	<p>Public Law 106-206 and 43 CFR 5 list the BLM's authority to require film permits. The rationale is that people create videos and then sell them for profit. BRC has asked for the BLM's assistance in helping address this issue. The BLM will provide more details. Also, Marrian Goodell's blog discusses that there is too much social media advertising (and people making money) from the Event.</p> <p>There is no change to document.</p>
This measure must be deleted from the DEIS as it has no basis in NEPA. BLM has identified no impacts in the DEIS to which this proposed mitigation would be directed, let alone a substantial impact that requires mitigation, nor has BLM explained the effectiveness of this measure at mitigating the unidentified impact.	<p>Public Law 106-206 and 43 CFR 5 list the BLM's authority to require film permits. The rationale is that people create videos and then sell them for profit. BRC has asked for the BLM's assistance in helping address this issue. The BLM will provide more details. Also, Marrian Goodell's blog discusses that there is too much social media advertising (and people making money) from the Event.</p> <p>There is no change to document.</p>
To the extent this measure is directed at "film permit applications" or expressive speech it also presents serious constitutional concerns. BLM cannot restrict the exercise of participants' First Amendment rights by placing restrictions on filming or other expressive activities at the event, with the exception of reasonable restrictions on the time, place, and manner of the expressive activity that "are content-neutral, are narrowly tailored to serve a significant government interest, and leave open ample alternative channels of communication." <sup>38</sup> BLM has not demonstrated that its 194 calendar day timeline for permit applications is reasonable or that this proposal could otherwise withstand First Amendment scrutiny.	<p>Public Law 106-206 and 43 CFR 5 list the BLM's authority to require film permits. The rationale is that people create videos and then sell them for profit. BRC has asked for the BLM's assistance in helping address this issue. The BLM will provide more details. Also, Marrian Goodell's blog discusses that there is too much social media advertising (and people making money) from the Event.</p> <p>There is no change to document.</p>
Absent any evidence that this mitigation measure is appropriate in a NEPA document, it must be removed from a revised draft EIS.	<p>Public Law 106-206 and 43 CFR 5 list the BLM's authority to require film permits. The rationale is that people create videos and then sell them for profit. BRC has asked for the BLM's assistance in helping address this issue. The BLM will provide more details. Also, Marrian Goodell's blog discusses that there is too much social media advertising (and people making money) from the Event.</p> <p>There is no change to document.</p>
L. DEIS mitigation measure REC-2 Mitigation measure REC-2 provides, "The proponent will submit to BLM and Pershing County its Final Operating Plan for each year's Event at least 45 calendar days before the first Closure Order begins for that year's Event." Pershing County does not regulate the Burning Man SRP, and BRC has no legal obligation to share its Operating Plan with Pershing County, nor does BLM have the authority to require this of BRC pursuant to an EIS. Measure REC-2 must be withdrawn.	<p>Missing child and sexual assault response are under the jurisdiction of the state and the county; therefore, it is appropriate for them to review the Plan of Operations and also the emergency operations plan for a mass casualty event, interagency meeting schedules, and ranger operations.</p>
M. DEIS mitigation measures SPEC-2 and VIS-3 Mitigation measure SPEC-2 provides, "Require BRC to reduce the amount of light pollution by banning the use of high-energy lasers and search lights being pointed straight up, and requiring shields on sources of light at night where feasible." Mitigation measure VIS-3 provides, "BRC and the BLM must implement shielding intervention on mast-mounted work lights."	<p>The NCA RMP designates this area as a Class II Visual Resource Management area. This means that the BLM needs to retain the character of the landscape, and the permitted activities "should not attract the attention of the casual observer." The on-the-ground, qualitative lighting studies (Craine 2018) done at night indicate that the level of light from the Event does attract the attention of the casual observer. The radiance relative to the zenith study (p. 18) indicates that there is poor shielding on the sources of light at the Event. Mitigations need to be developed to reduce the impact of the night lighting. The BLM compound also needs to mitigate its nighttime production of light.</p> <p>Light trespass (glare and glow) would have direct and indirect impacts on adjacent Class I areas in the NCA.</p>

Comment Text	BLM Response
Both mitigations are being proposed, for the first time in the event's history, on the basis of flawed studies discussed above, heedless of the fact that none of the studies indicate that a single bird has ever actually been harmed at a Burning Man event. These requirements would place a wholly speculative need to protect a de minimus number of migratory birds who might traverse the playa above the personal safety and First Amendment rights of free expression of the event attendees.	The NCA RMP designates this area as a Class II Visual Resource Management area. This means that the BLM needs to retain the character of the landscape, and the permitted activities "should not attract the attention of the casual observer." The on-the-ground, qualitative lighting studies (Craine 2018) done at night indicate that the level of light from the Event does attract the attention of the casual observer. The radiance relative to the zenith study (p. 18) indicates that there is poor shielding on the sources of light at the event. Mitigations need to be developed to reduce the impact of the night lighting. The BLM compound also needs to mitigate its nighttime production of light.  Light trespass (glare and glow) would have direct and indirect impacts on adjacent Class I areas in the NCA.
BLM has failed to define "shielding intervention on mast-mounted work lights" and a Google search for this term returns no results. Assuming BLM is referring to the placement of shields above lights to limit upward light pollution, then this mitigation is not supported by the analysis. Work lights, and the full light from them, are necessary for public safety at worksites during nighttime. Many artists and theme camps choose to work at night due to cooler temperatures and other factors, and BRC staff supports these efforts. Dimming or "shielding" these lights would likely result in increased risks to health and safety, while having no discernible benefit to wildlife or cultural values.  Both SPEC-2 and VIS-3 must be withdrawn for failure to comply with NEPA.	The BLM would implement the same measures (e.g., at the JOC).
N. DEIS mitigation measures CULT-1, CULT-3, VEG-1, NAT-1, SPEC-3, SPEC-4, WHS-2, WHS-3, WHS-6, AQ-4 Mitigation measure CULT-1 provides, "BRC must educate participants of the Nobles Trail through production and dissemination of pamphlets, showing trail maps on the front and trail facts on the reverse to be distributed at the Event."	The Nobles Trail is identified by Congress as being part of the National Historic Trails (NHT) system. It is eligible for the National Register of Historic Properties (NRHP) under the Section 106 of the National Historic Preservation Act (NHPA). Under the NHPA, when a proponent has an adverse impact on a NRHP-eligible property, the BLM in consultation with the State Historic Preservation Office (SHPO; and in the case of a NHT, the National Park Service), will develop a mitigation plan to address the impact. The proponent is responsible for implementing the mitigation plan. The BRFO has an active outreach program for educating the public on the historic trails and other resources in the NCA.  This is already a requirement through stipulations. It does not compel BRC to specific language, just that Nobles Trail is part of the NHT system. It is a disclosure of the law.  These are standard stipulations that would be given to any operator on public lands. See standard stipulations on other authorizations (e.g., ROWs and grazing).  Part of the creation of the NCA was for the creation of the trail; this opportunity is not available during the Closure Order.
N/A	Comments from the PLPT included "We support the Recommended Monitoring Mitigation Number WHS-1 and WHS-2, which requires BLM to evaluate the effectiveness of the required dumpsters, as well as the roadside cleanup by BRC on highways following the event."
Mitigation measure CULT-3 provides, "Through the website, social media, and other means approved by the BLM, BRC will inform staff volunteers, vendors and contractors and Event participants that collection, excavation, or vandalism of historical/archeological artifacts or sites is illegal."	Comment noted.
Mitigation measure VEG-1 provides, "BRC will provide noxious weed and fire education safety information to participants."	Comment noted.
Mitigation measure NAT-1 provides, "Through consultation with the PLPT, BRC will educate participants via its website, social media, and other means approved by the BLM, on issues of concern to the PLPT."	Comment noted.
Mitigation measure SPEC-3 provides, "BRC must educate and discourage participants from disturbing, harassing, feeding, or watering wildlife."	Removed this mitigation. It is addressed through 43 CFR.
Mitigation measure SPEC-4 provides, "BRC must educate and encourage participants to report wildlife if found at the event."	Removed this mitigation. It is addressed through 43 CFR.
Mitigation measure WHS-3 provides, "BRC will encourage vehicle operators to inspect and repair their vehicles before arriving at the Event."	Comments from the PLPT included: "We support all Waste, Hazardous or Solid Mitigation Measures, which prevents the illicit discharge of hazardous materials on the Reservation."
Mitigation measure WHS-5 provides, "BRC will educate participants on safe hauling methods, such as how to properly tie down materials and safe trailer hauling."	Comment noted.
Mitigation measure WHS-6 provides, "The proponent will educate participants, vendors and contractors, and staff and volunteers on all wastewater (e.g., grey and black) management from motor homes, campers, and service trucks."	Comment noted.
Mitigation measure AQ-4 provides, "BRC must provide written notice to participants, staff and volunteers, and vendors and contractors of air quality health risks prior to the Event and upon arrival."	Comment noted.

Comment Text	BLM Response
<p>These mitigations have several points in common: they violate NEPA because the DEIS fails to show that they would mitigate a significant environmental impact; they are unconstitutionally vague; and they would compel BRC to engage in particular government-mandated speech in violation of the First Amendment and the Unconstitutional Conditions Doctrine.<sup>39</sup></p> <p><sup>39</sup> BRC incorporates by reference in the comments submitted by Allan B. Gelbard, Esq. who raises many valid issues related to the First Amendment.</p>	<p>An EIS is required to discuss mitigation measures with sufficient detail to ensure that environmental consequences have been fairly evaluated. The BLM has done that here.</p>
<p>While BLM may request that BRC make, and bear the costs of making, such communications, and BRC may, at its sole discretion agree to make the requested statements and/or others concerning these topics, BLM may not condition the granting of BRC's permits on compelled speech. Courts have long held that "freedom of speech prohibits the government from telling people what they must say."<sup>40</sup> The government is equally prohibited from compelling a speaker to express the government's chosen message (as contemplated by many of the proposed mitigation measures set forth above) as the message of another speaker, such as the PLPT.<sup>41</sup></p> <p><sup>40</sup> Rumsfeld v. Forum for Academic &amp; Institutional Rights, Inc., 547 U.S. 47, 61 (2006); see also West Virginia Bd. of Ed. v. Barnette, 319 U.S. 624 (striking down a state law requiring schoolchildren to recite the Pledge of Allegiance and salute the flag for violating the Constitution); Wooley v. Maynard, (1977) 430 U.S. 705 (requiring New Hampshire motorists to display the state motto—"Live Free or Die"—on their license plates was unconstitutional).</p> <p><sup>41</sup> Rumsfeld, 547 U.S. at 63 (the First Amendment prohibits the government both from forcing speakers to personally speak the government's message and from forcing one speaker to host or accommodate another speaker's message).</p>	<p>Mitigation measures and permit stipulations are a portion of every project and/or special event on public lands. The BLM is not aware of any First Amendment protections for relief from mitigation measures and permit stipulations as analyzed in the DEIS. The comment does not provide supporting facts for claims regarding arbitrary and capricious behavior. BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety and undue degradation of resources at all Special Recreation Permits. Monitoring allows for adaptive management and efficiencies in deployment to be developed over the next ten years to provide for safety and resource protection.</p> <p>All of the proposed mitigation measures will be implemented using the concept of adaptive management. Adaptive management involves exploring alternative ways to meet management objectives, predicting the outcomes of alternatives based on the current state of knowledge, implementing one or more of these alternatives, monitoring to learn about the impacts of management actions, and then using the results to update knowledge and adjust management actions. This means that the proposed mitigation measures will be implemented as needed and may also be modified over time as necessary. It is unlikely that any mitigation requiring significant time and logistics will be implemented immediately, in order to determine the best possible solutions.</p>
<p>BRC is a strong advocate on behalf of the environment, but BLM has failed to provide sufficient data to justify any of these proposed mitigations. BLM has not shown significant impacts from the Burning Man event related to these proposed mitigations and is improperly compelling BRC to fulfill BLM's responsibility for public education about public lands. This type of education is part of BLM's federally-mandated mission. BRC pays 3% of its gross revenues to BLM — over \$1 million per year on top of \$3.5 million in permit fees and cost reimbursement — and BLM is required to use those funds in service of the NCA, including public education. BLM also maintains a large, fully staffed interpretive camp on-site at the Burning Man event expressly for these purposes. BRC cannot lawfully be conscripted to do BLM's job.</p>	<p>All of the proposed mitigation measures will be implemented using the concept of adaptive management. Adaptive management involves exploring alternative ways to meet management objectives, predicting the outcomes of alternatives based on the current state of knowledge, implementing one or more of these alternatives, monitoring to learn about the impacts of management actions, and then using the results to update knowledge and adjust management actions. This means that the proposed mitigation measures will be implemented as needed and may also be modified over time as necessary. It is unlikely that any mitigation requiring significant time and logistics will be implemented immediately, in order to determine the best possible solutions.</p>
<p>With respect to mitigation measure NAT-1, BRC has always supported the PLPT in sharing their messaging with Burning Man participants around the event, including on-site PSAs recorded by tribal leadership and throughout the year, on our multiple communications channels, and in meetings with the Tribe throughout the year. All of these efforts will continue, and BLM has not shown that measure NAT-1 would avoid, minimize or compensate for any significant environmental impact.</p>	<p>This mitigation measure was developed through government-to-government consultation with the PLPT. As outlined in the EIS, the Event affects the PLPT, so the proposed mitigation measure would educate participants about the need to refrain from unauthorized artifact collection, vandalism, damage to reservation roads, litter, and more. See Table ES-1 in the DEIS.</p>
<p>With respect to mitigation measures AQ-4, WHS-2, WHS-3, and WHS-5, as it has for years, BRC will continue its public outreach efforts about the health risks of particulate matter in the atmosphere on-playa; vehicle maintenance and inspection guidelines; best practices for securing vehicle loads and haul trailers; and tips for ensuring that vehicles do not leak fluids onto the playa surface, using all appropriate communications channels, including the Survival Guide that BRC provides to all ticketholders and publishes on Burning Man's website.<sup>42</sup> BLM has not shown that these proposed mitigations would avoid, minimize or compensate for any significant environmental impact.</p> <p><sup>42</sup> See, e.g., <a href="http://survival.burningman.org/transportation-traffic/travel-tips-reminders/">http://survival.burningman.org/transportation-traffic/travel-tips-reminders/</a>.</p>	<p>While there is information in the Burning Man Survival Guide, BLM Event compliance monitoring has shown these measures to be insufficient.</p>
<p>With respect to mitigation measure WHS-6, BRC already provides information via all appropriate communications channels, including the Survival Guide, regarding proper wastewater management.<sup>43</sup> BRC could not possibly educate participants, vendors and contractors, and staff and volunteers on "all wastewater management" from motorhomes, campers, and service trucks, however. This proposed mitigation, like so many others in the DEIS, is infeasible and exceeds the scope of NEPA by requiring a private operator to take responsibility for the actions of attendees while they are not on site. This mitigation does not apply to any users of other sensitive public lands, including National Parks, and is well beyond the scope of BLM's regulatory authority.</p> <p><sup>43</sup> See, e.g., <a href="https://burningman.org/event/preparation/playa-living/gray-water/">https://burningman.org/event/preparation/playa-living/gray-water/</a>; <a href="https://burningman.org/event/preparation/playa-living/human-waste-disposal/">https://burningman.org/event/preparation/playa-living/human-waste-disposal/</a>.</p>	<p>While there is information in the Burning Man Survival Guide, BLM Event compliance monitoring has shown these measures to be insufficient.</p>

Comment Text	BLM Response
<p>O. DEIS mitigation measure NCA-1 Mitigation measure NCA-1 provides, "BRC must post a reclamation bond sufficient to remove large art installations and theme camps left behind after Exodus. This bond is intended to remove the risk of unnecessary or undue degradation to the NCA and defray the costs to taxpayers."</p>	<p>BLM SRP Handbook, Chapter I Section M "Bonds" does allow for bonding. "A bond ensures obligations or payments associated with these authorizations, guaranteeing that adequate funds will be available for the rehabilitation of resource damage or repair of damaged government facilities" (43 CFR 2932.44).</p> <p>The theme camps and art installations are there at BRC's permission; they operate under BRC's permit.</p> <p>The BLM has not charged the art exhibit.</p> <p>There is evidence of the exhibit being dug out of the playa with a backhoe (see Blaylock comment letter).</p>
<p>This measure is being proposed, for the first time in the event's history, because of a single project that had trouble leaving the NCA at the end of the 2018 event. This project still did leave the Burning Man closure area mere days after the event ended (during the time period that projects are allowed to remain on site for dismantling), creating temporary tracks in the playa surface. BLM has charged the creators of that project directly for all costs BLM incurred as a result of the Special Recreation Permit issued to the project.</p>	<p>BLM SRP Handbook, Chapter I Section M "Bonds" does allow for bonding. "A bond ensures obligations or payments associated with these authorizations, guaranteeing that adequate funds will be available for the rehabilitation of resource damage or repair of damaged government facilities" (43 CFR 2932.44).</p> <p>The theme camps and art installations are there at BRC's permission; they operate under BRC's permit.</p> <p>The BLM has not charged the art exhibit.</p> <p>There is evidence of the exhibit being dug out of the playa with a backhoe (see Blaylock comment letter).</p>
<p>BLM has no authority to use the Burning Man EIS to address the risk of unnecessary or undue degradation to the NCA outside of the Burning Man event closure area by charging BRC a bond. BLM has also improperly conflated the actions of a separate party with BRC's responsibilities under its own permit. BRC is not responsible for a participant's violation of BLM regulations. As BLM has no data to justify this proposed mitigation, NCA-1 must be withdrawn.</p>	<p>Any theme camp or art exhibit is authorized by BRC to operate under the overall conditions of BRC's SRP issued by the BLM. The BLM allows BRC to authorize theme camps and art on the playa.</p>
<p>P. DEIS mitigation measures SOIL-2 DEIS mitigation measure SOIL-2 provides, "BRC must require burn barrels for camp fires, which would be elevated at least 10 inches to prevent burn scarring." This proposal has been made for the first time despite no evidence that it would be effective at mitigating a significant environmental impact.</p>	<p>SOIL-2 has been revised. The Closure Order indicated that burn barrels needed to be elevated. This mitigation measure clarifies the exact height and is consistent with previous BRC messaging (Jackrabbit Speaks newsletter), which indicated 6 inches.</p> <p>Debris burn following the Man burn does require a state permit.</p>
<p>BRC has long required on-site burn barrels to be operated and monitored safely, using physical protections that avoid burn scars or other heat damage to the playa surface. BRC's current recommendation is for burn barrels to be raised 6 inches above the playa surface, which it has found to be more than sufficient at preventing burn scar damage. Raising barrels to 10 inches or more would make them less stable and more prone to falling over, while not providing any significant additional burn scar protection. The DEIS fails to consider the environmental impacts of this proposed mitigation. Measure SOIL-2 must be withdrawn for failure to comply with NEPA.</p>	<p>SOIL-2 has been revised. The Closure Order indicated that burn barrels needed to be elevated. This mitigation measure clarifies the exact height and is consistent with previous BRC messaging (Jackrabbit Speaks newsletter), which indicated 6 inches.</p> <p>Debris burn following the Man burn does require a state permit.</p>
<p>Q. DEIS monitoring measures BRC objects to a number of the proposed monitoring measures in the DEIS due to their failure to comply with NEPA, in particular those monitoring measures that are related to mitigation measures that fail to withstand scrutiny under NEPA. BRC's concerns with the monitoring proposals are detailed in Exhibit A, attached and incorporated into this letter by reference. All monitoring measures that lack a sufficient evidentiary foundation in the DEIS and supporting studies must be removed.</p>	<p>Comment noted.</p>
<p>III. The DEIS improperly utilizes the NEPA review process to address non-environmental issues, including individual behaviors. Section 2 of the National Environmental Policy Act of 1969 states that the purposes of the Act include: (1) the declaration of "a national policy which will encourage productive and enjoyable harmony between man and his environment"; (2) the promotion of "efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man"; and (3) enriching "the understanding of the ecological systems and natural resources important to the Nation" (42 USC § 4321). NEPA is an environmental statute. Its fundamental intent is to ensure that the potential environmental effects of a federal action are considered before the action is implemented and inform the public that the agencies considered environmental concerns in the decision-making process. NEPA is not intended to address all social ills. As noted prior, it is not appropriate for an EIS to address every impact or effect of the proposed action that the agency can think of, no matter how attenuated or indirect. Rather, the EIS is supposed to alert the agency of the significant effects the proposed action is likely to have on the physical environment.</p>	<p>Any theme camp or art exhibit is authorized by BRC to operate under the overall conditions of BRC's SRP issued by the BLM.</p> <p>The BLM recognizes that BRC does not assume the responsibility for the actions of individuals; however, consistent with 40 CFR 1508.08 and 40 CFR 1508.14, the NEPA analysis addresses the potential impacts from individuals' actions on the aesthetic, cultural, economic, social, or health of people, whether direct, indirect, or cumulative.</p>

Comment Text	BLM Response
<p>The DEIS improperly uses the NEPA process to address and attempt to regulate individual behaviors or other activities that do not have any significant environmental effects within the meaning of NEPA and which are outside the scope of the agency action. This is in sharp contrast to the final EIS adopted for the RMP, for example, which considered potential recreational activity impacts, including the Burning Man event, on law enforcement. That EIS noted large recreational events would affect BLM and other regional law enforcement services, including from arrests, incarcerations, and trial costs, and yet, it concluded that: Effective mitigation has been provided over the years as BLM and its Burning Man Organization cooperators have learned from experience. The Special Recreation Permit stipulations have grown more sophisticated and appropriate to the issues of managing such a large event and have proven to be increasingly effective. Other than continuing to refine the constraints imposed by the Special Recreation Permit stipulations, there is little that BLM can do to guarantee lawful human behavior.<sup>44</sup></p> <p><sup>44</sup> See Proposed Resource Management Plan and Final Environmental Impact Statement, Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, 2003, Volume 1, page 4-43, <a href="https://eplanning.blm.gov/epl-front-office/projects/lup/101115/139040/171092/Black_Rock_High_Rock_PRMP_FEIS_voll.pdf">https://eplanning.blm.gov/epl-front-office/projects/lup/101115/139040/171092/Black_Rock_High_Rock_PRMP_FEIS_voll.pdf</a> (emphasis added).</p>	<p>Any theme camp or art exhibit is authorized by BRC to operate under the overall conditions of BRC's SRP issued by the BLM. The BLM allows BRC to authorize theme camps and art on the playa.</p> <p>The BLM recognizes that BRC does not assume the responsibility for the actions of individuals; however, consistent with 40 CFR 1508.08 and 40 CFR 1508.14, the NEPA analysis addresses the potential impacts from individuals' actions on the aesthetic, cultural, economic, social, or health of people, whether direct, indirect, or cumulative.</p>
<p>The DEIS significantly departs from the reasonable and common sense approach reflected in the RMP final EIS. Instead, it seeks to misapply the NEPA process to regulate individual activities that are not properly within the purview of NEPA. For example, the entire PHSR is rife with bias, speculation and factual errors, as seen in this excerpt: Illegal possession, use, and distribution of a controlled substance at the Burning Man Event are a public health and safety concern, and are potential impacts from the rise of the national opioid epidemic. The "gifting culture" of the Burning Man Event results in people accepting items from strangers and ingesting substances unknown to them. Participants who believe they are ingesting one substance only to find out they have ingested something completely different may overdose. After the 2014 event, the event medical provider, Humboldt General Hospital, reported an increase in the use of synthetic illicit drugs and Gamma- Hydroxybutyrate (GHB, commonly known as liquid ecstasy). The report stated illicit drugs can cause life- threatening complaints and require immediate clinical intervention (PHSR, p. 12-13).</p>	<p>The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p> <p>The Drug Enforcement Administration (DEA) defines opioids as heroin, fentanyl, oxycodone, Percocet, morphine, and codeine. The 2019 Burning Man Theme Camp Symposium recounts a story of a participant being gifted a substance that contained fentanyl.</p> <p>The 2019 Burning Man Theme Camp Symposium Facebook video includes a discussion from a camp lead about preparing for fentanyl exposure by equipping the camp with Narcan (because of a fear campmates could become exposed to fentanyl) and relates an important life-altering experience for a campmate who was gifted a substance with fentanyl unbeknownst to the received individual.</p> <p>Foods, such as dried apricots and breath mints, have been located by law enforcement within the Event. These instances are not hypothetical but real examples.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>GHB is commonly referred to as liquid ecstasy, per the DEA.</p>
<p>It is highly unusual and entirely improper for an agency to use the NEPA process as a vehicle to address individual behavior at such a minute level. It is additionally inappropriate to base analysis on unsupported, speculative or erroneous information.<sup>45</sup> Event security, law enforcement and other non-federal and non-environmental issues, such as local traffic control, are much more commonly coordinated by consultations between event organizers, federal agencies and local officials as necessary during the pre-event planning process. As recognized by the RMP final EIS, the primary and most appropriate vehicle for BLM to address these matters is via the refinement of the SRP stipulations and conditions.</p> <p><sup>45</sup> For example, there is no support in the PHSR for the conclusion about Burning Man's "gifting culture" and the cited 2014 report is rife with factual errors.</p>	<p>The stipulations and conditions are designed to mitigate impacts brought forth in the NEPA document concerning the human environment.</p>
<p>The DEIS represents a significant, if not unprecedented, degree of NEPA "mission creep." Instead of focusing on the major environmental objectives that NEPA was enacted to achieve, the DEIS devotes significant discussion to individual behavior that is attenuated from any environmental effect or cause and often unsupported by any evidence.<sup>46</sup></p> <p><sup>46</sup> For example, as there is no relationship whatsoever between "the national opioid epidemic" and the Burning Man event, which has experienced no opioid-related overdoses in its 30-year history. The reference has no place in an analysis of the event's public health and safety concerns, even if an analysis of this kind were appropriate under NEPA.</p>	<p>The stipulations and conditions are designed to mitigate impacts brought forth in the NEPA document concerning the human environment consistent with 40 CFR 1508.08 and 40 CFR 1508.14.</p>

Comment Text	BLM Response
<p>BRC has a proven track record of working diligently with BLM, local stakeholders and agencies, and the PLPT to address event-related concerns. This record is explicitly acknowledged in the RMP final EIS, which states that “Burning Man has proved to be a very efficient organization and a very good neighbor. It is the largest ‘Leave No Trace’ event in the world. Hundreds of its workers and volunteers spend countless hours preparing the site both before and after the festival. BLM has found no evidence of environmental damage caused by any of the Burning Man events.”<sup>47</sup></p> <p>47 See Proposed Resource Management Plan and Final Environmental Impact Statement, Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, 2003, Volume 1, page 3-78, <a href="https://eplanning.blm.gov/epl-front-office/projects/lup/101115/139040/171092/Black%20Rock%20High%20Rock%20PRMP%20FEIS%20vol1.pdf">https://eplanning.blm.gov/epl-front-office/projects/lup/101115/139040/171092/Black Rock High Rock PRMP FEIS vol1.pdf</a>.</p>	<p>NDOT comments: In the past, BRC had continual outreach with the NDOT and its other stakeholders to review, inform, and improve practices and procedures. There is a recommendation to revive these practices to improve communication, transparency, procedures, and processes.</p> <p>The NDOT would request that formal plans be developed by BRC for outside of the Event. These plans should have the following primary elements:</p> <ol style="list-style-type: none"> <li>a. Monitoring Plan – Along SR 447. BRC currently operates numerous monitoring devices along SR 447. If within the NDOT right-of-way, these devices will need permits. Shared access of this information will also help cooperating agencies assist in their various response roles.</li> <li>b. Emergency Response Plan – Formal coordination between BRC and outside agencies during the Event.</li> <li>c. Incident Management Plan – Formal plan for incident and mass emergency evacuations.</li> <li>d. Trash Plan – Formal plan outlining specific details for trash mitigation both on and off the playa.</li> <li>e. Transit Plan/Mitigation – Suggest BRC develop a transit plan with set milestones to reduce net trips of patrons to and from the Event.</li> <li>i. To further reduce delay and emissions and enhance safety, consider ingress and egress strategies, such as arrival metering, alternate route accesses, and towing services.</li> <li>f. Event Participant Outreach Plan – Information outreach to include but not limited to: <ol style="list-style-type: none"> <li>i. No ticket, no entry</li> <li>ii. Trash/debris mitigation off the playa</li> <li>iii. Off-playa services</li> <li>iv. Event egress map</li> </ol> </li> </ol> <p>For the past several years, the NDOT has collected after-action reports, which included NDOT costs to service the Event. The NDOT suggests sharing after-action reports for the past 10 years with the BLM. This will help identify the change in impacts for a 10-year period.</p> <p>Based on overall mitigation strategies that are provided by BRC, the NDOT requests the ability to seek reimbursement for time, equipment, and manpower in the future.</p>
<p>Subsequent NEPA documentation and the successful history of the event have confirmed BLM’s prior assessment. BLM has no basis for departing from the pragmatic and reasoned approach to the NEPA review of the Burning Man event reflected in the RMP final EIS and to instead elect to improperly utilize NEPA mitigation measures to impose security and requirements that should be discussed in more appropriate event planning and permitting contexts.</p>	<p>The BLM has complied with NEPA, as well as all other applicable federal law, regulation, and policy, in its analysis contained in the EIS.</p>
<p>BLM has not shown this proposed monitoring measure is directed at any significant impact or would be effective at monitoring any such impact. The EIS cannot be used by BLM to charge BRC for the costs of monitoring measures that fail to comply with NEPA, like this one.</p>	<p>This monitoring measure addresses impacts on air quality identified in the EIS where PM2.5 and PM10 exceed NAAQS thresholds.</p> <p>The FEIS was revised to include an AQ measure to address adaptive mitigation meant to address air quality impacts.</p>
<p>BLM has not shown this proposed monitoring measure is directed at any significant impact, such that it is appropriate under NEPA to include this in the EIS. This measure is particularly suspect because it requires a government agency to “monitor” the conduct of individuals without just cause, in violation of their constitutional rights to be free from government surveillance.</p>	<p>In the past, BRC did this. The BLM routinely monitors hot spring use throughout the BRFO.</p> <p>Impacts on water quality, vegetation, and wildlife related to increased hot spring use are documented in the DEIS. This monitoring measure is intended to track those impacts associated with the Event.</p>
<p>BLM has not shown this proposed monitoring measure is directed at any significant impact. BRC already performs the function of consulting with the Pyramid Lake Paiute Tribe regarding these potential impacts. This duplicative and unnecessary measure should be deleted.</p>	<p>Through G to G consultation, the Tribe has expressed its desire to have monitoring and after action reviews with the BLM concerning the event. Per BLM Secretary’s Top 10 priorities, ensure tribal sovereignty means something.</p>

Comment Text	BLM Response
This measure is deeply constitutionally suspect. BLM does not have the authority to conduct surveillance of individuals without probable cause or reasonable articulable suspicion of wrongdoing. The agency cannot contract a third party to violate the constitutional rights of BRC staff and event participants. This measure must be deleted.	<p>FLPMA, 40 CFR 1508.8 and 40 CFR 1508.14, and NEPA Section 4321 require the BLM to provide for health and safety. BLM law enforcement policy requires personnel to aggressively investigate any instance of illegal substance use and abuse on public lands.</p> <p>Monitoring of patrol, statistical review, medical reports, state and local statistics, and third-party screening in mitigation measure PHS-1 ensures effectiveness of mitigations. Monitoring has been done for the above mitigations except for mitigation measure PHS-1.</p>
This proposed monitoring measure relates to a proposed mitigation measure (PHS-3) that has no basis in NEPA and no support in the EIS. BLM has not identified any substantial impact that the proposed "perimeter barriers" would effectively mitigate. Like the companion mitigation measure, this monitoring measure must be deleted.	The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. Monitoring allows for adaptive management and efficiencies in deployment to be developed over the next 10 years to provide for safety.
This proposed monitoring measure relates to a proposed mitigation measure (PHS-4) that has no basis in NEPA and no support in the EIS. BLM has not identified any substantial impact resulting from the collapse of structures or structure-related incidents resulting in injury. The companion mitigation measure is nonsensical, technically impossible, and greatly exceeds the scope of BLM's authority. Both it and this monitoring measure must be deleted.	<p>The BLM is open to discussion on this monitoring measure if BRC is stating the current practices are sufficient to provide for public safety in structures.</p> <p>This mitigation/monitoring was intended only for structures over 10 feet that are designed for lodging space unless expressly manufactured for this purpose (motorhomes, RVs, and tents). This is not intended to be applied to art (PHS-4 has been updated to clarify the intent).</p>
This proposed monitoring measure presumes a "disruption of services in Gerlach" creating a substantial impact that must be monitored. The draft EIS does not support such a presumption.	The disruption of electricity and emergency response capabilities (fire, medical, and law enforcement) creates an impact on the human environment (40 CFR 1508.8 and 40 CFR 1508.14) and disadvantages communities affected in environmental justice underserved populations. In 2018, the movement of the 747 aircraft created an undue loss of electricity to the community of Gerlach and federal firefighters; it blocked traffic to emergency services as the art traveled up CR 34, cutting off passage to emergency response.
Through dedicated internal work and cooperation with BLM over the year, BRC has implemented tremendously successful environmental and vending compliance programs. These programs are run by BRC, as they should be. BRC understands from BLM's Authorized Officer that the language of this proposed monitoring measure disguises BLM's real intent: to "catch" and punish individual actors throughout the Closure Order period, rather than assessing overall performance afterwards. This proposed monitoring measure is nonsensical, and is likely lead to situations where BLM cites individuals for failure to provide secondary fuel containment if they have just arrived on playa and, in the act of unpacking, place their fuel can on the ground while they unload the secondary container. Such government surveillance without cause is unconstitutional and in violation of NEPA.	<p>BRC has provided no data to support the assertion that the BLM has erroneously issued fuel storage violation citations. This claim appears speculative.</p> <p>Monitoring of the environmental and vending compliance programs is not intended to "catch" violations but instead to audit the effectiveness of each program. This is a continuance of past practices to ensure the mitigations (i.e., environmental and vending compliance teams) are effective.</p> <p>Auditing is standard practice for public land users, including other SRP holders.</p>
This monitoring measure is redundant and unnecessary. This information is already report on a daily basis to the Tier I group via the Situation Status (SitStat) reports.	The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. FLPMA, 40 CFR 1508.8 and 1508.14, and NEPA Section 4321 require the BLM to provide for health and safety. This monitoring is necessary to fulfill the agency's responsibility to public health and safety. This monitoring measure is to ensure there are no discrepancies in the public record.
This proposed monitoring measure relates to a proposed mitigation measure (NAT-2) that has no basis in NEPA and no support in the EIS, as discussed elsewhere in BRC's comments. BLM has not shown that mitigation measure NAT-2 would be effective at mitigating a substantial environmental impact, nor has BLM assessed the substantial environmental impacts of the measure itself. Mitigation measure has no basis in NEPA, and this companion monitoring measure must likewise be deleted.	EIS clarified to be monitoring the effectiveness of waste mitigation strategies.
This monitoring measure greatly exceeds the scope of BLM's authority under NEPA. BLM has not shown that this monitoring measure is directed at any identified significant impact, nor has it shown any nexus between this proposed monitoring and the unidentified purported impact. This proposal reads like a fishing expedition intended to waste BRC's money. BLM's burden was to prepare a NEPA-compliant draft EIS with studies of sufficient relevance and scientific rigor to meet NEPA guidelines. BLM has failed to meet that burden and cannot use EIS monitoring measures in order to shift the responsibility for identifying a potential impact to BRC. BLM must delete this monitoring measure because of the lack of any nexus to any significant environmental impact identified in the course of the EIS process.	Oil monitoring was done as part of the 2003 and 2012 EAs. The BLM clarified the monitoring language to say monitoring would be done during year 1 and year 5. While there is no observed issue, this measure is meant to ensure there are no issues in the future. It is also acknowledged in a 2013 Burning Man newsletter article.
This proposed monitoring measure is too vague to provide BRC with an opportunity for meaningful comment. It is unclear what BLM means by "monitor solid waste disposal" or by "audit the effectiveness, as necessary."	Revised EIS to combine with WHS-1; the BLM will monitor the effectiveness of the mitigation measure.
This appears to be within the jurisdiction of the Nevada Department of Transportation, not BLM. If BLM is authorized to conduct this monitoring, it must supply the metrics by which it will "audit the effectiveness" of BRC's roadside cleanup activities. Given that the draft EIS failed to sufficiently account for BRC's roadside activities, it appears BLM may not be capable of fairly auditing their effectiveness.	Revised the EIS to state "The BLM in cooperation with NDOT and PLPT will assess the effectiveness . . ."

Comment Text	BLM Response
The "speed limits" within the Closure Area are imposed by BRC and should be monitored by BRC. BLM has not identified the substantial impact to which this proposed monitoring measure is directed, nor provided any analysis of this proposal's effectiveness at mitigating that unidentified impact.	Law enforcement is the only entity that can enforce speed limits at the Event.  Revised mitigation and monitoring labels to be PHS.  The purpose of the mitigation is based on PHS impacts. The purpose of the monitoring is to ensure the effectiveness of maintaining those speed limits to determine whether more measures need to be put in place so that the speed limits are observed.
BLM has not shown this proposed monitoring measure is directed at any significant impact or would be effective at monitoring any such impact. The EIS cannot be used by BLM to charge BRC for the costs of monitoring measures that fail to comply with NEPA, like this one.	This monitoring measure is based on data collected that found PM2.5 and PM10 to be twice the NAAQS. Monitoring would be required to determine adequacy of EPMs and the need for additional mitigation or the opportunity to release additional monitoring requirements.
While BRC does not object to BLM monitoring erosion of the playa, of course, BRC must note here that the lack of scientific rigor with which the entire draft EIS was compiled does not inspire confidence in BLM's ability to effectively monitor anything relating to the Burning Man event.	Commented noted. No change.
As discussed elsewhere in BRC's comment submission, and in many other public comments received by BLM from third parties, the "Burning Man Event Night Skies Study" is deeply flawed and fails to comply with NEPA. The entire report is based on a single data point totaling less than 1 second in a 5-year period. This questionable study cannot be used as the basis for a monitoring measure, and this proposal must be deleted.	Added measure to monitor to evaluate the trend and get best available data. Monitoring is to determine the effectiveness of mitigation SPEC-2 (to be revised to VIS mitigation). If light exceeds the threshold (see night skies report), then additional mitigation would be required.
This proposed monitoring measure, like measure VIS-1, is based on a study whose scientific integrity is extremely questionable. BLM has not shown a sufficient basis for requiring this monitoring, and absent such evidence, this measure must be deleted.	This monitoring measure is meant to evaluate the effectiveness of mitigation measure VIS-3.
This proposed monitoring measure, like measures VIS-1 and VIS-2, is based on a study whose scientific integrity is extremely questionable. Furthermore, this measure is written so vaguely and broadly that it would effectively give BLM the authority to stop almost any light source it chooses, without justification. This is an authority that BLM does not have and cannot use the EIS process to commandeer.	This monitoring measure is meant to evaluate the effectiveness of mitigation measure SPEC-2 (which has been revised to appear under the Visual Resource mitigation measures).
BRC already monitors wastewater spills and leaks through its extensive environmental compliance program. BLM does not need to additionally monitor wastewater spills. BLM holds BRC accountable for complying with our SRP at the end of the event and does not need to run a parallel operation to BRC's.	The BLM revised the monitoring measure to state, "BRC will continue to monitor all wastewater spills and BRC will be audited by the BLM on the effectiveness of their program."
It is unclear why this monitoring measure is being proposed in connection with the draft EIS. BRC understands this to be BLM's responsibility regardless of whether the Burning Man event takes place in the National Conservation Area.	Other recreation users are in the NCA during the Event, and the BLM needs to understand the impacts of the Event on these other recreationists. The BLM already evaluates the effectiveness of its RMP every 5 years; recreation is only a small part of the reevaluation; this monitoring would be in addition to the RMP evaluation process. No change to the EIS.
For the past few years, BRC has labored to demonstrate to BLM the accuracy of the population reporting systems BRC has put in place. BLM has not shown that BRC has misled BLM or that the present system is technologically ineffective, as it must in order to demand that BRC pay for an external vendor to replicate work that has already been done at BRC's expense. Absent such evidence, this measure should be deleted.	The BLM needs to receive an objective count in real time that includes both ticketed participants, volunteers, and staff entering the Event that has not been filtered through BRC. Questions have arisen as to the accuracy of the PRAM system that is currently in place.
This monitoring measure lacks any foundation in NEPA and underscores the extent to which BLM is abusing the EIS process to exceed the bounds of the agency's authority. BLM has no authority or ability to "determine if desired experiences are being achieved." BLM has no mandate to judge or establish either what a desired experience is or whether or not it is being achieved at a private event, and any attempt to do so would be suspect under the First Amendment. This measure must be deleted.	Other recreation users are in the NCA during the Event, and the BLM needs to understand the impacts of the Event on these other recreationists. The BLM already evaluates the effectiveness of its RMP every 5 years; recreation is only a small part of the reevaluation; this monitoring would be in addition to the RMP evaluation process. No change to the EIS.
This monitoring measure is nonsensical and, as written, far exceeds the scope of BLM's authority and jurisdiction. BLM clearly lacks the ability to assess "all debris generated by the Event," given that the vast majority of this debris either never makes it to the event site in the first place or leaves with the participants who pack it out, and often pack it all the way back to their homes with them. To the extent that a debris monitoring measure is appropriate at all, it must be sufficiently limited in scope to protect the rights of event attendees to be free of unwarranted government surveillance.	The previous format and data contained in the post-Event inspection report are being revised in coordination with BRC based on the 2018 Event. The inspection is carried out after most participants have left the playa, so it would not infringe on the individual rights of Event attendees.
BLM has not shown this proposed monitoring measure is directed at any significant impact or would be effective at monitoring any such impact. Absent such a showing, this monitoring measure is improper in an EIS.	This is a standard monitoring measure for BLM-issued SRPs. These SRPs would not occur absent the Event; therefore, costs to monitor should be incurred by the SRP proponent.
It is unclear why this monitoring measure is being proposed in connection with the draft EIS. BRC understands this to be BLM's responsibility regardless of whether the Burning Man event takes place in the National Conservation Area.	Other recreation users are in the NCA during the Event, and the BLM needs to understand the impacts of the Event on these other recreationists. The BLM already evaluates the effectiveness of its RMP every 5 years; recreation is only a small part of the reevaluation; this monitoring would be in addition to the RMP evaluation process. No change to the EIS.
This proposed monitoring measure is redundant and unnecessary. The Nevada Department of Transportation has installed counters on SR447, and BRC scans all vehicles entering the event. It is unreasonable for BLM to use this EIS in order to force BRC to pay for an external vendor to validate work that is already being conducted successfully.	The NDOT only monitors SR 447. The purpose is to understand traffic entering and exiting the Event through various locations, such as through the vending gate. Additionally, the data collected by BRC have not been provided to the BLM or NDOT.
The "costs" notation at the bottom of the cover page misleads the public. There are no BLM costs. BRC has paid, and continues to pay, for all costs associated with the entire process.	Clarify that for this EIS, BRC and the BLM have a cost-recovery agreement and that this is the BLM's estimated labor, which is recouped via cost recovery.

Comment Text	BLM Response
The majority of BLM's law enforcement activity in the Burning Man closure area is unrelated to the agency's mission as stated on this page.	The BLM implements its mission via smaller policies, general orders, and handbooks. Law enforcement sustains the health, diversity, and the productivity of the public lands at the Event by utilizing tools to provide for public health and safety as well as resource protection.
<p>As noted in BRC's comments on the internal draft EIS (and disregarded by BIM), the Burning Man event is not 9.5 days long; it is eight days long. As stated in the first sentence of the Introduction to BRC's Proposed Action (which BLM declined to make available to the public on the eplanning.gov webpage for this project), BRC "is applying for a ten-year Special Recreation Permit ('SRP') under 43 CR 2930 to produce the eight-day Burning Man event." BLM has no authority to unilaterally modify BRC's Proposed Action in this manner.</p> <p>In the PHSR, BIM Ranger Becky Andres wrote: "Since 2014, an average of 12 sexual assaults are investigated by law enforcement over the course of the 8-day event." BIM is well aware that the event is 8 days long, not 9.5.</p>	<p>The event is 9.5 days. For the past three Events, the gate has opened at 12:01 a.m., 8 days before Labor Day, and BRC has not forced anyone to leave until 12:00 p.m. on the Tuesday following Labor Day (which is 9.5 days).</p> <p>Global change to make sure it is 9.5 days throughout the EIS and errata for any changes to the baseline studies.</p>
As noted with respect to the Abstract, BRC did not apply for an SRP to produce a 9.5 day event. The Burning Man event is an eight-day event, and BRC's Proposed Action was for an eight-day event.	<p>The event is 9.5 days. For the past three Events, the gate has opened at 12:01 a.m., 8 days before Labor Day, and BRC has not forced anyone to leave until 12:00 p.m. on the Tuesday following Labor Day (which is 9.5 days).</p> <p>Global change to make sure it is 9.5 days throughout the EIS and errata for any changes to the baseline studies.</p>
As noted in BRC's comments on the internal draft EIS (and disregarded by BLM): a) This section incorrectly describes how population would grow under this alternative and does not accurately describe the Proposed Action in this record. b) BRC did not propose the event start at 12:01 AM on Sunday. The proposed start time is the same as the current start time, which is 6:00 PM Sunday. c) The event would actually include up to 500 registered art pieces, not 400.	<p>The event is 9.5 days. For the past three Events, the gate has opened at 12:01 a.m., 8 days before Labor Day, and BRC has not forced anyone to leave until 12:00 p.m. on the Tuesday following Labor Day (which is 9.5 days).</p> <p>Global change to make sure it is 9.5 days throughout the EIS and errata for any changes to the baseline studies.</p> <p>The document has been revised for Alternative C.</p>
As noted in BRC's comments on the internal draft EIS (and disregarded by BLM), Alternative B was improperly created by the BLM without any input from the proponent BRC.	Through internal and external scoping, the BLM develops the alternatives. Even comment letters from Burning Man participants favor a 50,000 population.
a) The "Environmental Consequences" summarized in this table are not adequately supported by the DEIS or Special Studies. For example, BLM has failed to show that migratory birds or Lahontan cutthroat trout would be adversely affected by Alternatives A, C, or D. Throughout the table are speculative and inflammatory statements that do not have evidentiary support. For example: (i) The statement under "Social Values" that under Alternative A "additional impacts could occur where community members feel a disconnect between Event actions and community values" is a speculative statement that lacks support in the record of the DEIS. (ii) Under Alternative A in the "Water Resources" row is the statement, "Application of dust suppression water could affect surface water or groundwater quality depending on the quantity of water applied," a theoretical statement which lacks evidentiary support in the record of the DEIS. (iii) Under Alternative A in the "Economics" row is the statement, "Funding for agencies and tribal governments would be affected from staffing and support for the Event," a speculative statement with no support in the record of the DEIS. (iv) Under Alternative A in the "Recreation" row is the statement, "A larger Event population could be undesirable for some Event participants," a speculative statement that not only lacks any support in the record but is outside the scope of an EIS. b) The DEIS fails to analyze the potential environmental impacts of Alternative C, moving the site of the event.	The DEIS contained a section that explained the history of the Burning Man Event on public lands. See FEIS Section 1.1. The BLM's analysis was informed by the issues raised during scoping, input from cooperators and the public, and the agency's experience administering the permit.
This section mentions aircraft as a source of potential wildlife injury or displacement, but the statement is entirely hypothetical and lacks supporting data or analysis.	The DEIS contained a section that explained the history of the Burning Man Event on public lands. See FEIS Section 1.1. The BLM's analysis was informed by the issues raised during scoping, input from cooperators and the public, and the agency's experience administering the permit.
This section states, "Increased recreational use of hot springs could impede the Native American setting." There is no explanation of the relevance of this statement and no indication that its inclusion in this EIS is proper.	The DEIS contained a section that explained the history of the Burning Man Event on public lands. See FEIS Section 1.1. The BLM's analysis was informed by the issues raised during scoping, input from cooperators and the public, and the agency's experience administering the permit.
Mitigation Measure PHS-3 is in direct opposition to what is being asked here in order to protect soils.	The DEIS contained a section that explained the history of the Burning Man Event on public lands. See FEIS Section 1.1. The BLM's analysis was informed by the issues raised during scoping, input from cooperators and the public, and the agency's experience administering the permit.
The water used for dust abatement is local groundwater coming from geothermal activity. This source has always been known. If BLM is questioning the water quality from this source, BLM must provide sufficient support for that position and propose where else this water should come from.	The DEIS contained a section that explained the history of the Burning Man Event on public lands. See FEIS Section 1.1. The BLM's analysis was informed by the issues raised during scoping, input from cooperators and the public, and the agency's experience administering the permit.

Comment Text	BLM Response
<p>Errors in this table include:</p> <ul style="list-style-type: none"> <li>- FAA does not issue a permit for 88NV. There is no FAA permit required to operate 88NV, and BRC obtains no such permit. We are not required to obtain any permits from the FAA with respect to airport operations.</li> <li>- There is no Nevada Department of Transportation (NDOT) permit required to operate 88NV, and BRC obtains no such permit with respect to airport runways or other airport operational concerns.</li> <li>- None of the Nevada Division of Environmental Protection (NDEP) permits listed in this table are required.</li> <li>- No Clean Water Act Section 404 permit is required. The Army Corps of Engineers (ACOE) has never advised BRC that such a permit or any other permit under the ACOE's jurisdiction is required of BRC in connection with its Burning Man event operations.</li> </ul>	<p>Revised to clarify that the airport is registered, not permitted with the FAA. Need evidence in writing from the USACE and NDEP that the Event as planned does not require any permits. NDEP's scoping letter indicates that some permits may be needed, and USACE correspondence also indicates a Section 404 and/or Clean Water Act Nation Wide Permit may be needed. It is the responsibility of the SRP holder to ensure they have all necessary federal, state, county, and local permits.</p>
<p>BRC's references to the need for and importance of adaptive management appear to have been improperly omitted from this section.</p>	<p>Adaptive management is discussed in mitigations and monitoring for the impacts. Section 2.1 is an introductory section.</p>
<p>As noted in BRC's comments on the internal draft EIS (and disregarded by BIM), BRC disputes that the alternatives presented "represent a reasonable range of alternatives" for at least the following reasons:</p> <ol style="list-style-type: none"> <li>1) BIM did not consult BRC in the development of Alternative B - reducing the event to 50,000;</li> <li>2) This alternative would cause significant financial hardship to Northern Nevada small businesses, which would collectively lose \$20-30 million, and to the BRC organization</li> </ol>	<p>Adaptive management is discussed in mitigations and monitoring for the impacts. Section 2.1 is an introductory section. The socioeconomic analysis captures the potential loss of revenues associated with a reduced population alternative.</p>
<p>As BLM is aware, BRC did not propose this model initially until forced by BLM to add population steps. BRC submitted this revision so that BIM would include mitigations and analysis for each step, which it failed to do, and so that BIM would not assume growth to 100,000 in one year, which was never proposed. BRC proposed slow growth to be determined each year by BRC and BLM, if there is to be growth at all.</p>	<p>The impacts of population growth are identified in the Public Health and Safety analysis and corresponding report. Night sky and traffic studies also look at impacts associated with graduated population growth. Other resources found no major differences for populations between 80,000 and 100,000.</p>
<p>As noted in BRC's comments on the internal draft EIS (and disregarded by BLM), this section incorrectly states that the event would start at 12:01 AM on Sunday the weekend before labor Day. BRC has never proposed this. The event would start, as it currently does, at 6:00 PM on that Sunday.</p>	<p>The Event is 9.5 days. For the past three Events, the gate has opened at 12:01 a.m., 8 days before Labor Day, and BRC has not forced anyone to leave until 12:00 p.m. on the Tuesday following Labor Day (which is 9.5 days).  Global change made to make sure it is 9.5 days throughout the EIS and errata for any changes to the baseline studies.</p>
<p>As noted in BRC's comments on the internal draft EIS (and disregarded by BLM): a) In the numbered list, point 5 is incomplete. The sentence, "These messages would be communicated via social media and all Event radio outlets" should be amended to add "as well as via other communications outlets available to off-site agencies, including message boards on I-80 and alongside other roadways leading to the event. b) In the numbered list, point 11 incorrectly includes the word "year-round." BRC has not proposed making this communications "yearround" nor would there be any lawful basis for BIM requiring such "year-round" communications of BRC. c) The section on "Mutant Vehicles and Driving Rules" fails to note that speed limits for vehicles change during the Closure Order dates and in different locations. Inside the event, during the event, the speed limit is 5 mph.</p>	<p># 5: correction made #11: removed "year-round" Mutant vehicles: comment noted. No change. Mutant vehicles only drive in the city and are limited to 5 miles per hour.</p>
<p>This statement is counter to the requirements of proposed Mitigation Measure PHS-1</p>	<p>Mitigation Measure PHS-1 is not meant to supplant the existing measures of BRC gate operations. For example, security screening will not check tickets or scan people into the Event. These are two separate issues.</p>
<p>Bullet points 7 and 8 state, "7. BRC would manage the Burner Express Bus and Burner Express Air programs to provide alternatives to personal vehicles. It would also promote carpooling. BRC would encourage the use of these alternative transportation modes by reserving tickets for Burner Express passengers." BRC currently offers limited reserved ticketing for Burner Express Bus only, and has no current plan to provide reserved ticketing to Burner Express Air passengers. This is an incorrect description of BRC's Proposed Action.</p>	<p>Revised to clarify that it does not include Burner Express Air passengers.</p>
<p>As noted in BRC's comments on the internal draft EIS (and disregarded by BLM): a) The "Art" section should say "500 registered art pieces," not "300 to 400." b) In the "Offsite Cleanup" section, the first sentence of the second paragraph should replace "collect all roadside trash" with "collect roadside trash related to Burning Man as permitted." In the third sentence of the second paragraph - beginning "Off-site cleanup would begin after all of the Event attendees depart..." - the word "all" should be deleted. The last sentence of this paragraph should be deleted. c) In the "Unified Command and Emergency Procedures" section, the use of "would" in the first sentence is problematic based on the conduct of BLM and the Pershing County Sheriff's Office (PCSO) at the 2018 event. Unified Command requires all parties to work together and notify each other about incidents in a timely manner. If BLM and PCSO do not participate properly in this construct as in 2018, it will not work and unified command should not be the model. The word "would" should therefore be changed to "could." d) In the "Emergency Communications" section, remove "with a collocated dispatch center to ensure coordinated emergency response." e) In the "Food and Drink Service and Potable Water Hauling" section, remove reference to NDEP, which does not have jurisdiction in these areas to BRC's knowledge.</p>	<p>See above – fixed 500 number. b) made change c) Pershing County – comment noted d) removed "collocated" e) clarified that it would be Division of Health only</p>
<p>Delete the word "all" before roadside trash and add "related to Burning Man" after roadside trash.</p>	<p>No change. Refer to BRC Environmental Protection Measures.</p>
<p>Delete "all" from "Off-site cleanup would begin after all of the Event attendees depart".</p>	<p>Change made to: ". . . would begin on Wednesday following Labor Day."</p>

Comment Text	BLM Response
Add the word "normally" in this sentence and the clause "but would use adaptive management depending on annual needs" at the end of the sentence: "Weather, traffic, and other safety concerns permitting, BRC would normally schedule this cleanup effort to begin on Wednesday after Labor Day."	No change. Sentence says weather, traffic, and safety concerns permitting.
This section is in direct opposition to the requirements of proposed Mitigation Measure NAT-2	Even with the implementation of NAT-2, there would be the need for off-site cleanup. No change.
Mitigation Measure PHS-I is in direct opposition to this paragraph stating the BRC is responsible for monitoring gate operations.	The section referenced is BRC's proposed action. Mitigation Measure PHS-I is in support of and conjunction with BRC's Proposed Action and current operations. This is how the groups have cooperated in the past and plan to cooperate in providing for a safe and secure Event in the future.
Remove "with a collocated dispatch center to ensure coordinated emergency response." BRC needs to employ adaptive management as to the type of dispatch center employed each year.	See response above to remove "collocated."
As noted in BRC's comments on the internal draft EIS (and disregarded by BLM), BRC did not propose the following statements and again requests that they be removed: (1) "BRC would coordinate and collaborate with the BLM year-round and during the Event to enforce this principle." (2) "To enforce the Leave No Trace Principle." Burning Man's Principle is "Leaving No Trace" - not "Leave No Trace" - and Burning Man's Principles are not "enforced"; they are supported and respected.	Removed "year-round" Revised to "Ensure compliance with the Leave No Trace. . ."
Before any discussion of Stipulations, the DEIS should have included a discussion and table outlining BRC's Proponent Committed Environmental Protections. This comprehensive list of the actions BRC already takes to protect the environment belongs here. Due to the DEIS's failure to reference this document, the public was deprived of the opportunity to comment meaningfully on the DEIS.	In the proposed action, a specific list of proponent-committed environmental protections was not included for analysis in the DEIS. The BLM captured potential environmental protections from the Proposed Action and plan of operations. A formal list of environmental protection measures was received on April 29, 2019, the final day of public comment on the DEIS.
This section erroneously states that "BRC oversells the Event." The number of tickets sold is based on an algorithm allowing for attendees who leave early or ticket holders who do not attend at all, and this system has been in place for years. This inflammatory and incorrect statement must be removed.  This section also erroneously conflates population monitoring with ticket sales, stating: "If maximum population is reached and attendees depart the Event, additional attendees would not be allowed to replace those attendees." BRC conducts careful population monitoring, and BLM has 24 hour access to this data. For the last five events, BRC has not allow the population on site to exceed the limit imposed by the Special Recreation Permit except once, in 2018, with BIM's express approval of the overage. Maximum population is just that: the maximum number of people allowed on site at any given time. This sentence indicates that BLM intends to apply the maximum population to the number of individuals who enter the site in total, regardless of how many people leave and when. With a few keystrokes, BLM has attempted to impose an unwarranted and improper stipulation on the permit and on BRC's business practices with no environmental justification or proven impact whatsoever. This sentence must be deleted.	Comment noted. No change. For this analysis, the maximum population is the number of people on-site given the duration of the Event. It is the sum total for this analysis. There is environmental justification for this since it has potential impacts in regards to traffic, waste, air, and soil erosion.  There are also environmental justice implications on underserved populations in the PLPT Reservation.
a) The term "street lighting" in the section is undefined and unclear. b) This section fails to note that the highest concentration of artificial lighting inside the Closure Area is at the BLM compound.	Comment noted. No change.
This section fails to note that wind is a major source of noise on windy days.	This fact was noted in the noise study. At the time of developing the Proposed Action, the noise study was not completed. No change.
As noted in BRC's comments on the internal draft EIS (and disregarded by BLM), this section erroneously states that Black Rock Ranger trainings are held only in California, Nevada, Oregon, and Washington. In fact, Black Rock Ranger trainings have been held and will continue to be held in many more locations, including outside of the US.	Change made in the FEIS to note Black Rock Ranger trainings are held worldwide.
As noted in BRC's comments on the internal draft EIS (and disregarded by BLM), BLM must delete this entire section. This is not in the BRC proposed action, and it is not BLM's responsibility to publicize BRC's detailed work schedule.	The Golden Spike ceremony has evolved to be a major event as observed by the BLM. The BLM would require a separate special recreation permit for the Golden Spike event if it is not included in the overall Burning Man SRP. No change.
As noted in BRC's comments on the internal draft EIS (and disregarded by BIM): a) As made clear in the Proposed Action, which BIM has declined to make available to the public, the Black Rock City Municipal Airport is not regulated by the FAA, as erroneously stated in this section. b) This section erroneously states that the three airport runways are each approximately 6,000 feet long by 50 feet wide." In fact, the two passenger airport runways are about 6,000 feet long by 75 feet wide, while the medevac runway is approximately 4,000 feet long by 50 feet wide.	a) Change made regarding the FAA b) The number of air runways needs to be listed in the EIS for analysis. Revised dimensions per comment.

Comment Text	BLM Response
<p>Corrections:</p> <ul style="list-style-type: none"> <li>- We are not FAA regulated.</li> <li>- BLM cannot dictate the layout of the runways/airport or control our operational protocols. This should be taken as hypothetical.</li> <li>- The runway measurements here are approximate but may change to suit operational needs.</li> <li>- Number of helipads may vary.</li> <li>- Yes aviation fuel stored at airport - No motor fuel stored at airport.</li> </ul>	<p>FAA change made per comments above. The BLM assumes the runway dimensions and number of helipads analyzed in the EIS are a maximum. If runway dimensions or number of helipads increase, additional NEPA analysis will be required. Revise to clarify that no motor fuel is stored at the airport.</p>
<p>BRCMA is not an FAA regulated airport</p>	<p>Change made per comments above.</p>
<p>The way this section is written makes it sound as if there are seven fuel depots at the airport, not seven fuel depots in BRC, of which one is at airport. Clarification: statement should be "BRC Operates seven fuel depots including at the following locations: the airport, JOC, Department of Public Works Fuel Depot ... " and so on.</p>	<p>Revised to: "BRC operates seven fuel depots: . . ."</p>
<p>This section fails to incorporate any reference to the fact that BRC has a robust and effective vending compliance program. The statement that the "vendors are present because of the Event" is deliberately misleading. They are present because they have received special recreation permits from BLM to operate. The DEIS does not provide any legal support for BLM's purported authority to "cap" the number of vendors at an arbitrary number of BLM's choosing and does not provide evidence to show impacts that need to be mitigated with a cap of 100.</p>	<p>See comment response to similar comment under mitigation regarding vendors. SRPs are discretionary, and the BLM has the authority to not issue an SRP.</p>
<p>This section states, "The BLM recommendation of a minimum height of 10 inches above the playa must be implemented for all burn barrels on the playa." BIM has provided no evidentiary support for or analysis of this recommendation and the basis for proposing "10 inches" is entirely unclear to any reader of this draft.</p>	<p>Revised per mitigation comments to 6 inches.</p>
<p>BLM cannot dictate or control airport operations. The number and orientation of the runways is based on aeronautical standards and protocols and is not population-dependent. BLM cannot restrict airport operations.</p>	<p>The BLM has the authority to determine the number and locations of runways on BLM-administered lands.</p>
<p>If the population were reduced, BRC believes the numbers of bus riders would remain high. The estimations are not accurate.</p>	<p>Comment noted. If BRC has data to support this assertion, it needs to be shared with the BLM.</p>
<p>As noted in BRC's comments on the internal draft EIS (and disregarded by BLM):</p> <ol style="list-style-type: none"> <li>1) BRC would be unable to deliver the event inside the parameters suggested by BIM for Alternative B (the reduced population alternative).</li> <li>2) BLM has made many demands on BRC since the event was this size, and the language used here suggests that these measures would be required to remain in place, despite other key factors of the event being reversed;</li> <li>3) BLM made no accommodations for BRC's operational needs in this alternative and provided no opportunity for BRC to discuss Alternative B or the terms dictated in it;</li> <li>4) This alternative would result in hundreds of staffing redundancies in NV and California, as well as a substantial loss of revenue for Northern Nevada. None of these economic impacts has been studied in the DEIS.</li> </ol>	<ol style="list-style-type: none"> <li>1) NEPA requires the BLM to consider a reasonable range of alternatives. This alternative arose from internal and external scoping. A 50,000 Event population was also previously analyzed in the 2012 EA in compliance with NEPA.</li> <li>2) Comment noted.</li> <li>3) See response to #1, above</li> <li>4) This is discussed in detail in the socioeconomic report and summarized in the DEIS. No change.</li> </ol>
<p>If Alternative D is selected, the 2018 permit stipulations must be revised, as they are revised every year, in order to reflect the actual needs of the current year's event.</p>	<p>It is BLM's objective to analyze stipulations as part of the NEPA process. There would be opportunities for adaptive management over the 10-year permit period.</p>
<p>This entire section is hypothetical. The BRC Airport Operations team would decide if or where an airport would be feasible in the case of an Event perimeter relocation. It would be entirely situation-dependent. A move would not necessarily mean that the airport would be placed in an undesirable location relative to (the new location of) Black Rock City. There is no evidence in a hypothetical situation like this that aircraft would be subject to any more or less dust or other hazardous flying conditions as indicated here. This is all conjecture and inaccurate assumptions, rather than evidence-based, as required by an EIS.</p>	<p>In meetings with BRC operations staff during development of the DEIS, BRC noted concerns with the placement of the Event south of its current location outside the NCA. Therefore, this alternative was eliminated from detailed analysis.</p>
<p>This section regarding "BLM land Use Plan Conformance" should be expanded to note that the NCA Act and the corresponding RMP expressly contemplate the continuance of Burning Man events on the NCA. This section should not be buried at the end of chapter 2 but should be included in chapter 1 with full details about the findings in the NCA Act and the RMP relevant to Burning Man. The failure of BLM to include the RMP on the public documents page for this project has precluded meaningful public comment.</p>	<p>This section identifies the RMP. In the RMP, Burning Man is mentioned as an example of a recreation event occurring in the planning area.</p>
<p>See attached comments regarding the flawed analyses and factual errata in Biological Resources Baseline Report. BLM has failed to show any substantial impact to migratory birds under any of the proposed alternatives and this section must be revised in accordance with NEPA and the Data Quality Act or omitted entirely. No mitigations or monitoring can be required based on this section of the analysis or underlying special studies.</p>	<p>Mitigations specific to wildlife have been removed. Revised the analysis to address Sierra Club and Center for Biological Diversity letters regarding shrimp.</p>
<p>"Under all alternatives, potential impacts on migratory birds include collisions with traffic from automobiles and aircraft, avoidance and disturbance from noise, attraction to or avoidance of artificial light and temporary structure construction, pollution of habitat with human waste, garbage and air emissions, disturbance to food availability within the playa soils, and harassment potential." This sentence is nonsensical. It is unclear what effect any of the alternatives has on the enumerated "impacts."</p>	<p>Comment noted. These are potential impacts. See Biological Baseline report for more description.</p>
<p>Year-round air quality data is lacking to show that this amount of particulate concentrations is significantly greater than ambient conditions</p>	<p>There are data from 2018 from the Coyote Dunes monitoring stations that indicate the particulate matter concentrations are higher during the Event than at other times of year.</p>
<p>The draft EIS has not shown that migratory birds are present and affected by the Event. Site-specific bird surveys would be needed in order to confirm whether migratory birds are affected.</p>	<p>At the request of the proponent, wildlife surveys were not conducted as part of this EIS. Therefore, the BLM assumes presence. This is typical of other proponents not wanting to bear the cost of wildlife surveys.</p>

Comment Text	BLM Response
This paragraph can be summarized as follows: "Collisions with vehicles can kill birds. The potential for this happening is minimal but would increase if more aircraft and vehicles travel to and from the event." This passage must be deleted, as it is entirely hypothetical and not based in any actual data. The BRC Airport has never had a single report of bird or other wildlife strikes during flight or ground operations.	Comment noted. No change. Potential for impact is discussed in the Biological resources report which cites literature demonstrating wildlife mortality occurs from vehicle and aircraft strikes.
BLM has failed to show any substantial impact to any special status species under any of the proposed alternatives and this section must be revised in accordance with NEPA and the Data Quality Act or omitted entirely. No mitigations or monitoring can be required based on this section of the analysis or underlying special studies.	This section does not require revision. Mitigation related to wildlife has been removed.
In the first line of the first full paragraph, the use of "would" supposes that a negative effect has already been documented. Wording such as "could" is accurate and appropriate, unless data have been collected to specifically show that Event-based traffic is harming the landscape around hot springs. The same comment applies to transmission of invasive species.	Yes, most of the roadside along SR447 is a monoculture of cheatgrass. This invasive is spread by people pulling off the roadway. Increased human activity has also been documented to increase the potential for fire starts (e.g., from vehicles). No change.
See attached comments regarding the flawed analyses and factual errata in Biological Resources Baseline Report. BIM has failed to show any substantial impact to any threatened or endangered species under any of the proposed alternatives and this section must be revised in accordance with NEPA and the Data Quality Act or omitted entirely. No mitigations or monitoring can be required based on this section of the analysis or underlying special studies.	On page 3-10, the EIS notes that the potential for Event-related impacts on threatened and endangered species would be minor compared with the potential for impacts outside the Event period. No change.
BLM has failed to show any substantial impact to any vegetation under any of the proposed alternatives and this section must be revised in accordance with NEPA and the Data Quality Act or omitted entirely. No mitigations or monitoring can be required based on this section of the analysis or underlying special studies.	No change. Vehicle use associated with the Event increases the potential for weed propagation and fire starts.
BLM has provided no data or analysis regarding fires allegedly caused by event participant vehicles.	No change. Vehicle use associated with the Event increases the potential for weed propagation and fire starts.
This same route is travelled by thousands of livestock throughout the course of the year. The draft EIS has not shown that Eventbased traffic is any worse than digestion (which often stimulates germination) and spread of weeds via livestock.	Per the BLM range specialist, there are not thousands of livestock in the allotments along 447. Livestock would not congregate along fences along 447. There are some livestock moved along 447 via truck in the fall. There would be negligible impacts on vegetation from this activity.
BLM has failed to show any substantial impact to any wetland or riparian area under any of the proposed alternatives and this section must be revised in accordance with NEPA and the Data Quality Act or omitted entirely. No mitigations or monitoring can be required based on this section of the analysis or underlying special studies.	See response above regarding USACE permits.
BLM has failed to show any substantial impact to any wildlife under any of the proposed alternatives and this section must be revised in accordance with NEPA and the Data Quality Act or omitted entirely. No mitigations or monitoring can be required based on this section of the analysis or underlying special studies.	Comment noted, see other responses regarding wildlife above.
See attached comments regarding the flawed analyses and factual errata in the Public Health and Safety Report. The entire "Public Health and Safety" section in this draft EIS must be substantially revised or omitted, as it is currently based on nothing more than the unsubstantiated bias and speculation of its author. The absence of reliable data and objective analysis in this section renders it wholly inappropriate for a NEPA document. Because of the extraordinary number of errors in this section, BRC's comments on it will span the next several rows.	Comment noted. Specific concerns will be addressed as listed below.
This subsection presumes as established fact something that the EIS wholly fails to establish and that is entirely untrue - that law enforcement agencies are exclusively responsible for "emergency response" at the Burning Man event. This section omits all reference to the robust and extensive emergency response resources and professional staff provided by BRC, including via its Black Rock Rangers and Emergency Services Departments. That omission seems intended to mislead the public into believing that no such resources exist. This section must be substantially revised in a recirculated draft to provide the public with the opportunity to meaningfully comment on BLM's assessment. - This subsection states, "Law enforcement staffing is based on current and future Event populations and is determined by responsible agencies, based on current and future management studies incorporating proximity, capacity, and response time of emergency services, to address emergency response and public health and safety." BLM has refused repeated requests to make available to BRC or to the general public - as required by the EIS process - the purported "studies" referenced in this sentence. That refusal has precluded any meaningful public comment on BLM's law enforcement staffing-related decisions as they relate to "public health and safety." BLM has further stated to BRC that BLM law enforcement staffing is based on "gut instinct," a wholly inappropriate metric under the law. - The Socioeconomic Assessment makes clear that the community of Gerlach feels law enforcement presence is too high at Burning Man and that law enforcement led by BLM takes advantage of "this target rich environment." - BLM must explain the basis for its law enforcement staffing determinations in order to enable the public to meaningfully assess any of BLM's analysis or recommendations in this area.	Current BLM Event management is unaware of staffing based on "gut instinct" and this is clearly a dated reference.  The pertinent discussion to current staffing levels is included in the Public Health and Safety at the Burning Man Event.  The BLM does not take law enforcement action in the town of Gerlach, only on public lands unless there is a request for assistance by a partner agency with exigent circumstances.
The draft EIS supplies no information regarding the degree of exposure that is required to have significant impact on health. BLM must state what this is or omit this section.	Exposures vary by age, personal health, and sensitive groups. The EPA publishes an air quality index for each group to compare how their personal health may be affected. The data in the baseline technical report for air resources allows individuals to compare their affected group status with recorded conditions. Additional air quality monitoring would provide more information.

Comment Text	BLM Response
<p>Table 3-5 is deliberately misleading to the public and nearly all of the numbers in it are erroneous. BLM has failed to indicate how and from what sources it derived this flawed data. BRC has confirmed at least the following errors in the table:</p> <p>1) The "Patients" number includes the number of people treated by ESD, but it should not. The "Patients" number should only include actual patients: i.e., those suffering illness or injuries seeking or requiring advanced medical care and seen at the Rampart facility. ESD numbers are not reportable per the SRP, and anyone treated by ESD at ESD stations requires first-aid care only. Rampart patient numbers declined in 2015 when BRC placed an ESD first-aid station in front of Rampart, thus providing first-aid to those who only needed basic care. This successful adaptive management strategy provided the right level of care, relieved the Rampart facility, and reduced the number of patients. Table 3-5 needs to be corrected as indicated in these comments. 2) 2012 patient number is incorrect. According to the HGH AAR 2012, Rampart saw 2,853 patients, not 4,821. 3) 2013 patient number is incorrect. According to the HGH AAR 2013, Rampart saw 3,011 patients, not 6,196. 4) 2013 Altered state, influence of drugs/alcohol is incorrect. The number stated by HGH was 52. ESD saw 51 participants with alcohol-related complaints, and 71 participants with "altered mental status" (which isn't necessarily drug-related) for a Rampart ESD total of 174, not 240. 5) 2014 patient number is incorrect. According to the HGH AAR 2014, Rampart saw 2,860 patients, not 5,443. 6) 2014 "Altered state, influence of drugs/alcohol" number is misleading. Altered mental state should not be grouped in with drug and alcohol consumption as there are many diagnoses besides drug and alcohol use that can lead to an altered mental status. Actual numbers were: 71 drug-related, 30 alcohol-related. 7) 2015 patient number is incorrect. According to the CrowdRx AAR 2015, the number of patients seen was 1,713, not 5,313. 8) 2015 "Altered state, influence of drugs/alcohol" lists 79 patients. According to CrowdRx data, the actual number was 88. Again, altered mental state should not be grouped in with drug and alcohol consumption as there are many diagnoses besides drugs and alcohol use that can lead to an altered mental status. 9) 2016 patient number is incorrect. CrowdRx reported seeing 1,849 patients, not 4,899 patients 10) 2016 transport number is incorrect. While there were 31 air ambulance transfers, the total number of transfers per the CrowdRx 2016 AAR was 35. 11) 2016 "Altered state, influence of drugs/alcohol" lists 126 patients. BRC cannot confirm the basis for this number, as it does not match any data available to BRC or reported in the CrowdRx AAR. 12) 2017 patient number is incorrect. The number reported in the CrowdRx 2017 AAR was 1,660 patients, not 5,039 patients. 13) 2017 transport number is incorrect. The number of transports in 2017 was 52, not 53. 14) For 2017, BLM's table indicates that 325 participants were seen for altered state/influence of drugs/alcohol. In fact, the CrowdRx data show 33 alcohol-related patient visits, 31 drug-related, and 85 "other" or unknown, for a total of only 149. As noted above, "altered state" does not imply the use of drugs or alcohol, and so should not be included in the data. 15) BLM erroneously claims the number of combative/agitated patients was not reported. In fact, this information was reported in the CrowdRx 2017 AAR that was delivered to the BLM. That report disclosed 2 combative/agitated patients seen in Rampart, and 6 in ESD. BRC has not confirmed whether the 2 seen in Rampart were seen by ESD first.</p>	<p>The numbers referenced in this table are a combination of Emergency Services Division and Rampart incidents.</p> <p>2017 Rampart combative patients will be updated from not reported to two.</p>
<p>This paragraph states, "Traffic-related injuries occur in the Closure Area and on travel routes to the Event. In 2014, a participant was killed in an accident involving an art car." As written, this text is deliberately misleading and it must be revised for accuracy. The data confirm that accidents during ingress and egress are virtually non-existent, averaging just 1.6 accidents per year for the past 10 years. BRC receives numerous reports each year from participants who feel that law enforcement officers are the greatest perpetrators of reckless driving at the event. The fact that traffic-related injuries occur is irrelevant when the report fails to provide any context and does not even detail their frequency. The sentence about the 2014 incident is equally misleading. The fact that there was a single tragedy of this nature in more than a decade of annual Burning Man events, where tens of thousands of vehicles have entered, existed, and driven around the event site, has absolutely no relevance to a NEPA analysis.</p>	<p>The Nevada Highway Patrol noted in their comment letter that congestion related to the Event creates a significant increase in crashes and strain on Nevada Highway Patrol resources.</p> <p>The BLM has responded to vehicle collisions on Gate Road and within the Event, particularly following the entrance at gate. Vehicle-related injuries also occur from people getting run over, as in 2017 when a BRC employee drove over an occupied tent causing severe injuries to the occupant.</p>
<p>This paragraph must be rewritten as it is currently deliberately misleading to the public. First, it lacks a discussion of the extensive efforts BRC already has in place to be excellent stewards of the environment, clean up trash on site and off the roads leading to and from the event, educate our participants and staff, and work with local communities and cooperating agencies on waste management. Burning Man is the largest Leave No Trace event in the world. This paragraph also uses hyperbolic terms like "unauthorized dumping" and "unsanitary debris" - with no support detail in this section - in order to mislead the reader about the scale of the purported issue.</p>	<p>Comment noted. Please see socioeconomic report and cooperating agency comments referencing these issues.</p>

Comment Text	BLM Response
<p>The paragraph regarding "illegal controlled substances" must be entirely rewritten or omitted. It currently comprises only speculation and unsubstantiated opinions, with no supporting data. - First it says, "Illegal controlled substance ingestion at the Burning Man event is a human health concern, with significant concern regarding the national opioid epidemic." This sentence is absurd. The opioid epidemic has had no discernible impact on Burning Man. There has only ever been one opioid-related arrest. Between 2012 and 2017, the average number of people treated per year for illegal controlled substance ingestion of any kind was 46. There has never been a case of opioid ingestion/use requiring Narcan in Black Rock City, with the exception of a single participant who attempted suicide via polydrug ingestion and other means. There is also no evidence that Burning Man attracts opioids to Nevada. A 2018 Bureau of Indian Affairs sting operation - widely decried by local prosecutors, the media, and members of the public - did not report finding any opioids, nor were there any other convictions stemming from that ill-considered and constitutionally suspect operation. References to opioids at Burning Man cannot be supported by substantial evidence and must be removed from the EIS. - The next four sentences are also biased, hypothetical, and misleading: "Participants who believe they are ingesting one substance, only to find out they have ingested something completely different, could overdose. Foods, such as dried apricots and breath mints laced with illicit substances, have been located at the Event. In addition, law enforcement responds to assaultive or combative subject calls during the Event, due to illegal controlled substance abuse. This use jeopardizes the safety of the public, first responders, and BRC staff and volunteers." The first sentence is a hypothetical and wholly inappropriate for this document unless it is supported by detailed evidence. To BRC's knowledge, no such overdose has occurred in the history of the event. The following sentences are not based on any supporting data either - e.g., even if such "foods" were "located" at the event, a statement BLM does not support with any data, it would not follow that there is a substantial public safety impact from the presence of such foods. An EIS is not the place for a collection of anecdotes. BLM also fails to note the number of times that law enforcement has responded to a participant who is "assaultive or combative" because they have abused illegal controlled substances, nor has BLM provided any details of such incidents that would enable an objective assessment of BLM's subjective conclusions about "illegal controlled substances" at the event. There is certainly no evidence that safety has been "jeopardized," and the use of such hyperbolic language underscores the bias of BLM in this section and the accompanying Public Health and Safety Report and their impropriety under NEPA and the Data Quality Act. - BLM ends this paragraph with another hyperbolic sentence unsupported by any data, claiming, "Illicit drug use can result in an urgent need to evacuate one's refuse, resulting in increases of human feces deposited on the playa and left unclaimed by participants in recent years." Again, BLM has made no showing of a significant impact as required by NEPA.</p>	<p>The DEA defines opioids as heroin, fentanyl, oxycodone, Percocet, morphine, and codeine. The 2019 Burning Man Theme Camp Symposium recounts a story of a participant being gifted a substance that contained fentanyl.</p> <p>The 2019 Burning Man Theme Camp Symposium Facebook video includes a discussion from a camp lead about preparing for fentanyl exposure by equipping the camp with Narcan and relates an important life-altering experience for a campmate who was gifted a substance with fentanyl unbeknownst to the received individual.</p> <p>Foods, such as dried apricots and breath mints, have been located by law enforcement within the Event. These instances are not hypothetical but real examples.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>This paragraph states, "Participants fall from structures and art pieces at the Event, which is a human health concern before, during, and after the Event as art is built, experienced, and dismantled." As written, this paragraph is deliberately misleading in suggesting that such falls happen commonly or with any regularity. The number of such falls that have occurred is not provided. The report should use the more accurate phrasing "can fall" or "may fall" - instead of simply "fall" - to avoid misleading the public.</p>	<p>Rampart's statistics from 2015 to 2017 include statistics regarding falls at the Event treated by Rampart. These statistics will be added to the Public Health and Safety at the Burning Man Event document.</p>

Comment Text	BLM Response
<p>BLM claims that public health and safety resources are "drawn down" but has not provided any detail regarding the numbers or any associated harms. There is no evidence that fire or emergency medical resources are drawn down in Northern Nevada, as most of their personnel are from out of state. Of the 371 medical providers and firefighters volunteering in 2018, 20 (5.3%) were northern Nevada residents. Just 49 of the 184 contracted medical providers (27%) at BRC's Rampart medical facility were Nevada residents, and 27 of the 41 BRC fire contractor firefighters were northern Nevada residents. - BLM's assertion "[t]here is not enough law enforcement assigned to the Event" is belied by the data on law enforcement activity at the event. For example, the 2018 data show - similar to past years - that the majority of interactions by law enforcement were "public contacts" (49%) and traffic stops (31%). Just 20% of calls were for other assistance, most commonly "compliance checks." (See Attachment A to this spreadsheet, or the CAD data already in BLM's possession, for more details.) - Furthermore, any purported impact on BLM elsewhere is a function of BLM's decision to overstaffed Burning Man with law enforcement officers. Current law enforcement activity at the Burning Man event includes environmental compliance, traffic enforcement, "public assists", and a number of other activities that can be handled by BRC and are, in fact, part of BRC's Plan of Operations. Current law enforcement levels at Burning Man afford officers the time to hand out "gifts" and marketing materials to people at the "substation," an unnecessary activity. At current law enforcement levels, BLM and PCSO routinely dispatch 3-5 law enforcement vehicles with 5-10 officers to support "traffic stops" for reasons including one taillight being dimmer than the other, expired registrations that are in fact not expired, and missing plates on vehicles that do not require them. Current law enforcement levels afford officers time to give hundreds of participants directions to the porta potties or to Playa Info - tasks that BRC is fully equipped to handle. Current law enforcement levels afford officers the time to stalk the outskirts of dance parties and harass participants applying Chapstick'or eating breath mints, intimidate them, and search their possessions without probable cause. Current law enforcement levels afford officers the time to enter camps to write up violations and direct participants to provide secondary containment for a shopping bag because they mistook it for a fuel container but did not bother to check. Current law enforcement levels afford officers the time to care for multiple K9s that are improperly trained, routinely "hitting" on vehicles with no illegal contraband. Current law enforcement levels provide plenty of officers to arrest people and take them to jail in Lovelock for having their prescription medicine in a standard "pill a day" container, instead of a prescription bottle. At the 2018 event, law enforcement levels were high enough to afford officers the time to traumatize a young boy and his parents, misrepresenting the law for the purpose of intimidation, and threatening to take the child away from his parents and cite them for neglect - simply because they had temporarily (and entirely lawfully) entrusted their child's care to another responsible adult while they took a nap. Current law enforcement levels and resources are well in excess of what is necessary to protect public health and safety at the Burning Man event. - BLM has institutionalized the pretextual stop and appears to have violated many individuals' Fourth Amendment rights in the process. Vehicles are often stopped for no justifiable reason. The stop is delayed until a K9 unit arrives, along with 3-4 law enforcement vehicles and 5-10 officers. The dog is said to have "alerted". There is a search of the vehicle. The search will likely result in no finding of contraband. If it does result in a citation for possession of a controlled substance, the United States Attorney's Office will refuse to prosecute that offense, as they refuse to prosecute all such offenses because they do not pose any substantial public health or safety risk. This annual operation fatally undermines BLM's claims that more officers are needed. - BLM fails to explain what is meant in paragraph 6 by either "limited access controls" or "critical Event vulnerabilities." BLM also has shown no impact whatsoever from these unspecified purported "vulnerabilities." This hyperbolic attempt to artificially inflate the security risk associated with the event must be deleted.</p>	<p>Comment noted. These comments are not consistent with the data in the Public Health and Safety at the Burning Man Event document and EMPSi 2019b. Please review these documents for further analysis.</p>
<p>The Environmental Consequences section fails to describe any impacts. Having more law enforcement is not an impact. It is wholly inappropriate in a NEPA document to relegate the consequences to an appendix rather than detail them in the body of the document. Any substantial impact documented in the report should be specifically referenced and summarized here.</p>	<p>The impacts are listed in the Public Health and Safety at Burning Man Event document with as much analysis of these impacts contained in the body of the DEIS. This approach was necessary for compliance with SO 3355 and is consistent with other sections of the document. This approach is also consistent with the approach used for other streamlined EISs developed since the release of SO 3355.</p>

Comment Text	BLM Response
<p>This section begins with a faulty and unsupported assumption: "The increased number of bodies on the playa during build week necessitates more law enforcement and emergency medical services prior to, during, and following the Main Event." In fact, BRC has proposed only an incremental increase in "bodies" on site during the pre-event build week, and only late in the week. Moreover, as detailed above, current law enforcement staffing levels are higher than necessary. This section as a whole is not based on any supporting data. Its speculative assumptions and conclusions are misleading and irresponsible. This section must be substantially revised to comply with NEPA and the Data Quality Act. Specific concerns include the following: 1) Throughout this section is the assumption that increases in event population have a direct correlation to increases in the commission of crimes and the need for law enforcement officers. This is unsupported speculation. In fact, in the past 11 years, there has been an average of 5.7 arrests for person-on person crimes per year, which is an objectively insubstantial number when compared to the population and duration of the event. And the number of arrests for sexual assaults at the event, as reported by the Pershing County Sheriff's Office, has not increased with population changes. There were zero such arrests in 2007, 2008, 2009, 2010, 2011, 2015, and 2016; one in 2012 and 2013; and two in 2017. Furthermore, BLM has not made an arrest for the past four years, leaving that task to the Pershing County Sheriff's Office, which is objectively capable of providing adequate staffing for the small number of investigations and arrests, and does not need any staffing support from BLM. All projected increases in "BLM citations, reported sexual assaults and arrests" are tied directly to the population increase, and they must be removed in the absence of any data supporting that correlation. 2) Law enforcement staffing is not a proper topic for an EIS. This section inappropriately characterizes law enforcement staffing as a burden on federal, state, and local law enforcement agencies. To the extent such a burden exists, and to the extent it does, such impact could be ameliorated administratively. Staffing should result from annual assessments involving cooperating agencies and the proponent and based on the demonstrated health and safety needs of the event. No set number is appropriate in an EIS. Furthermore, all law enforcement staffing projections are unsupported by data as explained above. 3) The section repeatedly cites vaguely to "impacts identified in the Public Health and Safety Baseline Report" without any explanation. Any impacts should be described here, in the body of the NEPA document, not relegated to an appendix.</p>	<p>These comments are not consistent with the data in the Public Health and Safety at the Burning Man Event document and EMPSi 2019b. Please review these documents for further analysis.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>Document says: "reducing the BLM's ability to execute other priority missions such as border security, marijuana eradication, ..." BLM is not responsible for border security and, except for possible plantations on public lands (which could wait until the event is over and the agents are back in their local jurisdiction), is not responsible for marijuana eradication either. There is no assessment of any effect that a staffing adjustment would have, and no evidence present of increased criminal activity on public lands due to the assignment of federal law enforcement officers to Burning Man. Impacts must be described in terms of context, intensity, and duration.</p>	<p>The BLM is responsible for operations on the southern border to include drug interdiction and has received increased funding from Congress for these operations in recent years. Marijuana gardens on public lands cannot be simply put on hold. BLM policy dictates law enforcement will aggressively combat illegal substance issues on public lands.</p> <p>It is equally challenging to quantify what violations occur due to an officer's absence because there are no other responsive units available to capture incidents. If staff is not in their area of responsibility, violations go unreported or are dealt with upon return in cases where follow-up information is available.</p>
<p>Document says: "This increase would require an onerous and potentially unattainable increase in BLM law enforcement. Additionally, this increase would negatively affect public health and Safety in Pershing County as a whole due to drawdown on first responders available to the rest of the County. Please reference the Social and Economics Section of this document for further discussion regarding partner agency impacts." The record of the EIS provides no support for this conclusion.</p>	<p>BLM Recreation SRP Handbook H2930-I requires the BLM ensures adequate staffing for all SRPs as they are discretionary without undue impact on BLM operations.</p>
<p>All three of these sections - which together span about half of one page of the document - consist entirely of unsupported speculation and assumptions and lack any NEPA-compliant analysis.</p>	<p>Comment noted; analysis revised to remove inference and plainly state impacts. See Public Health and Safety at the Burning Man Event for supporting documentation.</p>
<p>Document says: "This alternative would substantially increase potential impacts related to civil disobedience, emergency response, law enforcement, and evacuation due to the more remote location and associated transportation challenges of emergency response to this location for all population considerations. The increased number of bodies on the playa during build week would necessitate more law enforcement and medical staffing prior to the Main Event." There is no support for any of these assumptions. The alternative location is about 3.5 miles further away, which hardly qualifies as "more remote" than the current location in any meaningful way. As noted above, law enforcement staffing is an administrative action determined through negotiation on an annual basis. It is not appropriate to discuss as an "impact" in an EIS.</p>	<p>Law enforcement staffing is agency determined, not a negotiation.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>Document says: "The potential for civil unrest could also increase due to the lack of available participant tickets." This speculation is baseless, like all references to "the potential for civil unrest" throughout this document, and must be deleted.</p>	<p>Comment noted. See Public Health and Safety at the Burning Man Event for supporting documentation and examples.</p>

Comment Text	BLM Response
<p>There is no support for any of these proposed mitigations, as none has been shown to have any nexus to a substantial impact documented in connection with this EIS. There has also been no assessment of the effectiveness of the proposed mitigations at addressing the purported but unsupported impacts. Furthermore, there has been no assessment of the potential environmental impacts from any of these proposed mitigations. All of these failures are contrary to NEPA and related guidelines. Every sentence in this section is speculative and presumes the results of analyses that has not actually been conducted. For example: 1) There is no showing that "hardened physical perimeter barriers ... would reduce the risk of vehicle entry"; and there has been only one instance of a vehicle driving through the fencing in the past six years - confirming that this is not an impact that requires any mitigation at all. 2) The paragraph relating to proposed Mitigation Measure PHS-2 includes no reference to the substantial resources provided by BRC, including a sexual assault response team on site, and no assessment of the proposal's redundancy or necessity. BRC utilizes a team of experienced professionals to provide sexual assault advocates, a critical resource that the BLM and PCSO have deprived survivors from accessing. The reference to "cost" in this paragraph is specious. BRC provides, free of charge, transportation with an advocate to Reno, where a survivor may have access to a SART exam in a certified facility, along with a hotel room, also free of charge. BRC then will transport the survivor back to the event, if they wish to return, again free of charge. BRC has not proposed to change this or that this service is cost prohibitive. BLM has no basis for demanding the replication of services that are already provided. This section also includes irresponsible speculation that this measure "could increase successful prosecutions." There is no support for that assertion, and the opposite is likely to be true; the results of sexual assault exams performed in a BLM-mandated "popup" facility in Gerlach - rather than the certified center in Reno - would be subject to far greater evidentiary challenges. It is clear that none of these proposals has been seriously considered by BLM or has any proper place in this document. BLM has conceded as much by repeatedly characterizing the mitigations in public meetings as mere "talking points." Of course, NEPA does not permit a federal agency to propose mitigations that are not evidence-based, simply to bully the proponent into ultimately capitulating to revised proposals that may be somewhat less outlandish but are still unsupported by the evidence. All of these mitigations must be deleted from the EIS.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>Further discussion can be found in the Public Health and Safety at the Burning Man Event Report for supporting documentation.</p>
<p>This section lacks any serious discussion or analysis of the extensive measures undertaken by BRC to protect the environment. For example, there is no reference at all to the huge Leave No Trace (LNT) Compliance team run by BRC and specifically created to educate participants about LNT specific to the playa and to require remediation of any LNT violation discovered. This program has had huge success, and BLM's failure to even reference that substantial effort in the draft EIS is wholly improper. As with the rest of the draft EIS, the content of this section indicates that BLM's goal in this EIS process has not been to conduct a serious assessment of the event's environmental impacts but to increase the burdens on BRC to continue producing the event. This section must be substantially revised to reflect current data and complete information about BRC's activities in this area. - This section fails BRC has passed every single Post-Event Inspection, which implies that BRC has not passed inspections. BLM expressly misleads the public in this regard on page 3-34, stating, "For 2018, the density of debris left behind after clean-up was 1.15 square feet per acre. This is in excess of the stipulated amount allowed." This passage falsely implies that BRC did not pass the 2018 inspection. - On page 3-33, BLM improperly cites a 2003 survey that is 15 years out of date and lacks relevance to the current event. Since 2003, BRC's public communications and education programs have given a much greater focus to oil drips and fluid contamination, and BRC's environmental compliance efforts have been incredibly successful. The vehicle occupancy rate cited is likewise outdated, and BLM did not make a single inquiry to BRC or evaluate current data to get an updated rate. - On page 3-33, BLM states, "It is not possible to characterize the exact quantity or composition of solid waste potentially released into the environment." This statement is misleading. It is possible to characterize the likely amount and composition of solid waste potentially released into the environment, based on the many years of data retained by BRC each year, data that BLM clearly elected not to use or even request from BRC. - On page 3-34, in the final paragraph, all of the references to actions BRC "would" take should be amended to state that BRC "would continue" to take these actions, since BRC is already doing these things. The effect of the current phrasing is to misleadingly imply that BRC is not currently taking these measures, which has an improper adverse impact on the public's perception. BRC recommends adding "BLM staff and contractors" to the parties to be educated, in order to address the environmental concerns of BLM staff placing beer cans, tampons, and paper towels in the porta potties, as discovered by BRC in 2018.</p>	<p>On page 3-34, revised to clarify: "in the City Grid" The BLM would appreciate receiving data to the nature and composition of the trash/debris left behind after the Event. Amounts of material would also be appreciated. Revise to "would continue" Staff and contractors comment: Comment noted.</p>
<p>The seven fuel depots are not at the Airport. There is an aviation fuel station at the Airport, but the rest are located at sites throughout Black Rock City, not at the Airport.</p>	<p>See response above.</p>
<p>The discussion in this section consists of generalized statements that are unsupported by current data or by any data at all. These flaws preclude meaningful public comment on this section.</p>	<p>Comment noted. Please note that the DEIS references BRC's Event Operations Plan and other relevant data sources. See Appendix I for full references.</p>
<p>It is unclear from the information presented that NAAQS factors in intrinsic dusty conditions, such as those that occur on the Black Rock Desert, or that it factors in dust storms. This seems like a comparison of disparate and scientifically incomparable items, since the Black Rock Desert is a unique habitat prone to dust storms with or without human presence.</p>	<p>The Burning Man Event footprint is the largest anthropogenic disturbance of the playa's surface. The Event breaks the playa crust and exposes particulate matter to the wind. NAAQS are the EPA-approved standard for determining air quality. No change.</p>

Comment Text	BLM Response
It is unclear from the information presented the conditions under which this survey was conducted - e.g., was it during a pre-event dust storm? There is no way to quantify the effect of the Event on air quality without comparable measurements during different times of the year. 2017 was a particularly windy and, as such, a particularly dusty year. The 2018 Event, however, had calm winds for the majority of the event and very few dust storms. Creating a model off of one year's worth of data is inadequate and would not hold up in a peer-reviewed journal. This discussion fails to comply with NEPA and the Data Quality Act and must be rewritten.	This is part of the rationale for continuing air monitoring studies for future Events. The BLM is monitoring air quality from Coyote Dunes (approximately 1.5 miles from the Event), but further data are needed to assess impacts at the Event. The level of particulate matter is a concern to the BLM and the EPA as it relates to worker and participant health. No change.
It is unclear from the information presented how these values relate to wind speed/gusts. Simply presenting the values without any measure of environmental conditions is highly misleading. This discussion must be revised for scientific accuracy.	This is a summary table included in the DEIS. More detailed information, including weather conditions, is included in the Air Modeling report. No change.
It is unclear from the information presented whether the emissions inventory for dust reflects local soil conditions.	The Air Baseline Technical report describes the constituents of the dust aerosols and links them to the playa soil constituents.
The discussion in this section includes many speculative statements that are unsupported by data. These flaws preclude meaningful public comment on this section. For example, page 3-51 states, "While use of decomposed granite prevents burning of the playa surface, remnant decomposed granite oxidizing to an orange coloration at burn sites could occur. Orange marks, from remnant oxidized decomposed granite, has the potential to create orange discoloration on the playa surface at BRC's "authorized burn" sites. Some burn scarring could result from unauthorized burns on the playa surface." All of these statements are sheer speculation, unsupported by any assessment of the likelihood of this scarring taking place. Every sentence in any Environmental Consequences section of this draft EIS that includes such speculative terms as "could," "would" or "potential" must be supported by sufficient data or removed.	Revised to 6 inches off the playa. Otherwise, no change.
The term "playa contours" is undefined and unclear.	Revised to "pre-Event playa contours."
The discussion in this section includes many speculative statements that are unsupported by data. Every sentence in this section that includes such speculative terms as "could," "would" or "potential" must be supported by sufficient data or removed.	The NCA RMP designates this area as a Class II Visual Resource Management area. This means the BLM needs to retain the character of the landscape, and the permitted activities "should not attract the attention of the casual observer." The on-the-ground, qualitative lighting studies (Craine 2018) done at night indicate that the level of light from the Event does attract the attention of the casual observer. The radiance relative to the zenith study (p. 18) indicates that there is poor shielding on the sources of light at the Event. Mitigations need to be developed to reduce the impact of the night lighting. The BLM compound also needs to mitigate its nighttime production of light.  Light trespass (glare and glow) would have direct and indirect impacts on adjacent Class I areas in the NCA.
Existing Event regulations already prohibit lasers and other lights from pointing straight up. BLM has not shown that upward-facing searchlights create a substantial environmental impact.	The NCA RMP designates this area as a Class II Visual Resource Management area. This means the BLM needs to retain the character of the landscape, and the permitted activities "should not attract the attention of the casual observer." The on-the-ground, qualitative lighting studies (Craine 2018) done at night indicate that the level of light from the Event does attract the attention of the casual observer. The radiance relative to the zenith study (p. 18) indicates that there is poor shielding on the sources of light at the Event. Mitigations need to be developed to reduce the impact of the night lighting. The BLM compound also needs to mitigate its nighttime production of light.  Light trespass (glare and glow) would have direct and indirect impacts on adjacent Class I areas in the NCA.
The discussion in this section includes many speculative statements that are unsupported by data. Every sentence in this section that includes such speculative terms as "could," "would" or "potential" must be supported by sufficient data or removed.	For hot springs, the BLM has documented alterations of the natural settings at Trego and Black Rock hot springs. While not Event related, water quality changes have occurred at Trego that pose public health and safety risk. In terms of groundwater, the surface level below the playa ranges from 3 to 6 feet. No changes.
This discussion does not consider additional water needed for Gate Road or the runways at the Airport. It should consider the water needed at the Airport for runway watering if it is expected the Airport is going to see a greater number of passengers.	Comment noted.
The "BLM Event Revenue" section states, "Cost recovery fees collected in 2017 were \$2,503,453." This figure misleadingly omits the approximately \$750,000 that BRC paid for equipment and services provided directly to the BLM.	The cost recovery amount is correctly listed. This was the closeout amount for 2017. Costs incurred under the MOU program are unknown to BLM.
This section incorrectly describes the agreement between BRC and Pershing County for the provision of law enforcement services at the event. Payments are based on event population and are not static as this section implies. This section is also misleading in stating that "Pershing County has indicated that the agreed amount no longer covers the full law enforcement costs to the county. For example, the expenditures incurred by the Sheriff's department associated with the 2017 Event were approximately \$35,000 over budget." As discussed, Pershing County and BRC agreed to certain payments based on population, and the County has not expressed dissatisfaction with the agreement. The Sheriff's inability to remain within his budget is a problem of the Sheriff's making. This section must be revised for accuracy.	This information is included in the socioeconomic baseline report. It is based on an interview by EMPSi with Pershing County on December 8, 2017, and information known to be in the 2013 settlement agreement between BRC and Pershing County.
This section states, "While the higher income of participants may indicate the potential for higher spending for the Event, it should be noted that some of the highest earning participants fly directly to the Event at the Black Rock City airport, and therefore are less likely to spend money in the local economy on route to the Event." This statement is speculative assumption and lacks any supporting data.	Revised to say, "It should be noted that those arriving by air are not contributing to the local economy in the same way as those do who travel to the Event via car."
This section states, "In the 2017 BRC Census, 78.7 percent of attendees felt that the ten principles were important or very important to them, and 73.3 percent of all respondents felt that the ten principles were essential to creating an authentic Burning Man experience (BRC 2017c)." The reference to "attendees" is inaccurate and should be changed to "respondents."	Revised to "respondents"

Comment Text	BLM Response
This section states, "The PLPT recently released a Burning Man Safety Plan that provided goals to reduce potential issues with drugs, particularly opioids." That sentence has no relevance to this EIS. Opioids are not an issue at the Burning Man event, and there is no evidence that opioid use by tribal members or on tribal lands is impacted in any way by the event. All references to opioids in this draft must be removed in the absence of sufficient supporting data.	See PLPT Highway Safety Plan.
This section states, "Impacts on air quality and climate conditions ... may occur as a result from increased emissions from vehicles and aircraft." This statement lacks any supporting data in the DEIS.	No change. This section directs the reader to Section 3.6.1 (Air Quality).
This section states, "Requiring the BRC to inform all pilots landing at Black Rock Airport of nearby Wilderness Areas (see Appendix E) would reduce the impact of low-flying aircraft on visitors' opportunities for solitude." Informing pilots of nearby Wilderness Areas, if desired by BLM, is a responsibility for BLM to undertake using its own resources. This cannot be made BRC's responsibility.	BRC already provides similar information to pilots landing at 88NV; including additional information that the NCA is surrounded by wilderness would not create a burden.
This section states, "As summarized in the Noise Impact Assessment (Salter 2018), for data collected during the 2017 Event, measured noise that exceeded ambient levels was mostly due to wind storms and airplane flybys and not from Event activities" Neither the DEIS nor the cited "Assessment" indicates who conducted these "flybys" - e.g., whether it was the military, or whether the planes were related to Black Rock City. Airplanes are not much louder than some of the sound camps at Burning Man. The BRC Airport Operations team was not notified of any noise level monitoring on the airport premises.	There was no noise monitoring conducted at the airport. There were several noise monitors surrounding the Event, which documented noise sources. The primary noise sources were determined to be wind and noise, which supports mitigation measure WILD-1, which would provide information to pilots regarding the potential for aircraft noise impacts over adjacent wilderness areas. No change.
Air Carrier services include the use of temporary airstrips and airport parking allowing vendors to shuttle participants to and from the Event.	Comment noted. This is a repeat of the text from the DEIS.
This section states, "During the 2016 Event, approximately 1 percent of participants arrived at the Event via air." This statement is inaccurate. In 2016 the total population was about 70,000, and 2,333 passengers flew in on Burner Express Air. $2333/70000 = 0.03$ , or about 3% of the population.	Change made.
This section states, "Except for flights entering and leaving via BRCMA, the BLM closure order restricts aircraft use to emergency aircraft only." This statement is not accurate. The BLM Closure Order does not restrict aircraft activity only to emergency operations. Other aircraft activities at the BRCMA include: - Scenic flights, where pilots gift rides to participants for a view of Black Rock City, - "Burning Sky/" a group of certified skydivers who skydive into Black Rock City via their own jump plane and pilot - Ultra light aircraft, which also provide scenic flights	Revised per comment.
This section states, "When the closure order is not in effect, there are no airspace restrictions on the playa." In fact, the Closure Order includes no airspace restrictions on the playa.	Revised per comment.
This section states, "The trend toward participants carpooling through Black Rock Express or Black Rock Air would mitigate the congestion and associated effects on transportation along SR 447." This language is inaccurate. The DEIS incorrectly refers to the programs as Black Rock Air and Black Rock Express, when the actual titles of the programs are the Burner Express Air and Burner Express Bus programs. This is yet another example of sloppy drafting in the DEIS, basic errors that should have been corrected before BLM made the document public.	Revised names per comment.
Since this is a Cumulative Impact section, it requires a discussion of how the impacts of this action are additive to the impacts of the other past, present, and foreseeable future actions that have similar impacts, described in terms of context, intensity, and duration. Though the term "cumulative impacts" appears many times, this section only summarizes and restates the speculative and unsupported discussions in the prior sections, which themselves included no discussion of actual cumulative impacts.	These comments are not consistent with the data in the Public Health and Safety at the Burning Man Event document and EMPSi 2019b. Please review these documents for further analysis.  The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.

Comment Text	BLM Response
<p>This section states, "The Event alternatives would contribute to impacts associated with fire safety if a fire traveled offsite and resulted in an emergency response, or a wildland fire was burning nearby with aerial suppression tactics that conflicted with Burning Man Airport operations." In the event of nearby fire or other event/incident that would impact airport operations, the Flight Operations staff would follow standard aviation protocols. BLM does not seem to realize that established aviation standards and regulations dictate airport and pilot behavior and operations, not BLM. - Furthermore, this statement relates to an incident in 2016 where nearby fires led to the issuance of a Temporary Flight Restriction (TFR) which all pilots are required by law to be aware of under their own recognizance and to observe. Pilots are solely responsible for awareness of and behavior with regard to TFRs and other aviation regulations. The BRC Airport/88NV is not responsible for instructing or directing pilots or for enforcing compliance with aviation regulations. In 2017, BLM made the unfounded accusation that pilots departing 88NV caused an incursion into restricted airspace, and that the airport was somehow at fault for any alleged incursions by pilots after they had left 88NV airspace. This could not be substantiated with any evidence to support the claim of wrongdoing by individual pilots or 88NV staff. BLM's accusation was accompanied by photos of the alleged incursion and those photos were of a BLM firefighting aircraft, the only plane allowed in the TFR area at the time of the photo. No tail numbers, dates, times, witnesses, photos, or other evidence were ever offered. However, since making the unfounded accusation regarding a TFR incursion in 2017, BLM has required via stipulation that the BRC Airport follow uninformed protocols that are not concurrent with FAA or other aviation regulations in the event of a fire, including consulting with BLM on airport operations, tower activities, and pilot instruction, which is nonsensical at best and dangerous at worst. In the event of a TFR, all aviation-related activities in the vicinity of the TFR are conducted according to established FAA regulations, and these are not within the BLM's scope of authority.</p>	<p>Comment noted. The BLM administers the land on which airstrips are built and permitted as a portion of the Burning Man Event SRP. As such, the BLM can require additional safety checks in the Event of impacts from neighboring emergency response to protect life and property as is required by FLPMA.</p>
<p>Most SRPs defer to the Proponent to address any concerns regarding the health and safety of individual participants. For example, in an off-road-race, the participants know there are certain hazards associated with their participation and are responsible both for following the rules of the event and for their own safety. Accidents and even fatalities happen, and BLM or local law enforcement are not responsible for enforcing the safety requirements of the event. Most law enforcement resources in other SRPs are directed at protecting nonparticipants, such as spectators, other public land users, and nearby communities. Enforcing federal, state and local laws is within the scope of BLM's authority; responsibility for individual participant safety is not. - The PH&amp;S study relies on the 2014 AAR from Humboldt General Hospital, which BRC has previously shown to be riddled with errors. - The PH&amp;S study is deeply flawed, full of errors and misleading narratives, and appears to have been written by someone unfamiliar with how to conduct effective, data-based analyses and assessments. - The PH&amp;S study appears written for the purpose of criticizing BRC rather than objectively assess public health and safety issues related to the event. The writer appears unfamiliar with BRC's operations. This study fails to account for the long-term partnership between BRC and BLM and all of the other cooperating agencies to achieve high levels of public health and safety. It is an irresponsible document that represents a missed opportunity.</p>	<p>Comment noted. The 2014 Humboldt General Hospital After Action Report was lightly referenced in a portion of the document and is the only data source available to the BLM for events in this period.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>This section states, "Public health and safety within the defined geographical scope applies to participant and nonparticipant impacts before, during, and after the proposed Burning Man Event." This sentence vastly overstates the geographical scope of BLM's authority and seems intended to erroneously imply that BRC, a private party, bears responsibility for the actions individuals choose to take, both on and off the playa.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>Under NEPA, the BLM is required to consider direct and indirect effects; the BLM's subject matter experts, proponent, and cooperators were involved with defining the Assessment Areas.</p>
<p>The PH&amp;S study fails to provide any year-over-year data to support its claims of "increased transient populations in surrounding communities for several months after the event"; " increased instances of hitchhiking and residing in vehicles in public areas ... "; or that "abandonment of recreational vehicles, trailers, and vehicles in suburban communities around the event increases in the month following the event." Absent any evidence these statements are true, they must be removed.</p>	<p>As referenced in this section of the document, the evidence for these examples listed are found in EMPSi 2019b.</p>
<p>This section also states, "The event increases the workload of neighboring communities' medical resources, tow truck operations, sanitation, and law enforcement." This sentence is misleading in several respects. First, tow truck operators and sanitation companies increase their business and revenue because of this additional work during Burning Man. This is literally their business, and they are free to decline the additional revenues. It is disingenuous and misleading to write this sentence as though such and increase in workload represents a negative impact from the event. BLM must provide data to support its claim that the additional business is overly taxing or detrimental for these companies, or else remove them from this statement. With respect to law enforcement workload, the PH&amp;S study fails to note that BRC has funding agreements with the Nevada Highway Patrol, Washoe County Sheriff's Office, Pershing County and the Pyramid Lake Paiute Tribe that cover the additional expenses of policing the event and the surrounding areas. This information must be added to this narrative for accuracy. Finally, this section states, "Law enforcement officers brought from other agencies across northern Nevada leave an absence in their home agency, drawing down available public safety resources in northern Nevada." The study misleadingly suggests this has a negative effect on public health and safety in these communities. In fact, if these other agencies had significant concerns about a reduced level of law enforcement in their home agencies, they would not provide officers for this duty. BLM must provide year-over-year data to support this statement, or remove this statement.</p>	<p>As documented by cooperating agency correspondence and government-to-government consultation, medical resources, emergency response staff, and law enforcement resources at the 2018 population levels are stretched thin before, during, and after the Event. This is also documented in EMPSi 2019b.</p> <p>While financial agreements may be in place with agencies, some cooperating agencies assert the funding provided by BRC is insufficient for their needs.</p>

Comment Text	BLM Response
<p>This section states, "A potential for hard landings exists on remote, unpaved landing strips; a minimal amount of incidents have occurred with minor injuries and property damage to aircraft." The first clause of this sentence is irrelevant. A potential for hard landing exists whenever planes fly and then land, i.e. everywhere there is a plane landing. This statement must be revised for accuracy or deleted. - It is correct that "a minimal number of incidents have occurred" at 88NV resulting in only minor damage to aircraft and a few minor injuries. The section must include year over year data regarding these incidents, or else it should be removed. This section also lacks any discussion of BRC operations and mitigations already in place to ensure public safety at the airport, such as the fire tender staged at the Airport and the response capabilities and record of ESD. This information must be included in this section for completeness.</p>	<p>The BLM could not reference current BRC operations in this Public Health and Safety at the Burning Man Event document because BRC declined to make the 2018 plan of operations public and thus cannot be referenced.</p>
<p>This section states, "The airport did not experience an aircraft crash, per FAA definition, in its history of operation until 2018 when the FAA defined an incident as a crash." This sentence mischaracterizes the incident as a "crash" - which is a non-industry, non-aviation term that simply means something fell over. The actual incident referred to here was just that: an "incident" that the FAA did not deem severe enough to be classified as an accident.</p>	<p>The BLM was provided an FAA incident report in which the FAA on playa designated this incident as a crash. The wording was adopted by the BLM from the FAA. BRC uses the word crash associated with airplane mishaps in the 2018 Burning Man Operations Plan 9.1.</p>
<p>This highly speculative, inflammatory, and inaccurate section must be removed or rewritten. There is no impact statement within this section. And there are no documented instances of "civil disobedience" or "civil unrest" or "riotous crowds" in Burning Man's history. The author seems to be inciting such behavior. - The claims that "a civil unrest built within the community" and "riotous crowds were forming" in 2007 are false. Many BRC staff reviewing the Draft EIS were present in 2007 when the Man was ignited early and can attest to the fact that participants were excited but peaceful and soon left the scene. It was exciting for a little while, but no services were disrupted beyond the expectations of the event. BRC operations and incident response went smoothly and as planned. Black Rock Rangers managed and calmed the situation in 2007 effectively, not law enforcement, showing the relationship and influence Black Rock Rangers have with the participants and their ability to manage the situation and showing their value as a force multiplier. - This section recklessly speculates that the 2007 participant was "disgruntled with the cultural shift at the Burning Man Event" without providing any evidence of this claim, which fails to meet the standards of NEPA or the Data Quality Act. The PH&amp;S study fails to state the time period it covers, and provides no basis for referencing an incident that took place more than 10 years ago in 2007. The proponent wC!s able to defuse the 2007 situation and avoid an incident, and there is no evidence that such an event might be repeated.</p>	<p>These comments are not consistent with the data in the Public Health and Safety at the Burning Man Event document and EMPSi 2019b. Please review these documents for further analysis.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>The report says that "civil disorder could overwhelm law enforcement resources." This has never happened at Burning Man, and as this statement is a non-sequitur, and true universally, this is not a measurable impact. This could happen in Elko or in any other municipality where civilians outnumber law enforcement.</p> <p>None of the other instances listed in this section from 2016 {missing 17-year-old girl leading to Gate closure}, 2017 {White Ocean alleged vandalism}, and 2018 {overpopulation} meet the definition of "civil disobedience" or "civil disorder." BLM must provide data and incident reports to support its claims. - With respect to White Ocean, the study alleges, "White Ocean was the victim of vandalism and theft resulting in thousands of dollars of property damage from civil disorder. White Ocean disbanded the theme camp following the 2017 event without ever naming the vandals who caused the property damage." The first sentence is demonstrably false. Vandalism and theft are not the same as civil disorder, nor was there ever any confirmation that these alleged crimes took place. This is not the sort of impact that BLM is authorized to assess in a NEPA document. The study also speculates, "The theme camp was a problem for BRC in that the theme camp did not adhere to BRC's ten principals." First, Burning Man has 10 Principles, not 10 principals. Moreover, the study's author is not qualified to speak to BRC's cultural values.</p>	<p>These comments are not consistent with the data in the Public Health and Safety at the Burning Man Event document and EMPSi 2019b. Please review these documents for further analysis.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>With respect to 2018 event population, the study alleges, "In 2018, BRC contacted the BLM Authorized Officer at the event to lift population control measures of one vehicle entering the event for every vehicle leaving the event. BRC requested this change due to a growing unruliness of participants waiting to enter the event despite volunteers working diligently to settle waiting participants." This narrative is false. In fact, BRC reported to BLM that BLM law enforcement officers were in the Gate lanes misreporting to waiting vehicles that the event was closed. This negligence on the part of BLM officers caused growing and needless concern among people waiting to be processed into the event. - This paragraph ends with the hyperbolic claim, "The BLM agreed to pulse 200 vehicles into the event every two hours to alleviate the unrest in participants waiting to enter the event. This resulted in a sustained population over 80,000 for several hours to alleviate unrest and avert full-blown civil disorder." BLM has presented no evidence whatsoever that "full blown civil disorder" was even a remote risk. - This entire section belies the biases of its author and must be deleted from the study.</p>	<p>These comments are not consistent with the data in the Public Health and Safety at the Burning Man Event document and EMPSi 2019b. Please review these documents for further analysis.</p> <p>The BLM's AO was contacted by the CEO of Black Rock City requesting to allow vehicles to enter the Event because the crowd was increasingly unsettled and noncompliant. These conditions represents the beginning of civil unrest. Further, BLM employees noted vehicle occupants outside their vehicles and potentially in harm's way.</p> <p>The 2018 SRP evaluation noted unrest due to gate closures during the Event. Please refer to this document for more details. Reference to this document has been added.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>Among the flaws in this section are the following: it fails to identify the purported contaminants in the non-potable dust abatement water; the harms if ingested; or any history of people at Burning Man being harmed from ingesting dust abatement water. This section fails to quantify the potential risk or provide any data and analysis to support its narrative. Absent statistical data of illness due contaminated water exposure, and documentation of contaminants found in the water each year to support the claim of an impact here, this section is scientifically worthless. - BRe has no record of this impact.</p>	<p>This section is not meant to provide an analysis, just the data. The data can be found in the Burning Man 2012–2016 SRP EA and the Water Quality Section 3.6.5 in the DEIS.</p>

Comment Text	BLM Response
The risks to law enforcement stated in this section exist with any law enforcement contact and are not any different at Burning Man. There is an impact only if there is a change from the baseline. No impact has been shown here.	This is described in the report as it documents the current environment at the Event.
Illness is a risk in any population. The EIS analysis should focus on the impacts of THIS EVENT. For example, this section fails to note the potential impact to the public if a person gets the flu or Valley Fever. That individual may be affected (Valley Fever is not communicable from person to person) but that does not mean there is a public impact. - The PH&S study also fails to note the incidence of illness from Valley Fever and West Nile. The potential incidences of illness appear very remote and insignificant. There is no impact described in terms of context, intensity, and duration, and no year over year statistical data to support this analysis. This entire section should be eliminated.	This is described in the report as it documents the current environment at the Event. Valley Fever risks have increased for those not previously exposed, such as international. This information has been updated in the report.  Due to the transient nature of participants and the gestation period for these illnesses, the BLM has no data on the incidences of illness.
This section states, "In 2012, BRC began looking for ways to treat participants on the playa rather than transporting them to area hospitals, decreasing time to treatment by managing complaints onsite." This statement is false. BRC always treated participants on playa. We simply provided additional services in following years.	Text updated to reflect additional services added.
This paragraph states that BIM determines "adequate law enforcement staffing ... based on current and future event populations" and "management studies," but provides no year over year statistical data or further information. These studies must be detailed to explain why BIM aimed to staff the event with 75 officers the past 3 years. Without this information, the entire paragraph is meaningless and should be deleted. - BIM IE spend most of their time on public assists and traffic stops. There is no justification for current levels of law enforcement. Therefore this analysis is flawed and the conclusions are spurious. - The law Enforcement section doesn't take into account the significant force multiplier effect of Black Rock Rangers. - The statistics cited in this section are not impacts. BIM has failed to provide necessary year-over-year data showing impacts. This section should be deleted.	Table 1 provides the background for staffing numbers at the Event and year-over-year statistical data.  These comments are not consistent with the data in the Public Health and Safety at the Burning Man Event document.  This report could not reference Black Rock Ranger Operations as BRC declined to make the 2018 Event Operations Plan public.
BLM or other federal agencies making choices about where to deploy LE staff is a daily administrative responsibility and is not appropriate to be discussed in an EIS.	The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.
This section is based primarily on anecdotes and contains no data. The relationship with PCSO is not at bar in this NEPA EIS review. There is no evidence of particular danger to law enforcement, nor a need for such robust policing in the first place. The population of BRC is stagnant and has been for four years.	The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.
This section alleges that the PCSO has been told by "peer agencies" the event lacks the "law enforcement resources" for adequate officer safety and as such will not allow their staff to work the event under contract with the PCSO. - The section fails to identify what/which "peer agencies" or what "law enforcement resources" are not provided for adequate officer safety. - There has not been a violent crime wave at Burning Man - ever. If law enforcement focused on actual crime rather than hundreds of public assists and self-initiated traffic stops, there would be plenty of officers available for the small number of incidents that actually require the assistance of law enforcement. - In 2018 BRC staff witnessed *10* law enforcement vehicles attending a situation where a participant had a heart attack. This level of response was completely unnecessary. This type of overkill is not included in the analysis of law enforcement officer time or staffing levels. law enforcement vehicles also frequently cluster around pretextual vehicle stops. Often there will be four or more vehicles at these stops, which is ridiculous. BLM has failed to provide sufficient data to support the faulty findings in this analysis. - Historically PCSO hired retired law enforcement staff to augment numbers so that current levels were not affected. The current model used by PCSO is by choice of the current Sheriff.	The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.  Further, reference to EMPSi 2019b has been added to cross-reference further details.
This section states, "The Burning Man Event has, for several years, far exceeded the resources of not only Pershing County but law enforcement resources of northern Nevada as a whole." - The study provides no data or impact analysis to support this statement, let alone the year-over-year qualitative and statistical data or impacts to Pershing County. Absent this data, this sentence should be removed. This section also states, "This endeavor is becoming increasingly difficult to perform from year to year, as the population of the Burning Man Event continues to increase, and the payment to Pershing County for this festival remains relatively stagnant (PCSO PMS 2017)." That statement is speculative, incomplete and misleading. BRC's payment to Pershing County each year increases as population increases, within designated ranges that Pershing County agreed to. This sentence should be deleted.	BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all Special Recreation Permits. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an Environmental Impact Statement.  PCSO PMS 2017 is the only reference available to the BLM for this discussion.
Document says: "to provide some semblance of law enforcement expected by the participants." There is no data in the PH&S study to substantiate this claim. There is no description of how expectations of participants are measured. There is nothing in this document to explain why or how participant expectations can properly be a driving factor in law enforcement staffing decisions. There is no NEPA analysis in this section. There is no technical definition for "some semblance." By contrast, BRC can provide years of accounts from participants describing a state of over policing at the event.	The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.

Comment Text	BLM Response
<p>Document refers to "minimal resources necessary to provide for public safety" with explanation of this analysis, no data from an analysis, and without the analysis itself. To BRC, minimal resources would not include four law enforcement vehicles per "traffic stop" for going 11 mph in a 10 mph zone, or having a bicycle on the back of one's car, or dust on one's license plate. It would not include thousands of public assists that could otherwise easily be handled by the proponent and community. It would not include optional operations like intercepting letters and packages from the post office theme camp, searching luggage from passengers on the bus or at the airport, or spending days running K9 units around empty RVs. "Minimal resources" would not include arresting people for having their prescription medicine in the wrong container or officers handing out trinkets at the "substation" or ten vehicles responding to a heart attack. "Minimal resources" would not include a million dollars in communications and IT equipment for an 8-day event. BRC has documentation of all of these actions by law enforcement in recent years. The reference to "minimal resources" must be deleted.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>This section states, "Currently, if fully staffed, the PCSO and BLM combine for 96 officers, including command staff, for an approximate 80,000-person population with a straight line staffing of 1.2 officers per 1,000 population. This falls below the industry standard of 1.8 per 1,000 population. Burning Man differs from a normal population analysis because the participants at the event regularly stay active 24-hours a day and do not report to work and school as in normal policing environments. The 96 officers on-site are split across three shifts to provide 24-hour coverage with peak staffing targeted at peak participant activity (7:00 p.m. to 2:00 a.m.)." This paragraph references ratios on officers-per-thousand population in municipalities - which have no relevance to the Burning Man recreational event - and mischaracterizes these irrelevant ratios as "the industry standard." The document fails even to cite the source for the purported "industry standard." BRC believes it is from the International Association of Chiefs of Police, though no citations are provided. The International Association of Chiefs of Police, however, expressly advises law enforcement agencies that it is "TOTALLY INAPPROPRIATE" to use such ratios as a basis for decisions. See <a href="http://www.theiacp.org/Portals/0/jpdfs/PoliceDeployment.pdf">http://www.theiacp.org/Portals/0/jpdfs/PoliceDeployment.pdf</a>. This paragraph notes a difference between Burning Man and "normal population analysis," but there is no reference to any of the myriad other reasons that Burning Man is not like a city (e.g., it has substantially lower crime rates). Both sentences must be deleted and replaced with accurate data that is applicable to the Burning Man event. Burning Man is not a city; it is a special event. It is absurd to compare BRC to a municipality, and BLM's insistence on doing so calls into question the agency's motivations in drafting this EIS. If BLM is going to rely on an "industry standard" for any purpose, it must be one that is applicable to special recreation events like Burning Man.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>The only known industry standard for policing at special events is the Clark County, Nevada, ordinance that requires 1 officer for every 500 participants. This would represent a much larger number of officers than are currently utilized.</p>
<p>This section states, "PLPT enlisted assistance from the Bureau of Indian Affairs in 2018, but that effort was met with a publicly hostile response from BRC." This is non-specific regarding the "effort" that BRC objected to. Specifically, BRC objected to unconstitutional stops and searches of vehicles, unnecessary delays to staff and vendors, the creation of traffic safety hazards from the BIA operation being conducted on narrow roads with no shoulders, and the lack of notification from the BIA to local and State agencies.</p>	<p>Please reference EMPSi 2019b for reference to PLPT comments related to this topic.</p>
<p>This section states, "The Washoe County Sheriff's Office and Nevada Highway Patrol staff supplemental officers to the area during the event due to an increase in call volume during the event." - The document omits the fact that these supplemental officers are paid for by BRC through annual agreements. The effect of the omission is to provide a false narrative about impacts on law enforcement.</p>	<p>These agreements are not provided to the BLM and as such cannot be referenced.</p>
<p>This table does not have a purpose in this document. It does show law enforcement staffing over the years, but there is no impact analysis discussion that draws from this table. Staffing is an administrative action not dependent on the environment. There is no source cited for this data. This table should be removed.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p>
<p>There are no impacts described in this section. - None of these natural disasters necessarily require an evacuation. - Black Rock City is typically capable of operating several days without access to outside resources due to the extensive resources already on site at any given time. - BLM references the increasing use of RVs and trailers throughout the draft EIS, but omits them here. Why? - This is not solely addressable by law enforcement. BRC staff (especially, but not exclusively, Black Rock Rangers) are as capable of establishing scene safety and evacuations as law enforcement. Note that none of the listed human-made disasters require a mass evacuation from the playa but simply a clearing of a specific area, a task that is easily accomplished by BRC staff.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This is included to illustrate the current environment at the Burning Man Event.</p>
<p>This section states, "Burning Man produces a large fireworks display at the burning of the effigy on the Saturday night before Labor Day. BRC provides security for these explosives prior to the deployment on-site." This is incorrect. Fireworks are pyrotechnical materials, not explosives. This sentence should read: "Pyrotechnic materials are stored in a secured area in compliance with NFPA guidelines. The morning of the display these are moved to the pyrotechnic set up area at the Man Base structure."</p>	<p>Fireworks contain pyrotechnic compositions and are classified by the Bureau of Alcohol, Tobacco, Firearms and Explosives as explosives.</p>

Comment Text	BLM Response
<p>This section states, "The BLM requires BRC to provide firefighters certified in wildland firefighting per the 2012 EA."                      - This has no bearing on the discussion since the likelihood of a wildfire on a barren playa is nil. This stipulation has been changed, and BRC already has qualified personnel in the ESD fire department.                      This is another discussion completely devoid of impact analysis. The use of the phrase, "Despite the applicant's planning," is pejorative and should be deleted.</p> <p>This section states, "A requirement that BRC provides structural, qualified firefighters within the fire response group needs to be considered in future permitting requirements." The DEIS fails to include BRC's expertise and existing services in this faulty analysis. The following is a list of fire response resources that BRC has on site for the event:</p> <ul style="list-style-type: none"> <li>- Station 5 Type-1 engine</li> <li>- Station 5 Type-6 engine</li> <li>- Station 5 Tender</li> <li>- Hazmat Rescue-3</li> <li>- ESD Type-6 engine 3</li> <li>- ESD Type-6 engine 9</li> <li>- Fire Duty Chief (FDC)</li> <li>- Battalion Chief (BC)</li> <li>- Fire Chief on Call (F1&amp;F3)</li> <li>- Ambulance(s)</li> <li>- Airport Type 1 engine</li> <li>- Airport Tender</li> <li>- Every year BRC engages between 115 and 125 firefighters with wildland and/or structural firefighting certifications. All firefighters have wildland and/or structural firefighting certifications and experience and most have both. All firefighters have ICS 100, 200, and 700 at a minimum; most have several more FEMA or firefighting specialty certificates (Hazmat, technical rescue, etc). All firefighters working for BRC are either current or retired structural fire fighters and/or are Red Carded wildland firefighters.</li> <li>- The State of Nevada recognizes NFPA standard 1001 as the benchmark for firefighter certification. Most states as well as Canada use this standard to certify their fire fighters. All applicants for the BRC Fire Department are vetted by our Volunteer Coordinator, as well as our Command Staff to insure our resources meet our standards and expectations.</li> <li>- BRC allow 1 engine crew member to be wildland only - as they are a good fit to be the driver/pump operator. BRC do not allow wildland only personnel to use SCBA's. This means that a minimum of 2 of the crew are trained as structural firefighters (NFPA 1001 compliant) and are able as a team of 2 to enter an IDLH for rescue or fire suppression.</li> <li>- This section must be revised to accurately reflect the resources provided by BRC.</li> </ul>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>BRC declined to make public their plan of operations for the 2018 Event. The "requirement that BRC provides structural, qualified firefighters" simply captures what BRC is provided.</p> <p>A wildland-only certified firefighter on a structure response is not a standard of the National Fire Protection Association (NFPA). The main objective for response is for structure fires. Volunteer responders should be trained consistent with NFPA 1720. If a wildland firefighter is put on a crew of three, then BRC's staffing plan should reflect that their minimum staffing level for an engine is two.</p> <p>Beyond the Closure Order, the jurisdiction for wildland fire will continue to be with the BLM.</p> <p>No change.</p>
<p>This section states, "In 2018, a rental box truck ignited at its camp while the camp was breaking down and loading equipment. Fire and law enforcement responded, secured the scene, and extinguished the fire. The box truck and its contents were a total loss and created environmental compliance issues as petroleum products leaked onto the playa. BRC and the camp occupants remediated the compliance issues by removing contaminated playa soils."                      - This incident confirms that BRC's response operations worked very well. The author seems to have referenced the incident here to insinuate a risk related to fire safety, but the response to the incident actually confirms the opposite.                      "In 2018, an RV leaving the event caught fire approximately 30 miles south of the event on SR 447."                      - It is unreasonable for BIM to seek to hold BRC accountable for activities that happen many miles away from the event. It is outrageous and in violation of NEPA for BLM to include reference to an incident 30 miles away from the event in the EIS analysis.</p>	<p>The box truck example was included in the document to reflect the well-planned and coordinated response.</p> <p>The incident 30 miles south of the Event is in the Assessment Area of the NEPA document as a travel route to the Event.</p> <p>As provided in the Winnemucca District Office Fire Occurrence 2008–2018 map (to be included in the revised Public Health and Safety at the Burning Man Event document), there are direct and indirect effects in the form of fire starts from vehicles traveling to and from the Event. In accordance with NEPA, these types of impacts are analyzed. SR 447 is part of the direct, indirect, and cumulative Assessment Areas for the EIS.</p>
<p>This section states, "The playa surface becomes impassable in the event of even a small amount of rain. In 2014, the playa received enough rain to paralyze vehicular travel on the playa for approximately 12 hours. The inability to traverse the event site by vehicle eliminated public services, including portable toilet servicing, rapid emergency response for medical and law enforcement incidents, and servicing of camp equipment."                      - BRC limits vehicle movement to reduce damage to the playa surface, but movement is possible. Large amounts of rain can make the playa impassable to motorized wheeled vehicle traffic.                      Everything went fine in 2014, no disasters occurred during those 12 hours, and sanitation was fine and medics were prepared to move on foot.</p>	<p>Comment noted; this is in conflict with the Public Health and Safety at the Burning Man Event document. No change to the document.</p>

Comment Text	BLM Response
<p>BRC's contingency plan stages sewage, water and fuel resources at key and busy locations around the city. Ambulances and Black Rock Rangers were positioned on Gate Road, extra potties were located off playa, and BRC continued emergency response on the playa (see ESD records).</p> <p>- In the 2014 incident discussed here, the only resources that stopped responding to the event were BLM law enforcement, who elected to relocate all response resources to CR34. BRC-provided resources, including fire, medical, Black Rock Rangers, hazmat, etc., all continued to respond on playa. People staying at camp and enjoyed that version of the Burning Man experience with friends.</p> <p>BRC's operations were commendable. BRC is dismayed that BLM is unable to acknowledge our success.</p> <p>This section states, "Absent sanitation services, public health and safety diminishes due to the increased risk of exposure to disease vectors during a flood event if resources are unable to provide sanitation services to the existing 1,700 portable toilets used by participants. In addition, flooding can cut off vital services to the city such as fuel and ice delivery. Without adequate ice, food spoilage could occur."</p> <p>-This analysis is poor and incomplete. Missing from this section: This potential impact is mitigated by BRC's own operations, thousands of RVs and trailers, and communal effort and gifting. People take care of each other at Burning Man and pull together when resources are needed. We have a 30-year history of doing so.</p>	<p>The document was prepared with the information the BLM had on hand. BRC did not provide detailed emphasis of this incident for the DEIS.</p> <p>Comment noted; no change to the document.</p>
<p>"Additionally, motor vehicle crashes occur within the Closure Area and on travel routes to the event"</p> <p>- The DEIS fails to provide statistics of incidents involving cars from 2012-2018. It likewise fails to provide a technical definition of "motor vehicle crash" as it is used in this document.</p> <p>Document says: "Some of these art cars store a fuel supply and operate pyrotechnics."</p> <p>- This is false. There are no fireworks (pyrotechnics) operated on any art cars. No extra gas or diesel storage allowed on art cars. Some may be approved to carry propane. This section of the PH&amp;S study is extremely poorly researched and provides no analysis to support any conclusions.</p>	<p>The BLM does not maintain and is not the agency responsible for collecting traffic collision data. This section was comprised to present a snapshot of the current human environment and was not intended to be a comprehensive analysis. The traffic and transportation section and accompanying traffic report should be referenced for detailed information. Reference to the traffic report has been added to the document.</p> <p>Propane is a fuel. Document language changed pyrotechnics to fire effects.</p>
<p>Document says: "... unauthorized dumping of unsanitary debris, such as trailers and trash, next to the Closure Area and along travel routes have an impact on surrounding communities. Large amounts of waste are deposited along the roadside, spreading into neighboring lands by the wind."</p>	<p>Comment noted.</p>
<p>The document fails to provide year over year quantitative data to support this claim. The document fails to explain that trash and debris are picked up by the Burning Man organization. The document fails to explain the details of our Highway Cleanup program. The document fails to explain that BRC picks up trash from year-round residents and users. The document fails to explain the details of our Leave Nevada Beautiful campaign.</p> <p>Document says: "Trash and abandoned vehicles and trailers can be found along the travel routes and in Reno suburbs."</p> <p>- The document fails to provide year over year quantitative data to support this claim. The sentence must be removed.</p> <p>Document says: "Businesses in Fernley rent extra trash receptacles at their own expense to accommodate trash left behind from Burning Man Event participants"</p> <p>- The document fails to explain that they do this because of the business benefits they experience as a result of Burning Man. The document fails to explain what the measurable impact is, and fails to provide year over year quantifiable data.</p> <p>Document says: "depositing human waste on the playa is an issue creating sanitation concerns."</p> <p>- The document fails to provide year over year data. The phrase must be removed</p>	<p>Despite the cleanup efforts BRC performs, cooperator letters and media reports indicate post-Event trash along the travel routes remains an issue.</p> <p>BRC declined to provide their operating plan to be included in the report and subsequent data related to litter trends.</p> <p>BRC's cleanup is referenced in Chapter 2 of the DEIS as a portion of the Proposed Action.</p> <p>Also see EMPSi 2019b for further detailed examples. Reference added to this section for EMPSi 2019b.</p>
<p>The document says: "On-site medical care provided by the BLM and the United States Department of Health and Human Services (HHS) mitigates the lasting effects of the austere environment by providing primary and preventative medical care at the event site. HHS is also equipped with capabilities to assist employees with Office of Workman's Compensation Program paperwork as applicable. HHS providers are also trained in critical incident stress management, and this service was offered to all staff following the traumatic event of witnessing a man burn alive in 2017. BRC offered critical incident care to participants and staff through their volunteer response team."</p> <p>1) BRC offers a full range of care for both staff and participants, including mental health support, CISM, DV/SA advocacy, harm reduction, as well as full BLS and limited ALS services.</p> <p>2) BLM sees fit to replicate services provided by BRC for its own staff even though BRC facilities are equipped and arguably better equipped.</p> <p>3) BRC's professional response teams are fully licensed individuals in the field they operate, and in many cases are leaders in their fields in the US. Volunteer capacity has not led to a failure of response capacity on BRC watch. By contrast, law enforcement is frequently late or chooses not to respond to BRC.</p> <p>4) BRC contracts with an Employee Assistance Program for all staff that includes a range of services, including but not limited to psychological and grief counseling, and has been activated on playa.</p> <p>Additionally, BRC has People Operations staff certified in peer to peer counseling that is a component of critical incident management.</p>	<p>This section is included to highlight what the agency is providing for government employees. This is not intended to supplant BRC's resources, but the BLM has found that the resources available at the agency medical unit have not consistently been available at Rampart.</p> <p>No change to the document.</p>
<p>There is no impact analysis in this section.</p>	<p>Comment noted.</p>

Comment Text	BLM Response
<p>The document says, "Within the event closure area, 'leave no trace' principles are communicated to participants" - In fact, BRC and the Burning Man community communicate these principles year-round. The document says, "unauthorized dumping of unsanitary debris, such as trailers and trash, next to the closure area and along travel routes have an impact on surrounding communities." The DEIS lacks sufficient quantitative or qualitative data to support this statement. The DEIS fails to note or consider that trash associated with the Burning Man event is picked up by BRC crews post-event. The DEIS fails to describe or consider how BRC, NDOT, and the PLPT work together to ensure vehicles and trailers - and the debris from them - are cleaned up by BRC and NDOT. The DEIS fails to state that unauthorized trailers are rare. The DEIS fails to describe that unauthorized trailers are rare but when they do occur, they are typically from accidents. The DEIS fails to note or consider that many occasions of larger-scale unauthorized dumping of debris and trash are from operations permitted by the PLPT. BRC provides extensive clean up to the local communities and surrounding roads. The document says, "Large amounts of waste are deposited along the roadside, spreading into neighboring lands by the wind." The DEIS lacks sufficient quantitative or qualitative data to support this statement. The DEIS fails to describe or consider that trash associated with the Burning Man event is picked up by BRC crews postevent. The DEIS fails to describe or consider that BRC has extensive education programs including Leave Nevada Beautiful campaign providing details to participants on locations and businesses to take trash and recycling. In 2017, there was an anomaly in that three vehicles/trailers were left behind on Hwy 447 post-event after crashes occurred. The DEIS fails to describe or consider that BRC, NDOT, and the PLPT worked together to remove everything and address the problems in future years. The DEIS fails to state that 2018 was successful. This section fails to acknowledge BRC's Leave No Trace teams on SR 447 and SR 34 or BRC's efforts to work with communities when they bring these issues to our attention.</p>	<p>Comment noted. No change to the document.</p> <p>Reference EMPSi 2019b for further discussion on examples and data reviewed and analyzed in that section.</p>
<p>Document says: "participants fall from structures and art pieces at the event." BLM provides no information regarding the occurrence of such falls, any injuries that were incurred, or any resulting impacts. Absent year over year statistical data this section should be deleted. The Draft EIS fails to provide the necessary data to support this analysis.</p>	<p>Data located and added to the Public Health and Safety at the Burning Man Event document.</p>
<p>Document says: "Communities across northern Nevada are left with reduced emergency services staff, particularly in Pershing County. BLM resources at the event are brought from across the nation, leaving millions of acres of public lands without BLM law enforcement coverage during the Burning Man Event. The drawdown of BLM law enforcement is exacerbated when the event falls on Labor Day weekend, one of the busiest weekends on public lands across the nation." There is no discussion for why this is a problem or if there are any real impacts from this. BLM has failed to provide year over year statistical data showing the impact and should delete this section.</p>	<p>BLM Recreation SRP Handbook H2930-I requires the BLM ensures adequate staffing for all SRPs as they are discretionary without undue impact on BLM operations.</p> <p>For detailed information regarding the impacts across northern Nevada, see EMPSi 2019b.</p>
<p>The date in this table is incorrect. BRC has accurate data and has provided them to BLM.</p>	<p>These data were compiled from BRC data. The number from Emergency Services Division and Rampart are combined. The data for combative patients in 2017 has been added.</p>
<p>Document says: " ... Illegal possession, use, and distribution of controlled substance at the Burning Man Event is a public health and safety concern, with significant concern regarding the national opioid epidemic." - There is literally no evidence provided to show that there is a problem with opioids at Burning Man. The national opioid epidemic has not presented itself in Black Rock City. The lack of research and knowledge displayed here is embarrassing for the author. - The average number of people treated for illegal controlled substance ingestion between 2012 and 2017 was 46, or 0.06% of the total population. Additionally, there has never been an opioid ingestion requiring Narcan in Black Rock City with the exception of one participant who attempted suicide via polydrug ingestion. Opioid abuse is not an issue in Black Rock City.</p>	<p>The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p> <p>The DEA defines opioids as heroin, fentanyl, oxycodone, Percocet, morphine, and codeine. The 2019 Burning Man Theme Camp Symposium recounts a story of a participant being gifted a substance that contained fentanyl.</p> <p>The 2019 Burning Man Theme Camp Symposium Facebook video includes a discussion from a camp lead about preparing for fentanyl exposure by equipping the camp with Narcan (because of a fear campmates could become exposed to fentanyl) and relates an important life-altering experience for a campmate who was gifted a substance with fentanyl unbeknownst to the received individual.</p> <p>Foods, such as dried apricots and breath mints, have been located by law enforcement within the Event. These instances are not hypothetical but real examples.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>GHB is commonly referred to as liquid ecstasy, per the DEA.</p>

Comment Text	BLM Response
<p>"The "gifting culture" of the Burning Man Event results in people accepting items from strangers and ingesting substances unknown to them." BLM cannot disparage gifting culture by equating it with dosing. This statement appears to be deliberately sensational. It must be deleted. Document says: "Participants who believe they are ingesting one substance only to find out they have ingested something completely different may overdose." The document provides no evidence that this has ever happened in Burning Man's history, let alone year-over-year statistical data. If there are no data, this sentence must be deleted as idle speculation is not appropriate for a NEPA study. Humboldt General Hospital should not be the expert cited for medical issues. The main author of the 2014 HGH AAR was discredited and fired, and so was the CEO. HGH did not supply any data to support this claim. Given the vast amount of inaccurate or false data and claims in the 2014 HGH AAR, the claim in lines 5-7 can't be supported with any confidence. The document states, "GHB, commonly known as liquid ecstasy" In fact, GHB is Gamma hydroxybutyrate. Ecstasy is 3,4- methylenedioxy-methamphetamine. These are two entirely different compounds with entirely different effects and complications. Remove "commonly known as liquid ecstasy." GBH may be referred to by some individuals as "liquid ecstasy" but not "commonly" so. This has the danger of confusion as actual ecstasy (MDMA) comes in both pill and liquid form.</p>	<p>The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p> <p>The DEA defines opioids as heroin, fentanyl, oxycodone, Percocet, morphine, and codeine. The 2019 Burning Man Theme Camp Symposium recounts a story of a participant being gifted a substance that contained fentanyl.</p> <p>The 2019 Burning Man Theme Camp Symposium Facebook video includes a discussion from a camp lead about preparing for fentanyl exposure by equipping the camp with Narcan (because of a fear campmates could become exposed to fentanyl) and relates an important life-altering experience for a campmate who was gifted a substance with fentanyl unbeknownst to the received individual.</p> <p>Foods, such as dried apricots and breath mints, have been located by law enforcement within the Event. These instances are not hypothetical but real examples.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>GHB is commonly referred to as liquid ecstasy, per the DEA.</p>
<p>The document states, "These encounters often lead to use of force situations in which law enforcement must go 'hands on' to bring participants under control to prevent risk of harm or injury to the public and employees working the event" - BLM has failed to define show and define "often" by including no year-over-year statistical data. It is impossible to prevent risk. Use of force when needed is one of the responsibilities of law enforcement. Fortunately use of force is rarely needed at Burning Man, and if BLM had provided statistics, the readers of the Draft EIS would have been able to see this.</p>	<p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
<p>Document says: "On an annual basis, the public, BRC staff, and law enforcement officers have been assaulted or battered as a result of illegal drug use." - The DEIS fails to provide year over year data to support this statement; it should be removed. - BRC provided harm reduction training to BLM to mitigate this issue. We received positive feedback from officers employing the techniques as well as an increase positive participant feedback about LE interactions. BLM has since refused the training. Document says: "In addition, response to these calls consumes patrol resources, which can be tied up for over an hour dealing with a combative subject. This leaves large parts of the city without patrols or units to respond to other calls for service." - Earlier in this report BLM states there are dozens of officers on duty in Black Rock City. This statement seems to be contradictory. Provide year over year quantitative data to support this statement or delete this statement. This section indicates that it is problematic for law enforcement officers to spend "over a,n hour" dealing with a combative subject. Dealing with a combative subject is what law enforcement should be doing, and if it takes an hour, ~hat is part of their job. What "other calls for service" have been ignored because law enforcement was dealing with a combative subject? Provide specific and conclusive year over year data to support this statement or remove it. BRC pays over a \$100,000 each year for a CAD system that captures every single law enforcement call and the actions law enforcement takes that are not calls for service, including the thousands of times law enforcement officers give directions to the toilets, so this data absolutely exists and BLM has selected not to provide it in this Draft EIS. Provide evidence and explain the impact. Dealing with a combative person is arguably more important than handing out trinkets at a table on the Esplanade or harassing someone eating a mint, which are both apparently essential "duties" of BLM law enforcement on the playa. "It is imperative to note the root of violent behavior against others at the event, to include law enforcement, is illegal drug use" "Attempting to stem violent participant behavior without addressing illegal drug use will not have a significant impact on participant or law enforcement safety." - Alcohol is not illegal. The DEIS fails to provide quantitative and qualitative data; these statements should be removed. Physical battery against staff remains rare. Alcohol is a greater contributor to batteries than illegal drugs. The are Black Rock Rangers all over Black Rock City at all times patrolling and calling in services as needed. It is irresponsible to indicate otherwise.</p>	<p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>

Comment Text	BLM Response
<p>"The proponent attempted in 2017 and 2018 to hire and deploy a private security force, in what the proponent referred to as intermediate protection for their staff"</p> <p>- This is a false statement. The proponent began planning for deploying a very small private security force. And that planning does NOT include screening or searches at the Gate.</p> <p>Document says: "... nor has BRC ever contacted law enforcement to report discovery of illegal controlled substances. The BLM does not have a record of BRC gate operations ever referring an incident to law enforcement for illegal substances found upon entry at the event." These statements are not supported by evidence, but imply wrongdoing and are irrelevant to the discussion.</p>	<p>The referenced quote does not indicate that the proponent's intent was to provide screening at the gate.</p> <p>The BLM has no record that gate operations have ever referred illegal substances to law enforcement. It is supported by the BLM's record.</p>
<p>BRC provides extensive support for victims of sexual assault on playa. Please see below and Proponent Committed Operations and Environmental Protection Measures and Mitigations.</p>	<p>Comment noted. The Plan of Operations was not made available to the BLM such that information about BRC's sexual assault support could be included in the analysis. The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p>
<p>"Since 2014, an average of 12 sexual assaults are investigated by law enforcement over the course of the 8-day event".</p> <p>- No data is provided to support this statement, which is false according to data provided by PCSO to BRC and BIM each year.</p> <p>- Note that there has been just 1 prosecution for a sexual assault (as far as BRC has been informed by PCSO) and only 5 SART exams were conducted over the entire time period from 2014 through 2018.</p>	<p>The data was compiled and reviewed by the BLM and PCSO. Perhaps making SART exams more readily accessible to the Event site will facilitate victims receiving this service and increasing prosecution rates in cooperation with existing BRC procedures.</p>
<p>"Not all sexual assault victims report incidents to law enforcement at the event." BLM must add "nor are they required to" and remove the words: "at the event," BLM provides no data to support this statement.</p>	<p>Comment noted. The Plan of Operations was not made available to the BLM such that information about BRC's sexual assault support could be included in the analysis. The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p>
<p>According to the Department of Justice, 3 out of 10 sexual assaults are not reported to law enforcement (Department of Justice).</p> <p>1) Despite these statistics, law enforcement at the Burning Man event still insisted on being notified immediately, reporting to the scene, hanging around the scene, and in one specific instance, demanding the survivor sign a form, thereby violating their legal right to anonymity.</p> <p>2) In some instances, law enforcement has received a report of a sexual assault and failed to notify BRC's advocate program (staffed by experienced professionals from around the country). Instead PCSO staff handled the instance per their experience despite clear DOJ statistics showing that advocacy improves the chances of meaningful LE engagement.</p> <p>3) Note also that adding more law enforcement to the pool, especially law enforcement who demonstrably fail to protect survivors' rights, will not change the amount of reporting.</p>	<p>Comment noted. The comments in this bloc are not consistent with the Public Health and Safety at the Burning Man document and appear antidotal. Whether PCSO includes BRC resources in a sexual assault investigation is within the pursue of PCSO.</p> <p>The BLM has a responsibility to provide for public health and safety at all SRP events and to include the human environment in NEPA discussions (H2930-1, 40 CFR 1508.8 and 40 CFR 1508.14, and FLPMA). The BLM will continue to require reporting of sexual assaults at the Event.</p>
<p>"Despite the number of sexual assaults occurring at the event, sexual assault response teams are not available for victims ... "If a sexual assault occurs at the event, the victim must be transported off-site for forensic medical exams without a support network in place."</p> <p>- This statement is completely irresponsible and demonstrably false.</p> <p>BRC provides a professional Crisis Intervention Team and Survivor Advocacy Team with leading Nevada experts providing services to all present at Black Rock City.</p> <p>- Following the guidance of the founder of the Las Vegas SART center (one of only 2 in Nevada), BRC does not provide SART exams on-site.</p> <p>This is largely because chain of custody optics with evidence would render most prosecutions easy to undermine and BRC is most interested in ensuring successful prosecutions where possible.</p> <p>- BRC has always provided a robust support network IF law enforcement allows us to be involved. We are in direct contact with the Reno-area resources within minutes of confirming an alleged sexual assault so that an exam can be expedited if desired by the survivor. The first point of contact for a sexual assault victim should always be a community-based advocate. The advocate then assists the survivor in gaining access to a SART exam and law enforcement if they wish to do so. However, in cases where a survivor reported directly to PCSO and/or BLM (not to a BRC representative), our team of certified BRC sexual assault advocates has never been contacted to assist the survivor, thereby denying the survivor their much needed "support network."</p>	<p>The quoted statement is in fact verified by the comment following. A SART facility stood up closer to but still removed from the Event site is the point of discussion in this section.</p> <p>Additionally, the Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event, including those related to sexual assaults. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p>
<p>The columns for "Rate of Sexual Assault (Occurrences/Day) Bayesian 95% Highest Posterior Density:" and "Median" are meaningless. They do not provide any insights or any sense of magnitude of the incidents. For example, how many incidents resulted in the start of criminal action against the assailant, how many were prosecuted, and how many were convicted? BLM must present actual data and impacts.</p> <p>The table is false, as it also included all reports of non-consensual sexual behavior in the first column, whereas the second, column refers to actual occurrences of sexual assault (penetration). This is an apple and oranges comparison.</p>	<p>These data were analyzed to illustrate a comparative model of reported incidents; prosecutions and convictions are outside of the span of law enforcement on-site. The number of occurrences is of grave concern to the BLM, and part of the discussion in this section is working to increase the potential for prosecution of violators and to protect victims.</p>

Comment Text	BLM Response
<p>This section does not state any NEPA impacts.</p> <p>- A mass casualty incident could be caused by a law enforcement vehicle traveling at unsafe speeds through the playa at night or in a dust storm (as is reported every year by participants when they encounter law enforcement driving this way), or overactive airport runways without warning, as law enforcement did in 2018. The document states, "law enforcement is primary in responding to a mass casualty event, such as an active shooter, a plane crash, or terrorism. Depending on the scale of the event, law enforcement may draw from other resources in the region." 1) Once the scene is safe, IE is in support roles for medical and fire. In the case of a plane crash IE would not be primary. 2) BRC resources are available to support investigations by marshal witnesses, preserving scene security, triaging patients, treating patients and victims and providing psychological trauma support. 3) It is unclear what IE's role would be in a plane crash scenario. 4) The DEIS fails to show NEPA impacts. "Due to the event's remote location, there are only minimal resources in the area next to the event; as such, response from other agencies and resources would be delayed. Immediate relief may come from the few officers Washoe County deploys to Gerlach, Nevada, and the community during the event and the Nevada Highway Patrol officers assigned to Highway 447 during the event. The Washoe County special response team is capable of an approximate 2-hour response time to the event site, as is a quick deployment contingency from the National Guard in Reno." - The vast majority of Nevada is rural and response times would be similar if not longer. "Members who must arrive by ground transport would have an extended response time of up to five hours." - The DEIS fails to provide year over year quantifiable data to support this statement; therefore, it must be removed.</p>	<p>NEPA requires the BLM to consider and discuss the human environment (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The BLM is required to provide for public health and safety at SRP events per SRP Handbook H2930-1.</p> <p>FLPMA also requires the BLM to consider public health and safety.</p> <p>For these reasons, this discussion is included to document the current human environment.</p>
<p>There are no NEPA impacts described in this section.</p> <p>BRC already complies with all Nevada DPBH requirements.</p> <p>The DEIS fails to consider that MANY participants use trailers with running water.</p>	<p>NEPA requires the BLM to consider and discuss the human environment (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The BLM is required to provide for public health and safety at SRP events per SRP Handbook H2930-1.</p> <p>FLPMA also requires the BLM to consider public health and safety.</p> <p>For these reasons, this discussion is included to document the current human environment.</p>
<p>There are no NEPA impacts described in this section.</p> <p>"BRC estimates 500 juveniles under 12 years old attend the event each year." - BRC has exact counts (not "estimates") of minors who attend the event, and we provide these numbers to BIM every year.</p> <p>If this is an average BIM has calculated, then state it.</p> <p>"The PCSO is the primary response agency for missing persons in Pershing County; when children in need of supervision are located, they cannot be released into adult custody until the PCSO has approved the release." - The code is silent on this. The DEIS makes this statement with no support and should be removed.</p> <p>"It is uncommon for the PCSO to receive a report of missing juveniles in the county outside of the Burning Man Event." - The DEIS fails to provide statistical year or over year data to support this statement, fails to define "uncommon/" and fails to explain the importance of this statement. It must be removed.</p> <p>"During the 2018 event, a juvenile was lured from an art piece the juvenile was working on by an adult male operating an ice cream truck registered by BRC as an art car. BLM law enforcement located the truck and discovered the juvenile was provided an intoxicating substance by the adult, who was unknown to the juvenile prior to this event. The juvenile was removed from the scene and placed in the custody of the Division of Child and Family Services until the juvenile could be reunited with a parent or legal guardian. The suspect was found to be in possession of illegal drugs, pornography, and restraint devices and was arrested by PCSO and evicted from the event site by the BLM." - The DEIS fails to explain the purpose of this section or that this type of occurrence happened only one time in the history of the event. This section must be removed.</p>	<p>NEPA requires the BLM to consider and discuss the human environment (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The BLM is required to provide for public health and safety at SRP events per SRP Handbook H2930-1.</p> <p>FLPMA also requires the BLM to consider public health and safety.</p> <p>CEQ regulations explicitly note that NEPA documents are not to be encyclopedic. NEPA documents are intended to summarize the data. This report is not intended to be an exhaustive detailed report, rather to provide overview of the existing human environment.</p> <p>For these reasons, this discussion is included to document the current human environment.</p>
<p>"Additional sampling in future years will improve data and monitoring." The DE IS fails to explain why additional study is needed.</p>	<p>Additional data are needed because the existing sampling found threats to employee safety that need to be further quantified to determine appropriate measures if personal protective equipment is needed and when to deploy personal protective equipment.</p>

Comment Text	BLM Response
<p>"Terrorism has never occurred at the Burning Man Event; however, several vulnerabilities exist." This would be true of every mass gathering in Nevada and on the planet. Law enforcement and medical resources are limited EVERYWHERE AT EVERY LOCATION IN THE WORLD. - Document says: "domestic terrorists, tactics from active shooter, vehicular assault, and improvised explosive devices are real threats with a low to moderate risk of occurrence." There is no data provided to support this assumption. The document goes on to say: "The changing global culture around acts of terrorism makes this risk difficult to adequately assess A NEPA study is no place for such speculative musings. This entire section should be deleted. - Document says: "A novel depicting the Burning Man Event as a terrorist target was published in 2017 and depicts weaknesses in the event security and actions to overcome existing security mitigations." There is no basis under NEPA for citing a fictional account. - The discussion of terrorism in this document appears to be more a discussion concerning modifying the operations plan than an impact analysis. BLM describes potential, albeit unlikely, risks, without the requisite impacts relevant to a NEPA analysis, and without providing data. - Document says: "The Burning Man Event lacks a defined 'See Something, Say Something' program to educate participants as to what qualifies as suspicious behavior and how to report concerns." This strategy, while catchy, has proven ineffective <a href="https://www.schneier.com/blog/archives/2008/01/how_well_see_s_o.html">https://www.schneier.com/blog/archives/2008/01/how_well_see_s_o.html</a>. BLM has failed to provide data for either the risks or the proposed mitigations. - Document says: "Event organizers and public agencies lack transparent communication regarding threats and intelligence of criminal activities within the event site." This is false. In 2018, when BRC received credible information about a threat they went straight to BLM and LEO BRC public messaging in 2018 included specifically "see something, say something" for participants. According to this document, law enforcement has failed to notify BRC of threats received including sexual predator threats. BRC shares a CAD system allowing BRC to immediately report an incident verbatim to BLM dispatch. BRC collocates with BLM dispatch so "over the wall" conversations can take place between the respective supervisors to facilitate rapid and accurate flow of information.</p>	<p>NEPA requires the BLM to consider and discuss the human environment (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The BLM is required to provide for public health and safety at SRP events per SRP Handbook H2930-1.</p> <p>FLPMA also requires the BLM to consider public health and safety.</p> <p>For these reasons, this discussion is included to document the current human environment.</p>
<p>Document says: "Burning Man organizers resist physical barriers to prevent vehicular attacks against its population, citing vehicle operation restrictions during the event without regard for malicious intent." This is more sensational, hyperbolic language with no real impacts identified. BRC processes over 30,000 vehicles into the event every year, a total over 120,000 in the past 4 years. There have been 3 incidents of vehicles driving through the fence in that time and no significant injuries to our population. By contrast, over 250,000 vehicles drive into downtown San Francisco (over the Bay Bridge) every day unhindered. BRC uses 2 interlocking radar systems with GPS identifiers, radio contacts, 24-hour patrol vehicles and night vision goggles to patrol our boundary. BRC manages vehicle speeds, routinely denies vehicles entry, and maintains a perimeter. - Document says: "There is not enough law enforcement assigned to the event to oversee gate operations at the three portals into the city." This is false. During ingress and egress law enforcement frequently runs 4 to 6 traffic stops at one time on gate road, with multiple vehicles on each stop. Law enforcement has previously informed BRC that they are not allowed to be part of BRC gate operations due to federal regulation. It is standard and a best practice for private events to manage their own entry gates, and request law enforcement when needed, as BRC does. The federal government is not authorized to take over management of these operations from a private entity for a private event. Every person coming into BRC is stopped and must have a valid entry credential or ticket, and every vehicle must have a vehicle pass.</p>	<p>NEPA requires the BLM to consider and discuss the human environment (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The BLM is required to provide for public health and safety at SRP events per SRP Handbook H2930-1.</p> <p>FLPMA also requires the BLM to consider public health and safety.</p> <p>For these reasons, this discussion is included to document the current human environment.</p> <p>BRC's existing gate operations were found to be insufficient for established best practices at the Event by BLM and cooperating agencies.</p> <p>The BLM and BRC are fortunate no significant injuries have occurred to date in the instances when the perimeter has been breached.</p> <p>The incursion in 2018 was evidence that a vehicle with unknown occupants breached the perimeter without being intercepted by BRC and may or may not have had valid credentials.</p>
<p>The document fails to note that the 2015 death investigation referenced in this section was a death from natural causes. - Document says: "There are numerous examples of firearms being discovered by law enforcement inside of Burning Man that were not screened upon entry to the event." This is misleading. First, "numerous" is not a number, but a value judgement or opinion. If BLM had high numbers it would surely have cited them here. The fact is there have been 3 firearms found, according to this paragraph. No one was hurt. There were no impacts. Firearms are not "allowed" to enter the event. - Document says: "The lack of exercises for emergency plans involving an active shooting response." This is either a mistake in drafting or a deliberate falsehood. BRC, BLM, PCSO and all cooperating agencies specifically had an active shooter exercise two years ago at the Washoe County EOC. - Document says: "The BLM received recommendations for enhanced physical site security from the Department of Homeland Security in 2016 to include establishing a reporting system for participants, increased transparency in risk analysis and intelligence sharing between all event management entities, proactive gate searches to mitigate active shooter incidents, physical barriers in crowded areas within the city, and a hardened perimeter security measure." BLM never shared the DHS report, the NOS threat assessment, or BLM's own event risk assessment with BRC. BRC and BLM have multiple avenues for reporting any kind of incident to authorities, including law enforcement and BRC, and BRC has approximately 2,500 radio units in staff hands on site. BRC and all cooperating entities undertake tabletop exercises each year and have included active shooter and plane crash in this process.</p>	<p>NEPA requires the BLM to consider and discuss the human environment (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The BLM is required to provide for public health and safety at SRP events per SRP Handbook H2930-1.</p> <p>FLPMA also requires the BLM to consider public health and safety.</p> <p>CEQ regulations explicitly note that NEPA documents are not to be encyclopedic. NEPA documents are intended to summarize the data. This report is not intended to be an exhaustive detailed report, rather to provide an overview of the existing human environment.</p> <p>The BLM shares known threats with the proponent as necessary and able. Threat assessments are rated at Law Enforcement Sensitive or higher clearance.</p> <p>For these reasons, this discussion is included to document the current human environment.</p>

Comment Text	BLM Response
<p>Sparks, Nevada is a city. Burning Man is a special recreation event. Black Rock City is the nickname for the Burning Man event site. This analysis fails to identify the ways in which Black Rock City is not a real city and not similar to a real city. This analysis fails to consider that violent crime in BRC has been remarkably low for decades running.</p> <p>Comparing population density is nonsensical. It is not clear what the purpose is of sharing these "examples". They do they provide any insight to impacts at Burning Man. The comparisons are faulty and should be removed.</p>	<p>NEPA requires the BLM to consider and discuss the human environment (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>CEQ regulations explicitly note that NEPA documents are not to be encyclopedic. NEPA documents are intended to summarize the data. This report is not intended to be an exhaustive detailed report, rather to provide overview of the existing human environment.</p> <p>For these reasons, this discussion is included to document the current human environment as compared with other localities and events of similar size and scope within Nevada.</p>
<p>This study is not a complete product and it is unclear why it was included. There are more questions and notes to follow up on than analysis of imagery and lack of any analysis of dune formation. The NASA Develop Group uses college interns working with guidance from NASA scientists to use earth observation imagery to "address environmental and public policy issues." Interpreting earth remote sensing imagery is a very specialized skill. Professionals base their entire careers on interpreting this type of imagery and I would question whether college interns had the skill to understand what they were looking at and how to interpret it. The BLM has provided no indication that these interns had the skill and training to accurately interpret the imagery. The technical memorandum states the researchers and college interns used imagery from landsat, which has resolution of 30 meters (98 feet), Sentinel-1, which has a resolution of 15-30 meters (49-98 feet) and the National Agriculture Imagery Program, which uses 1 meter resolution imagery captured by aircraft. What this means, using landsat as an example, is a spatial resolution of 30 meters means that one pixel of an image represents an area 30 meters by 30 meters (98 feet by 98 feet) on the ground. This alone calls into question whether the imagery used in this study was of high enough resolution to even be useful.</p>	<p>As noted by BRC, the NASA Develop Group exists to assist land managers with environmental and public policy issues and at the same time train the next generation of specialists. The findings in the report were approved by JPL staff or faculty at Cal Tech. For the resolution of the imagery used, mound formation is not a major occurrence on the playa. Sentinel 1 was used in an attempt to determine the amount of surface displacement on the playa in the Burning Man Event footprint. This was unsuccessful due to the heavy disturbance in the Burning Man Event footprint. This project was done at no cost to BRC. Higher resolution data are available at a significant cost.</p>
<p>The study reports that while the "footprint of Black Rock City is evident in the radar images several weeks after the event", the "coherence between the Black Rock City site before and after the event was too low to be detected at the 15-30 meter resolution of the satellite imagery." Is the BLM saying here that the imagery was not useful for drawing any conclusions? The study does not mention finding dunes or mounds caused by the Black Rock City event and instead looks at dunes on the western shoreline of the playa (away from the event site). The study reports that more research was done in 2018 using "sub-meter" drone imagery of mounds on the playa rim or interior (presumably the BRC site), but provides no information on the quality of that imagery, how it was used or what conclusions were drawn. Why were the results of this later research not included in this technical memorandum? This study answers neither of the questions posed in the introduction to the technical memorandum and it should be removed from consideration as part of this draft EIS.</p>	<p>Coherence in this case is a technical term that assesses surface disturbance between two points in time. Because of the heavy surface disturbance, interferometry could not be used to determine the exact amount of surface displacement. This technique had not been used before on a playa like the Black Rock Playa. The conclusion is that the Burning Man Event footprint creates a significant disturbance on the playa and is the likely source of dust. The drone data have not been finalized and are still a work in progress. The accompanying technical memo has been revised and uploaded to ePlanning.</p>
<p>Researchers did not test for normality and homogeneity of the data - or at least, they failed to say that they tested for it if they did.</p>	<p>Methods and data collection procedures are described in the report. No change.</p>
<p>The large increase in the 2017 nightly average VIIRS flux relative to the long term historical trend is driven almost completely by the unusually large measure on the night of 29 August 2017. The reason for this increase cannot be determined from the available data. The satellite data for 2017 includes measures on only four nights, the most poorly sampled BMF in the entire 2012 - 2017 satellite database. In the opinion of DSP, this single anomalously high data point is insufficient evidence to produce confidence in a new trend that warrants action to be</p>	<p>There are data in the report from multiple years that indicate increased artificial light at night levels during the Event. Light sources observed in the satellite data are also supported by ground-based photographic observations in the report.</p>
<p>The WRC report makes the following comments regarding the 2017 data:</p> <ul style="list-style-type: none"> <li>• "... the 2017 data do not fit with the modeling of nightly radiance from 2012- 2016." (pg. 20) • "These models predict increases in ALAN in the absence of increasing attendance caps ... " (pg. 22)</li> <li>• "This [2012-2016] pattern of ALAN has seemingly changed in 2017 with a statistically significant increase by about 43% over the expected level." (pg. 36) The WRC report further notes: "The significant increase in average nightly radiance during the 2017 event was influenced by a particularly bright night(29 Aug 2017,with 32,918Wsr-1measured)." (page 22) Due to the outsize influence ofthe single anomalous measure on 29 August 2017, BRC considers these statements and conclusions in the report that 2017 appears to exhibit a significant change in the nature of event lighting and</li> </ul> <p>ALAN impacts to be poorly supported. To examine further the anomalous August 29 measure, Figure 1 shows the individual nightly radiance measures of all years 2012-2017 versus Burning Man Event day</p>	<p>The high radiance observed in 2017 supports the need to continued monitoring in future years. Add VRM II language from mitigation response.</p> <p>Figures 4.14 and 4.15 in the report document how noticeable upwardly directed lasers are to the casual observer outside the Closure Oder perimeter. Other parts of the NCA are a VRM Class I.</p>
<p>Usable VIIRS data were obtained on only 4 nights of the 9-day Festival in 2017. Indeed, the VIIRS measure on 29 August 2017 is the highest seen that year, or for that Review of BMP ALAN Assessment 5 matter, the highest seen in any year starting with 2012. The second highest value occurred in 2012. However, in this figure, apart from the August 29 measure, 2017 does not look particularly unusual- the three other nights appear comparable to the measures in other years, though they are on the high side of the envelope defined by previous events. The high value on 29 August could reflect an unusual occurrence at the 2018 event at the time the VIIRS "snapshot" was taken, such as a very large combustion event occurring at the time the satellite measurement was made. BRC is however aware of no detailed record of the event that would allow confirmation of this conjecture. Since there are no additional measures (such as a second satellite measure on the same night, or any simultaneous or near simultaneous ground-based observations), the WRC study provides no data to confirm and thus add credence to this high measure, or to otherwise provide any insight into its nature.</p>	<p>There is only one VIIRS satellite that circles the playa once per day. It observed the anomaly. The high radiance observed in 2017 supports the need to continue monitoring in future years.</p>

Comment Text	BLM Response
<p>Presentation of the entire data set across all months and multiple years very likely is masking any seasonal patterns that could arise if data were subdivided as such (see how surface characteristics are broken down at the bottom of 4-6). If this is being used to say that there is no general wind pattern during the time of the event, then this is grossly inaccurate. The report should show the data surrounding the event cycle, not the year round data.</p>	<p>This section of the report describes surface characteristics, frequency, and other baseline parameters for modeling. Additionally, the AERMOD report is supported by baseline meteorological data covering the Event time period in the air baseline report.</p> <p>Additionally, AERMOD is the preferred and recommended program by the EPA for conducting dispersion modeling (see <a href="http://www.epa.gov">www.epa.gov</a> for more information). BLM air specialists and EPA experts approved the modeling parameters and methodology used for this modeling effort. The EPA's comment letter on the DEIS found no shortcomings with the AERMOD approach.</p> <p>No change.</p>
<p>The sources of emissions that are assumed to emit continuously are not listed. The report should list what these are and where they are being modeled spatially.</p>	<p>The AERMOD report is supported by baseline emissions data in the air baseline report. This information is not duplicated in the AERMOD report. No change.</p>
<p>It is unclear what is meant by "total event participation rates" - e.g., whether this means that the daily cumulative rates were calculated or that the maximum emission rate was used at all times for the modeling. This needs to be more clearly stated in order for the public to be able to understand and meaningfully comment on what exactly went into the model.</p>	<p>This statement sets the parameters for modeling by clarifying that AERMOD assumes the total Event population allowed under the specific alternative is used.</p> <p>Additionally, AERMOD is the preferred and recommended program by the EPA for conducting dispersion modeling (see <a href="http://www.epa.gov">www.epa.gov</a> for more information). BLM air specialists and EPA experts approved the modeling parameters and methodology used for this modeling effort. The EPA's comment letter on the DEIS found no shortcomings with the AERMOD approach.</p> <p>No change.</p>
<p>It is unclear what exactly this entails: "vehicle passes and road lengths are the main determinants" - e.g., whether this means that the model assumes these cars are driving around the entire time throughout the city. This statement is extremely vague and an educated person used to reading scientific papers would be unable to replicate the methods based on how they are worded. It is unclear which roads were considered or how many cars were considered to be driving at once.</p>	<p>This statement sets the parameters for modeling by clarifying that AERMOD uses the total number of vehicles and Gate Road length as stated in Chapter 2 for each alternative. No change.</p>
<p>As stated earlier, it is inaccurate to assume that averaged wind speeds across the year would be appropriate for an event that only happens during a couple of months. It is erroneous to use these data unless it was already previously shown that there were no significant differences across months in both wind speed and direction.</p>	<p>This section of the report describes surface characteristics, frequency, and other baseline parameters for modeling. Additionally, the AERMOD report is supported by baseline meteorological data covering the Event time period in the air baseline report.</p> <p>Additionally, AERMOD is the preferred and recommended program by the EPA for conducting dispersion modeling (see <a href="http://www.epa.gov">www.epa.gov</a> for more information). BLM air specialists and EPA experts approved the modeling parameters and methodology used for this modeling effort. The EPA's comment letter on the DEIS found no shortcomings with the AERMOD approach.</p> <p>No change.</p>
<p>It is unclear what the sample size for the number of vehicles surveyed was, or the proportion of gas vs. diesel, or when the survey was conducted. These data should be presented for transparency.</p>	<p>This statement sets the parameters for modeling by clarifying that AERMOD uses an average vehicle type for determining emissions. The number of vehicle passes and emissions sources is described in Section C - Volume Sources (p. 7-4).</p> <p>Additionally, AERMOD is the preferred and recommended program by the EPA for conducting dispersion modeling (see <a href="http://www.epa.gov">www.epa.gov</a> for more information). BLM air specialists and EPA experts approved the modeling parameters and methodology used for this modeling effort. The EPA's comment letter on the DEIS found no shortcomings with the AERMOD approach.</p> <p>No change.</p>

Comment Text	BLM Response
<p>Inherently, this is quite an over-simplification of traffic dynamics in Black Rock City. While all nuances cannot be captured in this model, the model fails to take into consideration the amount of traffic that actually comes in through 12 mile. There are also no data on the approximate proportion of vehicles of different sizes and those that are pulling trailers (which will have more dust kicking up). A rudimentary classification of high resolution aerial imagery (ideally object-based image analysis) could give a sense of the vehicle size distribution to better inform this model. To assume that a class A motorhome represents the average vehicle size is far too simplistic to have value in this report. It is unclear whether the authors considered that median size would be more applicable because it takes frequency into consideration.</p>	<p>This statement sets the parameters for modeling by clarifying that AERMOD uses an average vehicle type for determining emissions. The number of vehicle passes and emissions sources is described in Section C - Volume Sources (p. 7-4).</p> <p>Additionally, AERMOD is the preferred and recommended program by the EPA for conducting dispersion modeling (see <a href="http://www.epa.gov">www.epa.gov</a> for more information). BLM air specialists and EPA experts approved the modeling parameters and methodology used for this modeling effort. The EPA's comment letter on the DEIS found no shortcomings with the AERMOD approach.</p> <p>No change.</p>
<p>It is unclear why the large generators used for infrastructure were not taken into consideration. Their locations are known, as are the specifications for power generation.</p>	<p>Information regarding large generator locations is not included as part of the Proposed Action and was not part of the 2017 or 2018 Plans of Operations.</p>
<p>It is unclear why the placement of the air monitoring stations was not within Black Rock City proper. Since everything else is being averaged out in this analysis, from the distance that cars travel to the size of vehicles entering the city, the equipment should have been placed in an "average" location. The JOC does not represent normal site conditions seen at the event.</p>	<p>Based on discussions with the BLM air specialist, the EPA, BRC, and the air contractor, the determined location for the monitoring station was the JOC. Further, the JOC was one of the areas that did have a continuous supply of power necessary to operate the monitoring unit for the longest period of time and would not disrupt construction or dismantling of the city.</p>
<p>NAD27 is an antiquated datum that's nearly 100 years old. It is unclear why NAD83 was not used instead.</p>	<p>Comment noted. North American Datum (NAD) 27 is commonly used by other public land users; further, for the WDO it is generally only a few meters different than NAD 83. Both are considered acceptable datums.</p>
<p>It is unclear why Hycroft mine's model was incorporated into the analysis of Black Rock City. This is far beyond the scope of the EIS for Burning Man. Adding a very large mine's air quality into the event's model is not grounded in logic, and the explanation for why it was incorporated does not shed any light into why BIM deemed it necessary to incorporate this. Linking BRC to a year-round extractive, destructive mining operation is truly inappropriate and improper in this EIS.</p>	<p>The Hycroft airshed overlaps with the airshed of the Burning Man Event. The cumulative air model needed to account for Hycroft's emissions. Currently, since the mine is only draining its heap leach pads, its contribution to particulate matter is practically nil. This is outlined in the modeling report. This was also explained to BRC on December 13, 2018, during a weekly management call.</p>
<p>Reference to "participates" should be "participants"</p>	<p>While "participants" is correct, this edit would not improve the Authorized Officer's ability to make an informed decision in compliance with NEPA regulations. To maintain conformance with SO 3355 and the Paper Minimization Act, this edit will not be made to the baseline report.</p>
<p>There is no scientific justification for the inclusion of an air monitoring station in Winnemucca. There are multiple mountain ranges in between BRC and Winnemucca and the prevailing wind direction is away from the town.</p>	<p>The rationale for including an air monitoring station in Winnemucca was to determine the potential for air quality impacts from the dispersion of particulate emissions from the Burning Man Event. The location at the BLM WDO office was chosen due to the availability of power and BLM staff to observe the operating status of the equipment and report any issues to the air consultant.</p>
<p>This report is inherently flawed because it does not adequately quantify air quality conditions prior to and after the event. This is particularly true preevent, before any event-based activity occurs. The data are also only based on one year, and it is impossible to rule out whether this specific year is an outlier or representative of average conditions. Additionally, the measurements were taken when a wildfire was burning in the area, and wind blew fire particulate matter and smoke toward Black Rock City. Why isn't this specified and factored into the analysis? Additionally, having the control station in Winnemucca is inappropriate. The station should have been in Gerlach or somewhere else with adequate power that is within the same region as the Event. In March of 2019 there was still a large shallow lake present on the playa, and the wind still created extremely dusty with white and brown out conditions in areas. There needs to be a way to separate event-based activity from normal site conditions, and this report simply does not accomplish that.</p>	<p>The air modeling baseline approach was developed based on discussions with the BLM, BRC, and the air contractor, with concurrence from the EPA. The monitoring observed wildfire smoke during the monitoring period; however, the filter analysis for the on-site monitors found the largest particulate matter constituent to be playa material.</p> <p>One reason for continued air quality monitoring is to see if the 2017 Event was a typical year, or not.</p>
<p>Nickel is not spelled correctly. There are many orthographic errors in the text of this report that should have been caught and corrected. Their inclusion in the public draft is indicative of the lack of attention to detail in this report overall.</p>	<p>Nickel is the correct spelling. No change.</p>
<p>It is unclear how air quality measurements in Lovelock are comparable to the Black Rock Desert. The area surrounding Lovelock is primarily agricultural, not open space nor playa.</p>	<p>Lovelock is within the 50-kilometer area of analysis and had existing meteorological and air quality data. Air quality data are limited within the Great Basin due to a lack of monitors in settled areas.</p> <p>No change.</p>
<p>It is unclear how a mountain national park is comparable to the Black Rock Desert. Prevailing winds are from the west; therefore, air quality measurements taken there would represent the California Central Valley, not from Nevada.</p>	<p>Section 3.2, Class I Areas, describes Class I airsheds as a means to compare air quality conditions typical of class I airsheds. It is not meant to say that Yosemite has the same meteorological conditions. Every airshed has unique geographic and meteorologic conditions that contribute to its air quality.</p> <p>The BLM also discussed this approach with BRC during the development of the baseline report.</p>

Comment Text	BLM Response
It is unclear how a mountain national park is comparable to the Black Rock Desert. Prevailing winds are from the west; therefore, air quality measurements taken there would represent the California Central Valley, not from Nevada.	Section 3.2, Class I Areas, describes Class I airsheds as a means to compare air quality conditions typical of class I airsheds. It is not meant to say that Yosemite has the same meteorological conditions. Every airshed has unique geographic and meteorologic conditions that contribute to its air quality.  The BLM also discussed this approach with BRC during the development of the baseline report.
The status of the speciation data is unknown and data will be disclosed. Until this specific speciation data is provided, the source(s) of emissions are unknown and grant assumptions should not be made.	As noted in the air baseline report, filter mass analysis was conducted to determine the source of the emissions; see Table 2-4 in the report.  No change.
The monitoring occurred during the Tohakum 2 Wildfire located southwest of the event, which is the same direction as the wind blowing to the event, as documented on PDF page 26, line 13. This fire began burning on August 29th and ended after the event. The effect of wildfire smoke emissions to these monitors is unknown, which greatly affected the monitor concentrations of PM10 and PM2.5, as well as hazardous air pollutant, toxics and metals constituents.	The monitoring time frame included the burn window for the Tohakum fire as well as fires burning in Oregon and Idaho. While monitoring results showed emissions from these events, the overwhelming particulate matter constituents are consistent with playa materials.  One reason for continued air quality monitoring is to see if the 2017 Event was a typical year, or not.  No change.
This is a blanket assumption and no speciation data is provided to support these assumptions: liThe mass of crustal playa material on the recovered monitoring filters (photos of filters included in Appendix B) do however suggest that the main contributor to playa concentrations were on-playa anthropogenic activities ... The majority of emissions generation resulted from vehicular and human traffic on the playa which liberated material for wind erosion." Once again, without speciation and the nearby wildfire, it's unclear the source of the emissions captured by the monitors and these assumptions should not be made.	Evidence provided in the air baseline report and elsewhere in the EIS demonstrates that the Burning Man Event is the largest anthropogenic disturbance on the playa that results in the removal of playa crust and liberation of playa sediment.  No change.
There is no evidence that Lovelock is the closest weather station to BRC. The data from 2008 are a decade old, do not reflect recent changes due to climate change impacts, and do not reflect the very localized nature of weather in Nevada. There are more recent WRCC data from Gerlach, and an active station on the Hualapai that should have been used	The closest National Weather Service site is in Lovelock. No change.
All of the birds listed that utilize the playa during periods of inundation would not be present during the event due to the fact that there is no standing water during the event. It is irrelevant to even list them here if there is no potential for direct impact.	Recent wet winters demonstrate the possibility of standing water on the playa and adjacent dry lake beds near the time of the Event. It is relevant to analyze the potential for impacts in accordance with NEPA and CEQ regulations.
There is no showing that permanence plays into potential ACOE regulation of DG, fencing, and art placement. The "fill" - if it can even be considered that - is temporary and not placed during a time where there is water on the playa.	While the playa is dry during the Event, the USFWS classifies the playa as a wetland, and the USACE classifies it as a playa. The bringing in of decomposed granite and the trenching activities may need a Nationwide Permit from the USACE. The conditions of receiving a SRP from the BLM require a proponent to obtain all other federal, state, county, and local government permits. Refer to correspondence from the USACE.  No change.
References to "LED light" are redundant. Change to "LED" for accuracy.	Comment noted. LED light is a commonly used description. No change.
The study does not reference the timing of migratory birds within the Northern Nevada region nor the timing or nature of their presence (breeding or migration). There cannot be impacts to migratory birds if they are not present during the Event. Data need to show that the migratory birds are present in order for any such assessment to be appropriate for this EIS.	The DEIS and biological report indicate that the potential for impacts from traffic, ALAN, and other elements of the Burning Man Event would be limited because of the "general rarity at which most species are found within the playa during dry periods" (DEIS p. 3-17).  No change.
Schang et al. (2013): This study has no applicability to the event. It was a very controlled lab experiment in which rats were left in darkness for 14 days before being exposed to continuous LEOs for 3 to 28 days. All reference to this study should be deleted due to its lack of relevance to Event conditions.	Cited studies were carried out under laboratory conditions; however, the studies were peer reviewed and serve to illustrate a possible effect on mammals from artificial light sources.
"Chronic exposure to noise" is not applicable to SR 447 or CR 34.	The purpose of the biological resource baseline report is to provide a baseline of possible impacts on wildlife as documented in peer-reviewed literature. The types of impacts included in the report are those that could occur as a result of the Burning Man Event (traffic, light, noise, etc.). The report's purpose is not to analyze the direct, indirect, or cumulative impacts on wildlife from the specifics of the Event, but rather provide an understanding of the types of impacts that could occur. Consistent with NEPA, specific impacts associated with the alternatives are analyzed in the DEIS.
Airborne playa dust is experienced to some degree year-round, so habitat degradation, if deemed applicable, is inherent to this system. Playa dust cannot be placed in the category of "air pollution."	While playa dust is present to some degree year-round, the air monitoring conducted in conjunction with the EIS demonstrates that the intensity and concentration of the airborne dust increases relative to the amount of anthropogenic activity on the playa. Accordingly, the potential for impacts on species that are present during the Event would be higher than non-Event times.

Comment Text	BLM Response
Roads "heavily traveled by vehicles" are not applicable to this EIS. The Burning Man event results in a short-term increase in traffic but it is not persistent. The impact of wind-blowing soil and plant particles on vegetation is much more impactful and experienced year round.	The purpose of the biological resource baseline report is to provide a baseline of possible impacts on wildlife as documented in peer-reviewed literature. The types of impacts included in the report are those that could occur as a result of the Burning Man Event (traffic, light, noise, etc.). The report's purpose is not to analyze the direct, indirect, or cumulative impacts on wildlife from the specifics of the Event, but rather provide an understanding of the types of impacts that could occur. Consistent with NEPA, specific impacts associated with the alternatives are analyzed in the DEIS.
The types of species studied in these papers are not applicable to the Great Basin. There therefore appears to 'be no basis for their inclusion in this report.	The purpose of the biological resource baseline report is to provide a baseline of possible impacts on wildlife as documented in peer-reviewed literature. The types of impacts included in the report are those that could occur as a result of the Burning Man Event (traffic, light, noise, etc.). The report's purpose is not to analyze the direct, indirect, or cumulative impacts on particular species found in the analysis area, but rather provide an understanding of the types of impacts that could occur in similar conditions. Consistent with NEPA, specific impacts associated with the alternatives are analyzed in the DEIS.
The 30% reduction was not significantly different from the control. The report must state the results as they are interpreted within the paper.	No change made. According to Sada et al. (2013), the number of <i>B. mackini</i> eggs occurring on Event roads after the Event was approximately 30 percent fewer than in virgin playa (control). Although statistical differences were not documented, the impact the Event has on intact egg abundance may be biologically important and influence the abundance of adult <i>B. mackini</i> in subsequent years.
There has been no showing that this lab study in which crickets were given food with toxic chemicals is relevant to this EIS and there appears to be no basis for its inclusion in this report.	This section is intended to explain how insects can absorb chemicals in their habitat. This literature review provides a baseline for analysis and does not replace the analysis in the DEIS related to the specific components and potential impacts associated with each alternative.
There has been no showing that a "large scale solar array" is applicable to the Event, and there appears to be no basis for inclusion of this study in this report.	This section is intended to explain how light or glare can disrupt wildlife. This literature review provides a baseline for analysis and does not replace the analysis in the DEIS related to the specific components and potential impacts associated with each alternative.
"Areas with high amounts of trash" are not applicable to the Event and should not have been included in this report.	This section is intended to explain how predator animals are attracted to trash, which can result in higher mortality rates. This literature review provides a baseline for analysis and does not replace the analysis in the DEIS related to the specific components and potential impacts associated with each alternative.
This document relates to California, not Nevada. All county offices listed are in California. This document does not appear to have relevance to the event and should not have been included in this report.	The document is provided by the USFWS Reno office and is a standard response for a request for threatened and endangered species information. As noted, the official species list is provided by the Reno Fish and Wildlife Office.
Only one of the species listed here, the golden eagle, which has been identified in the neighboring Hualapai valley, still has the potential to be nesting at the time of the Event.	The USFWS memo identifies threatened and endangered species and those protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. It is standard practice for the BLM and project proponents to receive this information from the USFWS. It is baseline information upon which subsequent NEPA analysis is based. The potential impacts on the species are analyzed in the DEIS.
Burning Man Project, a 501(c)(3) California nonprofit corporation, and Black Rock City LLC, a wholly-owned subsidiary of Burning Man Project (BRC), provide this letter to summarize our serious concerns with the Draft Environmental Impact Statement (DEIS) prepared under the National Environmental Policy Act (NEPA) by the U.S. Bureau of Land Management (BLM) for a proposed 10 year Burning Man Event Special Recreational Permit. As discussed below and as detailed further in BRC's Comment Letter (in the attached package), the DEIS is deficient in many respects and must be revised and recirculated for public review prior to finalization and issuance of a record of decision. We appreciate this opportunity to explain our concerns to you and reserve the right to submit additional comments under NEPA at a later date.	Comment noted. Specifics will be dealt with below.
We realize that revising and recirculating the DEIS will extend the NEPA process past the 2019 Burning Man event. It is critical for all parties involved, however, that the 10-year EIS be conducted properly. In the interim, the 2019 Burning Man event should be authorized in the same manner as were the 2017 and 2018 events, pursuant to the 2012 Environmental Assessment (EA), given the 2019 event's consistency with these past events. Issuing a 10-year Special Recreation Permit based on a flawed and incomplete EIS would be fraught and is unnecessary. In light of the opportunity to issue a third Determination of NEPA Adequacy (DNA) for the 2019 event based on the prior, properly issued EA, we urge BLM to follow precedent, issue the 2019 permit under a DNA, and take the time necessary to complete the EIS process covering a 10-year permit in an appropriately deliberative manner.	The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007.
Each year since 1991 (except for 1997 when the event was held on private land), BLM has issued a Special Recreation Permit to BRC, and BRC has successfully conducted an annual Burning Man event within a small portion of the Black Rock Desert playa in northern Nevada. The playa is part of the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area (the NCA). Congress established the NCA in 2000 and included express findings that large scale, permitted recreational activities, such as the Burning Man event, are expected to continue on the site. BLM then established a resource management plan (RMP) for the area, explicitly authorizing large-scale recreational events within the NCA. Indeed, the Burning Man event is called out by name in the RMP as such an authorized event. BLM also prepared a NEPA compliance document for the RMP, including the NCA's use for large scale events.	The BLM used both existing data and commissioned literature surveys and new baseline studies for this DEIS.

Comment Text	BLM Response
The Burning Man event currently attracts approximately 70,000 self-reliant participants. Each annual event lasts for eight days and occurs within a designated area of about 4,000 acres, or less than 3 percent of the total playa surface area. As BLM knows, the main ticket sale for the 2019 Burning Man took place on April 3, 2019, and sold out within hours.	The BLM is aware of this; however, the BLM notes that based on the past 3 years, the Event is 9.5 days since the gates open at 12:01 a.m. on Sunday before Labor Day and lasts until Exodus ends at 12 p.m. on the Tuesday following Labor Day.
Environmental impacts from the 2019 Burning Man event (and events in future years) will be similar to those in years past. However, in keeping with our "Leaving No Trace" Principle, each year we strive with the assistance of participants, BLM and other partners to further improve environmental stewardship.	Without committed environmental protection measures and trends in the data, the BLM sees potential issues, particularly if the Event population should increase.
In addition to the Burning Man event itself, the Burning Man Project: <ul style="list-style-type: none"> <li>· Generates an estimated \$75 million per year for the local Nevada economy;</li> <li>· Stimulates cutting edge business development in Reno;</li> <li>· Led to a National Endowment for the Arts grant to build an art trail from Reno to Gerlach;</li> <li>· Gifted solar power arrays installed at Nevada schools, hospitals, and tribes;</li> <li>· Generates the largest influx of passengers to the Reno Tahoe International Airport per year; and</li> <li>· Fosters year-round art and community building business and employment in Nevada.</li> </ul>	Comment noted. Some of this information is included in the Socioeconomic Baseline Report.
BRC has appreciated working with BLM for nearly three decades to successfully plan for and implement the Burning Man event, protect the Black Rock Desert, and support the regional environment and communities. We were, therefore, surprised and disappointed that the DEIS failed to reflect the operational expertise and environmental record of the Burning Man event. Our review has identified several major deficiencies in the DEIS, including, but not limited to the following:	Comment noted. Specifics will be addressed below.
<ul style="list-style-type: none"> <li>· The DEIS fails to conform with the legally mandated NEPA format, does not provide a sufficient, concise, readily accessible and focused analysis of relevant issues, and needlessly amasses unnecessary, speculative detail in violation of applicable NEPA regulations and policies. In addition to substantive issues, this deficiency places an unreasonable burden on members of the public and decision-makers who seek to understand the impacts, alternatives and mitigation measure that are the subject of the DEIS. In short, the DEIS is an unreasonably challenging document to read and understand and does not serve its information disclosure function.</li> </ul>	Recirculating the DEIS is not warranted. The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007. It meets the requirements of NEPA.
<ul style="list-style-type: none"> <li>· The DEIS ignores the simple fact that the Burning Man event has taken place at this location for roughly the past 30 years. The regular occurrence of the event provides BLM substantial information from which to analyze the effects of a 10-year permit. Instead of relying on the record of experience, the DEIS in some cases looks to, among other sources, speculative, non-peer reviewed models (some of which were developed by NASA interns), and to a fictional depiction of a terrorist attack drawn from a thriller-genre novel. The DEIS, therefore, fails to rely on available information and relies, in many cases, on sources of questionable or limited validity. These same issues and others also raise serious questions about compliance with the Information Quality Act and Information Quality Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Bureau of Land Management.</li> </ul>	The BLM has utilized information from previous NEPA documents from past Event years, and commissioned new literature and baseline surveys.
<ul style="list-style-type: none"> <li>· The DEIS fails to consider whether certain proposed mitigation measures are technically and economically practical or feasible, and whether these measures would effectively avoid, minimize or compensate for an effect, as mandated by NEPA regulations and policies. Some of the proposed mitigation measures raise serious constitutional questions — for example, the government requiring searches of event participants by an outside security force — while others raise serious practical considerations for example, recommending deployment of approximately 10 miles of concrete barricades on the surface of the dry lake bed.</li> </ul>	The DEIS does state in respective resource analyses which mitigation would reduce potential impacts. PHS-1 language includes screening, not searches. The concrete barriers were one of many examples that the BLM suggested could be utilized or a in combination with other types of barriers to upgrade the perimeter boundary to comply with DHS suggestions. At no time did the BLM state in the mitigation that a concrete barrier would be required to encompass the entire city.
<ul style="list-style-type: none"> <li>· The DEIS fails to consider the environmental impacts and effects of certain proposed mitigation measures, as mandated by NEPA regulations and policies and as specifically required in the BLM's NEPA implementation handbook. As an example, there is no evaluation of environmental impacts associated with the placement of 10 miles of multi ton concrete blocks or hundreds of dumpsters on the playa.</li> </ul>	The DEIS does state in respective resource analyses which mitigation would reduce potential impacts. The concrete barriers were one of many examples that the BLM suggested could be utilized or a in combination with other types of barriers to upgrade the perimeter boundary to comply with DHS suggestions. At no time did the BLM state in the mitigation that a concrete barrier would be required to encompass the entire city.
<ul style="list-style-type: none"> <li>· The DEIS focuses on multiple issues, such as speculative individual behaviors, that are not major environmental effects or that occur outside of the temporary closure area and that should be addressed through the long established process of refining event permit stipulations and consulting with regional interests.</li> </ul>	NEPA requires the BLM to analyze impacts in the direct, indirect, and cumulative impact Assessment Areas. Stipulations and mitigations are designed to address the impacts and should be disclosed as part of the NEPA process.
<ul style="list-style-type: none"> <li>· The timeline set by BLM, following agency related delay as discussed below, is so compressed that it is unworkable both under NEPA and practically speaking. For example, the original 55 days that BLM allotted to address public comments under its most recent schedule has now been shortened to just 19 days. Even if the DEIS did not need to be revised and recirculated, the 19 days would be insufficient for BLM to meaningfully respond to comments and make appropriate modifications to the NEPA document. As of this writing, BRC is aware of nearly 700 substantive comments that have been submitted to BLM. It is simply not possible for BLM to respond meaningfully to this volume of comments and the schedule should be revised to a realistic number of days for the scope of this project.</li> </ul>	The Winnemucca District Office BLM is complying with SO 3355.
For these reasons, the DEIS fails to comply with NEPA and must be revised and recirculated prior to finalizing the NEPA process.	

Comment Text	BLM Response
<p>I take this opportunity to emphasize that the compressed timeframe for public review is not due to delay on the part of BRC, and BRC should not have to accept a rushed NEPA process. We note:</p> <ul style="list-style-type: none"> <li>· The Notice of Intent for this DEIS was not published until a year after BLM and BRC agreed to its content.</li> <li>· The required studies were not initiated or completed timely (e.g., cumulative air quality study).</li> <li>· Eight public meetings were held, which while supporting public engagement, were not scheduled in a manner to achieve timely completion of the NEPA process.</li> <li>· Already existing delays were exacerbated by a one-month government furlough.</li> </ul>	<p>The baseline studies could not be conducted at any other time than during the Event. For 21 days of the government furlough, the BLM was working on this EIS since it was using non-appropriated funds. Regarding the remainder of the comment, the BLM notes the BRC's opinion.</p>
<p>The result of these delays is an unacceptably compressed schedule for completing the NEPA process—from 110 days to 48 days. This reduced period deprives the public, decision-makers, Burning Man participants and others the opportunity for a deliberative, well-reasoned document. Within this 48 day period, BLM would need to review and respond to comments, engage in interagency coordination, prepare a Final EIS that responds to the comments, and prepare and issue a Record of Decision, which would then be submitted to the public for a 30-day review period. The compressed period of time to complete this process would not only affect the 2019 Burning Man event, but because the NEPA process will underlie future Special Recreational Permits for the next 10 years, the rushed completion would impact the Burning Man event for years to come.</p>	<p>In accordance with SO 3355, the DEIS went out for 45 days of public comment. The public will have 30 days to review the FEIS in accordance with SO 3355.</p>
<p>We appreciate BLM's noting that Secretarial Order 3355 requires a timely efficient process. However, given the record of delay, the Secretarial Order should not now be used as a reason to produce rushed analysis, short circuit public participation, and fail to make the changes that need to be made. We all know the nature of Secretarial Order 3355 is not intended to short circuit public and proponent opportunity for due process. It is merely intended to cut red tape.</p>	<p>Public participation has not been short circuited, and the BLM will issue a legally defensible FEIS.</p>
<p>We urge BLM to issue a DNA for the 2019 Burning Man event based on the prior, properly issued EA, and to take the time necessary to complete the NEPA process for the 10-year permit based on the Burning Man event's nearly 30-year track record of safe and environmentally compliant stewardship in the Black Rock Desert. We remain eager to work cooperatively with BLM and other partners to further enhance the Burning Man event.</p>	<p>A legally defensible DNA cannot be issued due to significant impacts found with air quality, traffic, and VRM in the DEIS.</p>
<p>This comment letter is submitted on behalf of Black Rock City LLC (BRC), a wholly owned subsidiary of the not-for-profit Burning Man Project, with respect to the National Environmental Policy Act (NEPA) Draft Environmental Impact Statement (DEIS) prepared by the U.S. Bureau of Land Management (BLM) for a proposed 10-year Burning Man Event Special Recreational Permit (SRP).<sup>1</sup> Each year since 1991,<sup>2</sup> BLM has issued SRPs to BRC, and BRC has successfully conducted an annual Burning Man event within the Black Rock Desert playa in northern Nevada. The event currently attracts approximately 70,000 self-reliant participants who camp and participate in a unique experimental community in accordance with 10 fundamental principles. Each annual event lasts eight days<sup>3</sup> and occurs within a designated area of about 4,000 acres, or less than 3 percent of the total playa surface area of the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area (the Black Rock Desert or NCA).<sup>4</sup> Site preparation and cleanup operations occur for a few weeks prior to and after each event.</p> <p><sup>1</sup> SRPs would still need to be issued for each annual event, but the EIS used as the basis for each SRP would last ten years.  <sup>2</sup> Except for 1997, when the Burning Man event took place on adjacent private property.  <sup>3</sup> In multiple places, the DEIS erroneously refers to the event as having a 9.5-day duration. Burning Man has never been longer than eight days, and the Proposed Action was for an eight-day event. BRC requests that BLM correct these errors, the corollary analysis of impacts, and all other factual errors in a revised DEIS circulated for public comment.  <sup>4</sup> The total area covered by the Closure Order is approximately 14,000 acres.</p>	<p>1) An authorization (SRP) will be issued each year for that year's Event                  2) Noted                  3) Comment noted; however, the BLM notes that based on the past 3 years, the Event is 9.5 days since the gates open at 12:01 a.m. on Sunday before Labor Day and lasts until Exodus ends at 12 p.m. on the Tuesday following Labor Day.                  4) The area of the Closure Order varies by alternative.</p>
<p>The Burning Man event generates an estimated \$75 million per year for the local Nevada economy; stimulates cutting-edge business development in Reno; led to a National Endowment for the Arts grant to build an art trail from Reno to Gerlach in Washoe County; inspired the gift of solar power arrays installed at Nevada schools, hospitals, and tribal buildings; generates the largest influx of passengers to the Reno-Tahoe International Airport per year; and fosters year-round art and community-building businesses and employment in Nevada.<sup>5</sup></p> <p><sup>5</sup> See <a href="https://journal.burningman.org/2018/02/news/brc-news/my-how-youve-grown-the-burning-man-effect-in-nevada/">https://journal.burningman.org/2018/02/news/brc-news/my-how-youve-grown-the-burning-man-effect-in-nevada/</a>.</p>	<p>Comment noted.</p>
<p>The most recent assessment of the environmental impacts of the Burning Man event took place in 2011 and led to the issuance of a five-year environmental assessment that covered the years 2012 through 2016 and contemplated events with a maximum total population of 70,000 paid participants.</p>	<p>Comment noted.</p>

Comment Text	BLM Response
<p>Through this EIS process, BRC has applied for a 10-year SRP for the Burning Man event that would occur at the same time and location as in previous years. BRC has publicly stated that it has no plans to increase the size of Burning Man for the 2019 event. The 10-year SRP application requested that BLM consider issuing permits for future events that could range in size from 80,000 to 100,000 participants in order to ensure that both BLM and BRC understood the potential environmental impacts of event growth, if such growth should occur, including to the playa and surrounding areas, and could make well-informed decisions about any future growth.<sup>6</sup> The proposed action submitted to BLM states that the actual size of each annual Burning Man event during the requested 10-year SRP period would be determined on a year-by-year basis by BLM and BRC, with appropriate SRP stipulations related to the particular event's size. During the requested permit period, the size of the yearly Burning Man event could be the same, smaller or larger than in previous years depending on the results of the decision-making process with BLM. BRC has no plans for, and is not requesting approval as part of the EIS for, any specific future growth pattern.<sup>7</sup></p> <p><sup>6</sup> See <a href="https://journal.burningman.org/2017/11/black-rock-city/leaving-no-trace/eis/">https://journal.burningman.org/2017/11/black-rock-city/leaving-no-trace/eis/</a>.  <sup>7</sup> See <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/158598/193830/BurningManEIS%20ProposedAction.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/158598/193830/BurningManEIS ProposedAction.pdf</a>.</p>	<p>Based on BRC's request for an SRP of 100,000 population, the EIS analyzed a total population of 100,000.</p>
<p>Summary of Concerns            BRC has appreciated working with BLM during the last three decades to successfully plan and implement the internationally recognized Burning Man event while protecting the Black Rock Desert, the regional environment and communities, and event participants and other attendees. We have reviewed the DEIS, including the analysis presented in DEIS Volume 1, the figures and appendices included in DEIS Volume 2, and the multiple additional documents BLM has posted on the DEIS website. Unfortunately, however, our review has identified several major deficiencies in the DEIS, including, but not limited to the following:</p>	<p>Comment noted.</p>
<ul style="list-style-type: none"> <li>· The DEIS fails to conform with the legally mandated NEPA format, does not provide a sufficient, concise, readily accessible and focused analysis of relevant issues, and needlessly amasses unnecessary, speculative detail in violation of applicable NEPA regulations and U.S. Department of the Interior (DOI) NEPA streamlining policies. Furthermore, the DEIS contains numerous errors and omissions, does not consider proponent committed mitigations and fails to comply with the Information Quality Act and Information Quality Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by BLM.</li> </ul>	<p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007.</p>
<ul style="list-style-type: none"> <li>· The DEIS appears to ignore the simple fact that the Burning Man event has taken place at this location for the past 30 years and is conducted based on detailed environmental protection and mitigation measures that have successfully reduced impacts below the significance threshold. The regular occurrence of the event provides BLM with substantial information from which to analyze the effects of a 10-year permit. Moreover, the record of experience demonstrates that the existing mitigation measures and event operation plan, including environmentally protective design, features are regularly implemented and effective.</li> </ul>	<p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007.</p>
<ul style="list-style-type: none"> <li>· The DEIS fails to consider whether certain proposed mitigation measures are technically and economically practical or feasible, and whether these measures would effectively avoid, minimize or compensate for an effect, as mandated by NEPA regulations and policies.</li> </ul>	<p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007.</p>
<ul style="list-style-type: none"> <li>· The DEIS fails to consider the environmental impacts and effects of certain proposed mitigation measures, as mandated by NEPA regulations and policies and as specifically required in BLM's NEPA implementation handbook.</li> </ul>	<p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007.</p>
<ul style="list-style-type: none"> <li>· Although twin purposes of NEPA are to ensure that federal agencies consider environmental effects in their decision-making process and to inform the public they have considered environmental concerns, the DEIS focuses on multiple issues, such as speculative individual behaviors, that are not major environmental effects and which should be addressed through the long-established process of refining event permit stipulations and consultation with regional interests, not in a NEPA decision document.<sup>8</sup></li> </ul> <p><sup>8</sup> As the Supreme Court has stated, "NEPA does not require the agency to assess every impact or effect of its proposed action, but only the impact or effect on the environment. If we were to seize the word 'environmental' out of its context and give it the broadest possible definition, the words 'adverse environmental effects' might embrace virtually any consequence of a governmental action that someone thought 'adverse.' But we think the context of the statute shows that Congress was talking about the physical environment — the world around us, so to speak. NEPA was designed to promote human welfare by alerting governmental actors to the effect of their proposed actions on the physical environment." <i>Metropolitan Edison Co. v. PANE</i>, 460 U.S. 766, 772 (1983).</p>	<p>The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS. Baseline information relative to the physical and human environments was collected in order to inform the DEIS analysis</p>
<p>As discussed in more detail below, the failure of the DEIS to comply with NEPA requirements precludes both effective public participation and properly informed decision-making by BLM. Consequently, we respectfully request that the DEIS be substantially revised to correct these deficiencies, and recirculated for public review and comment to ensure that BLM, other federal agencies and the public are able to assess the proposed project's environmental effects in accordance with NEPA, DOI regulations and policies, and BLM NEPA policies and practice. We realize this will extend the EIS's timeline past this year's event. It is critical for all parties involved, however, that the 10-year EIS be conducted properly.</p>	<p>Per SO 3355, all EISs must be completed within a 1-year time frame or receive a time waiver from the Secretarial Level. The time waiver has not been sought.</p>

Comment Text	BLM Response
<p>Despite assurances that the EIS will be completed within one year<sup>9</sup>, the process has already exceeded that timeline. We are concerned that there is no way to complete the current process properly in time to support a 2019 event. Thus, the 10-year permit should be adjusted for issuance in 2020. In the interim, the 2019 Burning Man can be authorized pursuant to the 2012 Environmental Assessment given the consistency with past events. The fact that the last two Burning Man events were permitted with a Determination of NEPA Adequacy (DNA) confirms that this year's event can be permitted the same way at the same population. Issuing an SRP based on a flawed and incomplete EIS would be far less fraught than issuing a third DNA based on the prior properly issued EA.</p> <p><sup>9</sup> Statement of Black Rock Office Field Manager at Burning Man DEIS public comment meeting in Sparks, Nevada (Apr. 8, 2019).</p>	<p>Per SO 3355, the time line for an EIS is 1 year from the issuance of the NOI to the issuance of the FEIS. The NOI was published on June 18, 2018, and the FEIS is scheduled to be published before June 18, 2019. A legally defensible DNA cannot be issued due to significant impacts found with air quality, traffic, and VRM in the DEIS.</p>
<p>I. The DEIS fails to provide a sufficient, concise, publicly accessible and focused analysis, in violation of applicable NEPA regulations and streamlining policies.</p>	<p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007.</p>
<p>One of NEPA's fundamental purposes is to ensure that federal agencies incorporate environmental considerations in their planning and decision-making by preparing detailed statements assessing the environmental impact of and reasonable alternatives to major federal actions significantly affecting the environment.<sup>10</sup> NEPA established the federal Council on Environmental Quality (CEQ) to oversee federal agency environmental impact assessments and issue NEPA regulations and guidance that are binding on all federal agencies, including BLM.<sup>11</sup> The DOI has adopted NEPA implementing regulations<sup>12</sup> and BLM published a NEPA compliance handbook (BLM NEPA Handbook).<sup>13</sup> The DOI has issued several NEPA compliance directives, including the specification of a detailed NEPA environmental checklist (ESM 13-131) and an August 2017 order issued by the Secretary of the DOI to streamline the NEPA review process (DOI Order 3355).<sup>14</sup></p> <p><sup>10</sup> See BLM Handbook H-1790-1 (2008), p. 1.  <sup>11</sup> The CEQ NEPA regulations are codified at 40 CFR Parts 1500-1508.  <sup>12</sup> The DOI NEPA regulations are codified at 43 CFR Part 46.  <sup>13</sup> BLM Handbook H-1790-1(2008).  <sup>14</sup> See DOI, Office of Environmental Policy and Compliance, Standard Checklist for Use in Preparing National Environmental Policy Act (NEPA) Documents and for Complying with NEPA, Council on Environmental Quality (CEQ), and Departmental Procedures, Environmental Statement Memorandum No. ESM 13-131, January 7 2013; DOI, Streamlining National Environmental Policy Act Reviews, Secretary of the Interior Order No. 3355, August 31, 2017.</p>	<p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007.</p>
<p>CEQ regulation 40 CFR Section 1502.10 and ESM 13-131 require that an "EIS contain the elements from the list below in the prescribed order" unless there is compelling reason for modification, which must be specifically explained in detail:</p> <ul style="list-style-type: none"> <li>· Cover sheet (not to exceed one page)</li> <li>· Summary</li> <li>· Table of contents</li> <li>· Purpose of and need for action</li> <li>· Alternatives including proposed action</li> <li>· Affected environment</li> <li>· Environmental consequences</li> <li>· List of preparers</li> <li>· List of Agencies, Organizations, and persons to whom copies of the statement are sent</li> <li>· Index</li> <li>· Appendices (if any)</li> </ul>	<p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007. It meets the requirements of NEPA.</p>
<p>In addition, DOI regulation 43 CFR Section 46.120(a) requires that, if available, an EIS should use existing NEPA analyses for assessing the impacts of a proposed action, and procedures of adoption or incorporation by reference of such analyses must be followed where applicable. DOI regulation 43 CFR Section 46.120(b) requires that an EIS should use existing NEPA analyses and/or their underlying data and assumptions where feasible. DOI regulation 43 CFR Section 46.120(d) requires that an EIS should use existing NEPA documents by supplementing, tiering to, incorporating by reference, or adopting previous NEPA environmental analyses to avoid redundancy and unnecessary paperwork.<sup>15</sup> Moreover, the tiering of analysis should start at the scoping level of an EIS to avoid duplication and delay.<sup>16</sup></p> <p><sup>15</sup> See also CEQ, Memorandum to Agencies: Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations (March 16, 1981). FAQ 24(c) (the function of tiering).  <sup>16</sup> 40 CFR § 1502.4(d).</p>	<p>In accordance with NEPA and CEQ regulations (40 CFR 1508.28), it is appropriate for an EIS to tier to or incorporate information by reference from an environmental assessment to support general aspects of the EIS, such as a description of the affected environment, so long as the description is updated to reflect any change in condition. It is not appropriate to tier to or incorporate by reference the analysis from an EA if the specifics of the analysis and methodologies have changes, such as is the case for this DEIS.</p>

Comment Text	BLM Response
<p>DOI Order 3355 states: Both the Department [DOI] and the Council on Environmental Quality (CEQ) have issued regulations to implement NEPA. Because the purpose of NEPA's requirements is not the generation of paperwork, but the adoption of sound decisions based on an informed understanding of environmental consequences, the regulations encourage agencies to: 1) focus on issues that truly matter rather than amassing unnecessary detail; 2) reduce paperwork, including by setting appropriate page limits; 3) discuss briefly issues that are not significant; and 4) prepare analytic (rather than encyclopedic) documents, among other measures.</p>	Comment Noted.
<p>The DOI has further published guidance for implementing DOI Order 3355, which includes the following:</p> <ul style="list-style-type: none"> <li>· Analyze only issues and impacts relevant to making informed decisions.</li> <li>· Avoid analyzing irrelevant and insignificant topics. Relegate the analysis of less relevant topics and documentation to an appendix or source document.</li> <li>· Focus the level of detail in the analysis to reflect the importance of the issue: <ul style="list-style-type: none"> <li>· Restrict text to pertinent facts only.</li> </ul> </li> <li>· Exclude material not directly applicable to potential significant impacts. <ul style="list-style-type: none"> <li>· Include only information and data needed to support the conclusions reached.</li> </ul> </li> <li>· Reference and briefly summarize detailed analyses in the main body of the document.</li> <li>· Post detailed information and data online to allow stakeholders easy access to the material.<sup>17</sup></li> </ul> <p><sup>17</sup> See DOI, NEPA Streamlining Tips and Tools, <a href="https://www.doi.gov/nepa/tools-employees/streamlining-tools">https://www.doi.gov/nepa/tools-employees/streamlining-tools</a>, accessed April 2019 ("Secretarial Order 3355 requirements to complete National Environmental Policy Act (NEPA) reviews within timeframes and page limits require some changes from the way these reviews have been done in the past. Here are some tips to successfully meet these new challenges.").</p>	Comment Noted.
<p>The DEIS fails to comply with these NEPA requirements. While on its face the DEIS lists the required elements in the prescribed order, the information presented is deeply flawed and presented in such a way as to thwart the goals of NEPA. The stated purpose of the EIS process is as follows: It shall provide full and fair discussion of significant environmental impacts and shall inform decision-makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment. Agencies shall focus on significant environmental issues and alternatives and shall reduce paperwork and the accumulation of extraneous background data. Statements shall be concise, clear, and to the point, and shall be supported by evidence that the agency has made the necessary environmental analyses. An environmental impact statement is more than a disclosure document.<sup>18</sup></p> <p><sup>18</sup> 40 CFR § 1502.1</p>	The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007.
<p>The DEIS fails to meet many of these fundamental objectives. A. The DEIS arbitrarily and capriciously combines the regulatorily mandated discussion of the affected environment and environmental consequences in a manner that precludes meaningful analysis required by NEPA.</p>	The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007.
<p>Contrary to CEQ regulation 40 CFR Section 1502.10 and DOI ESM 13-131, Volume I of the DEIS impermissibly deviates from the mandated structure of an EIS by combining the discussion of both the affected environment and environmental consequences in a single section. The DEIS fails to provide "a compelling reason" for not following the standard and regulatorily mandated EIS structure as required by 40 CFR Section 1502.10 and DOI ESM 13-131. Consequently, the modification of the specified EIS elements represents an arbitrary and capricious departure from NEPA regulations and DOI policy.</p>	The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007. It meets the requirements of NEPA.
<p>This is not a trivial drafting error. The NEPA regulations and DOI guidance mandate that an EIS separately describe the affected environment and environmental consequences to ensure that decision-making agencies and the public are first presented with a clear understanding of existing, baseline environmental conditions.</p>	The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007. It meets the requirements of NEPA.
<p>This information is used to adequately inform the subsequent assessment of how a proposed action and reasonable alternatives could affect baseline conditions. By combining these two critical and distinct elements of an EIS without justification, the DEIS significantly truncates and obscures both the characterization of existing baseline conditions and the discussion of potential environmental effects from the action being considered.</p>	The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007. It meets the requirements of NEPA.
<p>I. Issues with incorporation by reference. The structural deficiencies of the DEIS are compounded by the unaccountable failure to provide the essential information it cites, including electronic documents posted on the DEIS website, in a readily accessible format.</p>	Comment noted. Nearly all documents on the BLM's ePlanning website for this project are compliant with Section 508 of the Americans with Disabilities Act.

Comment Text	BLM Response
<p>Section 3 of DEIS Volume 1 states, “Where the affected environment descriptions in the Burning Man 2012–2016 SRP EA [Environmental Assessment] (BLM 2012a) are still relevant, this EIS references that information. As appropriate, this chapter provides updated information relevant to the Assessment Area to clarify, expand on, or modify the affected environment described in the Burning Man 2012–2016 SRP EA (BLM 2012a).” Although the DOI NEPA streamlining policies mandate the posting of “detailed information and data online to allow stakeholders easy access to the material,” the documents provided on the DEIS website do not include the 2012–2016 SRP EA. The references section in DEIS Volume 2 likewise fails to include a link to the 2012–2016 SRP EA, although several other references include links to applicable publically accessible materials. The document is not even accurately referenced in the DEIS - which refers to it as “Recreation Permit NVW03500-12-01 Environmental Assessment,” a title that generates numerous documents in various stages of preparation when used as an input for online electronic searches. Consequently, it is not possible to identify with certainty exactly which document the DEIS has incorporated by reference in its crucial discussion of environmental issues.</p>	<p>In accordance with NEPA and CEQ regulations (40 CFR 1508.28), it is appropriate for an EIS to tier to or incorporate information by reference from an EA to support general aspects of the EIS, such as a description of the affected environment, so long as the description is updated to reflect any change in condition. It is not appropriate to tier to or incorporate by reference the analysis from an EA if the specifics of the analysis and methodologies have changes, such as is the case for this DEIS.</p>
<p>While the NEPA regulations contemplate incorporation by reference to cut down on bulk the incorporation must not impede agency and public review of the action.<sup>19</sup> The material must be adequately described and made available for inspection by the public.<sup>20</sup> To do otherwise, as is the case here, not only departs from regulatory obligations but violates the agency’s “duty to provide the public with comprehensive information regarding environmental consequences of a proposed action and to do so in a readily understandable manner.” <i>Oregon Environmental Council v. Kunzman</i>, 614 F.Supp. 657 (D. Ore. 1985).</p> <p><sup>19</sup> 40 CFR § 1502.21  <sup>20</sup> Id.</p>	<p>In accordance with NEPA and CEQ regulations (40 CFR 1508.28), it is appropriate for an EIS to tier to or incorporate information by reference from an EA to support general aspects of the EIS, such as a description of the affected environment, so long as the description is updated to reflect any change in condition. It is not appropriate to tier to or incorporate by reference the analysis from an EA if the specifics of the analysis and methodologies have changes, such as is the case for this DEIS.</p>
<p>We believe that the DEIS intends to incorporate the document entitled “Environmental Assessment DOI-BLM-NV-W030-2012-0007-EA Burning Man 2012-2016 Special Recreation Permit NVW03500-12-01” (hereinafter, the “2012-2016 EA” or “EA”).<sup>21</sup> Assuming this is accurate, it is important to note that, unlike the DEIS, the EA conforms with the mandated NEPA format and provides a substantially more thorough and accurate description of the environmental baseline. The EA describes in much more detail the following facts: (1) Congressional action created the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area (NCA) in 2000; (2) the Black Rock Desert playa where Burning Man is located is within the NCA; and (3) the NCA enabling legislation includes Congressional findings that large-scale recreational activities in the area, such as Burning Man, would continue to occur. The EA also more clearly explains that (4) Congress directed BLM to adopt a management plan for the NCA consistent with these and other legislative findings. In contrast with the DEIS, the EA more fully documents that, in compliance with the NCA-enabling legislation, (5) BLM adopted the current resource management plan (RMP) for the NCA in 2004; (6) the recreational use section of the RMP explicitly authorizes continued, large scale, “Class IV” recreational activities within the Black Rock Desert playa and, among other sections, Appendix M of the adopted RMP lists the Burning Man event by name as a Class IV event. Finally, the EA documents that (7) the event participation increased from about 30,000 at the time the RMP was adopted to about 50,000 by 2011, and (8) it considers potential environmental effects in compliance with NEPA regulations that could occur from growth to an event of up to 70,000 participant paid participants, which remains its current size.</p> <p><sup>21</sup> See <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/28954/37412/39212/Burning_Man_DOI-BLM-NV-W030-2012-0007-Final_EA.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/28954/37412/39212/Burning_Man_DOI-BLM-NV-W030-2012-0007-Final_EA.pdf</a>, accessed April 2019.</p>	<p>In accordance with NEPA and CEQ regulations (40 CFR 1508.28), it is appropriate for an EIS to tier to or incorporate information by reference from an EA to support general aspects of the EIS, such as a description of the affected environment, so long as the description is updated to reflect any change in condition. It is not appropriate to tier to or incorporate by reference the analysis from an EA if the specifics of the analysis and methodologies have changes, such as is the case for this DEIS.</p> <p>All documents have been made publicly available.</p> <p>While the NCA Act and RMP contemplate large recreation events, those events must be consistent with the act and the RMP.</p>
<p>Moreover, the DEIS also fails to properly incorporate or even acknowledge prior NEPA analyses for the RMP final EIS, which supports the currently applicable RMP adopted by BLM to comply with the NCA Congressional enabling legislations and the prior Burning Man EA. Despite specific NEPA regulations and streamlining policies mandating that relevant information be readily available, the DEIS unaccountably does not appropriately include the EA, the adopted RMP, or the RMP final EIS on the DEIS website.</p>	<p>In accordance with NEPA and CEQ regulations (40 CFR 1508.28), it is appropriate for an EIS to tier to or incorporate information by reference from an EA to support general aspects of the EIS, such as a description of the affected environment, so long as the description is updated to reflect any change in condition. It is not appropriate to tier to or incorporate by reference the analysis from an EA if the specifics of the analysis and methodologies have changes, such as is the case for this DEIS.</p> <p>All documents have been made publicly available.</p> <p>While the NCA Act and RMP contemplate large recreation events, those events must be consistent with the act and the RMP.</p>
<p>The 2012-2016 EA has been the basis for the SRPs for the last seven Burning Man events - including the last two years when a Determination of NEPA Adequacy was issued - and the failure of the DEIS to properly reference and incorporate the EA is a clear violation of NEPA guidelines. The EA and record of the prior occurrences of the Burning Man event should be the starting point for the DEIS, which would incorporate these essential documents.</p>	<p>In accordance with NEPA and CEQ regulations (40 CFR 1508.28), it is appropriate for an EIS to tier to or incorporate information by reference from an EA to support general aspects of the EIS, such as a description of the affected environment, so long as the description is updated to reflect any change in condition. It is not appropriate to tier to or incorporate by reference the analysis from an EA if the specifics of the analysis and methodologies have changes, such as is the case for this DEIS.</p> <p>Based on BRC’s request for an SRP of 100,000 population, the EIS analyzed a total population of 100,000, which was not contemplated in previous NEPA analyses.</p>

Comment Text	BLM Response
<p>2. Issues with scoping of purpose and need and agency action.</p> <p>The EA's use of the proper, regulatorily mandated NEPA format also facilitates a much more accurate and complete description of the Burning Man event, which is the essential component of the purpose and need for agency "action" that is subject to environmental analysis under NEPA. An EIS must provide a full and complete understanding of the action to adequately conduct the NEPA analysis. CEQ regulation 40 CFR Section 1502.14 and DOI Order 3355 both state that the analysis of "reasonable alternatives" to a proposed action is the "heart" of NEPA. The BLM NEPA Handbook (p. 50) acknowledges that the determination of whether an alternative is "reasonable" can "only be made in reference to the purpose and need for the action."</p>	<p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007. It meets the requirements of NEPA.</p>
<p>In contrast with the DEIS, the EA more accurately establishes the project baseline by noting that the "Burning Man event is a combination art festival, social event, and experiment in community living" (EA, p. 1-1). In contrast with the DEIS, the EA specifically references the event's "ten core guiding concepts": "radical inclusion, gifting, decommodification, radical self-reliance, radical self-expression, civic responsibility, communal effort, leaving no trace, participation, and immediacy." The EA accurately states that the implementation of these concepts "individually and in concert, attract participants to the event," and that, "other than these guiding principles" the event has "no rules save those that serve to protect the health, safety, and experience of the community at large. It is up to the participant how they contribute and what they give to the community" (EA, p. 41). The EA carries forward BLM's long-standing recognition of the unique nature of the Burning Man event, which was specifically defined in the final EIS for the current Resource Management Plan (RMP) as "A large special recreation event that BLM typically receives an application to hold the annual event on the playa. It is a week-long combination art festival, social event, and experiment in community living."<sup>22</sup></p> <p><sup>22</sup> See Proposed Resource Management Plan and Final Environmental Impact Statement, Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, 2003, Volume 2, p. Glossary-2), <a href="https://eplanning.blm.gov/epl-front-office/projects/lup/101115/139041/171093/Black_Rock_High_Rock_PRMP_FEIS_vol2_append_ices.pdf">https://eplanning.blm.gov/epl-front-office/projects/lup/101115/139041/171093/Black_Rock_High_Rock_PRMP_FEIS_vol2_append_ices.pdf</a>.</p>	<p>In accordance with NEPA and CEQ regulations (40 CFR 1508.28), the EIS incorporates information by reference from the 2012 Environmental Assessment to support general aspects of the EIS. However, because of SO 3355, this document is limited to 150 pages and did not devote space to discussion of general information about the Event already contained in the EA and supporting documents.</p> <p>The BLM did acknowledge the language in the NCA Act and NCA RMP. Please see Section 2.8 of the DEIS.</p>
<p>B. The DEIS fails to comply with NEPA regulations and streamlining policies by not focusing on truly significant matters, amassing unnecessary "encyclopedic" documents, and disregarding analyses from prior NEPA documents.</p>	<p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007.</p>
<p>As discussed above, the NEPA streamlining policies and measures adopted by the DOI require that an EIS focus only on issues that "truly matter" and avoid accumulating needless information and studies that address relatively minor concerns.<sup>23</sup> The CEQ and DOI NEPA regulations and policies also mandate that existing NEPA information be utilized as much as feasible and applicable in an EIS.</p> <p><sup>23</sup> DOI Order 3355.</p>	<p>Comment noted.</p>
<p>The DEIS does not comply with several requirements. Most glaringly, it wholly fails to consider whether the 2012-2016 EA sufficiently analyzes many of the potential impacts, particularly for events of up to 70,000 participants, which the EA explicitly evaluated. Unlike the proposed installation of a brand new facility, such as a dam or a utility-scale solar and wind generation operation, the Burning Man event has a continuous, nearly 30-year history as a temporary, leave-no-trace recreational event. Since BLM adopted the current RMP, the event's size has increased from about 30,000 to 70,000 participants. BLM staff have been present at all of the Burning Man events and regularly monitor the Black Rock Desert NCA and surrounding regions. BRC produces reports documenting various stages of each event, including post-event cleanups that characterize playa and regional conditions and provide direct, empirical information about environmental conditions that is readily available. Instead of effectively utilizing existing NEPA analyses or incorporating direct, empirical information about the event, the DEIS improperly relies on voluminous technical studies based on modeled estimates and generalized information — none of which add significant new information about the effects of the action and reasonable alternatives.</p>	<p>Based on BRC's request for an SRP of 100,000 population, the EIS analyzed a total population of 100,000, which was not contemplated in previous NEPA analyses. Additionally, the EA was published in 2012 and new baseline information has been curated to provide a broader understanding of potential impacts.</p>
<p>Certain of the technical studies referenced by the DEIS also do not appear to be based on a balanced and objective analysis of current and potential effects that complies with NEPA and the RMP. As discussed above, the NCA was created by legislation that specifically anticipated the continuation of large-scale events, such as Burning Man. Consistent with Congressional intent, the approved RMP for the NCA provides for large-scale, Class IV recreational events and identifies Burning Man as a Class IV event. Both the enabling legislation for the NCA and the RMP make clear that the NCA management objectives include continued large-scale recreational events located on the Black Rock Desert. The RMP even expressly allows for the simultaneous conduct of a Class IV and a slightly smaller Class III event, which could include recreational uses comparable with or greater than the size of existing or potential Burning Man events. Thus, the appropriate analytical baseline for the DEIS is the nearly 30-year history of the Burning Man event, its growth to more than 70,000 participants, and the express legislative and RMP findings and policies establishing that large-scale recreational events will continue to occur on the playa.</p>	<p>The BLM did acknowledge the language in the NCA Act and NCA RMP. Please see Section 2.8 of the DEIS.</p>

Comment Text	BLM Response
<p>The courts have explained that the environmental baseline is an integral part of an EIS, since it is against this information that environmental impacts are measured and evaluated. Therefore, it is critical that the baseline be accurate and complete.<sup>24</sup> Here, the baseline is an area that has been annually impacted by the Burning Man event and other activities for 30 years. The fact of these events, as noted above, was recognized by Congress. The playa conditions are not reflective of a pristine site that may have existed prior to the occurrences of the Burning Man event on-site. This baseline was not correctly utilized in the development of certain DEIS technical studies.</p> <p><sup>24</sup> See <i>American Rivers v. Fed. Energy Regulatory Comm'n</i>, 201 F.3d 1186, 1195 &amp; n. 15 (9th Cir. 2000). Under NEPA, the environmental baseline is not an independent legal requirement but rather a "practical requirement in environmental analysis often employed to identify environmental consequences of a proposed regulatory action."</p>	<p>The Burning Man Event footprint is the largest anthropogenic disturbance of the playa's surface. The Event breaks the playa crust and exposes particulate matter to the wind. This is consistently noted throughout the analysis.</p> <p>The BLM did acknowledge the language in the NCA Act and NCA RMP. Please see Section 2.8 of the DEIS.</p>
<p>I. Study of Playa Dunes.</p> <p>For example, as noted in the EA, the surface of the Black Rock Desert is a flat, non-vegetated ephemeral lakebed. Surface relief changes, such as mounding, have been observed on the playa since at least the 1970s, nearly two decades before the first Burning Man event at this location (DEIS p. 3-50). Given that the mounds and other playa relief features have been observed to appear and disappear over time, the EA sensibly observed that "[w]ind and water changes the shape and size of dunes, sheets of silt and sand, and mounds" (EA, p. 3-1).</p>	<p>Comment noted. Additional baseline scientific analyses were conducted of the playa surface that were not available in 2012. These studies were prepared at no cost to the proponent.</p>
<p>The DEIS completely ignores the analysis in the EA. Instead, BLM apparently solicited a new study conducted by college interns working at the NASA Jet Propulsion Laboratory using satellite and synthetic aperture radar imagery dating to 1997. A brief technical memorandum, apparently drafted by BLM, is posted on the DEIS website, accompanied by dozens of playa images, many with unexplained and perplexing annotations - e.g., "Ask Mark about flooding on the playa*" or "This 'floodplain' used to be brighter! Now this 'floodplain' is brighter.". Unaccountably, the DEIS does not utilize or even reference the memorandum in its discussion of playa mounds, instead citing to a one-page "poster" apparently summarizing the interns' project. The poster describes the project's objectives as follows:</p>	<p>This document has been revised for the FEIS.</p>
<p>Since the early 2000s, wind-deposited sediment mounds have been growing and encroaching onto the Black Rock Playa of the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area. These sedimentary structures along the edge of the playa alter the natural landscape, limit recreational activities such as land sailing and high-speed racing, and potentially indicate increased dust emission. Possible sources of increased sediment input for the mounds are drought, natural processes, or anthropogenic activity. Some members of the community believe that Burning Man, a festival hosted annually on the playa, may be the primary culprit. With Burning Man's recent request to increase its population capacity, the Bureau of Land Management (BLM) must evaluate the event's environmental impact through submission of an Environmental Impact Statement. To better understand contributing factors to mound growth and migration, the DEVELOP team assessed landscape changes from 1997 to 2017. Surface deformation maps were generated from Synthetic Aperture Radar (SAR) Earth observations from Sentinel-1, in conjunction with optical Earth observations from Landsat 5 Thematic Mapper (TM), Landsat 8 Operational Land Manager (OLI), and the National Agriculture Imagery Program. Historic weather data from Black Rock Playa and nearby weather stations were used to place surface geomorphology observations in the context of typical drought years, flooding events, and wind patterns. Results will help constrain the mechanism behind mound growth and migration and will assist BLM's Winnemucca District, Black Rock Field Office in determining if recreational activities should continue to be permitted on the playa.<sup>25</sup></p> <p><sup>25</sup> See <a href="https://develop.larc.nasa.gov/2018/spring/posters/2018Spring_JPL_BlackRockPlayaUrban_Poster.pdf">https://develop.larc.nasa.gov/2018/spring/posters/2018Spring_JPL_BlackRockPlayaUrban_Poster.pdf</a>.</p>	<p>Comment noted.</p>
<p>There are several issues of concern with this project summary. First, the purpose of the DEIS is not to analyze whether recreational use of the playa, as authorized in the approved RMP, should "should continue to be permitted." If BLM desires to revise its congressionally mandated management objectives for the NCA region and eliminate recreational use of the playa, it must do so through appropriate legislative and planning procedures, and it must clearly articulate this objective to the public and elected officials. Second, the work scope reflected in the mounding study used in the DEIS is overbroad and inconsistent with NEPA rules and regulations. The appropriate focus of the EIS is the incremental effects of the issuance of a 10-year permit on the current conditions.</p>	<p>Comment noted. Additional quantitative baseline scientific analyses were conducted of the playa surface that were not available for the 2003 and 2012 Event. These studies were prepared at no cost to the proponent.</p> <p>Terminology use in the NASA document does not have a bearing on the final decision.</p>
<p>In addition, the research appears to have been informed by presumptions that mounding has increased on the playa, and that the proposed event in particular, as opposed to the natural forces discussed in the EA, may be the "primary culprit." The research results demonstrate, however, that these presumptions were completely unfounded. According to the published poster cited in the DEIS, the students determined that there has been "[n]o observable mound boundary encroachment" since 2006, or for almost the entire period that the Burning Man event has operated under the RMP issued in 2004. Over this period, the event increased in size from about 30,000 to 70,000 participants. Although the poster includes imagery that identifies the event location, and the researchers were apparently directed to focus on whether the event was the cause of playa mounding, the study concluded that "[d]irect correlation between mound growth and a possible cause could not be found." Consistent with the EA, the researchers pointed to natural factors, such as the level of "annual inundation" on the playa, as a potential factor affecting mounding conditions.</p>	<p>The quantitative baseline scientific analyses conducted of the playa indicate that the Burning Man Event has not contributed to mound formation.</p>

Comment Text	BLM Response
None of the interns' findings, and none of the information in the technical memorandum omitted from the DEIS, adds anything new or relevant to the EA's discussion of playa relief features. Their research was based on an overbroad, improper work scope for the NEPA analysis and needlessly generated information that merely confirmed the common sense and reasonable observation made in prior NEPA documents, including the EA. Again, we urge BLM to rely on the 30 years of actual observations by BRC rather than speculating in a manner that is contrary to the obvious facts.	The quantitative baseline scientific analyses conducted of the playa indicate that the Burning Man Event has not contributed to mound formation.
<p>2. Artificial Light Assessment.</p> <p>Several other technical studies were prepared for the DEIS in lieu of utilizing prior NEPA analysis and were informed by overbroad and legally impermissible assumptions. For example, the EA evaluated potential project impacts to dark sky conditions and determined that during the Burning Man event, there was a "measurable decline in night sky darkness and the visibility of the dimmest stars." The analysis further noted, however, that because the event was limited in duration and located on only a small portion of the NCA, "[v]isitors to the NCA seeking dark skies free of light pollution during the Burning Man event could experience them in more northerly portions of the NCA." There would be no impact during the overwhelming majority of the year when the Burning Man event was not taking place. Consequently, the 2012-2016 EA determined that the project would not cumulatively "contribute increased light to dark skies" (EA, pp. 4-67, 4-68 and 5-34).</p>	ALAN uses quantitative data rather than the qualitative data approach used in the 2012 EA. The ALAN baseline report indicates that the analysis used for the 2012 EA is not adequate for understanding night sky conditions and potential impacts on them.
<p>Rather than utilize this reasonable and common sense analysis, the DEIS solicited a new technical study of dark sky conditions and event-related light. The study utilized satellite data that required extensive modeled adjustment for moonlight effects, and included terrestrial skyglow measurements that the researchers concede were difficult to achieve and that could only be made during brief periods of time when moonlight and other effects were not present. The DEIS does not explain why this complex approach was necessary to characterize a potential effect that occurs for just a few weeks each year when the event is conducted and is entirely absent at all other times. In fact, the new study reached virtually the same conclusion as the EA, stating that "[m]ost of the year there is essentially no ALAN [Artificial Light at Night] and significant ALAN radiance is limited to a period in August with some spillover into September."<sup>26</sup></p> <p>26 See <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/167561/203999/Artificial%20Light%20at%20Night%20Assessment.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/167561/203999/Artificial Light at Night Assessment.pdf</a>, p. 17.</p>	ALAN uses quantitative data rather than the qualitative data approach used in the 2012 EA.
The DEIS must be revised and recirculated to properly account for the EA's conclusions; assess whether they continue to reasonably and accurately characterize potential dark sky effects for existing and potential future events; and specifically identify any new information about this effect that may warrant further NEPA discussion.	Recirculating the DEIS is not warranted. ALAN uses quantitative data rather than the qualitative data approach used in the 2012 EA. The ALAN baseline report indicates that the analysis used for the 2012 EA is not adequate for understanding night sky conditions and potential impacts on them.
<p>3. Migratory Bird Studies.</p> <p>The DEIS includes multiple flawed studies relating to potential impacts to migratory birds, including from noise, light, trash ingestion and cumulative impacts, all of which were analyzed in the EA and all of which analysis is ignored in the DEIS. Specifically, the EA noted that "[t]he playa occasionally floods between March and June. When flooded the playa supports phytoplankton, bacteria, other microbes, and crustaceans that are a rich food resource for migrating birds. The Burning Man event would take place at the end of August, during the dry portion of the year and when the playa is not wet. The Proposed Action would therefore not impact the use of the playa as a food source by migrating birds." The EA reasonably determined that effects on migratory birds "begin during event setup and would cease immediately upon completion of event clean-up" (EA, p. 4-12). The EA further determined that almost all events that require a special recreation permit, including Burning Man, do not occur when the playa is muddy or flooded - i.e., when migratory birds use the playa lake for feeding. The EA concluded the Burning Man event's "contribution to potential displacement or disruption of migratory birds would occur during the permit period and would cease immediately upon completion of event clean-up" (EA, pp. 5-19 to 5.20).</p>	The DEIS and biological report indicate that the potential for impacts from traffic, ALAN, and other elements of the Burning Man Event would be limited because of the "general rarity at which most species are found within the playa during dry periods" (DEIS p. 3-17).
<p>The DEIS did not incorporate the EA findings, or what should be 30 years of data on potential impacts on birds. Instead, BLM solicited new noise and biological studies. The noise study was subject to numerous technical and equipment problems, and in many cases could not differentiate between event-related and wind noise.<sup>27</sup> The biological study does not appear to have developed or considered any empirical information based on the nearly 30-year period of event operation, such as whether post-event cleanup reports indicated any detection of any injured or deceased avian or terrestrial species or regional migratory bird counts that could help determine if the event has had any measurable effect on avian activity.<sup>28</sup> The report instead provides precisely the information that NEPA streamlining policies specifically discourage: an "encyclopedic" recitation of generalized information that does not meaningfully add to prior NEPA analyses, including those in the 2012-2016 EA.</p> <p>27 See <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/167562/204000/Noise_Impact_Assessment.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/167562/204000/Noise_Impact_Assessment.pdf</a>.</p> <p>28 See <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168659/205277/Biological_Resources_Baseline_Report.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168659/205277/Biological Resources Baseline Report.pdf</a>.</p>	<p>The purpose of the biological resource baseline report is to provide a baseline of possible impacts on wildlife as documented in peer-reviewed literature. The types of impacts included in the report are those that could occur as a result of the Burning Man Event (traffic, light, noise, etc.). The report's purpose is not to analyze the direct, indirect, or cumulative impacts on wildlife from the specifics of the Event, but rather provide an understanding of the types of impacts that could occur. Consistent with NEPA, specific impacts associated with the alternatives are analyzed in the DEIS.</p> <p>The noise study was also done to assess any noise impacts in Wilderness and Wilderness Study Areas.</p>

Comment Text	BLM Response
<p>For example, the biological report and the DEIS cite a 2017 laboratory experiment that subjected house wrens apparently raised in urban and rural areas to “pink” or general noise as well as “urban traffic” noise. The research objective was to determine if the birds had different corticosterone reactions to the two forms of noise. The research did not include a non-noise control, and the researchers noted that this omission limited their conclusions.<sup>29</sup> The study contends that rural birds appear to be affected more by urban noise than urban birds, but that “pink” noise has little or no effect on either set of wrens. Neither the biological report nor the DEIS explains how this research enhances the analysis of avian impacts in the EA in any manner. There is no discussion of whether the event noise is similar to either the “urban” or “pink” noise to which the laboratory wrens were subjected. There is no effort to evaluate whether, in the context of the enormous NCA natural landscape, rather than a laboratory, a bird that happens to fly near the event in late August would compensate for a potential “corticosterone reactions” by simply flying away from noise sources. The DEIS provides no evidence that avian corticosterone reactions from event-related noise over the nearly 30 year history of the event has caused any measurable impact on any specific bird, let alone on avian populations generally.</p> <p><sup>29</sup> See S. Davies et al., Stressful city sounds: Glucocorticoid responses to experimental traffic noise are environmentally dependent, <i>Biology Letters</i>, 2017, <a href="https://royalsocietypublishing.org/doi/full/10.1098/rsbl.2017.0276?url_ver=Z39.88-2003&amp;rfr_id=ori%3Arid%3Acrossref.org&amp;rfr_dat=cr_pub%3Dpubmed&amp;">https://royalsocietypublishing.org/doi/full/10.1098/rsbl.2017.0276?url_ver=Z39.88-2003&amp;rfr_id=ori%3Arid%3Acrossref.org&amp;rfr_dat=cr_pub%3Dpubmed&amp;</a>.</p>	<p>The purpose of the biological resource baseline report is to provide a baseline of possible impacts on wildlife as documented in peer-reviewed literature. The types of impacts included in the report are those that could occur as a result of the Burning Man Event (traffic, light, noise, etc.). The report’s purpose is not to analyze the direct, indirect, or cumulative impacts on wildlife from the specifics of the Event, but rather provide an understanding of the types of impacts that could occur. Consistent with NEPA, specific impacts associated with the alternatives are analyzed in the DEIS.</p>
<p>The DEIS must be revised and recirculated to incorporate an assessment of whether the EA conclusions continue to reasonably and accurately characterize potential migratory bird effects for existing and potential future events, and to specifically identify any new information about this effect that may warrant further NEPA discussion.</p>	<p>In accordance with NEPA and CEQ regulations (40 CFR 1508.28), it is appropriate for an EIS to tier to or incorporate information by reference from an EA to support general aspects of the EIS, such as a description of the affected environment, so long as the description is updated to reflect any change in condition. It is not appropriate to tier to or incorporate by reference the analysis from an EA if the specifics of the analysis and methodologies have changes, such as is the case for this DEIS.</p> <p>Recirculating the DEIS is not warranted.</p>
<p>4. Public Health and Safety Report.</p> <p>The Public Health and Safety Report (PHSR) is rife with poorly researched, unquantified, and irrelevant issues. What it lacks is any data regarding appreciable environmental impacts. BRC has multiple concerns with this document from a process standpoint, including its inconsistency with NEPA and complete absence of scientific data or expert analysis. It instead relies on a breathless, word-of-mouth narration of situations that have purportedly happened “numerous” (unspecified) times, and events that purportedly “almost” became problematic. The report is no more than a first-person narrative authored by a local BLM law enforcement officer with clear biases against the event and a thorough misunderstanding of the scope of BLM’s law enforcement authority and the EIS process. Reliance upon flawed, unproven and incomplete studies render agency decisions arbitrary and capricious.</p>	<p>The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
<p>In a great number of instances, the information in the PHSR is false, misleading, or simply nonsensical. For instance, the section on blood borne pathogens lacks any nexus to the event whatsoever. These pathogens pose a risk to law enforcement everywhere and it is appropriate to have officers wear puncture-resistant gloves, but the PHSR presents no data showing that the Burning Man event creates any particular risks in this regard. Another example of the PHSR’s lack of foundation is section 1.2.1, which refers to an airplane “crash” that was in fact termed by the FAA to have been an “incident.” The PHSR also includes a lengthy discussion of the risk of civil disorder, but references not a single case in which civil disorder actually occurred at any Burning Man event in its nearly 30-year history. Virtually every page of the PHSR is replete with factual errors, unsubstantiated speculation and the biases of its author, and as a result the report fails utterly to comply with the requirements of NEPA. BRC notes that it detailed its concerns about an earlier draft of the PHSR to BLM, but the agency declined to resolve the issues in the report published with the DEIS.</p>	<p>The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
<p>The most glaring deficiency of the PHSR is its failure to include any analysis supporting its conclusions. For example, throughout the PHSR is the allegation that Burning Man causes a drought of emergency personnel and law enforcement in Nevada and nationally, as so many are required to police the event. This claim has several flaws: a lack of data showing actual harm, a lack of data showing how BLM decides the necessary staffing levels for the event and a lack of analysis of whether those staffing levels are warranted by the event’s public health and safety needs. The report states only that “[t]he BLM determined 75 officers were required for the 20162018 Burning Man Events.” It reveals nothing regarding how that determination was made, by whom, and using what data. This information is vital to an understanding of the public health risks and impacts posed by Burning Man, and BLM’s failure to provide it renders the PHSR useless to the EIS process.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>

Comment Text	BLM Response
<p>Another serious concern with the PHSR is its failure to distinguish between the actions of individual Burning Man attendees and the actions of BRC. For instance, in section 1.2.3, regarding disease vectors, the author does not identify a single instance of infection, but mentions only that the non-potable water used for dust abatement may be harmful if ingested, that the organization warns participants of the risk, and that “[p]articipants do not always heed the warnings and occasionally run into dust abatement water.” The exercise of free will by individuals who attend Burning Man is not an environmental impact, even if they make a decision that BLM might consider unwise (but is by no means criminal). There is no recorded event where a participant was sickened by the water used for dust abatement. There is therefore no impact. This section of the PHSR is just one example of the “what if” nature of a study that purports to be based on fact, but actually is nothing more than rank speculation.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
<p>The PHSR fails to detail any actual impacts relevant to NEPA and therefore cannot be considered in connection with the DEIS. The DEIS must be revised accordingly and recirculated.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
<p>In summary, all of these specific examples confirm that the DEIS arbitrarily and capriciously fails to conform with the standard NEPA format and level of analysis required by CEQ and BLM regulations and applicable policies. Consequently, the DEIS unjustifiably combines and severely truncates the mandatory discussion of the affected environment and potential environmental consequences. In particular, the DEIS insufficiently characterizes the environmental baseline, including existing RMP recreational policies and the nature and operational history of the Burning Man event, and fails to provide the necessary information for evaluating the purpose of the project and identifying reasonable alternatives, all of which are required by NEPA regulations and policies. The DEIS discussion of potential environmental effects is so compressed that in some cases, no substantive analysis is provided in the body of the NEPA document at all; the required information is solely confined to ancillary documents. In violation of NEPA and related streamlining policies, the DEIS does not adequately consider existing NEPA analyses that are relevant to the project. Instead, BLM solicited numerous new reports and studies, many of which have documented technical flaws and fail to generate any significant new information about potential impacts. Some of the reports appear to have been informed by legally impermissible presumptions, rendering them inappropriate for inclusion in an EIS. The DEIS must be revised and recirculated to address these deficiencies and comply with NEPA requirements.</p>	<p>Recirculating the DEIS is not warranted.</p> <p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007. It meets the requirements of NEPA.</p>
<p>II. The DEIS fails to comply with NEPA’s mandates to consider (a) whether alternatives and mitigation measures are technically and economically practical or feasible; (b) whether they would avoid, minimize or compensate for an environmental effect; and (c) the potential environmental impacts of the proposed mitigations themselves.</p>	<p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007. It meets the requirements of NEPA. All of the proposed mitigation measures will be implemented using the concept of adaptive management. Adaptive management involves exploring alternative ways to meet management objectives, predicting the outcomes of alternatives based on the current state of knowledge, implementing one or more of these alternatives, monitoring to learn about the impacts of management actions, and then using the results to update knowledge and adjust management actions. This means that the proposed mitigation measures will be implemented as needed and may also be modified over time as necessary.</p>
<p>NEPA Section 102 requires agencies to analyze any adverse effects which cannot be avoided.<sup>30</sup> CEQ regulation 40 CFR section 1502.14(f) requires “appropriate mitigation measures not already included in the proposed action or alternatives” in the consideration of reasonable alternatives. Agencies commonly adopt mitigation measures to address “significant” environmental impacts, which is the fundamental purpose of the EIS. Not every issue identified in an EIS must be mitigated and not every impact stemming from the Burning Man event must be considered and mitigated. The SRP does not federalize every action that happens before, after and during the event.</p> <p>30 42 U.S.C. § 4332(C)(ii).</p>	<p>Correct, not every impact is being mitigated. The mitigations are only proposed, and the details of their implementation will be worked out as part of the Record of Decision.</p>
<p>DOT regulation 43 CFR 46.420(b) states that “[i]n addition to the requirements of 40 CFR 1502.14,” the term “reasonable alternatives” includes “alternatives that are technically and economically practical or feasible and meet the purpose and need of the proposed action.” DOT regulation 43 CFR 46.130 provides that the analysis of mitigation measures is a component of the alternatives assessment. CEQ regulation 40 CFR section 1508.20 establishes that the purpose of a NEPA mitigation measure is to avoid, minimize, rectify, reduce and compensate for an environmental effect.<sup>31</sup> It is axiomatic that a mitigation measure must not itself generate significant environmental effects. Indeed, the BLM NEPA Handbook (page 62) instructs as follows: “During impact analysis, analyze the impacts of the proposed action (including design features) and with all mitigation measures (if any) applied, as well as any further impacts caused by the mitigation measures themselves. Address the anticipated effectiveness of these mitigation measures in reducing or avoiding adverse impacts in your analysis.” Consequently, to comply with NEPA, mitigation measures must be economically practical or feasible, meet the purpose and need of the proposed action, and must actually avoid, minimize or compensate for an environmental effect.</p> <p>31 40 CFR § 1508.20</p>	<p>Comment noted. The BLM is not bound by Department of Transportation’s CFRs.</p>

Comment Text	BLM Response
<p>The DEIS fails to comply with applicable NEPA mitigation requirements by focusing on impacts that are purely speculative and/or outside the scope of agency review; by failing to establish a sufficient nexus between the mitigation and an identified impact; and by failing to analyze the potential impacts of the implementation of the stated mitigation. A number of the proposed mitigation and monitoring measures also have serious Constitutional defects, which will cause issues if challenged. The following sections discuss the deficiencies with reference to specific mitigation and monitoring measures listed in DETS Volume 2, Appendix E.</p>	<p>Comment noted.</p>
<p>A. DEIS mitigation measures AQ-1 and AQ-3 Mitigation measure AQ-1 states that “BRC must develop solutions to reduce dust events that are twice the NAAQS for PM2.5 and PM10.” The acronym “PM” refers to particulate matter, which within the Black Rock Desert playa largely consists of dust from the playa surface. The DETS asserts that the implementation of AQ-1 would reduce impacts to special status species, wildlife, recreation and air quality (DETS, Table ES-1). The DETS concedes, however, that even if AQ-1 and other measures were implemented by BRC, PM2.5 and PM10 emissions would still be likely to exceed the referenced NAAQS criteria because “a primary factor of high particulate concentrations are high winds” (DETS p. 3-43).</p>	<p>While the playa is a naturally dusty environment, the Event and its associated roads are the largest anthropogenic disturbance on the playa. Foot and vehicular traffic breaks the crust of the playa and exposes the loosely consolidated sediments to the air and wind. The NCA RMP (p. 2-45) dictates that: "The NCA and wilderness areas will be managed as a Prevention of Significant Deterioration Class II area as designated by the Clean Air Act. All BLM actions and use authorizations will be designed or stipulated to protect air quality."</p>
<p>BRC has implemented dust control measures, including onsite speed limit controls and surface watering, and will continue to implement these measures in the future. Prior NEPA reviews of the event, including the EA, acknowledge that dust occurs on the playa site and affects air quality. AQ-1 is included in the DETS — for the first time in the history of the event (and the even longer history of public use of this land, and BLM staff's operations on it) — apparently in response to modeled estimates of particulate matter air concentrations and a single set of monitoring results from a recent event (some of which could not be used due to equipment malfunction), and during which nearby wild fires (unrelated to the Burning Man event) impacted air quality on site.<sup>32</sup> The Burning Man event has taken place in the Black Rock Desert for nearly 30 years, with many hundreds of thousands of participants over those decades. The DEIS provides no evidence whatsoever that the short-term exposure to playa dust — even when significant winds are present during an event or any other activity permitted under the RMP — has had a significant adverse effect on anyone, including event attendees, BLM staff or other users of the public lands.</p> <p><sup>32</sup> See <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168746/205370/Air_Resources_Baseline_Technical_Report.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168746/205370/Air_Resources_Baseline_Technical_Report.pdf</a> and <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168746/205370/Air_Resources_Baseline_Technical_Report.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168746/205370/Air_Resources_Baseline_Technical_Report.pdf</a>.</p>	<p>While the playa is a naturally dusty environment, Black Rock City and its associated roads are the largest anthropogenic disturbance on the playa. Foot and vehicular traffic breaks the crust of the playa and exposes the loosely consolidated sediments to the air and wind. The NCA RMP (p. 2-45) dictates that: "The NCA and wilderness areas will be managed as a Prevention of Significant Deterioration Class II area as designated by the Clean Air Act. All BLM actions and use authorizations will be designed or stipulated to protect air quality." Given the high level of particulate matter, concern exists for worker and participant health and safety; thus, the BLM will implement a monitoring measure to monitor air quality moving forward in the future.</p>
<p>Not only is the rationale for AQ-1 entirely lacking, the DEIS provides no information evaluating whether AQ-1 is technically and economically practical or feasible. Although the DEIS accurately characterizes wind as a “primary factor” affecting air quality, it does not explain how BRC could practically or feasibly control the force or intensity of winds on the playa. AQ-1 does not, in fact, identify any specific action that BRC might take, nor does it provide any basis for assessing the measure’s economic or technical practicability and effectiveness, as required by NEPA. The DEIS also lacks any basis for characterizing the extent to which AQ-1 would avoid, reduce or compensate for dust impacts and thereby satisfy the requirements of CEQ regulation 40 CFR section 1508.20. And since AQ-1 cites no specific action that BRC must implement, there is certainly no basis in the DEIS for assessing the potential impacts of implementing the measure, as required by NEPA. For example, playa dust and particulate matter referenced in the DEIS might be controlled by applying calcium chloride or magnesium chloride to the playa surface, but the use of enhanced dust control compounds would likely affect other biological resources discussed in the DEIS, such as water quality and branchiopod eggs. The DEIS wholly fails to assess this potential effect. Mitigation measure AQ-3 proposes that “BRC should consider rerouting Gate Road to an area north of Black Rock City” because “[g]iven general wind directions, this has the potential to reduce the amount of PM2.5 and PM10 reaching the city.” The DEIS contains no analysis of the effectiveness or impacts of this mitigation measure, however.</p>	<p>AQ-1 in the DEIS has been removed in the FEIS. Further monitoring of air quality moving forward in the future will assess the effectiveness of mitigation applied.</p>
<p>As the DEIS analysis of mitigation measure AQ-1 is legally deficient, the measure and related analysis of air quality impacts and mitigation effects must be revised, and the DEIS recirculated for public review and comment, in order to comply with NEPA.</p>	<p>Comment noted.</p>
<p>B. DEIS mitigation measure NAT-2 (also included as measure WHS-1 and VIS-1). Mitigation measure NAT-2 states, “To reduce litter and trash in the PLPT [Pyramid Lake Paiute Tribe] Reservation and along SR 447, the proponent must place a sufficient number of dumpsters in the city and along Gate Road before its intersection with Highway 34. This is intended to reduce adverse impacts on the PLPT Reservation and SR 447. These dumpsters must be placed by 12:01 a.m. on the Friday before Labor Day and must be kept in place until Exodus is completed. To prevent overflow, BRC will be required to maintain the dumpsters during the time they are in place.” The purported purpose of this measure is to address incidental deposits of trash by a small number of event participants, generally when leaving the site, in violation of the event’s guiding principles and express requirements that all waste and trash be controlled and removed by each participant from the NCA for proper off-site disposal. The DEIS asserts, without any supporting evidence, that the dumpsters will reduce impacts to the PLPT, migratory birds and visual resources potentially associated with trash from the event (DEIS, Table ES-1).</p>	<p>Through government-to-government consultation with PLPT and letters from cooperating agencies, there is an issue with trash along SR 447. The unauthorized dumping of trash in Reno has been documented by the Reno Gazette Journal and other newspapers.</p>

Comment Text	BLM Response
<p>From the inception of the event, BRC has stressed that, consistent with the Burning Man Principles of Radical Self-reliance and Leaving No Trace, each participant has an obligation to contain and remove all trash and waste from the site and the surrounding region. BRC has also implemented post-event onsite and regional cleanup programs, including along CR 34 and SR 447, and has coordinated with the PLPT and NDOT to address event-related trash deposits. These measures will continue to be implemented. BRC has met or exceeded all SRP trash stipulations, and event trash management and post-event cleanups have been successfully refined and improved in consultation with BLM and the surrounding community. Each year the Nevada Department of Transportation (NDOT) videotapes the entire drive from Wadsworth to Gerlach on SR 447 both before the event and after cleanup. NDOT has concluded that the roads were cleaner after Burning Man's crew are finished with cleanup than they were before the event starts. This confirms that after BRC staff finish complying with the stipulations relating to road cleanup, no impact remains to be mitigated. Furthermore, it illustrates that much of the trash on the road is not from Burning Man participants, but from local traffic and other users during the 11 months between BRC's cleanup activities and the next year's event.</p>	<p>Comment noted. However, through government-to-government consultation with PLPT and letters from cooperating agencies, there still appears to be an issue with trash along SR 447. The unauthorized dumping of trash in Reno has been documented by the Reno Gazette Journal and other newspapers.</p>
<p>NAT-2 is included in the DEIS, for the first time in the event's 30-year history, despite the lack of any evidence suggesting that the continued refinement of BRC's trash cleanup and monitoring programs would not address incidental trash concerns. The DEIS is also devoid of any information evaluating whether NAT-2 is economically practical or feasible, including dumpster transport, event-period management, removal, insurance, dumping, transportation fuel and other expenses. The DEIS likewise fails to provide any basis for evaluating whether dumpsters would effectively avoid, minimize or compensate for any impact, including incidental trash affecting PLPT lands.</p>	<p>Through government-to-government consultation with PLPT and letters from cooperating agencies, there is an issue with trash along SR 447. The unauthorized dumping of trash in Reno has been documented by the Reno Gazette Journal and other newspapers. Thus, the BLM proposes applying mitigation NAT-2/WHS-1.</p>
<p>The DEIS provides no evidence whatsoever that dumpsters, as opposed to continued event cleanup procedural refinements, would effectively mitigate for incidental trash that affects the PLPT. Participants who were inclined in the past to ignore the event's heavily emphasized requirement that all trash and waste be removed from the region are likely to be even more inclined to discharge waste traveling from the site, including near the PLPT, with the provision of dumpsters during the event.</p>	<p>The BLM would welcome alternative mitigations from the proponent. Through government-to-government consultation with PLPT and letters from cooperating agencies, there is an issue with trash along SR 447. The unauthorized dumping of trash in Reno has been documented by the Reno Gazette Journal and other newspapers. Thus, the BLM proposes applying mitigation NAT-2/WHS-1.</p>
<p>The DEIS also fails to assess any of the potential impacts of NAT-2 itself as required by NEPA. The implementation of this measure would likely result in multiple significant impacts that are ignored the DEIS. For example:</p> <ul style="list-style-type: none"> <li>· The transportation, installation, maintenance and removal of large numbers of dumpsters would require the constant use of heavy vehicles traveling to and from the site.</li> <li>· The vehicles would generate new sources of criteria air emissions, particulate emissions from diesel fuels, greenhouse gas emissions, and visual, noise and traffic impacts throughout the region, including in local communities along the route such as Gerlach, Nixon, and Wadsworth.</li> <li>· The dumpsters would adversely affect visual resources and are likely to attract avian and other species to locations where they could be harmed or killed.</li> <li>· The presence of dumpsters at the event would reduce participant incentives to control and remove their trash from the region in accordance with the event's guiding principles of Leaving No Trace and Radical Self-reliance. Instead, the dumpsters would provide incentives for participants to transport and dump waste on-site, rather than be responsible for containing and removing such materials from the region. Participants could be much less conscious of the need to manage their own trash and waste, which could generate additional incidental discharges from improperly managed trash onsite, notwithstanding (and indeed, as a result of) the provision of dumpsters.</li> <li>· Discharges would likely occur from the conveyance of waste and trash by event participants across the playa for disposal, during the physical disposal of these materials into dumpsters, and from dumpster transportation and removal. Compared with historical events, a substantially greater amount of trash and waste is likely to be retained within the region and become exposed to wind and other risks of accidental discharge.</li> </ul>	<p>The impacts of implementing NAT-2 are analyzed in the FEIS.</p>
<p>The DEIS analysis of mitigation measure NAT-2, VIS-1 and WHS-1 is legally deficient in every respect. These measures and the related analyses of dumpster impacts and mitigation effects must be revised and the DEIS must be recirculated for public review and comment to comply with NEPA.</p>	<p>Comment noted. The impacts of implementing NAT-2 are analyzed in the FEIS.</p>
<p>C. DEIS mitigation measure PHS-4. Mitigation measure PHS-4 states that "BRC will facilitate all structures over 10 feet to be inspected by qualified and Nevada-certified building inspectors prior to occupancy." According to the DEIS, "Inspection by Nevada-licensed building inspectors of habitable structures over 10 feet tall provides additional protection in preventing structure collapses during the Event (Mitigation Measure PHS-4; Appendix E). Implementation of licensed inspections reduces the threats of structure collapse to the health and safety of participants and first responders (BLM 2018b)" (DEIS, p. 3-31). As discussed above, the citation to "BLM 2018b" apparently refers to the Public Health and Safety Report (PHSR).<sup>33</sup></p> <p><sup>33</sup> See <a href="https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168663/205281/Public_Health_and_Safety_at_the_Burning_Man_Event.pdf">https://eplanning.blm.gov/epl-front-office/projects/nepa/93518/168663/205281/Public_Health_and_Safety_at_the_Burning_Man_Event.pdf</a>.</p>	<p>The BLM is open to discussion on this mitigation measure if BRC is stating the current practices are sufficient to provide for public safety in structures. Further education efforts by the proponent to address these structures may preclude the need for this mitigation.</p> <p>This mitigation was intended only for structures over 10 feet that are designed for lodging space unless expressly manufactured for this purpose (motorhomes, RVs, and tents). This is not intended to be applied to art (PHS-4 has been updated to clarify intent).</p>

Comment Text	BLM Response
<p>PHS-4 is included in the DEIS, for the first time in the history of the event, despite the lack of evidence supporting the conclusory assertions in the DEIS that inspection is required to reduce structural impact risks. The event includes a number of temporary structures that are built specifically for the event and completely dismantled and removed each year. The PHSR states that “[h]istorically, there is a low occurrence of structure collapse within the city” and cites to a single instance in 2016 when a structure collapse caused three minor injuries and one trauma injury, which were fully addressed using existing event medical and safety protocols. The PHSR concludes that the event-related structural failure “remains a low-risk impact on public health and safety with minor to traumatic injuries depending on the severity of the incident.”</p>	<p>The BLM is open to discussion on this mitigation measure if BRC is stating the current practices are sufficient to provide for public safety in structures. Further education efforts by the proponent to address these structures may preclude the need for this mitigation.</p> <p>This mitigation was intended only for structures over 10 feet that are designed for lodging space unless expressly manufactured for this purpose (motorhomes, RVs, and tents). This is not intended to be applied to art (PHS-4 has been updated to clarify intent).</p>
<p>None of these conclusions supports the determination in the DEIS that building inspections would reduce existing “low risk” effects to participants (PHSR, p. 17). There is no discussion of risk to first responders in the PHSR, notwithstanding the DEIS’s citation to this document in support of this purported concern. The DEIS and the PHSR likewise provide no information of any kind evaluating whether PHS-4 is economically practical or feasible, including inspection costs, insurance, management and coordination expenses, and inspector transportation and accommodation costs. The DEIS discussion of the risks and effects of mitigation measure PHS-4 is wholly unsupported and conclusory in nature.</p>	<p>The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS. This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
<p>The DEIS analysis of mitigation measure PHS-4 is deficient under NEPA in every respect. The need for the inspections must be reconsidered, and the DEIS must be revised and recirculated with a sufficient analysis of building-related impacts and mitigation effects to comply with NEPA.</p>	<p>Comment noted. The impacts of implementing PHS-4 are analyzed in the FEIS.</p>
<p>D. DEIS mitigation measure PHS-3. Mitigation measure PHS-3 states that “BRC will be required to implement physical perimeter barriers (e.g., Jersey barriers and K-rail fence) to reduce the risk of unauthorized entry to the Event. This will be done concurrent with city and perimeter fence construction.” According to the DEIS, “Hardened physical perimeter barriers, such as jersey barriers or K-rail fencing, would reduce the risk of vehicle entry through perimeter fencing (BLM 2018b)” (DEIS p. 3-31). There is no document entitled “BLM Public Health and Safety Baseline Report” in the references section of the DEIS or posted on the DEIS website. As discussed above, the citation to “BLM 2018b” apparently refers to the PHSR, which appears to provide the only substantive discussion of potential terrorism issues produced by BLM and states, in relevant part:</p> <p>Burning Man organizers resist physical barriers to prevent vehicular attacks against its population, citing vehicle operation restrictions during the event without regard for malicious intent. The event does not use barriers to mitigate high-speed avenues of approach, deny vehicle entry, and provide perimeter protection. The perimeter fence at the event is an orange plastic trash fence; the event lacks effective physical barricades for protection of unauthorized entry. In 2018, a vehicle drove through the plastic trash fence and through the walk-in camping section of the city, entering the event without authorization and at great public safety risk. The vehicle was never located by BRC or law enforcement after it gained entry to the event. Barriers would reduce vehicle speeds and prevent vehicle penetration to help mitigate concerns. Options for barriers include, but are not limited to, fixed and retractable bollards, heavy objects walls and ha-ha barriers, water obstacles, and Jersey barriers (PHSR p. 18).</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. Monitoring allows for adaptive management and efficiencies in deployment to be developed over the next 10 years to provide for safety.</p> <p>This mitigation is in place based on DHS best practices and recommendations. The example provided of an individual defeating all practices in place during the 2018 Event only illustrates how fortunate all involved were that no one was hurt. Implementing DHS best practices could have precluded this Event from occurring. Resistance to this measure could increase liabilities for Event organizers in the future.</p> <p>The mitigation measure identified possible examples and did not specify a continuous K-rail or jersey barrier fence around the entire Event. The Public Health and Safety at the Burning Man Event report lists many other options, and the mitigation was purposely left open for input and ideas from the proponent, cooperators, and public. Adaptive management will allow for alternative solutions to reduce vehicle penetration of the Event perimeter.</p>
<p>The failure to provide even a cursory summary of an issue considered to be significant in a DEIS fundamentally conflicts with NEPA’s public disclosure and analysis requirements. Applicable NEPA regulations and streamlining policies require that relevant facts and analysis be clearly stated in an EIS. In addition to being outside the scope of NEPA, burying the required discussion in a document that is not part of the DEIS, and improperly referenced as a source, undermines effective review of the analysis.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. Monitoring allows for adaptive management and efficiencies in deployment to be developed over the next 10 years to provide for safety.</p> <p>This mitigation is in place based on DHS best practices and recommendations. The example provided of an individual defeating all practices in place during the 2018 Event only illustrates how fortunate all involved were that no one was hurt. Implementing DHS best practices could have precluded this Event from occurring. Resistance to this measure could increase liabilities for Event organizers in the future.</p> <p>The mitigation measure identified possible examples and did not specify a continuous K-rail or jersey barrier fence around the entire Event. The Public Health and Safety at the Burning Man Event report lists many other options, and the mitigation was purposely left open for input and ideas from the proponent, cooperators, and public. Adaptive management will allow for alternative solutions to reduce vehicle penetration of the Event perimeter.</p> <p>The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007. It meets the requirements of NEPA.</p>

Comment Text	BLM Response
<p>PHS-3 is yet another mitigation that has no nexus to an identified significant environmental impact and therefore has no place in an EIS. It is included in the DEIS, for the first time in the history of the event, apparently on the basis of a single vehicle intrusion incident (causing no injury) in nearly three decades. The PHSR includes reckless speculation about the possibility of a terrorist attack, based in part on an unidentified novel describing a fictional attack on Burning Man, and in part on the mass shooting at a country music festival in Las Vegas, Nevada, on October 1, 2017. 34 The PHSR fails to explain the relevance of the Las Vegas attack to this discussion, given that it did not involve a vehicle intrusion or the entry of the perpetrator into the event venue, and perimeter barriers would have had no effect on preventing that tragedy. The PHSR does note that “[t]he changing global culture around acts of terrorism makes this risk difficult to adequately assess” (PHSR p. 18), underscoring the negligence and impropriety of including any such discussion in a public document, let alone a draft environmental impact statement under NEPA. The bias and unsupported assertions throughout the PHSR render this report inappropriate for inclusion in this EIS, even to the extent that consideration of these issues is appropriate under NEPA’s exclusively environmental framework.</p> <p>34 According to the PHSR, “A novel depicting the Burning Man Event as a terrorist target was published in 2017 and depicts weaknesses in the event security and actions to overcome existing security mitigations” (PHSR p. 18). Neither the novel nor the novelist’s capacity to meaningfully evaluate event security risks are identified or discussed in any manner. The novel appears to be Use of Force, one of a series of “spy genre” books by Brad Thor. According to The New York Times, Thor has no formal military training and is primarily a media personality. Although he apparently has participated in “gaming out ideas for unconventional attacks from the terrorist’s perspective” in some capacity with the Department of Homeland Security, The Times article discloses that he did not travel to Nevada to write his book and has never attended a Burning Man event. None of this information is disclosed in the PHSR or mentioned in any manner in the DEIS. That the author of the PHSR chose to reference this novel in a NEPA document underscores the inappropriateness of the PHSR in its entirety for consideration in connection with this EIS.</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. Monitoring allows for adaptive management and efficiencies in deployment to be developed over the next 10 years to provide for safety.</p> <p>This mitigation is in place based on DHS best practices and recommendations. The example provided of an individual defeating all practices in place during the 2018 Event only illustrates how fortunate all involved were that no one was hurt. Implementing DHS best practices could have precluded this Event from occurring. Resistance to this measure could increase liabilities for Event organizers in the future.</p> <p>The mitigation measure identified possible examples and did not specify a continuous K-rail or jersey barrier fence around the entire Event. The Public Health and Safety at the Burning Man Event report lists many other options, and the mitigation was purposely left open for input and ideas from the proponent, cooperators, and public. Adaptive management will allow for alternative solutions to reduce vehicle penetration of the Event perimeter.</p>
<p>BRC shares BLM’s concern for event safety, contrary to the insinuations in the PHSR about “Burning Man organizers.” BRC is concerned that the DEIS fails to analyze the extent to which vehicle intrusion presents a significant risk compared with other potential scenarios that could affect public safety at the event. BRC has implemented, and will continue to implement and refine, measures to prevent unauthorized site access. A detailed gate crasher contingency plan, for example, is included in Appendix 2 of the 2012-2016 EA. BRC provides round-the-clock perimeter monitoring with staff, vehicles, and sophisticated technology including radar and night vision. BLM Rangers also extensively patrol the perimeter of the city. The DEIS does not provide any assessment of whether the continued implementation and refinement of existing perimeter control and unauthorized entry measures would insufficiently address potential vehicular risks. The single incident the PHSR describes, where a person apparently snuck into the event and no injuries occurred, wholly fails to support the proposed mitigation.</p>	<p>Comment noted.</p>
<p>To comply with NEPA, an impact must be rooted in the environment, and not distantly attenuated. To the extent terrorism is relevant, the DEIS discussion must include all of the relevant facts and analysis currently available only in ancillary documents. If BLM believes that terrorism is an environmental effect subject to NEPA analysis, the DEIS must describe the relevant affected environmental baseline applicable to this issue. Then, as required by NEPA, the DEIS must specifically evaluate the potential impacts to baseline conditions that could occur from the proposed project and reasonable project alternatives. The DEIS does none of this. The DEIS must be revised and recirculated to address these legal deficiencies, or more appropriately, issues of terrorism should be omitted from the revised DEIS and addressed, if at all, as a tailored permit term.</p>	<p>NEPA requires the BLM to consider and discuss the human environment in EISs (40 CFR 1508.8 and 40 CFR 1508.14). Impacts on the human environment have been summarized in the FEIS.</p>
<p>Moreover, the DEIS provides no information of any kind evaluating whether PHS-3 is economically practical or feasible, including barrier transport, installation, removal, insurance, transportation fuel and other expenses. The implementation of this measure would also likely result in multiple significant impacts that the DEIS entirely ignores. For example:</p> <ul style="list-style-type: none"> <li>· The transport, placement and removal of thousands of heavy barriers on the playa will require the significant use of heavy vehicles and equipment traveling to, from and operating within the site.</li> <li>· The vehicles would generate new sources of criteria air emissions, particulate emissions from diesel fuels, greenhouse gas emissions, and visual, noise and traffic impacts throughout the region, including in local communities along the route such as Gerlach, Nixon, and Wadsworth.</li> <li>· The vehicles would increase the mobilization of dust from playa surfaces and adversely affect air quality, particularly the levels of particulates that are discussed elsewhere in the DEIS.</li> <li>· The placement of heavy barriers throughout the perimeter of the event would impact playa surfaces, including by compression when emplaced and by loosening playa surfaces when removed. Similar impacts would occur from heavy equipment operating along the event perimeter to install and remove the barriers.</li> <li>· According to the DEIS, the compression and decompression of playa surfaces adversely affects the prevalence of brachiopod eggs and species food sources in playa soils and could be associated with mounding activity. Hardened barriers surrounding the event site would accumulate wind-blown sediments that would likely affect the surface of the playa.</li> </ul>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. Monitoring allows for adaptive management and efficiencies in deployment to be developed over the next 10 years to provide for safety.</p> <p>This mitigation is in place based on DHS best practices and recommendations. The example provided of an individual defeating all practices in place during the 2018 Event only illustrates how fortunate all involved were that no one was hurt. Implementing DHS best practices could have precluded this Event from occurring. Resistance to this measure could increase liabilities for Event organizers in the future.</p> <p>The mitigation measure identified possible examples and did not specify a continuous K-rail or jersey barrier fence around the entire Event. The Public Health and Safety at the Burning Man Event report lists many other options, and the mitigation was purposely left open for input and ideas from the proponent, cooperators, and public. Adaptive management will allow for alternative solutions to reduce vehicle penetration of the Event perimeter.</p>

Comment Text	BLM Response
<p>The DEIS analysis of mitigation measure PHS-3 is deficient under NEPA in every respect. The need for and effectiveness of a perimeter barrier must be reassessed by analyzing potential risks in more detail and considering other far more reasonable alternatives, including the further refinement of existing unauthorized access detection and interdiction programs. The DEIS must also sufficiently analyze the impacts that could be associated with the implementation of the proposed mitigation measure. Consequently, the DEIS must be revised and recirculated with the necessary analysis to comply with NEPA.</p>	<p>Comment noted.</p>
<p>E. DEIS mitigation measure PHS-1. Mitigation measure PHS-1 states, “At all portals of entry into the Event, beginning 14 days before Labor Day, BRC will be required to contract a BLM-approved, independent, third-party, private security to screen vehicles and participants, vendors and contractors, and staff and volunteers entering the Event. Third-party, private security will report Closure Order violations, to include weapons and illegal drugs, directly to law enforcement as violations are observed so that law enforcement can respond. Third-party, private security will provide an Event summary report to the BLM within 30 days of the end of the Event.” According to the DEIS, “Contracted BLM-approved, third-party, private security at all portals of entry to screen participants, staff, and volunteers entering the Event (Mitigation Measure PHS-1; Appendix E) would reduce entry of firearms and other contraband into the Event (BLM 2018b). For example, events like the Electric Daisy Carnival hire security personnel for entry screening to reduce subsequent impacts on law enforcement staffing the Event from banned contraband entering the Event (BLM 2018b)” (DEIS p. 3-31). As discussed above, the citation to “BLM 2018b” apparently refers to the PHSR.</p>	<p>Comprehensive security plans begin with screening for banned items at the points of entry and a hardened perimeter. A systematic screening process is necessary to provide health and safety at the event site which is required by FLPMA, 40 CFR 1508.8 and 40 CFR 1508.14, and BLM SRP Handbook 2930-1. DHS recommends designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands.</p> <p>NEPA requires the BLM to consider and discuss the human environment in Environmental Impact Statements (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The constitutionality of such security screening is well supported in instances where the Department of Interior contracts security at points of entry to large outdoor mass gatherings. Screening protocols will be developed to reduce impacts as much as possible so as to not unnecessarily delay operations. In addition, screening may be performed prior to the gate operation so as to not impact participants expected environment upon arrival at gate.</p>
<p>The PHSR accurately notes the following: “BRC has an illegal substance policy that clearly states the use and possession of illicit drugs and drug paraphernalia are violations of law” (PHSR, p. 13); “[p]ossession of weapons, including firearms, is prohibited during the event”; and “[p]revious BRC entrance policies have informed participants their cars would be searched for prohibited items, some of which include explosives, fireworks, firearms, loose feathers, and tubs of confetti” (PHSR, pp. 13 and 19). The PHSR then alleges that BRC entry staff should be searching for prohibited substances but have not effectively done so, and that law enforcement responses to violent event participants overextend available resources and endanger law enforcement personnel. The PHSR contends that “[i]t is imperative to note the root of violent behavior against others at the event, to include law enforcement, is illegal drug use” and goes on to conclude that “[a]ttempting to stem violent participant behavior without addressing illegal drug use will not have a significant impact on participant or law enforcement safety” (PHSR, pp. 13 to 14). These conclusory assertions are not supported by any data in the PHSR or any other documentation published in connection with the DEIS, however. As discussed above, the PHSR is a flawed document that wholly fails to comply with NEPA and is inappropriate for consideration in connection with this EIS.</p>	<p>Comprehensive security plans begin with screening for banned items at the points of entry and a hardened perimeter. A systematic screening process is necessary to provide health and safety at the Event site, which is required by FLPMA, 40 CFR 1508.8 and 40 CFR 1508.14, and BLM SRP Handbook 2930-1. DHS recommends designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands.</p> <p>NEPA requires the BLM to consider and discuss the human environment in EISs (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The constitutionality of such security screening is well supported in instances where the Department of the Interior contracts security at points of entry to large, outdoor, mass gatherings. Screening protocols will be developed to reduce impacts as much as possible so as to not unnecessarily delay operations. In addition, screening may be performed prior to the gate operation so as to not affect participants’ expected environment upon arrival at the gate.</p>
<p>Mitigation measure PHS-1 is not only contrary to NEPA, but its implementation would violate both the Fourth Amendment rights of Burning Man attendees and the Unconstitutional Conditions Doctrine. As the Supreme Court has held: [T]he government may not deny a benefit to a person because he exercises a constitutional right. ... [T]he unconstitutional conditions doctrine, that vindicates the Constitution’s enumerated rights by preventing the government from coercing people into giving them up. ... [The Supreme Court has] recognized that regardless of whether the government ultimately succeeds in pressuring someone into forfeiting a constitutional right, the unconstitutional conditions doctrine forbids burdening the Constitution’s enumerated rights by coercively withholding benefits from those who exercise them.... [L]and-use permit applicants are especially vulnerable to the type of coercion that the unconstitutional conditions doctrine prohibits because the government often has broad discretion to deny a permit.<sup>35</sup></p> <p>35 <i>Koontz v. St. Johns River Water Management Dist.</i>, 570 U.S. 595-606 (2013).</p>	<p>NEPA requires the BLM to consider and discuss the human environment in EISs (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The constitutionality of such security screening is well supported in instances where the Department of the Interior contracts security at points of entry to large, outdoor, mass gatherings. Screening protocols will be developed to reduce impacts as much as possible so as to not unnecessarily delay operations. In addition, screening may be performed prior to the gate operation so as to not affect participants’ expected environment upon arrival at the gate.</p>
<p>Thus, even though BLM could be “entirely within its rights in denying the permit for some other reason, that greater authority does not imply a lesser power to condition permit approval on [the] forfeiture of [BRC’s and event attendees’] constitutional rights.” <i>Id.</i> Therefore, BLM cannot justify conditioning its issuance of the Burning Man permit on a requirement to violate attendees’ Fourth Amendment rights.</p>	<p>NEPA requires the BLM to consider and discuss the human environment in EISs (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The constitutionality of such security screening is well supported in instances where the Department of the Interior contracts security at points of entry to large, outdoor, mass gatherings. Screening protocols will be developed to reduce impacts as much as possible so as to not unnecessarily delay operations. In addition, screening may be performed prior to the gate operation so as to not affect participants’ expected environment upon arrival at the gate.</p>

Comment Text	BLM Response
<p>Suspicionless searches of public event attendees have been held unconstitutional in a long line of cases.<sup>36</sup> It does not excuse the Fourth Amendment violation that BLM would be requiring BRC to employ private security who would in turn be required to report to law enforcement the results of their unlawful searches.<sup>37</sup> BLM has no lawful basis for mandating a warrantless search of every Burning Man attendee as a condition of entry, PHS-I must be withdrawn from the DEIS on that basis alone.</p> <p><sup>36</sup> See, e.g., <i>Nakamoto v. Fasi</i>, 64 Haw. 17, 22–23 (1981) (warrantless search without probable cause violated the constitutional rights of a concert attendee; “[O]nce having extended, through the rock concert promoter, an invitation to the public to use its arena upon paying the price of admission, [the city government] could not further condition the exercise of this privilege upon compliance with an unconstitutional requirement.”) (citing <i>United States v. Chicago, Milwaukee, St. Paul &amp; Pac. R.R.</i>, 282 U.S. 311, 328-29 (1931)); see also <i>Jacobsen v. City of Seattle</i>, 98 Wash. 2d 668, 674 (1983) (pat-down searches of concert patrons are “not analogous to airport or courthouse searches or any other exception to the warrant requirement of the state and federal constitutions”); <i>State v. Iaccarino</i>, 767 So. 2d 470, 478 (Fla. Dist. Ct. App. 2000) (the interests supporting searches for drugs do not rise to the level of “vital interests,” and to hold otherwise would effectively justify any search of any person at any time and to any degree); <i>Ringe v. Romero</i>, 624 F. Supp. 417, 422–423 (W.D. La. 1985) (“[N]o court has ever approved a dragnet search of all citizens in a high crime area based upon the justification that the danger of criminal conduct would be reduced.... so a degree of public necessity alone cannot justify an otherwise unreasonable search.”).</p> <p><sup>37</sup> The Fourth Amendment applies to the actions of a private party if it is “regarded as an instrument or agent of the state.” <i>Coolidge v. New Hampshire</i>, 403 U.S. 443, 487 (1971); see also <i>United States v. Walther</i>, 652 F.2d 788, 791 (9th Cir. 1981); <i>United States v. Andrini</i>, 685 F.2d 1094, 1097 (9th Cir. 1982).</p>	<p>NEPA requires the BLM to consider and discuss the human environment in EISs (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The constitutionality of such security screening is well supported in instances where the Department of the Interior contracts security at points of entry to large, outdoor, mass gatherings. Screening protocols will be developed to reduce impacts as much as possible so as to not unnecessarily delay operations. In addition, screening may be performed prior to the gate operation so as to not affect participants’ expected environment upon arrival at the gate.</p>
<p>In addition to its incurable constitutional deficiencies, PHS-I also lacks any nexus to an identified environmental impact. While BRC shares BLM’s concern for event safety, there is no evidence in the PHSR or elsewhere that either firearms or illegal drug use present a health and safety issue of any significance at the Burning Man event. The DEIS also provides no assessment of the extent to which third-party entry inspections would effectively reduce firearm or illegal substance effects, as compared with other reasonable alternatives including the refinement of BRC’s existing entry protocols.</p>	<p>The constitutionality of such security screening is well supported in instances where the Department of the Interior contracts security at points of entry to large, outdoor, mass gatherings. Screening protocols will be developed to reduce impacts as much as possible so as to not unnecessarily delay operations. In addition, screening may be performed prior to the gate operation so as to not affect participants’ expected environment upon arrival at the gate.</p> <p>The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p>
<p>The PHSR cites to just two instances of a firearm detection at the event, one in 2015 and another in 2017 (PHSR, pp. 19), but does not contain any analysis of whether third-party entry inspections would measurably decrease the risk of unauthorized firearms entering the site. Similarly, there is no evidence that third-party inspections would deter the use of illegal substances. Although the DEIS asserts that third-party entry inspectors at the Electric Daisy Carnival, a multi-day music festival at the Las Vegas Speedway, “reduce subsequent impacts on law enforcement staffing...from banned contraband” (DEIS p. 3-31), the PHSR summary of that event does not discuss either third-party entry inspections or illegal substance searches. The sole relevant statement in the PHSR concerning third-party security at the Electric Daisy Carnival is with reference to BRC considering the hiring of private security staff for the 2017 and 2018 events (PHSR, Section 1.3.2). As BLM has been repeatedly informed, however, BRC is considering a small private security force to help within the city limits on specific calls, and not for general inspections or duties at the entrance Gate.</p>	<p>The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
<p>In addition to its failure to evaluate the effectiveness of PHS-I at mitigating any identified impacts, the DEIS provides no information of any kind evaluating whether PHS-I is economically practical or feasible, including security personnel hiring, insurance, transportation, liability exposure, housing costs, and management expenses. The DEIS also fails to analyze, as required by NEPA, any of the many significant impacts that would likely be associated with implementation of PHS-I. For example:</p>	<p>The Public Health and Safety at the Burning Man Event report uses firsthand observations from qualified law enforcement of past Events and relevant data sources to describe public health and safety conditions associated with the Burning Man Event. It provides the level of information necessary for NEPA analysis and consistency with CEQ regulations.</p> <p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>

Comment Text	BLM Response
<ul style="list-style-type: none"> <li>· Increased entry screening would substantially reduce the rate at which vehicles and participants are admitted to the site. A larger number of vehicles would be required to queue along roadways accessing the site for longer periods of time. Additional queuing would adversely affect visual resources, noise and traffic conditions throughout the region.</li> <li>· Vehicular delays would also likely generate additional criteria air and greenhouse gas emissions from idling and vehicular air conditioning, sound system and other equipment use during longer waiting periods.</li> <li>· As discussed in the PHSR, entry delays might also increase the risk of participant disorderly conduct, which in turn could place additional demands on BRC and public law enforcement and security personnel (PHSR, p. 3).</li> <li>· The incidence of incidental trash or waste disposal along regional roadways during prolonged wait times for event entry would also likely increase, as would the likelihood of personal belongings being blown away or inadvertently left behind when they are removed from vehicles during the search process, resulting in increased trash deposits on the NCA.</li> <li>· We understand that BLM has received a comment from Lindsay Dimitri (M.S Biology) - a field ecologist affiliated with the University of Nevada, Reno, who specializes in small mammal ecology and invasive species population genetics, with field sites throughout northern Nevada and eastern California, including the Pyramid Lake delta - noting that potential negative environmental impacts of this mitigation include disruption to kangaroo rats, increased likelihood of invasive species introduction, and increased likelihood of wildfires.</li> <li>· The Burning Man event currently generates approximately \$75 million per year in the Nevada, largely due to the unique, experimental community participants experience with the implementation of the event's ten principles. Significantly more intrusive and unconstitutional entry searches by personnel unaffiliated with Burning Man is likely to reduce the appeal of the event for significant numbers of current and future participants. A significant reduction in demand for event participation would substantially reduce the economic benefits that are generated within Nevada, and the failure to permit the event would eliminate these benefits entirely. The DEIS does not include any discussion of the extent to which PHS-1, or any of its other new and unprecedented mitigation measures, could adversely affect the demand for the event and reduce the economic benefits that are generated within Nevada.</li> </ul>	<p>Comprehensive security plans begin with screening for banned items at the points of entry and a hardened perimeter. A systematic screening process is necessary to provide health and safety at the Event site, which is required by FLPMA, 40 CFR 1508.8 and 40 CFR 1508.14, and BLM SRP Handbook 2930-1. DHS recommends designing and implementing surveillance, monitoring, and inspection plans for soft targets and crowded places to avert active shooter, chemical, improvised explosive device, and vehicle ramming attacks. Further, BLM policy instructs law enforcement to aggressively combat illegal substance use on public lands.</p> <p>NEPA requires the BLM to consider and discuss the human environment in EISs (40 CFR 1508.8 and 40 CFR 1508.14).</p> <p>The constitutionality of such security screening is well supported in instances where the Department of the Interior contracts security at points of entry to large, outdoor, mass gatherings. Screening protocols will be developed to reduce impacts as much as possible so as to not unnecessarily delay operations. In addition, screening may be performed prior to the gate operation so as to not affect participants' expected environment upon arrival at the gate.</p> <p>This statement makes assumptions not currently evidenced.</p>
<p>The DEIS analysis of mitigation measure PHS-1 is deficient under NEPA in every respect. The DEIS must therefore be revised and recirculated with the necessary analysis to comply with NEPA and resolve the constitutional issues identified herein.</p>	<p>Comment noted.</p>
<p>F. DEIS mitigation measure ECON-1. Mitigation measure ECON-1 states, "BRC will negotiate with Washoe County to provide cost recovery for maintenance of CR 34 associated with Event traffic." This measure must be withdrawn because it goes well beyond the scope and authority of an EIS and is unsupported by any NEPA-compliant analysis.</p>	<p>The BLM has held proponents accountable for damages to public roads, most notably in the Ruby Pipeline EIS, the 1996 Twin Creeks EIS, and in recent sundry notices for the geothermal industry in the Black Rock Field Office.</p>
<p>The DEIS fails to note that County Road 34 is a county-maintained road that was designed and built in the early 1970s; expected to last about 30 to 40 years (without consideration for Burning Man, of course, as the first such event in the Black Rock Desert was not until 1990); and has reached its expected lifespan with year-round traffic from residents, land owners, businesses, law enforcement, tourists, tribes, ranchers, and nature lovers. Fuel taxes are imposed on drivers to pay for road maintenance, but the road will need replacing, not just repairing. BRC understand that Burning Man traffic adds considerably to the use of CR 34 during summer months and has been working with closely with Washoe County for several years to measure and study the road, and to understand the options and costs for replacing sections of the road between Gerlach and Jackson Lane. The DEIS ignores the work Washoe County and BRC have done and continue to do together and instead imposes a command and control solution that Washoe County did not suggest and does not support. Had BLM engaged Washoe County appropriately, it would have confirmed the County's collaborative work with BRC to find a lasting solution for CR 34 instead of more temporary fixes, and the fact that the parties believe they may have found such a solution. BRC understands that a number of other mitigations have been designed without the input of the central stakeholders and objects to BLM's failure to engage cooperators appropriately in this EIS process.</p>	<p>BRC has not made their negotiations with Washoe County available to the BLM. Washoe County has reached out to the BLM for a solution to the problem.</p>
<p>BRC has also worked diligently and successfully with the Nevada Department of Transportation, Nevada Highway Patrol, Washoe County, and Pyramid Lake Paiute Tribe to reduce traffic on the roads leading to Black Rock City, through initiatives like the Burner Express Bus, incentivizing carpooling through our vehicle pass program, and expanding capacity of the BRC Airport. Mandated cost recovery above and beyond those efforts exceeds the scope of NEPA and the authority of BLM to regulate via an EIS. Measure ECON-1 must therefore be withdrawn.</p>	<p>Comment noted.</p>
<p>G. DEIS mitigation measure PHS-2. Mitigation measure PHS-2 states, "The BLM will contract a sexual assault response team beginning 7 days prior to Labor Day through Tuesday following Labor Day to better facilitate investigations and prosecutions of sexual assaults on public lands. BRC will compensate the government for this expense through cost recovery."</p>	<p>Comment noted.</p>

Comment Text	BLM Response
As with so many of the other proposed mitigations in the DEIS, PHS-2 has no relationship to the physical environment and therefore no place in an EIS. And even if the infrequent occurrence of a particular person-on-person crime at the event were appropriate subject matter for an EIS, this mitigation would be wholly unwarranted. The DEIS lacks sufficient data to support the proposed mitigation and appears to entirely disregard the resources already provided by BRC and the systems already in place for handling reported sexual assaults at the Burning Man event. Furthermore, BRC has evidence spanning several years confirming negative outcomes for participants whenever BLM and the Pershing County Sheriff's Office have ignored existing BRC sexual assault resources. The DEIS should take these resources into account.	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
While BLM's main focus may be on "investigating and prosecuting" a case of sexual assault (and BRC appreciates their role), the Department of Justice, RAINN and many other governmental and nongovernmental agencies concur that the primary objective in cases like these should actually be to support the survivor. It is no accident that both Nevada law (Assembly Bill No. 97, 2017, NRS 49.2541-49.2549) and federal laws and guidelines (including the Violence Against Women Act) seek to protect the right of survivors to choose what resources to access, how, and when. These laws and guidelines have resulted from a healthy and rigorous conversation about the best interests of survivors and the best public policy for addressing issues of sexual violence. Yet this mitigation, as well as Stipulation 20 in BRC's 2018 SRP, ignore the rights of survivors by requiring law enforcement engagement immediately, rather than at the request of the survivor.	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
The current process for handling sexual assault reporting at the event provides for certified community-based advocates, air transport to Reno for an examination in an authorized state-licensed SART center, immediately accessible advanced-level care in an area hospital should it be needed, and support after the exam, including lodging, meals, additional advocacy, and transport back to the event if desired. This system has proven highly effective and is used by local governments including Pershing County and is endorsed and supported by Reno-area sexual assault support services organizations. Only when BLM and PCSO law enforcement have failed to engage BRC's on-site advocacy team has the system become ineffective. As the DEIS disregards these BRC-supplied resources in its analysis of this issue, its recommendations lack a legal and operational foundation.	Comment noted.
Given the lack of any evidence that measure PHS-2 would mitigate a significant environmental impact, and the failure to engage in any analysis of the impacts of the mitigation itself, this proposed mitigation must be removed and the DEIS must be revised and recirculated to comply with NEPA.	Comment noted.
H. DEIS mitigation measure PHS-5 Mitigation measure PHS-5 states, "During the Closure Order, BRC will minimize disruption of services to the PLPT and local communities for art installation arrivals and departures." This proposed mitigation should be deleted, as it has nothing to do with the environment and therefore no place in an EIS. The DEIS also fails to provide supporting evidence to show that a disruption of services due to art installation arrivals and departures has proven to be an issue with significance environmental impact.	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
The DEIS analysis of mitigation measure PHS-5 is legally deficient. The need to minimize disruption of services to the PLPT and local communities must be reassessed by stating the services disrupted and the resulting significance, and by analyzing potential risks in more detail and considering reasonable alternatives. The DEIS must also sufficiently analyze the impacts that could be associated with the implementation of the proposed mitigation measure which it fails to do. Consequently, the DEIS must be revised and recirculated with the necessary analysis to comply with NEPA.	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-I to provide for public health and safety at all SRP events. The human environment (40 CFR 1508.8 and 40 CFR 1508.14) must be considered during an EIS.</p> <p>This report is a description of the existing human environment relative to public health and safety as necessary to carry out the requirements of NEPA. It is not intended to be an encyclopedic record of every incident. CEQ regulations clearly define that NEPA documents are not to be encyclopedic.</p>
I. DEIS mitigation measure PHS-6 Mitigation measure PHS-6 states, "During pre- and post-event times within the Closure Order, BRC will contract an ambulance service for emergency services." As this mitigation has nothing to do with the environment, it has no place in the DEIS. Even to the extent a mitigation measure of this nature complied with EIS guidelines, this mitigation would be inappropriate because it fails to sufficiently analyze existing systems and relative risk.	The disruption of emergency medical response creates an impact on the human environment (40 CFR 1508.8 and 40 CFR 1508.14) and disadvantages communities affected in underserved minority populations. PLPT comments state that BRC assumes that PLPT EMS services will support Burning Man Event operations. However, one call or deployment by PLPT EMS would preclude PLPT from supporting other emergency operations. Supporting the Event would leave the tribal community with zero EMS coverage at times.
Following each event cycle, BRC's Emergency Services Department performs a risk assessment, analyzing the numbers and acuties of patients seen, and dates of care delivery to consider modifications to BRC's pre-, during, and post-event medical coverage and capabilities for subsequent event cycles. During the approximately 65 days of the Closure Order when on-site ambulance services are not available, the average number of off-playa ambulance/air transports over the last five (5) years has been three (3). BRC works closely with local ground and air ambulance services to provide swift triage and expedited transport, experiencing no adverse outcomes since establishing these processes decades ago.	The disruption of emergency medical response creates an impact on the human environment (40 CFR 1508.8 and 40 CFR 1508.14) and disadvantages communities affected in underserved minority populations. PLPT comments state that BRC assumes that PLPT EMS services will support Burning Man Event operations. However, one call or deployment by PLPT EMS would preclude PLPT from supporting other emergency operations. Supporting the Event would leave the tribal community with zero EMS coverage at times.
The DEIS likewise provides no information of any kind evaluating whether PHS-6 is economically practical or feasible, including labor costs, insurance, management and coordination expenses, and accommodation costs. Preliminary figures suggest this mitigation would cost BRC approximately \$500,000, or \$167,000 per transport. This mitigation is economically impractical and lacks any evidence showing it is necessary to provide for the health and safety of the small pre- and post-event population.  Measure PHS-6 must be withdrawn for failure to comply with NEPA.	The BLM clarified the time frame. The BLM modified the time frame to indicate build week through the Saturday following Labor Day. It could be based on a population trigger (e.g., once the on-playa population reaches 4,000). The risk increases when the Event preparation transitions from survey work to the construction of vertical structures.

Comment Text	BLM Response
<p>J. DEIS mitigation measures WET-1 and WHS-8 Mitigation measure WET-1 provides, "BRC must ascertain with the ACOE if a Clean Water Act Section 404 Nationwide Permit 33, and/or Nationwide Permit 18 is needed. If so, the proponent must obtain those permits and provide copies to the BLM 30 calendar days before the start of the Closure Order." Mitigation measure WHS-8 provides, "To prevent unnecessary and undue degradation, for BRC's fuel storage facilities, BRC will create a spill prevention control and containment plan in accordance with 40 CFR 112, or if determined impracticable, a written plan in accordance with 40 CFR 109 that includes a written commitment of manpower, and equipment and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful or considered as a hazardous waste."</p>	Comment noted.
<p>Neither the DEIS nor any of the studies provided in connection with it provide any evidence that the cited regulations apply to the NCA or to BC's activities related to fuel storage at the event. Both of these proposed mitigations should be deleted.</p>	FLPMA and 40 CFR 112.1(a)(1) allow the BLM to require an spill prevention control and containment plan on federal land.
<p>K. DEIS mitigation measures REC-1 Mitigation measure REC-1 provides, "Vendor and film permit applications associated with the Event must be submitted 194 calendar days before Labor Day. The costs of BLM employee labor will be recouped via cost recovery from BRC."</p> <p>This measure must be deleted from the DEIS as it has no basis in NEPA. BLM has identified no impacts in the DEIS to which this proposed mitigation would be directed, let alone a substantial impact that requires mitigation, nor has BLM explained the effectiveness of this measure at mitigating the unidentified impact.</p>	<p>Per the BLM Special Recreation Permit Handbook H-2930-1, applications must be submitted at least 180 days before the intended use unless the AO approves a shorter period. In addition, the BLM may, with public notice in the local media and on-site posting as necessary, require that applications for specific types of activities be submitted sooner than 180 days if more time is needed for environmental assessments, threatened and endangered species consultation, Event coordination, etc. For example, the Moab Field Office requires Event applications for the coming year to be filed by September 1 of the current year so that the office may work with applicants to avoid multiple events occurring in the same area at the same time.</p>
<p>To the extent this measure is directed at "film permit applications" or expressive speech it also presents serious constitutional concerns. BLM cannot restrict the exercise of participants' First Amendment rights by placing restrictions on filming or other expressive activities at the event, with the exception of reasonable restrictions on the time, place, and manner of the expressive activity that "are content-neutral, are narrowly tailored to serve a significant government interest, and leave open ample alternative channels of communication."38 BLM has not demonstrated that its 194 calendar day timeline for permit applications is reasonable or that this proposal could otherwise withstand First Amendment scrutiny.</p>	<p>Public Law 106-206 and 43 CFR 5 list the BLM's authority to require film permits. The rationale is that people create videos and then sell them for profit. BRC has asked for the BLM's assistance in helping address this issue. Also, Marrian Goodell's blog discusses that there is too much social media advertising (and people making money) from the Event.</p>
<p>Absent any evidence that this mitigation measure is appropriate in a NEPA document, it must be removed from a revised draft EIS.</p>	Comment noted.
<p>L. DEIS mitigation measure REC-2 Mitigation measure REC-2 provides, "The proponent will submit to BLM and Pershing County its Final Operating Plan for each year's Event at least 45 calendar days before the first Closure Order begins for that year's Event." Pershing County does not regulate the Burning Man SRP, and BRC has no legal obligation to share its Operating Plan with Pershing County, nor does BLM have the authority to require this of BRC pursuant to an EIS. Measure REC-2 must be withdrawn.</p>	<p>Sections of BRCs operating plan involve state and county laws under the jurisdiction of the Pershing County Sheriff's Office. The PCSO has the right to review the relevant sections of the operating plan.</p>
<p>M. DEIS mitigation measures SPEC-2 and VIS-3 Mitigation measure SPEC-2 provides, "Require BRC to reduce the amount of light pollution by banning the use of high-energy lasers and search lights being pointed straight up, and requiring shields on sources of light at night where feasible." Mitigation measure VIS-3 provides, "BRC and the BLM must implement shielding intervention on mast-mounted work lights."</p>	<p>Recommended mitigation measures are based on the recommendations provided in the artificial light at night assessment, which was prepared to support the EIS analysis.</p>
<p>Both mitigations are being proposed, for the first time in the event's history, on the basis of flawed studies discussed above, heedless of the fact that none of the studies indicate that a single bird has ever actually been harmed at a Burning Man event. These requirements would place a wholly speculative need to protect a de minimus number of migratory birds who might traverse the playa above the personal safety and First Amendment rights of free expression of the event attendees.</p>	<p>Recommended mitigation measures are based on the recommendations provided in the artificial light at night assessment, which was prepared to support the EIS analysis.</p>
<p>BLM has failed to define "shielding intervention on mast-mounted work lights" and a Google search for this term returns no results. Assuming BLM is referring to the placement of shields above lights to limit upward light pollution, then this mitigation is not supported by the analysis. Work lights, and the full light from them, are necessary for public safety at worksites during nighttime. Many artists and theme camps choose to work at night due to cooler temperatures and other factors, and BRC staff supports these efforts. Dimming or "shielding" these lights would likely result in increased risks to health and safety, while having no discernible benefit to wildlife or cultural values.</p> <p>Both SPEC-2 and VIS-3 must be withdrawn for failure to comply with NEPA.</p>	<p>Shielding of light sources is done by numerous mines in northern Nevada. When done properly, it does not endanger human health and safety and has a noticeable impact on the amount of light pollution. VIS-3 is a needed mitigation since the Event at night is not meeting the Class II standard as dictated in the NCA RMP. Shielding is designed to prevent the light from going upward and to direct the light source toward the surface. The BLM has revised the FEIS to define "Shielding."</p>
<p>N. DEIS mitigation measures CULT-1, CULT-3, VEG-1, NAT-1, SPEC-3, SPEC-4, WHS-2, WHS-3, WHS-6, AQ-4 Mitigation measure CULT-1 provides, "BRC must educate participants of the Nobles Trail through production and dissemination of pamphlets, showing trail maps on the front and trail facts on the reverse to be distributed at the Event."</p>	<p>Comment noted. The Nobles Trail is identified by Congress as being part of the NHT system. Under the NHPA, when a proponent has an adverse impact on a NRHP-eligible property, the BLM in consultation with the SHPO (and in the case of a NHT, the National Park Service), will develop a mitigation plan to address the impact. The proponent is responsible for implementing the mitigation plan. The BRFO has an active outreach program for educating the public on the historic trails and other resources in the NCA.</p>
<p>Mitigation measure CULT-3 provides, "Through the website, social media, and other means approved by the BLM, BRC will inform staff volunteers, vendors and contractors and Event participants that collection, excavation, or vandalism of historical/archeological artifacts or sites is illegal."</p>	<p>Comment noted. The Nobles Trail is identified by Congress as being part of the NHT system. Under the NHPA, when a proponent has an adverse impact on a NRHP-eligible property, the BLM in consultation with the SHPO (and in the case of a NHT, the National Park Service), will develop a mitigation plan to address the impact. The proponent is responsible for implementing the mitigation plan. The BRFO has an active outreach program for educating the public on the historic trails and other resources in the NCA.</p>

Comment Text	BLM Response
Mitigation measure VEG-1 provides, "BRC will provide noxious weed and fire education safety information to participants."	Comment noted.
Mitigation measure NAT-1 provides, "Through consultation with the PLPT, BRC will educate participants via its website, social media, and other means approved by the BLM, on issues of concern to the PLPT."	Comment noted. From government-to-government consultation, the PLPT wants BRC to do a better job. Also, see the PLPT's letter.
Mitigation measure SPEC-3 provides, "BRC must educate and discourage participants from disturbing, harassing, feeding, or watering wildlife."	Comment noted. The BLM removed this mitigation. It is addressed through 43 CFR.
Mitigation measure SPEC-4 provides, "BRC must educate and encourage participants to report wildlife if found at the event."	Comment noted. The BLM removed this mitigation. It is addressed through 43 CFR.
Mitigation measure WHS-3 provides, "BRC will encourage vehicle operators to inspect and repair their vehicles before arriving at the Event."	Comment noted. Comments from the PLPT included "We support all Waste, Hazardous or Solid Mitigation Measures, which prevents the illicit discharge of hazardous materials on the Reservation."
Mitigation measure WHS-5 provides, "BRC will educate participants on safe hauling methods, such as how to properly tie down materials and safe trailer hauling."	Comment noted. BRC currently does this. Examples of possible communications include instructions in the Survival Guide on how to effectively tie down trash loads, if they must be carried on the top of a vehicle (much of the highway trash that the BRC compliance team gathers is from torn bags on top of vehicles). If BRC adopts this as an EPM, then the BLM will remove this mitigation.
Mitigation measure WHS-6 provides, "The proponent will educate participants, vendors and contractors, and staff and volunteers on all wastewater (e.g., grey and black) management from motor homes, campers, and service trucks."	Comment noted. BRC currently does this. Examples of possible communications include instructions in the Survival Guide on how to effectively tie down trash loads, if they must be carried on the top of a vehicle (much of the highway trash that the BRC compliance team gathers is from torn bags on top of vehicles). If BRC adopts this as an EPM, then the BLM will remove this mitigation.
Mitigation measure AQ-4 provides, "BRC must provide written notice to participants, staff and volunteers, and vendors and contractors of air quality health risks prior to the Event and upon arrival."	Comment noted. Response to AQ-5: US government employees would not be exposed to the extreme levels of particulate matter if they did not work the Event. Since they work the Event, the proponent needs to provide funding for the appropriate personal protective equipment.
<p>These mitigations have several points in common: they violate NEPA because the DEIS fails to show that they would mitigate a significant environmental impact; they are unconstitutionally vague; and they would compel BRC to engage in particular government-mandated speech in violation of the First Amendment and the Unconstitutional Conditions Doctrine.<sup>39</sup></p> <p><sup>39</sup> BRC incorporates by reference in the comments submitted by Allan B. Gelbard, Esq. who raises many valid issues related to the First Amendment.</p>	Comment noted. Mitigations were developed in coordination with the EPA and reflect that agency's comments and recommendations.
<p>While BLM may request that BRC make, and bear the costs of making, such communications, and BRC may, at its sole discretion agree to make the requested statements and/or others concerning these topics, BLM may not condition the granting of BRC's permits on compelled speech. Courts have long held that "freedom of speech prohibits the government from telling people what they must say."<sup>40</sup> The government is equally prohibited from compelling a speaker to express the government's chosen message (as contemplated by many of the proposed mitigation measures set forth above) as the message of another speaker, such as the PLPT.<sup>41</sup></p> <p><sup>40</sup> <i>Rumsfeld v. Forum for Academic &amp; Institutional Rights, Inc.</i>, 547 U.S. 47, 61 (2006); see also <i>West Virginia Bd. of Ed. v. Barnette</i>, 319 U.S. 624 (striking down a state law requiring schoolchildren to recite the Pledge of Allegiance and salute the flag for violating the Constitution); <i>Wooley v. Maynard</i>, (1977) 430 U.S. 705 (requiring New Hampshire motorists to display the state motto—"Live Free or Die"—on their license plates was unconstitutional).</p> <p><sup>41</sup> <i>Rumsfeld</i>, 547 U.S. at 63 (the First Amendment prohibits the government both from forcing speakers to personally speak the government's message and from forcing one speaker to host or accommodate another speaker's message).</p>	The BLM is required by FLPMA and the SRP regulations and policy to ensure public health and safety and resource protection during a permitted Event. Part of that duty may require notification to Event participants about those health and safety issues, or about ways to protect the surrounding resources.
BRC is a strong advocate on behalf of the environment, but BLM has failed to provide sufficient data to justify any of these proposed mitigations. BLM has not shown significant impacts from the Burning Man event related to these proposed mitigations and is improperly compelling BRC to fulfill BLM's responsibility for public education about public lands. This type of education is part of BLM's federally-mandated mission. BRC pays 3% of its gross revenues to BLM — over \$1 million per year on top of \$3.5 million in permit fees and cost reimbursement — and BLM is required to use those funds in service of the NCA, including public education. BLM also maintains a large, fully staffed interpretive camp on-site at the Burning Man event expressly for these purposes. BRC cannot lawfully be conscripted to do BLM's job.	BRC needs to mitigate impacts from the Event. There is an active public outreach and education program.  These are standard stipulations for any operator on public lands.
With respect to mitigation measure NAT-1, BRC has always supported the PLPT in sharing their messaging with Burning Man participants around the event, including on-site PSAs recorded by tribal leadership and throughout the year, on our multiple communications channels, and in meetings with the Tribe throughout the year. All of these efforts will continue, and BLM has not shown that measure NAT-1 would avoid, minimize or compensate for any significant environmental impact.	Comment noted. From government-to-government consultation, the PLPT wants BRC to do a better job. Also, see the PLPT's letter.

Comment Text	BLM Response
<p>With respect to mitigation measures AQ-4, WHS-2, WHS-3, and WHS-5, as it has for years, BRC will continue its public outreach efforts about the health risks of particulate matter in the atmosphere on-playa; vehicle maintenance and inspection guidelines; best practices for securing vehicle loads and haul trailers; and tips for ensuring that vehicles do not leak fluids onto the playa surface, using all appropriate communications channels, including the Survival Guide that BRC provides to all ticketholders and publishes on Burning Man's website.<sup>42</sup> BLM has not shown that these proposed mitigations would avoid, minimize or compensate for any significant environmental impact.</p> <p><sup>42</sup> See, e.g., <a href="http://survival.burningman.org/transportation-traffic/travel-tips-reminders/">http://survival.burningman.org/transportation-traffic/travel-tips-reminders/</a>.</p>	<p>Comment noted. Based on initial EPMs provided by BRC on April 29, 2019, BRC may accomplish some or all of the desired outreach. If BRC adopts these EPMs, then the BLM would remove these mitigations.</p>
<p>With respect to mitigation measure WHS-6, BRC already provides information via all appropriate communications channels, including the Survival Guide, regarding proper wastewater management.<sup>43</sup> BRC could not possibly educate participants, vendors and contractors, and staff and volunteers on "all wastewater management" from motorhomes, campers, and service trucks, however. This proposed mitigation, like so many others in the DEIS, is infeasible and exceeds the scope of NEPA by requiring a private operator to take responsibility for the actions of attendees while they are not on site. This mitigation does not apply to any users of other sensitive public lands, including National Parks, and is well beyond the scope of BLM's regulatory authority.</p> <p><sup>43</sup> See, e.g., <a href="https://burningman.org/event/preparation/playa-living/gray-water/">https://burningman.org/event/preparation/playa-living/gray-water/</a>; <a href="https://burningman.org/event/preparation/playa-living/human-waste-disposal/">https://burningman.org/event/preparation/playa-living/human-waste-disposal/</a>.</p>	<p>Comment noted. Based on initial EPMs provided by BRC on April 29, 2019, BRC may accomplish some or all of the desired outreach. If BRC adopts these EPMs, then the BLM would remove these mitigations.</p>
<p>O. DEIS mitigation measure NCA-1 Mitigation measure NCA-1 provides, "BRC must post a reclamation bond sufficient to remove large art installations and theme camps left behind after Exodus. This bond is intended to remove the risk of unnecessary or undue degradation to the NCA and defray the costs to taxpayers."</p>	<p>Comment noted. BLM SRP Handbook, Chapter I Section M "Bonds" does allow for bonding. "A bond ensures obligations or payments associated with these authorizations, guaranteeing that adequate funds will be available for the rehabilitation of resource damage or repair of damaged government facilities" (43 CFR 2932.44).</p> <p>The theme camps and art installations are there at BRC's permission; they operate under BRC's permit.</p> <p>The BLM has not charged the art exhibit.</p> <p>There is evidence of the exhibit being dug out of the playa with a backhoe (see Blaylock comment letter).</p>
<p>This measure is being proposed, for the first time in the event's history, because of a single project that had trouble leaving the NCA at the end of the 2018 event. This project still did leave the Burning Man closure area mere days after the event ended (during the time period that projects are allowed to remain on site for dismantling), creating temporary tracks in the playa surface. BLM has charged the creators of that project directly for all costs BLM incurred as a result of the Special Recreation Permit issued to the project.</p>	<p>Comment noted. BLM SRP Handbook, Chapter I Section M "Bonds" does allow for bonding. "A bond ensures obligations or payments associated with these authorizations, guaranteeing that adequate funds will be available for the rehabilitation of resource damage or repair of damaged government facilities" (43 CFR 2932.44).</p> <p>The theme camps and art installations are there at BRC's permission; they operate under BRC's permit.</p> <p>The BLM has not charged the art exhibit.</p> <p>There is evidence of the exhibit being dug out of the playa with a backhoe (see Blaylock comment letter).</p>
<p>BLM has no authority to use the Burning Man EIS to address the risk of unnecessary or undue degradation to the NCA outside of the Burning Man event closure area by charging BRC a bond. BLM has also improperly conflated the actions of a separate party with BRC's responsibilities under its own permit. BRC is not responsible for a participant's violation of BLM regulations. As BLM has no data to justify this proposed mitigation, NCA-1 must be withdrawn.</p>	<p>BLM SRP Handbook, Chapter I Section M "Bonds" does allow for bonding. "A bond ensures obligations or payments associated with these authorizations, guaranteeing that adequate funds will be available for the rehabilitation of resource damage or repair of damaged government facilities" (43 CFR 2932.44).</p> <p>The theme camps and art installations are there at BRC's permission; they operate under BRC's permit.</p> <p>The BLM has not charged the art exhibit.</p> <p>There is evidence of the exhibit being dug out of the playa with a backhoe (see Blaylock letter).</p> <p>There are direct and indirect effects outside the Closure Area, such as vehicles traveling to and from the Event. In accordance with NEPA, these types of impacts that occur in the direct, indirect, and cumulative assessment areas are analyzed in the EIS.</p>
<p>P. DEIS mitigation measures SOIL-2 DEIS mitigation measure SOIL-2 provides, "BRC must require burn barrels for camp fires, which would be elevated at least 10 inches to prevent burn scarring." This proposal has been made for the first time despite no evidence that it would be effective at mitigating a significant environmental impact.</p>	<p>Mitigation has been changed to 6 inches.</p>

Comment Text	BLM Response
<p>BRC has long required on-site burn barrels to be operated and monitored safely, using physical protections that avoid burn scars or other heat damage to the playa surface. BRC's current recommendation is for burn barrels to be raised 6 inches above the playa surface, which it has found to be more than sufficient at preventing burn scar damage. Raising barrels to 10 inches or more would make them less stable and more prone to falling over, while not providing any significant additional burn scar protection. The DEIS fails to consider the environmental impacts of this proposed mitigation.</p> <p>Measure SOIL-2 must be withdrawn for failure to comply with NEPA.</p>	<p>Comment noted. Mitigation has been changed to 6 inches.</p>
<p>Q. DEIS monitoring measures BRC objects to a number of the proposed monitoring measures in the DEIS due to their failure to comply with NEPA, in particular those monitoring measures that are related to mitigation measures that fail to withstand scrutiny under NEPA. BRC's concerns with the monitoring proposals are detailed in Exhibit A, attached and incorporated into this letter by reference. All monitoring measures that lack a sufficient evidentiary foundation in the DEIS and supporting studies must be removed.</p>	<p>Comment noted. Comments from Exhibit A have been addressed and are included as part of the comment response appendix of the FEIS.</p>
<p>III. The DEIS improperly utilizes the NEPA review process to address non-environmental issues, including individual behaviors. Section 2 of the National Environmental Policy Act of 1969 states that the purposes of the Act include: (1) the declaration of "a national policy which will encourage productive and enjoyable harmony between man and his environment"; (2) the promotion of "efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man"; and (3) enriching "the understanding of the ecological systems and natural resources important to the Nation" (42 USC § 4321). NEPA is an environmental statute. Its fundamental intent is to ensure that the potential environmental effects of a federal action are considered before the action is implemented and inform the public that the agencies considered environmental concerns in the decision-making process. NEPA is not intended to address all social ills. As noted prior, it is not appropriate for an EIS to address every impact or effect of the proposed action that the agency can think of, no matter how attenuated or indirect. Rather, the EIS is supposed to alert the agency of the significant effects the proposed action is likely to have on the physical environment.</p>	<p>The stipulations and conditions are designed to mitigate impacts brought forth in the NEPA document concerning the human environment. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. Accordingly, the BLM has discussed the human environment (per 40 CFR 1508.8 and 40 CFR 1508.14) in this EIS.</p>
<p>The DEIS improperly uses the NEPA process to address and attempt to regulate individual behaviors or other activities that do not have any significant environmental effects within the meaning of NEPA and which are outside the scope of the agency action. This is in sharp contrast to the final EIS adopted for the RMP, for example, which considered potential recreational activity impacts, including the Burning Man event, on law enforcement. That EIS noted large recreational events would affect BLM and other regional law enforcement services, including from arrests, incarcerations, and trial costs, and yet, it concluded that:</p> <p>Effective mitigation has been provided over the years as BLM and its Burning Man Organization cooperators have learned from experience. The Special Recreation Permit stipulations have grown more sophisticated and appropriate to the issues of managing such a large event and have proven to be increasingly effective. Other than continuing to refine the constraints imposed by the Special Recreation Permit stipulations, there is little that BLM can do to guarantee lawful human behavior.<sup>44</sup></p> <p><sup>44</sup> See Proposed Resource Management Plan and Final Environmental Impact Statement, Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, 2003, Volume 1, page 4-43, <a href="https://eplanning.blm.gov/epl-front-office/projects/lup/101115/139040/171092/Black_Rock_High_Rock_PRMP_FEIS_vol1.pdf">https://eplanning.blm.gov/epl-front-office/projects/lup/101115/139040/171092/Black_Rock_High_Rock_PRMP_FEIS_vol1.pdf</a> (emphasis added).</p>	<p>The stipulations and conditions are designed to mitigate impacts brought forth in the NEPA document concerning the human environment. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. Accordingly, the BLM has discussed the human environment (per 40 CFR 1508.8 and 40 CFR 1508.14) in this EIS.</p>
<p>The DEIS significantly departs from the reasonable and common sense approach reflected in the RMP final EIS. Instead, it seeks to misapply the NEPA process to regulate individual activities that are not properly within the purview of NEPA. For example, the entire PHSR is rife with bias, speculation and factual errors, as seen in this excerpt:</p> <p>Illegal possession, use, and distribution of a controlled substance at the Burning Man Event are a public health and safety concern, and are potential impacts from the rise of the national opioid epidemic. The "gifting culture" of the Burning Man Event results in people accepting items from strangers and ingesting substances unknown to them. Participants who believe they are ingesting one substance only to find out they have ingested something completely different may overdose. After the 2014 event, the event medical provider, Humboldt General Hospital, reported an increase in the use of synthetic illicit drugs and Gamma-Hydroxybutyrate (GHB, commonly known as liquid ecstasy). The report stated illicit drugs can cause life-threatening complaints and require immediate clinical intervention (PHSR, p. 12-13).</p>	<p>The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. Accordingly, the BLM has discussed the human environment (per 40 CFR 1508.8 and 40 CFR 1508.14) in this EIS.</p>
<p>It is highly unusual and entirely improper for an agency to use the NEPA process as a vehicle to address individual behavior at such a minute level. It is additionally inappropriate to base analysis on unsupported, speculative or erroneous information.<sup>45</sup> Event security, law enforcement and other non-federal and non-environmental issues, such as local traffic control, are much more commonly coordinated by consultations between event organizers, federal agencies and local officials as necessary during the pre-event planning process. As recognized by the RMP final EIS, the primary and most appropriate vehicle for BLM to address these matters is via the refinement of the SRP stipulations and conditions.</p> <p><sup>45</sup> For example, there is no support in the PHSR for the conclusion about Burning Man's "gifting culture" and the cited 2014 report is rife with factual errors.</p>	<p>Comment noted. The BLM recognizes that BRC does not assume the responsibility for the actions of individuals; however, consistent with CEQ Section 1508.08 and 14, the NEPA analysis addresses the impacts brought forth in the NEPA document concerning the human environment. The BLM is mandated by FLPMA and BLM SRP Handbook H2930-1 to provide for public health and safety at all SRP events. Accordingly, the BLM has discussed the human environment (per 40 CFR 1508.8 and 40 CFR 1508.14) in this EIS.</p>

Comment Text	BLM Response
<p>The DEIS represents a significant, if not unprecedented, degree of NEPA “mission creep.” Instead of focusing on the major environmental objectives that NEPA was enacted to achieve, the DEIS devotes significant discussion to individual behavior that is attenuated from any environmental effect or cause and often unsupported by any evidence.<sup>46</sup></p> <p><sup>46</sup> For example, as there is no relationship whatsoever between “the national opioid epidemic” and the Burning Man event, which has experienced no opioid-related overdoses in its 30-year history. The reference has no place in an analysis of the event’s public health and safety concerns, even if an analysis of this kind were appropriate under NEPA.</p>	<p>The BLM recognizes that BRC does not assume the responsibility for the actions of individuals; however, consistent with 40 CFR 1508.8 and 40 CFR 1508.14, the NEPA analysis addresses the potential impacts from individuals' actions on the aesthetic, cultural, economic, social, or health of people, whether they are direct, indirect, or cumulative.</p>
<p>BRC has a proven track record of working diligently with BLM, local stakeholders and agencies, and the PLPT to address event-related concerns. This record is explicitly acknowledged in the RMP final EIS, which states that “Burning Man has proved to be a very efficient organization and a very good neighbor. It is the largest ‘Leave No Trace’ event in the world. Hundreds of its workers and volunteers spend countless hours preparing the site both before and after the festival. BLM has found no evidence of environmental damage caused by any of the Burning Man events.”<sup>47</sup></p> <p><sup>47</sup> See Proposed Resource Management Plan and Final Environmental Impact Statement, Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, 2003, Volume 1, page 3-78, <a href="https://eplanning.blm.gov/epl-front-office/projects/lup/101115/139040/171092/Black_Rock_High_Rock_PRMP_FEIS_vol1.pdf">https://eplanning.blm.gov/epl-front-office/projects/lup/101115/139040/171092/Black_Rock_High_Rock_PRMP_FEIS_vol1.pdf</a>.</p>	<p>Comment noted. The DEIS analysis, including baseline studies prepared in support of the DEIS, in addition to government-to-government consultation with the PLPT, letters from cooperating agencies, and public comments received during scoping and on the DEIS, demonstrate impacts on the physical and human environment. Some of these impacts are significant and warrant mitigation.</p>
<p>Subsequent NEPA documentation and the successful history of the event have confirmed BLM’s prior assessment. BLM has no basis for departing from the pragmatic and reasoned approach to the NEPA review of the Burning Man event reflected in the RMP final EIS and to instead elect to improperly utilize NEPA mitigation measures to impose security and requirements that should be discussed in more appropriate event planning and permitting contexts.</p>	<p>Comment noted. While the NCA Act and RMP contemplate large recreation events, those events must be consistent with the act and the RMP.</p> <p>The DEIS analysis, including baseline studies prepared in support of the DEIS, in addition to government-to-government consultation with the PLPT, letters from cooperating agencies, and public comments received during scoping and on the DEIS, demonstrate impacts on the physical and human environment, including on public health and safety. Some of these impacts are significant and warrant mitigation.</p> <p>These impacts and mitigations are taken into consideration in the permitting and planning processes for the Event.</p>
<p>The DEIS mission creep is also inconsistent with DOI NEPA streamlining policies. DOI Order 3355 states that “[t]he purpose of NEPA’s requirements is not the generation of paperwork, but the adoption of sound decisions based on an informed understanding of environmental consequences” by a “focus on issues that truly matter.” Individual behavior issues should be and have been addressed in BLM event permit stipulations and in consultation with other interested and potentially affected parties. None of these issues constitute significant environmental effects within the statutory framework or intent of NEPA. The DEIS must be revised and recirculated to provide a legally defensible, thorough and complete analysis of the environmental effects of the proposed action and reasonable alternatives that is consistent with NEPA, applicable regulations and NEPA streamlining policies.</p>	<p>Recirculating the DEIS is not warranted. The BLM prepared the DEIS in accordance with BLM Handbook H-1790-1, Secretarial Order 3355, and Nevada IM 2019-007. It meets the requirements of NEPA.</p>
<p><b>Conclusion</b> In conclusion, we very much appreciate the opportunity to review and provide comments on the DEIS. We sincerely believe that, with appropriate revision and recirculation, the DEIS analysis will correct the legal deficiencies in the DEIS and facilitate the required evaluation of the proposed action and reasonable alternatives, including mitigation, in full compliance with NEPA. Please do not hesitate to contact if you have any questions concerning this comment letter.</p>	<p>Comment noted.</p>