NGO-CTVA

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corrective action would stop many complaints that the FS receives on user conflicts and would be more equitable to motorized recreationists.

NGO-CTVA -267

We suggest that travel management signs be made easier to understand and standardized. Signs are the backbone of a good management program. Some examples of how signs could be used to implement management are:

- Signs should be displayed at key access points to public lands explaining the basics; "OHV's allowed on designated routes to protect foliage and prevent erosion"; "Expect to see other visitors on the trails – shared trail area"; "Report violations to 1-800-TIP-MONT"; etc.
- Trailhead signs should not only list restrictions but should also tell visitors what to expect. Signs that say "expect to see other trail users" with universal symbols indicating the uses they can expect to see would work well. This approach is used successfully in nearly every forest across the country except those in Forest Service Region 1.
- Reinforce travel allowed and restricted at intersections.
- Reinforce important messages; say the same thing in a different way.

Issue:
Along with the standardization of signs, there is also a significant need to standardize or simplify seasonal closure dates as much as possible. We suggest that the number of different closures periods should be kept to a maximum of two, if possible, in order to avoid confusion and resulting misunderstandings.

NGO-CTVA -268

Issue:
The environmental document should be an issue driven document as required under NEPA and guidelines published by the Council on Environmental Quality. The driving travel management issue is the development of a reasonable alternative that meets the needs of the public. NEPA requires that all reasonable alternatives be evaluated. We request that the environmental document include a travel management alternative that is responsive to the public's multiple-use needs. A reasonable alternative would incorporate all existing motorized roads and trails and restrict motorized travel to those travel ways. A reasonable travel management alternative should provide a continuous system of roads and trails on which off-highway vehicles can be legally ridden. A reasonable travel management alternative is needed in order to avoid contributing to the significant impact that cumulative negative impacts have had on motorized recreationists. In order to avoid contributing to further cumulative negative impacts we request that the preferred alternative be based on incorporating all existing motorized roads and trails and restricting motorized travel to those travel ways.

Issue:
The evaluation team is being strongly directed to seek segregation of visitors for this action. This is not a reasonable goal. Multiple-use lands are public places. Segregation in public places has not been acceptable since the Civil Rights Act of 1964. We do not seek to separate the public in other public facilities and, in fact, it is illegal. Sharing of public resources among all visitors and especially on multiple-use lands is the over-arching goal that is most reasonable expectation for visitors to those lands. Additionally, segregation of visitors is being used to manipulate recreation resource allocation such that motorized visitors are ending up with a less than adequate and less than representative share of access and recreational opportunities, (miles, acres, and number of

Responses

NGO-CTVA-267: See response to NGO-CTVA-33.

NGO-CTVA-268:
Based on public scoping the RMP/EIS identified 9 planning issues, see Section 1.52 Issue Identification. Planning issue #1 addresses transportation and recreation issues. See also response NGO-CTVA-2.

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quality opportunities). Moreover, the use of segregation as a goal is also a tactic that works against the majority multiple-use/motorized recreationists by dividing and conquer the different interests within that large sector.

Issue:
A reasonable alternative instead of all motorized closures is a sharing of resources. A reasonable alternative for accomplishing this can be done by designating alternating weeks for motorized and non-motorized use. Another reasonable approach to sharing would be to share areas with non-motorized use allowed one year and then motorized use in the following year. The schedule can be communicated to the public by signs at each end of the trail segments, newspaper articles, and through local user groups. This alternative eliminates any reasonable concern about conflict of users (which we think is over-stated and over-emphasized based on reasons discussed elsewhere in this submittal).

NGO-CTVA -269

Issue:
We are unaware of any documented or justifiable reports of user conflict in the project area. We request copies of any documentation of user conflicts in the area and request that it be categorized and weighed against the overall number of visitor-days to the area. Additionally, a difference in opinion about whether certain recreationists should be able to visit multiple-use public lands should not be considered a user-conflict.

Issue:
Executive Order 11644 was passed on February 8, 1972 and Executive Order 11989 was passed on May 24, 1977. These Executive Orders have been used to enact thousands and thousands of motorized access and recreation closures since the 1970's. The cumulative negative effect of Executive Orders 11644 and 11989 has been a dramatic loss of recreation and access opportunities for motorized recreationists and a dramatic increase in recreation opportunities for non-motorized recreationists.

Executive Orders 11644 and 11989 allow agencies to "minimize conflicts among the various uses". The Executive Orders did not state "minimize conflict with other users". However, the implementation of Executive Orders 11644 and 11989 has been largely based on the incorrect interpretation to "minimize conflict with other users". The bottom line is that "use" conflict is rather different from "user" conflict. There are certainly "uses" that are incompatible from an objective standpoint. For example, a ski run and a mine cannot operate in the same place at the same time...it is physically impossible and therefore a clear "use conflict." However, in the case of a mine located next to a ski hill, both can operate without a use conflict.

Issue:
Whether there is a "user conflict" or not depends primarily on user attitudes. Just because someone says it is a conflict does not mean that it is a "reasonable" or "significant" conflict. We request that a reasonable definition for "significant" conflict be developed and used as part of this action.

Issue:
Conflict on multiple use trails: Synthesis of the Literature and State of Practice; Report No.: FWWA-PD-94-031 "Conflict in outdoor recreation settings (such as trails) can best be defined as "goal interference attributed to another's behavior" (Jacob & Schreyer 1980, 369). As such, trail conflicts can and do occur among different user groups, among different users within the same user

Responses

NGO-CTVA-269: The Transportation and Travel Management Plan will take into consideration user conflicts relating to multiple uses.

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group, and as a result of factors not related to users' trail activities at all. In fact, no actual contact among users need occur for conflict to be felt. Conflict has been found to be related to activity style (mode of travel, level of technology, environmental dominance, etc.), focus of trip, expectations, attitudes toward and perceptions of the environment, level of tolerance for others, and different norms held by different users. Conflict is often asymmetrical (i.e., one group resents another, but the reverse in not true).

Issue:
The use of Executive Orders 11644 and 11989 to "minimize conflict with other uses" should be evaluated from the perspective of "fair-mindedness of expectations". To provide non-motorized experiences we have designated and set-aside wilderness/non-motorized use areas. Just as motorized recreationists do not expect to be able to use motorized vehicles in wilderness/non-motorized use areas, non-motorized enthusiasts should not expect to go to multiple-use areas and experience wilderness conditions. If some non-motorized recreationists cannot accept motorized recreationists in multiple-use areas, then they need to become familiar with travel plan maps and restrict themselves to the many wilderness/non-motorized areas that are available to them.

Issue:
Congress has recognized the need to share our lands for multiple-uses and has directed federal land agencies to manage for multiple-uses under laws including the Federal Land Policy and Management Act of 1976, Multiple Use Sustained Yield Act of 1960 and Public Law 88-657. Executive Orders 11644 and 11989 tend to conflict with these multiple-use directives.
These two executive orders interfere with the management of public lands for multiple-uses and promote non-sharing and intolerant attitudes. We request that the analysis, preferred alternative and decision-making not let Executive Orders 11644 and 11989 interfere with an equitable management of public land for multiple-uses.

NGO-CTVA -270

Issue:
Executive Orders 11644 and 11989 promote intolerance and non-sharing in a manner that allows one group of recreationists to eliminate another group of recreationists from public lands. The Sierra Club ORV Manual (http://www.sierraclub.org/wildlands/ORV/ORV_report.pdf) states, "*Remember, one adverse impact is "user conflict". We are advising a wonderful legal tactic. Next time you are on a hike and a dirt bike roars by, get 40 friends to all call or write to the Forest Supervisor and say, We demand immediate closure of the trail to dirt bikes....*". Other organizations such as Wild Wilderness provide Incident Reporting Forms (http://www.wildwilderness.org/wi/report.htm) to report conflicts with visitors using vehicles and encourage the use of these forms. The National Wildlife Foundation in their June and July 2004 issues of Ranger Rick Magazine presented a strongly anti-OHV cartoon to its readers. As demonstrated by these examples, some non-motorized interests are in the conflict business because they stand to gain by creating conflicts. Actions by some non-motorized special-interests have gotten to the extreme where they should be considered harassment. All visitors to public lands must respect each other and accommodate each other with reasonable expectations and reasonable actions. We have always been respectful of other visitors and have never observed a conflict between non-motorized and motorized visitors during our visits to public lands spanning 40 years.

All users of multiple-use lands must be willing to share and tolerate with all others. Motorized visitors are willing to share and tolerate other visitors. A small minority of non-motorized visitors should not be able to inflict such a large impact on the majority of visitors. We request that the

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NGO-CTVA-270: FLPMA mandates that the BLM administered land be managed for multiple uses.

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significant negative and inequitable impacts that Executive Orders 11644 and 11989 have imposed on motorized recreationists be adequately evaluated, and factored into the preferred alternative. We request that the decision-making provide for actions necessary to provide responsible use of these two Executive Orders.

Issue:
User conflict is vastly overstated by non-motorized recreationists for self-serving reasons. This overstatement is confirmed by data collected by the Wildlands Center for Preventing Roads (http://www.wildlandscpr.org/bibliographic-database-search). This organization has assembled all of the conflict of users data available from the Forest Service. Records from 134 national forests indicate a total of 1,699 noise violations, 145 smoke violations, and 1,272 safety violations for a total of 3,116 violations during the period from 1987 to 1998. The average violations per year would equal 283 or about 2 violations per forest per year. Most likely, many of these violations were not related to OHV recreationists. Motorized recreationists are committed to reducing the number of violations and using education to increase public awareness of visitor and land use ethics. However, considering the tens of millions of visitors to our national forests during this 11-year period, the 3,116 violations are statistically insignificant and do not support the argument that user conflict is a significant problem. Lastly, the total number of violations reported in Northern Region forests was zero. Therefore, the conflict myth is being perpetuated by and for the benefit of non-motorized recreationists and must be recognized as such.

Issue:
Over the past 8 years we have met 168 hikers in the multiple-use public lands areas that we visit. There have been no conflicts during these meetings. In fact, most often we have stopped and visited with these hikers and exchanged information. At the same time over the past years we have observed over 10,000 motorized recreationists. We have coexisted for years without any measurable conflict. Why is coexistence suddenly considered such a problem by some people? We are concerned that this position has been taken for self-serving reasons. There is no evidence of any real conflict. Motorized recreationists could complain about the presence of non-motorized recreationists but we have chosen not to complain and we have adopted an attitude of sharing. Motorized recreationists should be given credit for being reasonable and willing to share.

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Issue: In our locale, we see so few non-motorized recreationists on multiple-use trails that we cannot understand how a conflict of uses could be substantiated. Additionally, it is not reasonable for non-motorized users to claim a conflict of uses based on their observation of motorized wheel prints on a road or trail (do they feel the same way about mountain bikes?). It is not reasonable to provide one group of recreationists with the opportunity to claim a "conflict of uses" and use that as a basis to deny other recreationists equal access to public lands. This form of conflict creation and then resolution by elimination of motorized recreational opportunities is not equitable. The reasonable and equitable way to deal with differences is to accept each others difference. How else can diversity survive? All of us have a responsibility to accept and promote diversity of recreation on public lands. An unwillingness to accept diversity is a fundamental failing of those who seek to eliminate things that don't fit their perspective. Diversity of recreation opportunities can only be accomplished through management for multiple-use and attitudes that promote tolerance, sharing and coexistence. Behaviors that are non-sharing or intolerant of other recreationists on public lands should not be rewarded yet it is. The continual loss of motorized access and recreational opportunities and the negative attitudes toward multiple-use recreationists is seriously degrading our culture and quality of life. We request that elimination and restrictions of recreation opportunities not be imposed on motorized visitors because other visitors are not able to share and be tolerant. We request that revisions to Executive Orders 11644 and 11989 be made in order to return equitable guidance to federal land-use managers.	NGO-CTVA-271: See response to NGO-CTVA-1.
Issue: During the 1970's, when Executive Orders 11644 and 11989 were created, snowmobile and motorcycles were much louder than today's machines. Concern with sound levels lead to the creation of Executive Orders 11644 and 11989. Today's technology provides machines that are significantly quieter than in the 1970's. Furthermore, the technology now exists to make vehicles even quieter. Therefore, concern with sound levels can be mitigated by establishing a reasonable decibel limit for exhaust systems. States such as California and Oregon have enacted sound emission limits. We encourage all jurisdictions to adopt the stationary sound test procedures as set forth in the Society of Automotive Engineers J-1287 June 1980 standard. Public land-use agencies could establish reasonable sound limits and use this approach to address the sound level issue. This alternative would be more equitable than closures. We request that this reasonable alternative to motorized closures be pursued and incorporated into the preferred alternative and decision-making. Issue: It is not reasonable to enact motorized closures based on the issue of sound when viable alternatives could be pursued. The Sierra Club's in their ORV Handbook makes the following statement "*The fact is that most ORV noise is unnecessary; even motorcycles can be muffled to relatively unobjectionable noise level*". We request that agencies initiate an education campaign (loud is not cool) to promote the development and use of quiet machines. OHV brochures such as those published by the Wallowa-Whitman National Forest include public awareness information on the importance of sound control.	NGO-CTVA-272: Impacts from motorized use on noise will be addressed through the Transportation and Travel Management Plan process.
Issue: We request that the process include consideration of the negative impacts that proposed motorized road and trail closures will have on fire management, fuel wood harvest for home heating, and timber management. The analysis should include an analysis of the benefits to the public from the	NGO-CTVA-273: Action CA-TA 1.3 addresses roads necessary for fire suppression.

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gathering of deadfall for firewood from each of the roads and trails proposed for closure. These analyses are especially significant following a devastating fire season and a period of rising energy costs. The need for firewood gathering is increasing given the increasing energy costs (http://www.helenair.com/articles/2003/11/02/montana/a01110203_05.txt) and we have noticed a significant increase in firewood gathering this past year. The closure of roads and trails is occurring at a large scale on all public lands. Therefore, the analysis should also evaluate the cumulative negative impacts of motorized road and trail closures and the conversion of multiple-use lands to limited-use lands on fire management, timber management, and firewood gathering.

Issue:
Page 215 of the Supplement to Big Snowy Mountains EA. *Solitude is a personal, subjective value defined as isolation from the sights, sound and presence of others, and the development of man.*

We acknowledge the value of solitude and point out that there are many acres of wilderness/non-motorized/exclusive-use available to provide that solitude. Our concern is in regards to the diminishing amount of multiple-use lands and the unreasonable concept that multiple-use lands should be managed as wilderness/non-motorized/exclusive-use lands. Managing multiple-use lands by wilderness criteria and for perfect solitude does not meet the communal needs of the public and is not a reasonable goal for multiple-use lands.

The opportunity for solitude must be reasonably balanced with the multiple-use needs of the public. For example, the Montana Standard in an article on December 14, 2000 reported that hikers on the Continental Divide trail "walked for 300 miles without seeing another human being". This article illustrates a significant long-distance interstate recreational opportunity available to non-motorized visitors and the negligible use that it sees. Additionally, we have been camping in the Telegraph Creek drainage for 27 years and we have met only 2 people using the CDNST in that area. In contrast, a long-distance interstate recreational opportunity similar to the CDNST does not exist for OHV recreationists.

NGO-CTVA-274 It is not equitable to provide recreationists seeking solitude and wilderness experiences exclusive access to tens of millions of acres and thousands of miles of non-motorized trails while restricting the public seeking multiple-use opportunities access to an inadequate road and trail system. We request an equitable and balanced allocation of motorized access and recreational opportunity.

NGO-CTVA-275 Issue:
We have seen a low level of use used as a factor to close motorized routes. This criterion should also be applied equally to non-motorized routes. For example, a low level of use by motorcycles was used as a reason to close the Nez Perce trail in the Beaverhead-Deerlodge National Forest. This same reason should be used to open up non-motorized trails experiencing a low level of use to motorized use.

Issue:
When considering the level of use for either keeping a road or trail open or closed, the evaluation must recognize that motorcycle use and tracks are far less obvious on the ground than atv tracks.

Issue:
We request a network of national recreation trails for motorized recreationists equivalent to the Continental Divide Trail (CDT), Pacific Crest Trail, National Recreation Trail and other national

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NGO-CTVA-274: See response to NGO-CTVA-62.

NGO-CTVA-275: Road types and quality would be analyzed through the Travel and Transportation management Plan process.

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non-motorized trails that travel a long distance and interconnect with other forests such as the Michigan Cross Country Motorcycle Trail 1200 miles (http://www.fs.fed.us/r9/hmnf/pages/Recreation/Baldwin/bwc_Oo_atvmoto_txtonly.pdf), Pacific Crest Quest (http://www.advrider.com/forums/showthread.php?t=111885), Lassen Backcountry Discovery Trail (http://www.backcountrydiscoverytrail.com/index.html and http://www.intergate.com/~sue/4wd_Trails/cbdt_lassen/lassen_cbdt.htm), the Modoc Backcountry Discovery Trail (http://www.fs.fed.us/r5/modoc/recreation/ohv/mbcdt.shtml and http://www.intergate.com/~sue/4wd_Trails/cbdt_modoc/modoc_cbdt.htm), the California State Motorized Trail System (http://www.smts.info/), and the Idaho Centennial Trail (http://4x4stories.typepad.com/4x4/2007/01/idaho_centennia_7.html#more). The interest and adventure of long-distance cross-country trips is captured in trip reports including http://www.quadtrek.net/ (click English), http://www.advrider.com/forums/showthread.php?t=255950, http://www.advrider.com/forums/showthread.php?t=402442 and http://www.advrider.com/forums/showthread.php?t=147232 .

NGO-CTVA -276

If motorized recreationists had trails of regional and national significance, they would see considerable use. Non-motorized recreationists have considerably more national trail recreation opportunities than motorized recreationists. We request that the needs of motorized recreationists for regional and national travelways be evaluated. We request an evaluation of the cumulative negative impacts and environmental justice issues surrounding the lack of regional and national motorized trails for motorized recreationists. We request that regional and national motorized recreational trails be identified and actions be taken to implement those trails.

Issue:
The Elkhorn Wildlife Management Area in the Helena National Forest is an example of management of an area for a relatively narrow range of public needs. The underlying management criterion in the Elkhorn area is for ideal wildlife conditions and not for the diverse needs of the public. The diverse need of the public can only be met by management for multiple-use. While there are designated routes within the area, they are mostly roads with no challenge and limited access to interesting areas and features. There are few OHV loops or destinations. Roads and trails such as those in Section 1 and 11, T6N, R2W; Sections 13 and 4, T6N, R3W; Sections 31 and 31 in T7N, R2W; Section 36, T7N, R3W; Sections 25, 35, and 36, T8N, R1W and others could have been kept open for summer season recreation use and closed during calving and hunting seasons where necessary for wildlife management. Instead, they were closed. The alternative of seasonal closures would have benefited far more people and still maintained a more than reasonable wildlife habitat.

Additional Suggestions for Management of Motorized Recreation

1. Identify any reroutes that are part of the travel plan proposal because the reroutes are often of lesser quality and the reduction in quality needs to be mitigated.
2. The analysis and decision must recognize that semi-primitive motorized opportunities are the highest quality and most sought after experiences.
3. We ask that trails being rerouted not be closed until the reroute is complete so that the public can continue to use the much needed motorized recreational opportunity.
4. We ask that an alternative that includes the conversion roads to atv trails instead of closing the roads be included. Each road should evaluate on a site specific basis. The alternative should also include new construction to connect and complete atv loops where reasonable.

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NGO-CTVA-276: Cumulative impacts by resource and public land uses are provided in Chapter 4. Comment suggestions would be included as part of the Travel and Transportation Planning effort. Environmental justice is addressed in Social Economic Conditions and Environmental Justice section 4.5.3.

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5. Unfortunately rules oftentimes go to the lowest common denominator, i.e., the guy doing the most irrational things. Agencies are encouraged to keep rules as simple as possible and focused on addressing problems that are common and not the exceptions. Motorized recreationists can be called upon to help address the exceptions.
6. Agencies are encouraged to keep all existing trail systems open to motorized visitors.
7. Agencies are encouraged to add all existing road ands trails that are not on the trail system inventory to the roads and trail inventory.
8. Agencies are encouraged to return trails that used to be on trail inventories to the current inventory.
9. Where possible, agencies are encouraged to provide trailheads for motorized trails that are convenient to urban areas.
10. Where possible, agencies are encouraged to provide trailheads for motorized trails that are located at the boundary of urban areas and trails that connect urban areas to public lands and form motorized recreation opportunities similar to the Paiute Trail in Utah (http://www.marysvale.org/paiute_trail/contents.html).
11. Agencies are encouraged to insure that access to trails is not blocked by private lands and that private landowners do not have special access privileges. Where private landowners have elected to block public access to public lands, the boundary between that landowner and public land should be closed to motorized access using a "boundary closure" in order to avoid special access privileges for private landowners onto public land. Motorized access for the public on the public lands side should remain open to the boundary closure and the acquisition of public right-of-way should be pursued with the private landowner.
12. Agencies are encouraged to keep motorized access through private land open to the public. Every public access closure through private land should be challenged and protected by asserting legal right-of-ways. The cumulative negative impact of this lack of action has created private motorized reserves on public lands or defacto wilderness/non-motorized/exclusive-use areas accessible only to private landowners.
13. Agencies are encouraged to acquire private land and right-of-ways to provide access to public land that is now blocked off to the public. This action is necessary to reverse the prevailing trend over the past 35 ± years of less access to public land and the significant impact that the cumulative effect of closure after closure has had motorized access and motorized recreation.
14. Implement seasonal closures, where required, with input and review by OHV recreationists that will: (1) provide the maximum amount of OHV recreational opportunity during the summer recreation season in order to disperse all forms of trail use and thus minimize impacts to trail users; (2) provide winter OHV recreation opportunities in low-elevation areas that are not critical winter game range; (3) provide OHV recreation and access during hunting season by keeping major roads and OHV loops open while closing spur roads and trails necessary to provide reasonable protection of game populations and a reasonable hunting experience; and (4) provide OHV recreation opportunities during spring months in all areas where erosion and wildlife calving conditions reasonably allow.
15. Existing seasonal closures tend to separate the motorized and non-motorized peak use seasons. One size does not necessarily fit every circumstance but standardize or simplify seasonal closure dates as much as possible. The number of different closures periods should be kept to a maximum of two, if possible, in order to avoid confusion and resulting misunderstandings.
16. Motorized recreationists would be willing to accept area closure when necessary to protect the natural environment in exchange for a reasonable network of OHV roads and trails.
17. In areas where OHVs must use a roadway, travel management plans should include the designation of dual-use roads to allow OHV's to move from one trail segment to another.

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18. Provide open or play areas for motorized recreation opportunity and trials bikes where acceptable in selected areas.
19. Motorcycle trail riders enjoy riding single-track trails. Motorized single-track recreation trails are limited at this time and continue to decline. Some BLM and FS districts do not differentiate between ATV and motorcycle trails in their travel plans. Evaluations and travel plans should differentiate between ATV and motorcycle trails.
20. We have observed that single-track motorcycle trails require less maintenance for erosion and use. We have also observed that ATV enthusiasts do a good job of clearing downed trees from trails. These characteristics must be adequately considered.
21. Single-track trails that are not appropriate for ATV use should be kept open for motorcycle use.
22. Trails designated for motorized single-track use but do not physical features to prevent ATV use should include adequate signing and barriers to inform ATV enthusiasts and prevent inadvertent use.
23. The number of "single track" motorcycle trails that motorcycle riders seek has been significantly reduced over the last 35 years.
24. The integrity of the "loop" trail system should be maintained. Loop systems minimize the number of on-trail encounters because non-motorized trail users don't encounter motorized users going both directions, as they do on non-loop trails. Loop trails also offer trail users a more desirable recreational experience. Agencies are encouraged to provide opportunity for "motorized loop trail systems" to lessen impacts and to provide a better recreational experience. Spurs are useful for exploration and reaching destinations.
25. Agencies are encouraged to allow use of specific roads for OHVs that are not licensed for the street use in order to develop a network of roads that tie OHV trails together.
26. Agencies are encouraged to utilize standardized trail signing and marking in order to lessen confusion. Trails closed unless otherwise marked open are not reasonable. Trails, when closed, should be signed with an official, legitimate reason. Monitoring should be implemented to justify the reasons stated.
27. Agencies are encouraged to utilize all trail maintenance and upgrading management techniques, such as, bridging, puncheon, realignment, drains, and dips to prevent closure or loss of motorized trail use. Trails should not be closed because of a problem with a bad section of trail. The solution is to fix the problem area or reroute the trail, not to close it. If funding or manpower is a problem, then other resources should be looked to including local volunteer groups, state or national OHV funding.
28. Agencies are encouraged to develop OHV programs that address more than law enforcement needs. OHV programs should actively promote the development, enhancement, and mitigation of OHV recreation opportunities.
29. Agencies are encouraged to develop and use State Trail Ranger Programs similar to Idaho's program through the State OHV Fund, as well as volunteer trail maintenance programs.
30. Agencies are encouraged to clear trails early in the year to insure maximum availability and reduction of diversion damage caused by routing around obstacles.
31. Agencies are encouraged to avoid yearlong trail closures if wildlife concerns are valid only during certain seasons. In these instances, closures should be seasonal only with the dates consistent with the requirements to protect wildlife.
32. Agencies are encouraged to avoid trail closures associated with other actions including timber sales, mining, and livestock grazing. Corrective action should be taken where trail closures in the past have resulted from these sorts of past actions. Loss of motorized trails because of past timber sales should be mitigated by connecting old and new travelways to create looped trail systems.

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33. Agencies are encouraged to re-establish and/or relocate all trails and roads disturbed by other actions such as timber harvest, mining, and livestock grazing.
34. Agencies are encouraged to seek outside review and input by OHV recreationists on all proposed management decisions affecting motorized recreation opportunities including closures.
35. Agencies are encouraged to establish greater credibility with motorized recreationists by having motorized recreation planners on the interdisciplinary team and a board of motorized recreationists.
36. Agencies are encouraged to align non-motorized area boundaries so that they do not encroach or eliminate trails located at the edge of the boundaries.
37. Agencies are encouraged to provide for motorized trails and vista points on the boundaries outside of the non-motorized areas so the motorized visitors can view those areas.
38. Agencies are encouraged to establish OHV census collection points at road and trail collection points. Include an OHV category on all trail and road census sheets.
39. Agencies are encouraged to treat hiking, horses and mountain bikes as a form of transportation, just as motorized recreation is a form of transportation.
40. Agencies are encouraged to correct the signing at trailheads that suggests that motorized visitors are more damaging than other visitors.
41. Agencies are encouraged to keep trails in proposed non-motorized/wilderness/roadless areas open. Motorized-use on trails in these areas does not detract from the wild characteristics in the proposed non-motorized/wilderness area. Additionally, the Roadless Rule specifically allows for OHV activity in Roadless areas.
42. Agencies are encouraged to provide good statistics on the level of use by the various public land visitors and use these statistics in the decision processes.
43. Agencies are encouraged to avoid the closure of trails to motorized use as the "easy way out" in dealing with issues created by non-motorized users.
44. Agencies should recognize that many roads and trails were not originally laid out with recreation in mind and that changes should be made in some road and trail segments to address environmental and safety problems. In most cases, problems can be mitigated to a reasonable level and closures can be avoided.
45. Agencies are encouraged to recognize, in the form of access, groups who expend effort and money in maintaining and improving roads and trails.
46. Agencies are encouraged to promote multiple-use and not exclusive-use. Exclusive-use is the antithesis of public access and recreational opportunities within public lands. Management for exclusive-use runs counter to Congressional directives for multiple-use.
47. Agencies are encouraged to make Travel Plan maps more readily available. Vending machines could be placed in areas that are accessible at any time of the day or week at BLM and FS offices.
48. Agencies are encouraged to publish all Travel Plan maps in the same format and in an easy to read format. The Travel Plan map and Visitors map should be the same. All visitors need to clearly understand what areas, roads or trails are open for motorized travel and what areas, trails, or roads are closed to motorized travel. Current maps lead to misunderstandings by both non-motorized and motorized visitors.
49. Agencies are encouraged to implement a standard signing convention that is easily understood. For example, there are often misunderstandings about seasonal motor vehicle restrictions due to the "No" symbol with the actual closure period shown below in small text that is often not seen or understood. In this example, the road or trail is open except during the period below but it is often misinterpreted as closed.

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50. There needs to be better coordination between adjoining National Forest and BLM lands when making maps, laying out trails, and establishing travel plans. In some cases a trail is open in one jurisdiction but becomes closed when it crosses over the boundary to another jurisdiction resulting in an overall loss of motorized recreation opportunity.
51. Agencies should not use motorized access in areas closed to motorized access by the public because: (a) the public will see the tracks and could become upset that the motorized closure is being violated and/or (b) the public will see the tracks and conclude that motorized access is acceptable.
52. The difficulty of a particular route required can be identified by a signing system similar to ski runs so that recreationists are made aware of the skill levels required and so that a wide variety of routes for all skill levels can be enjoyed.
53. Winter ATV riding has become very popular and winter ATV areas should be considered as part of the proposed action.
54. A new standard for motorized recreational trails could be developed that would be more beneficial for the environment and motorized recreationists. This new standard would be as non-linear as possible (as curvilinear as possible). The original system of roads and trails was constructed with the shortest distance from point A to point B in mind. The new standard for motorized recreational trails would not necessarily follow the shortest distance and would include many curves to keep the speed down and increase the fun factor. Advantages of this approach would include: routes could easily be moved to avoid cultural resources and sensitive environmental areas; less visible on the ground and from the air; aesthetically pleasing; lower speeds and greater safety; easily incorporates dips and swales for diversion of water from the route (environmental protection) and greater enjoyment by motorized recreationists. These sorts of trails could be built as mitigation for any motorized closures required as part of an action. Please contact Doug Abelin of CTVA for more information on the non-linear approach to trail construction.
55. Ruts caused by ATVs in corners are often due to the solid drive axles which do not allow the wheels to turn at different speeds due to the difference in between outside and inside curve radiuses. These ruts could be significantly reduced by encouraging all manufacturers to develop machines with differential axles that allow the outside and inside tires to turn at different speeds.
56. The following sort of motorized trail identification and rating system would be very helpful to the motorized public and would allow users to match up their experience level and equipment to the most appropriate trails. This system is similar to ski trails. Note that the easiest = green, more difficult = blue, and most difficult = black. The original map may be viewed at

Responses

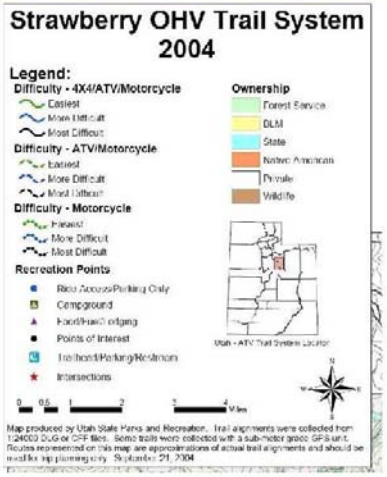
We are a locally supported association whose purpose is to preserve trails for all

NGO-CTVA

Comments

Responses

http://www.stateparks.utah.gov/ohv/maps/strawberry_Final2.pdf



We are a locally supported association whose purpose is to preserve trails for all recreationists through responsible environmental protection and education.

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NGO-CBD

Comments

Responses

CENTER for BIOLOGICAL DIVERSITY *Because life is good.*

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

September 30, 2010

Via e-mail: wdrmp@blm.gov

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

Dear Mr. Seidlitz:

Please accept the following comments regarding the Draft Resource Management Plan ("RMP") and Environmental Impact Statement ("DEIS") for the Winnemucca District, on behalf of The Center for Biological Diversity ("Center"). We appreciate the notification of this opportunity to comment.

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 255,000 members and on-line activists throughout Nevada and the United States.

We submit these comments on behalf of our members, activists, staff, and members of the general public who are interested in protecting native species and their habitats, quiet recreation activities, and wilderness experiences on Bureau of Land Management ("BLM") lands in Nevada and particularly those lands in the Winnemucca District.

Land management planning affords the BLM the opportunity to step back and identify and analyze what has changed since the current RMP was completed, and to work with the public to identify what changes are needed to address today's and tomorrow's challenges and opportunities. At the time of scoping the Center did not have a Nevada office and did not submit scoping comments. Such an opportunity cannot be left to pass without giving it a concentrated and comprehensive effort, and it is in this spirit that we offer the following comments on the draft RMP and EIS.

First, I'd like to observe that this draft RMP and EIS does a noteworthy job of presenting well thought out and implementable alternatives for the public and stakeholders to consider. This is not often seen in any agency and your efforts are to be commended. We also commend the comprehensive and well organized information you presented in Table 2-3.

Arizona . California . Nevada . New Mexico . Alaska . Oregon . Montana . Illinois . Minnesota . Vermont . Washington, DC
4261 Lily Glen Ct . Las Vegas, NV 89032 *tel:* (702) 249.5821 *fax:* (702) 638.4261 *www.BiologicalDiversity.org*

NGO-CBD

Comments

1. **Our Preferred Alternative**

Because the draft does a good job of "fleshing out" several viable alternatives, we will utilize this framework to make our comments and suggestions below.

Alternative C, option 2 is the most environmentally protective of the alternatives discussed in the Draft RMP and **we have suggested changes below that would improve this alternative**. We urge the BLM to adopt alternative C, option 2 with these changes:

Water Resources:

NGO-CBD-1

- Action C-WR 2.1 – We do not believe that interbasin transfers of water are an acceptable management action.

  In the chapter 3 discussion of the groundwater resource, the DEIS makes contradictory statement regarding the flow of groundwater between basins.

  Starting on page 3-25 it states that, "Most basins in the Basin and Range Physiographic Province are closed; surface water in the basin originate in adjacent mountains and remain in the valley", and continuing on page 3-26, "…the boundaries of groundwater basins, generally correlate well with surface water hydrographic units…". This would tend to support the action found in C-WR 2.1 to, "not exceed the perennial yield of the source basin…".

  However, this assertion is simply not supported by the facts regarding interbasin flow. Further on page 3-26, the DEIS states, "Groundwater tends to be in constant motion…Therefore, although capturing the perennial yield of an upstream basin may not cause a noticeable decline in storage in that basin, it would reduce the perennial yield of the adjacent downstream basins". This statement corresponds to our understanding of the science, and implies that the BLM cannot just be concerned about the mathematics of balancing the perennial yield of source basins, but need rather to consider the dynamics of the entire relevant groundwater system.

  As such this Action C-WR 2.1 should be **dropped.**

NGO-CBD -2

- Action C-WR 2.2 – replace it with Action D-WR 2.2. Water for fire suppression is a valid use, and relates to changes we propose to make to alternative C regarding fire use and management.

NGO-CBD -3

- Action C-WR 2.3 – add "state permitting process" to the ways to secure water, and drop the word "livestock".

Responses

NGO-CBD-1: The commenter defines their preferred alternative utilizing management actions developed from other alternatives and suggest revising alternative C. In order to maintain a range of reasonable alternatives as required by NEPA, in accordance with 40 CFR 1502.14(a), no major revisions to alternative C were included in the proposed RMP. BLM took into consideration comments from Center of Biological Diversity in development of the preferred alternative D. The BLM understands that the groundwater basins defined by NDWR may not represent completely closed basins with regard to perennial yield, however they provide an appropriate geographical and hydrologic framework on which to base management decisions.

NGO-CBD-2: Comment noted.

NGO-CBD-3:Action D-WR 2.3 includes language referencing the state permitting process and does not specifically include a statement relating to livestock.

Comments

NGO-CBD

Vegetation – Forest/Woodland Products

NGO-CBD-5

- Action C-VF 1.3 – replace it with Action D-VF1.3. C-VF 1.3 artificially limits the options for managing forested vegetation unnecessarily.

NGO-CBD-6

- Action C-VF 3.2 – replace it with Action D-VF 3.2. There is no good rationale for not including prescribed fire and fire for resource benefit as tools for achieving desired future conditions along with natural fire, in fact "natural fire" and "fire for resource benefit" seem to be the same. You would not let a natural fire burn where resource objectives or the prescribed natural fire plan were compromised.

NGO-CBD-7

- Action C-VF 3.4 – replace it with Action D-VF 3.4. Stand encroachment is only a natural process in the absence of unconstrained natural fire, which is infeasible due to resource values and human health and safety.

NGO-CBD-8

- Action C-VF 3.5 – replace it with Action D-VF 3.5. Again, there is no good rationale for limiting the "tools in the box" for the BLM to use to manage forest resources, provided the tools are used wisely and with the proper stipulations and mitigation measures.

NGO-CBD-9

- Action C-VF 3.6 – replace with Action D-VF 3.6. With the addition of D-VF 3.5, this becomes necessary.
- Action C-VF 3.7 – replace with Action D-VF 3.7. Same rationale as for D-VF 3.5.
- Action C-VF 3.8 – replace with Action D-VF 3.8. Same rationale as for D-VF 3.5.

Vegetation - Weeds

NGO-CBD-10

- Action C-VW 2 – replace with Action D-VW 2. Cheatgrass is a human-induced epidemic on the landscape and only through active management is there any hope of restoring or maintaining native ecosystems to some degree.
- Action C-VW 2.1 – replace with D-VW 2.1. Same rationale as for D-VW 2.

Chemical and Biological Control

NGO-CBD-11

- Action C-PE 1 – replace with D-PE1. Add a caution and requirement that biological controls will only be used after a comprehensive and thorough investigation into their impacts and consequences, and that a comprehensive risk analysis needs to be completed and coordinated with the Nevada Department of Wildlife ("NDOW") and the U.S. Fish and Wildlife Service ("FWS").
- Action C-PE 1.1 – change "Use methods" to "Prioritize methods", and incorporate wording in Action D-PE 1.1. The management of long entrenched invasive species will in some cases require the use of cautious chemical control.

Responses

NGO-CBD-5:
Comment noted.

NGO-CBD-6:
BLM has developed a range of alternatives.

NGO-CBD-7:
Comment noted.

NGO-CBD-8:
Comment noted.

NGO-CBD-9:
Comment noted.

NGO-CBD-10:
Comment noted.

NGO-CBD-11:
Comment noted.

NGO-CBD

Comments

NGO-CBD-12

- Action C-PE 1.4 – replace with D-PE 1.4. The management of long established invasive species will in some cases require the use of cautious chemical control.

Fish and Wildlife

NGO-CBD-13

- Action C-FW 1.3 – replace with Action A-FW 1.3. The reintroduction of bighorn sheep should not be unnecessarily constrained by sheep allotments.
- Action C-FW 1.5 – replace with Action B-FW 1.5. Elk are not native to this area and once established will likely displace other native species. Elk should not be established or allowed to pioneer under any circumstance.
- Action C-FW 1.6 – replace with A-FW 1.6. Prescribed fire should be part of the habitat management tool box.
- Action C-FW 3.1 – replace with Action D-FW 3.1. In light of changes in climate and other human-induced stressors, "natural rehabilitation" may not be enough to conserve shorebird and waterfowl species.
- Action C-FW 4.1 – replace with Action D-FW 4.1. The original C-FW 4.1 action seems overly restrictive considering the risk to species viability.
- Action C-FW 6 – replace with Action D-FW 6. Artificial water sources for native species may well be needed to allow these species to adapt to the changing climate.
- Action C-FW 6.1 – replace with Action D-FW 6.1. Artificial water sources for native species may well be needed to allow these species to adapt to the changing climate.
- Action C-FW 6.1.1 – replace with Action D-FW 6.1.1. Common sense and good interagency coordination.
- Action C-FW 6.1.2 – replace with Action D-FW 6.1.2. Needed due to other changes made in this category.
- Action C-FW 11.1 – replace with Action D-FW 11.1. Needed to guide other changes made in section FW-6. Add a requirement to leave occupied and potential springsnail habitat undisturbed.
- Action C-FW 11.2 – replace with Action D-FW 11.2. Drop the word, "livestock" and add the word "wildlife".

Responses

NGO-CBD-12:
Comment noted.

NGO-CBD-13:
BLM has developed a range of alternatives. Covered in C-FW 11.1 as there would be no development of springs. Wildlife is covered in the objective-which is to "ensure availability for aquatic and terrestrial wildlife and other uses." Springs are not developed for wildlife. Also covered in D-FW 11.1 as stated to develop when possible and a pre-disturbance spring snail inventory would be completed.

Comments

NGO-CBD

Special Status Species

Special Status Species

NGO-CBD-14

- Action C-SSS 1.1 – Extreme care must be used when relying on the Nevada Natural Heritage database as the primary source for identifying the need to conduct rare plant surveys. The Heritage database only identifies the presence of a species and one cannot legitimately assume that areas lacking locality data represent an absence of a species or its habitat. The proposed two-mile radius survey area is a good start, but should be expanded to include areas with similar habitat characteristics within the cumulative effects analysis zone.

- Action C-SSS 1.2.1 – The proposed 2-mile prohibition of surface disturbance or occupancy for sage grouse leks is the absolute minimum buffer, and should be adaptive to new science findings. The human activity avoidance times should apply to a 1-mile buffer rather than the proposed quarter mile buffer.

  Add the "Exception" and "Modification" from Alternative D, with the requirement that the Nevada Department of Wildlife needs to accept the exceptions and modifications. Management prescriptions should be adaptive and flexible so long as there is no harm to the species of concern.

- Action C-SSS 1.2.2 - Add the "Exception" and "Modification" from Alternative D, with the requirement that the Nevada Department of Wildlife needs to accept the exceptions and modifications. Management prescriptions should be adaptive and flexible so long as there is no harm to the species of concern.

- Action C-SSS 1.3.1 – add the words "prescribed fire".

- Action C-SSS 2.1 – add the phrase, "and in cooperation and consultation with other agencies".

- Action C-SSS 2.2 – Add additional protections for Lahontan cutthroat trout and actively promote its conservation and recovery by establishing Areas of Critical Environmental Concern in watersheds with existing populations and key potential habitat areas, as defined by the LCT Recovery Plan.

Wild Horses and Burros

NGO-CBD-15

- Action C-WHB 1.5 – replace with Action D-WHB 1.5. Managing AMLs as a single number makes no sense and has no scientific basis.

- Action C-WHB 1.6 – replace with Action D-WHB 1.6. Goes along with request for C-WHB 1.5, and makes more sense than gathering according to an arbitrary 4-year schedule.

Responses

NGO-CBD-14:
BLM has developed a range of alternatives. Also, Refer to Appendix F as the ACEC process has been completed with public nominations. Action SSS 1.2.1(2) includes criteria for coordination with NDOW.

NGO-CBD-15:
Comment noted.

Comments	Responses
NGO-CBD	
NGO-CBD-15 Cont-d • Action C-WHB 1.7 – replace with Action D-WHB 1.7. Fertility control is necessary component of wild horse and burro management if they are to be allowed to roam federal lands. • Action C-WHB 1.8.1 – replace with Action D-WHB 1.8.1. If healthy and adequate suitable habitat for WHB cannot be provided, then they should be permanently removed from the range and the AML set to zero.	
ineral Resources	
NGO-CBD -16 • Action C-MR 2.1.1 - Extreme care must be used when relying on the Nevada Natural Heritage database as the primary source for identifying the need to conduct rare plant surveys. The Heritage database only identifies the presence of a species and one cannot legitimately assume that areas lacking locality data represent an absence of a species or its habitat. The proposed two-mile radius survey area is a good start, but should be expanded to include areas with similar habitat characteristics within the cumulative effects analysis zone. • Action C-MR 2.1.3 – Add from Action D-MR 2.1.3, actions "k" and "l". • Action C-MR 2.2 - add additional ACECs to the list for LCT. • Action C-MR 2.2.2 – change from a "quarter mile" to one mile. • Action C-MR 4.1.1 - Extreme care must be used when relying on the Nevada Natural Heritage database as the primary source for identifying the need to conduct rare plant surveys. The Heritage database only identifies the presence of a species and one cannot legitimately assume that areas lacking locality data represent an absence of a species or its habitat. The proposed two-mile radius survey area is a good start, but should be expanded to include areas with similar habitat characteristics within the cumulative effects analysis zone. • Action C-MR 4.2 - add additional ACECs to the list for LCT.	NGO-CBD-16: Action D-MR 2.1.1 does not reference the Nevada Natural Heritage database. ACEC nominations were requested and evaluated – See ACEC Report Appendix F. Refer to Appendix B, Fish, Wildlife and SSS SOPs and BMPs and appendix L – Fluid Leasing Stipulations for further measures to protect resources.
Recreation, Visitor Outreach and Services NGO-CBD -17 • Action C-R 9.1.3 – change to, "Protect natural and cultural resources by not permitting competitive off-road events." • Action C-R-9.1.3.1 – change to, "No competitive off-roads events will be permitted." • Action C-R 9.1.3.1.1 - change to, "No competitive off-roads events will be permitted."	NGO-CBD-17: Suggested change is proposing to prohibit competitive off-road events. Such a broad scale exclusion is contrary to BLM's multiple use mandate and was therefore not considered as an alternative. Refer to section 2.4 "Alternatives Considered but Eliminated from Detailed Analysis".
2. **Objectives and Management Actions Common to All Alternatives** NGO-CBD -18 • Action CA-SSS 1.2 – add the phrase, "qualified botanist or biologist".	NGO-CBD-18: LCT protection is covered under CA-SSS 2.2. Also, Rever to Appendix F as the ACEC process has been completed with public nominations.

NGO-CBD

Comments

Responses

NGO-CBD -18 Cont-d.

- Action CA-SSS 1.8 – change to "Avoid forest or woodland management within…".
- Add Objective CA-SSS 4: Protect the Lahontan cutthroat trout.
- Add Action CA-SSS 4.1 – Establish ACECs for the protection of Lahontan cutthroat trout in areas of occupied habitat and areas of high potential unoccupied habitat.
- Add Action CA-SSS 4.2 – Pursue mineral and rights-of-way withdrawals for these critical areas.
- Add Action CA-SSS 4.3 – Close the ACECs to all permitted grazing.
- Add a new Objective for Lands and Reality: "Protect the American public's enjoyment and access to their federal lands heritage.
- Add an Action for the above new objective: "There will be a no net loss of publically owned acreage within the WDO area."
- Action CA-LR 2.2 – Add a new bullet: "Lands designated as ACECs, WSAs, or Areas having Wilderness Characteristics, will not be offered for exchange or sale".

3. Climate Change

NGO-CBD -19

One area which the DEIS was deficient was in addressing the topic of climate change and the impacts that can be reasonable anticipate from it. A search for the word, "climate" only resulted in hits for air quality, soils, livestock and wild horse and burros, and fire emissions. While doing an elementary job of describing the expected changes from climate change, the document failed to describe the impacts on specific resources. It also wrongly makes the assumption that historic climatic conditions will continue into the future life of the plan.[1] In fact, Chapter 3 of the document refutes this assumption.[2]

Of particular concern are the impacts to special status species and their habitats, and how management actions being contemplated now can assist in mitigating and ameliorating the impacts.

An illustrative example can be made regarding the Lahontan cutthroat trout ("LCT").[3]

[1] DEIS, page 4-2.
[2] See pages 3-11-12.
[3] This example comes from a paper written by the U.S. Environmental Protection Agency:
U.S. Environmental Protection Agency (EPA). (2009) A framework for categorizing the relative vulnerability of threatened and endangered species to climate change. National Center for Environmental Assessment, Washington, DC; EPA/600/R-09/011. Available from the National Technical Information Service, Springfield, VA, and online at: http://cfpub.epa.gov/ncea/global/recordisplay.cfm?deid=203743

NGO-CBD-19: The BLM has conducted additional analysis for climate change in the FEIS. This analysis includes greenhouse gases, major economic sectors contributing to emissions that are subject to BLM land use management practices, global mean temperature changes and future trends. Wildlife priority habitat areas, management of priority watersheds, lands and realty exclusion and avoidance areas all contain use restrictions which would protect wildlife.

Comments

NGO-CBD

This species was initially affected by climate change at the end of the last ice age, and with the drying of ancient Lake Lahontan had its distribution fragmented and isolated into a number of disconnected drainage basins. In the Recovery Plan for this species, the U.S. Fish and Wildlife Service ("FWS") estimates the trout is restricted to about 11% of their ancestral riverine habitats and less than 1% of lake habitats.

NGO-CBD -20

As the DEIS discloses, regional climate models predict a warming of 3.6 - 9° F over the next century.[4] It is odd then that in the DEIS the BLM makes the analytical assumption that, "Local climate patterns of historic record and related conditions for plant growth would continue;".[5] While the DEIS is silent about climate change and its effects on other biological consideration, it seems safe to assume that this same assumption was applied to all biological and ecological considerations, as there was no mention of it with regards to wildlife, sensitive species, or vegetation. With respect to fire regime, the DEIS attempts to explain away the need for further discussions by stating that the analysis framework is only 20 years and hence, climate change would not affect the fire regime noticeably.[6]

Adaptation is, "about reducing vulnerabilities to emerging or future impacts that could become seriously disruptive if we do not begin to identify response options now…adaptation is essentially a risk management strategy."[7] A recommendation of the National Research Council was that, "All decision-makers – within national, state, tribal, and local agencies and institutions, in the private sector, and nongovernmental organizations (NGOs) – should identify their vulnerabilities to climate change impacts and the short- and long-term adaptation options that could increase their resilience to current and projected impacts."[8] With respect to LCT and other temperature sensitive species, this unfortunately was not done in the DEIS.

The LCT is a cold water species, and above certain temperature thresholds the physiological processes of its biology begin to deteriorate. For example, above 66° F the viability of eggs decreases and above 77° F there is excessive mortality of the fry. It is thought that water temperatures that exceed 68-73° F on a regular basis set the physiological limits to the distribution of the species. The predicted temperature increase is very likely to have a directly proportional impact on stream temperatures. Warming stream temperatures could also result in increased competition with fish accustomed to warmer waters, another stressor. Due to the current highly fragmented and circumscribed habitats, it is highly unlikely that the fish would be able to shift much in response to changing climates. While there may be increased precipitation, the spawning of LCT is closely tied to the seasonal pulse of water from spring snowmelt. Changes in the amount and timing of the precipitation and the melt could mean that the size of the pulse could be reduced or otherwise altered, adding another stressor on the species viability.

EIS, page 4-40.
EIS, page 4-2.
EIS, page 4-325.
ational Research Council. 2010. Adapting to the Impacts of Climate Change. The National Academies Press.
ailable at: www.nap.edu/catalog.php?record_id=12783 .
id.

Responses

NGO-CBD-20: See comment response NGO-CBD-19.

NGO-CBD

Comments	Responses
NGO-CBD -21	Continuing with the example, given the impacts from climate change the BLM should develop a range of reasonable foreseeable alternative future scenarios in the FEIS for species of concern and analyze the impacts of the various alternatives compared as to their ability to accommodate adaptations to changes in climate. For LCT, this in part would mean modifying at least some of the alternatives, definitely alternatives C & D, to provide habitat conditions that favor the LCT over other land uses that could degrade stream and riparian habitat and shade. One suggestion the Center has made in Section 1, was the establishment of ACECs for LCT. The same analysis and considerations should be conducted in the FEIS for other species at risk for climate change.	NGO-CBD-21: BLM has developed a range of alternatives. Refer to Appendix F.
	4. **Wilderness**
NGO-CBD -22	The Center supports the DEIS's identification of Fencemaker, North Sahwave Mountains, Tobin Range, Buckhorn Peak and Granite Peak areas. We further request that the area to the south of the Blue Lakes WSA to the Sage Hen drainage and the highly scenic core of the Lava Beds be added to the list of areas with Wilderness Characteristics. These areas of Wilderness Characteristics should exclude motorized routes, or as a minimum severely curtail the use of motorized vehicles and restrict them to a few designated roads and trails. The areas should be classified as Class I for Visual Resource Management and closed to mineral material disposal, leasing and entry. They should also be included in the rights-of-way exclusion area and not be made for disposal.	NGO-CBD-22: The Citizens Proposal put forward by the Pershing County Checkerboard Lands Committee for Wilderness Characteristics Inventory has been adopted by this RMP. This Citizens Group and the BLM determined that the Lava Beds did not meet the criteria for Wilderness Characteristics.

Thank you for this opportunity to comment, and we hope our input will be helpful to you in crafting a final plan that is up to tackling the important issues facing the District, now and in the future.

Yours in the conservation and stewardship of our public lands,

Rob Mrowka
Ecologist/Conservation Advocate

NGO-CNW

Comments

October 25, 2010

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

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

Dear RMP Team,

The Coalition for Nevada's Wildlife (Coalition) and Nevada Bighorns Unlimited – Reno (NBU) wish to present comments on the BLM Winnemucca District Draft Resource Management Plan.

The Coalition is a 501C.4 non-profit organization whose mission is to enhance and protect Nevada's wildlife resources. The majority of our board of directors are presidents or directors of other sportsmen's organizations. The Coalition is the most active and successful sportsmen's lobby in the state legislature and is also very involved in national wildlife and sportsmen's issues. We interface with sportsmen's groups and county game advisory boards statewide so that we typically represent the views of Nevada sportsmen.

NBU is a 501C.3 non-profit organization that is the largest sportsmen group in the state with over 3,000 members. In partnership with the Nevada Department of Wildlife and federal land management agencies, NBU has provided funding, volunteer labor, and political momentum to bring bighorn sheep back from the brink of extinction to population levels greater than in any other state other than Alaska. With this same effort Nevada now has more elk and more antelope than any time in recorded history.

We submit the following comments on the Draft RMP:

Wild Horses and Burros (WHB):

The Coalition and NBU support the management goal for WHB presented in Table 2-1 as well as the objectives of the Preferred Alternate D presented in Table 2-3. We have the following suggestions for additional management actions:

NGO-CNW-1 BLM has not been able to conduct accurate census nor has been able to accurately conduct population models. An example of this fact is the Jackson Mountains where actual populations exceeded the projected population by 300 percent. An emergency gather was necessary resulting in the death of many animals due to poor condition. It is not known how much wildlife died due to over-utilized forage and competition at water sources. Direct counts by aerial census or inadequate correction factors have improperly been utilized in population estimates in the past resulting in more horses on the ground than projected. We therefore suggest the following

1

Responses

NGO-CNW-1:
WH&B population and rangeland monitoring are required by BLM policy – See WH&B Handbook H-4700-1.

NGO-CNW

Comments

NGO-CNW -1 Cont-d

management action: *"Regular aerial census shall be conducted on a maximum three-year interval utilizing the latest approved scientific methods. Census shall be conducted concurrently across the boundaries of HMA's, BLM districts, USFS, and USFWS lands. Appropriate correction factors shall be applied to all field census figures utilized in population models."*

AMLs are often out of date providing grounds for protest and litigation. Range conditions and, therefore, carrying capacity for all species change with drought and wildfire. When range conditions are degraded, domestic livestock usage is decreased and wildlife populations adjust themselves downward (since the 1960's there is now half the domestic livestock AUMs and mule deer populations are on the steady decline, while wild horse populations have spiraled upward). The Coalition and NBU suggest the following management action: *"AML shall be reviewed and revised as necessary every 10 years, or following major wildfires or five (5) years of drought."*

NGO-CNW -2

The 2010 gather in the Calico Complex did not remove the number of excess horses planned in the EA. Horses simply migrate in and out of HMAs and HMA complexes. The post-gather census counted horse numbers 200 percent above the objective. The Coalition and NBU therefore suggest the following management action: *"Gather objectives shall be met even if crossing HMA boundaries are necessary."*

NGO-CNW -3

The Coalition and NBU fully support "self sustaining" wild horse and burro populations on our public land, but the definition needs to be clearly stated in this document. To achieve self-sustaining populations, the low range of AML must first be achieved, followed by intensive management techniques of fertility control, sex ratio manipulation, and creation of non-reproducing herds. The Coalition and NBU suggest the following management action: "A *sufficient number of large HMAs shall be analyzed and be converted to non-reproducing herds so that natural attrition in these HMAs could be supplemented from necessary gathers of excess animals in smaller HMAs and, along with adoption demand, result in a static population statewide – a true sustainable herd condition."* This management action would almost eliminate required gathers in the treated large HMAs, greatly reduce the need for future long-term holding and sanctuaries, reduce transportation and short-term holding needs, and tremendously reduce the program budget.

Water Resources:

The Coalition and NBU support Action D-WR 1.3; however, all standards, BMPs, etc. should be developed or amended to be site specific in order to maximize effectiveness.

We adamantly oppose the Action B-WR 2.1. Water distribution shall comply with State water law. Water importation and exportation shall stay with the defined ground water basin.

NGO-CNW -4

The Coalition and NBU are not generally supportive of water export or import projects. In terms of Action D-WR 2.1 the project proponent for any export or import should be required to monitor for resource damage to public lands and required to mitigate any negative impacts.

2

Responses

NGO-CNW-2: Comment noted

NGO-CNW-3:AML levels are addressed in table 2-1 action D-WH&B 5.2. Fertility control is addressed at D-WH&B 5.3 and Non-reproductive herds are addressed at D-WH&B 5.4.

NGO-CNW-4: D-WR 2.1 references mitigation measures which, as with other economic ventures, would be provided by the proponent. Each case will be evaluated to determine appropriate mitigation which could include resource damage monitoring.

NGO-CNW

Comments

NGO-CNW -5

The Coalition and NBU are very supportive of Action D-WR 2.2. These projects should be developed in cooperation and coordination with authorized public land users and interests such as grazing permittees, and the Nevada Department of Wildlife in order to maximize locations for multiple benefits.

Vegetation – Woodland/Forest Products:

NGO-CNW -6

We support Action D-VF 1.1 and D-VF 1.3, but are very skeptical about the use of fire in Action D-VF 1.2. The Coalition and NBU suggest the inclusion of language that requires only cool-season burns when chance of fire spread is absolutely minimized.

We support Objectives D-VF 2 and D-VF 3 assuming that "Maintenance" of woodlands means active maintenance and not passive maintenance.

We are very supportive of Action D-VF 3.4, particularly to restore and protect critical sagebrush habitat for deer and sage-grouse.

NGO-CNW -6

In regard to Actions D-VF 4.1 and 4.2, the designation of old-growth forest should be based largely on soil surveys and ecological site descriptions rather than a subjective process.

Vegetation – Weeds:

NGO-CNW -7

The Coalition and NBU strongly support the stated Goal, Objective D-VW 1 and Action D-VW.1.1 to utilize an integrated approach to weed management and promotion of ecosystem resilience. We are adamantly opposed to Action C-VW.1.1 that does not allow for use of chemical treatments. Recent scientific findings suggest that chemical treatments can be extremely effective at promoting ecosystem resilience. The District **must utilize ALL available means** to prevent and minimize the spread of invasive vegetation.

We strongly support Action D-VW.1.2.2. We believe in collaborative processes to address major resource challenges. That being said, NGOs and Partnership Programs should be included in the list of entities to include in such processes. In particular, the Coalition and NBU support utilizing the strengths of groups like the Wildlife Conservation Group, the Nevada Partners for Conservation and Development and various sportsmen and wildlife conservation groups such as this Coalition, NBU, Nevada Muleys, Nevada Chukar Foundation, etc.

The Coalition and NBU strongly support the inclusion of Objective D-VW.2 and Action D-VW.2.1. Invasion of undesirable annual grasses is one of the biggest threats to wildlife habitat and ecological resilience, and all tools should be made available to deal with this problem. We are highly supportive of the use of chemical treatments, prescriptive grazing, use of adaptive species, etc. to combat invasive undesirable annual vegetation.

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Responses

NGO-CNW-5:
Comment noted.

NGO-CNW-6 :
The designation of old growth forests is based on the structure and composition characteristics of the forest type according to the Healthy Forests Restoration Action of 2003 and BLM guidance, "Meeting Healthy Forest Restoration Act - Old-growth Management." - Instruction Memorandum 2005-110. The definition of old growth stands has been included in the glossary.

NGO-CNW-7:
Comment noted.

NGO-CNW	Comments	Responses
	Vegetation – Rangeland:	
NGO-CNW -8	The Coalition and NBU are generally supportive of the stated Goal; however, **resilience** of vegetative communities should be stated in the goal. The threat of fire and weeds within the district demands resilient ecosystems.	NGO-CNW-8: Resilience of vegetative communities is stated in Objective VR 1.
	The Coalition and NBU are very supportive of Objective D-VR 1, Action D-VR 1.1 and 1.2. However, we are very concerned about the emphasis on use of prescribed and wild fire. We would prefer the use of other vegetation manipulations such as mechanical and chemical over the use of fire which is much more risky.	
	We suggest the addition of a new Action D-VR 1.3 that would emphasize cooperation between the BLM and State agencies such as NDOW and NDF, conservation and wildlife NGOs, and partnerships to pool limited resources in order to maximize active management projects. Other western states, such as Utah, have been able to greatly increase restoration projects through such partnerships.	
	The Coalition and NBU are very supportive of Action D-VR 1.2.1 to utilize livestock in order to reduce fuel loads created by annual invasive species, provided it does not conflict with wildlife objectives. We would encourage the use of this approach to protect desirable habitat areas that are surrounded and threatened by fire from adjacent areas dominated by invasive vegetation.	
NGO-CNW -9	The Coalition and NBU have concern in regards to Action D-VR 1.3. While we support re-establishment of native vegetation, it is almost always difficult to do in the face of invasive weed species. Therefore, seed mixes should be determined on a case-by-case basis and introduced species, proven to be competitive with invasive weeds, emphasized in areas where there is a high probability of establishment of undesirable/invasive weeds. We would also recommend the use of soil bio-assays to determine the condition of the existing seed bank when developing a seed mix. We also suggest that the BLM cooperate with the Agricultural Research Service, and/or utilize the best science, in order to identify and use the most desirable introduced species to prevent establishment of invasive species until native plants can become established.	NGO-CNW-9: The BLM has developed a range of alternatives - VR 4.1 See BLM Manual 1745 Introduction, Transplant, Augmentation, and Reestablishment of Fish, Wildlife, and Plants and Executive Orders 11987 and 13112.
NGO-CNW -10	We are generally supportive of Objective D-VR 3. However, an action item should be added to emphasize the need for seeding burned areas as soon as possible following wildfires. Restoration priorities should also be stated. For example, restoration in Priority 1 wildlife habitat should be emphasized as well as restoration in areas at higher risk for establishment of invasive weeds.	NGO-CNW-10: BLM Policy for emergency stabilization actions requires that actions must be taken within 1 year following containment of a wildland fire. (620 DM 3.3E)
NGO-CNW -11	The Coalition and NBU are very supportive of Action D-VR 4.2; however, the first priority should be on maintaining healthy habitats, then restoration of burned habitat, and finally treatment of monocultures. Once again, the Coalition and NBU encourage the use of the best available science and working with a suite of partners to accomplish this action.	NGO-CNW-11: Comment noted.
	The Coalition and NBU are fully supportive of Objective D-VR 5 and associated actions.	

4

NGO-CNW

Comments

NGO-CNW -12

The Coalition and NBU are fully supportive of Objectives D-VR 6 and 7 as well as associated actions; however, we suggest that this Objective be given a higher priority. In our view, this should be a higher priority than restoring cheat grass monocultures.

Fish and Wildlife:

NGO-CNW -13

The Coalition and NBU are in full support of the described fish and wildlife goal, Objective D-FW 1, and associated actions. However, in addition to the areas listed under Action D-FW 1.1, we would urge the inclusion of the Pine Forest Range and Granite Range, including all areas north to, and including, Fox Mountain as Priority 1 Wildlife Habitat. These areas include highly productive wildlife habitat, especially for key game species such as mule deer, pronghorn antelope, bighorn sheep and sage-grouse. These areas are also highly popular with sportsmen and non-consumptive recreational users.

The Coalition and NBU are in full support of excluding new rights-of-way within Priority 1 areas, particularly in regards to renewable energy development. We do not oppose responsible energy development, but these areas are not suitable to such activities based on the rich wildlife diversity and popularity for recreational pursuits.

The Coalition and NBU adamantly oppose Action B-FW1.1.

We are in full support of Objectives D-FW 2, - 11 and all associated actions.

We are highly supportive of Action D-FW6.1, the development of wildlife water guzzlers to expand or mitigate wildlife population areas.

NGO-CNW -14

The Coalition and NBU are highly supportive of Actions D-FW 2.1 and 2.2 assuming this includes both the Statewide Wildlife Action Plan and Sage-grouse Conservation Plan. Another action should be added to encourage partnerships with NDOW, conservation and sportsmen groups to implement actions and projects identified within HMPs.

We also highly supportive of A-FW6.1, to construct and fence wildlife water developments to provide additional year-long sources of water for the exclusive use of wildlife.

Special Status Species:

The Coalition and NBU strongly support Action D-SSS1.2, Sage Grouse.

Renewable Energy:

NGO-CNW -15

The Coalition and NBU support the Renewable Energy Goal and Objective D-RE 1. However, we would strongly recommend the addition of language that requires the BLM and renewable energy project proponents to consult with local stakeholders and the County to identify and address any concerns prior to submittal of a plan of development. Renewable energy projects **must** be held to the same environmental standards as any other project.

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Responses

NGO-CNW-12: Comment noted.

NGO-CNW-13: Several factors went into the determination of Priority Wildlife Habitat Areas. As a starting point, and through cooperation with NDOW, the areas that are designated as Population Management Units (PMUs) for the candidate species Greater Sage-grouse were reviewed. Many of these areas are also inhabited by the threatened species Lahontan Cutthroat Trout (LCT). Of these areas, the ones considered to be the most crucial for protection due to presence of at-risk wildlife species habitat, are those proposed as Priority Wildlife habitat areas. The PRMP/FEIS proposed alternative (D) clarifies management of these areas to include use restrictions and permit stipulations applicable to certain minerals and rights-of-way proposals in order to protect these areas. See D – FW 1.2, D-SSS 1.2.1 and D-SSS1.2N.

The vast majority of the areas were determined as described above, yet small adjustments were made based on other considerations such as land ownership, habitat fragmentation and areas already under special management or proposed as such (e.g. WSAs, ACECs). For ease in defining and describing the priority area boundaries, section lines were used as much as possible.

NGO-CNW-14: The BLM has an extensive list of Cooperating Agencies and partners to accomplish public land management goals and objectives.

NGO-CNW-15: This action is an implementation level decision, not an RMP level decision. During the implementation level planning process a separate public involvement and NEPA analysis will be conducted.

All Renewable Energy Plans of Developments are required to be reviewed under NEPA. This process is a public process. Local governments may be invited to be Cooperating Agencies in the NEPA process.

NGO-CNW

Comments

NGO-CNW -16

The Coalition and NBU strongly support the concept of avoidance and exclusion areas as described in Actions D-RE 1.2 and 3. However, we would urge the inclusion of the Pine Forest Range and Granite Range, including all areas north to, and including, Fox Mountain as exclusion areas rather than avoidance areas. These areas include highly productive wildlife habitat, especially for key game species such as mule deer, pronghorn antelope, bighorn sheep and sage-grouse. These areas are also highly popular with sportsmen and non-consumptive recreational users.

Transportation and Travel Management:

The Coalition and NBU are supportive of the stated Transportation and Travel Management Goal. However, the Coalition and NBU would like to be notified and involved with the Transportation Plan and its updates.

NGO-CNW -17

The Coalition and NBU are generally supportive of Objective D-TA 1 and associated actions. We do have concern with action D-TA 1.4. This action should be taken only after consultation with NDOW to ensure that seasonal or temporary closures do not limit access to public lands during hunting seasons.

We are very supportive of Objective D-TA 2 and Action D-TA 2.1.

NGO-CNW -18

The Coalition and NBU are extremely concerned with Objective D-TA 4 and associated actions. We are not opposed to the principal of these items, but the Coalition and NBU will not support the closure or re-routing of any existing roads without extensive public participation and input. Our understanding was that these actions would be identified through a Transportation Planning Process that would include extensive public involvement. If that is in fact the case, it should be clearly indicated within Objective D-TA 4.

Areas of Critical Environmental Concern:

NGO-CNW -19

The Coalition and NBU are not opposed to the proposed ACECs in general. However, in terms of the Pine Forest ACEC, we urge the incorporation of the boundary adjustments and management stipulations developed by the local Pine Forest / Alder Creek WSA Working Group as adopted by the Humboldt County Commission.

Wilderness Study Areas and Lands with Wilderness Characteristics:

The Coalition and NBU are fully supportive of the Wilderness Characteristic Designations in Pershing County ASSUMING that these areas accurately reflect the input of the local working group that was formed during the County Lands Bill Process.

We are fully supportive of designating the Granite Range and Fox / Buckhorn Mountain as Priority 1 wildlife habitat. The Coalition and NBU are of the opinion this is adequate protection for these areas, and therefore do NOT support the classification of these areas as wilderness or identified as areas with wilderness characteristics. There are too many restrictions that come with potential wilderness designations given the potential need for proactive habitat

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Responses

NGO-CNW-16: The Granite Range is designated as a rights of way exclusion area under Alternative D. Please refer to Figure 2-62. The Fox Range and the Pine Forest Range are WSAs which in accordance with the Interim Management Policy they are excluded from rights of way and discretionary actions.

NGO-CNW-17: See response to NGO-CNW-14 DR 10.2 includes a description of the public outreach that would be employed once the travel and transportation planning process is initiated.

NGO-CNW-18: This will be further addressed & brought forward in the subsequent Transportation & Travel Management Planning processes. See DR 10.2.

NGO-CNW-19: ACEC boundary was based on Pine Forest nomination by the Nevada Department of Wildlife. Refer to Appendix F.

NGO-CNW

Comments

management, fire suppression and restoration in these areas. Also, assuming that a travel management plan is developed for these areas, there is not a concern with cross-country travel. Wilderness designations have the potential to greatly reduce access to highly desired recreation areas, and seem to be in conflict with the Special Recreational Area Designation. For these reasons the Coalition and NBU do not support identifying these areas under the Wilderness Characteristic Designation.

Thank you for your consideration.

The Coalition for Nevada's Wildlife

Larry J. Johnson, President

Nevada Bighorns Unlimited – Reno

Mike Bertoldi, President

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Responses

NGO-DS

Comments

"Martin Tomasz"
<mat34@cornell.edu>
10/25/2010 04:07 PM

To <wdrmp@blm.gov>
cc "Gerry Goss" <jergo2000@comcast.net>, "Martin Tomasz" <mat34@cornell.edu>
bcc
Subject Winnemucca District RMP Comments

TO: Winnemucca RMP
c/o Bob Edwards
Bureau of Land Management
Winnemucca District Office
5100 E. Winnemucca Blvd.
Winnemucca, NV 89445
Fax: (775) 623-1503 (Attn: Winnemucca RMP)
wdrmp@blm.gov
DATE: Oct 25, 2010
FROM: Gerry Goss, President, Desert Survivors
RE: Winnemucca District RMP – Desert Survivors favors RMP alternative C2 (choice C, option 2)

Thank you for the opportunity to comment on the Winnemucca district Resource Management Plan. For more than 25 years Desert Survivors has been leading back packs and car camps in areas throughout the district- it is an area we know well. We are a group of environmentally-oriented desert enthusiasts, with an active membership of over 700, whose mission is to "experience, share, and protect" desert environments. Our main focus has been on California and Nevada deserts and we have worked with both park and BLM staff on numerous volunteer projects to improve the natural environment of our public lands. We are especially concerned with wilderness values, the preservation of natural resources, and maintaining intact ecosystems in desert environments. For more information about our group visit our website at www.desert-survivors.org

GENERAL STATEMENT:
The Winnemucca district encompasses one of the last, great wild lands of the American West. Its location in northwest Nevada has remained largely untouched by industrialization, and offers Americans an extraordinary gift – a chance to experience the West as our forefathers did. In 2000, the US Congress acted on behalf of this area, setting aside 750,000 acres of wilderness areas recognizing the importance of preserving *"..the last.. untouched segments of the historic California emigrant Trail, including wagon ruts, historic inscriptions, and a wilderness landscape largely unchanged since the days of the pioneers."*
These wilderness areas within the district are really the tip of the iceberg. The rest of the district encompasses the same rugged character and uninterrupted sweeping vistas of the Northern Great Basin. These landscapes represent a rare legacy of the American West, and our generation may be the last with a chance to preserve it. Landscapes are fragile, but with thoughtful management in the spirit of the NLCS, this great land has a chance to remain great for future generations. As well, the area contains broad representation of the Great Basin's plant and animal species, including golden eagles and other birds of prey, sage grouse, mule deer, pronghorn antelope, bighorn sheep, free roaming horses and burros, threatened fish and sensitive plants.
This is clearly a unique district which deserves a strong component of conservation in its management. We are depending on the BLM to follow through with a strong ethic of stewardship for these important lands.

COMMENTS ON THE RMP ALTERNATIVES:
Desert Survivors strongly advocates Alternative C2, with the following comments and proposed adjustments.
AIR QUALITY
NGO-DS-1 Federal Class 1 areas must be protected under Federal air quality standards. Air quality is obviously critical to the experience of this area. In the case of the historic California emigrant trails, emigrants used visual cues such as

Responses

1-DS-1:
Refer to Alternatives B, C and D for actions AQ 1.2: "Minimize or reduce adverse impacts on air quality from BLM and BLM-authorized activities by implementing BMPs and mitigation measures on a case-by-case basis.

NGO-DS

	Comments	Responses
NGO-DS-1 Cont-d	steam from distant hot springs to guide them across the desert, and reduced visibility robs the public of this critical part of the trail experience. Areas which do not classify as Federal Class 1 areas should still be managed to prevent significant deterioration of air quality to follow the preservation intention of Public Law No. 106-554, Act to Establish the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area. GEOLOGY Alternative C adds Disaster Peak, Trego Mountain, and Pulpit Rock to exclusion zones for ROWs and OHVs. These places border the Black Rock Conservation Area. VEGETATION- RANGELAND and LIVESTOCK GRAZING A no livestock grazing option, while understandably contentious, would allow the region to heal from massive impact from years of livestock grazing, especially to riparian and wetland areas, streams, and other natural water features that have been overused by livestock. SPECIAL STATUS SPECIES While all alternatives encourage management practices to avoid species listing under ESA, alternative B provides no specific actions nor the 2 mile radius of occurrences rule, leaving this option inferior to alternative C. CULTURAL RESOURCES OHV use should be limited in culturally sensitive areas as in alternative C. The viewshed of the California National Historic Trail is discussed in the next section.	
NGO-DS-2	VISUAL RESOURCES VRM is critical in the Winnemucca district. In the determination of Visual Resource Inventory classes, it is hoped that the BLM appropriately assigned these classes. High ratings should have been given for Scenic Quality (A or B). High Sensitivity should have been assigned to many of these regions as well (Type of users are recreational outdoors-oriented, Special Areas designation includes the CNHT and various specially designated areas including wilderness, and Adjacent land uses include users in these specially designated areas whose viewshed extends to these adjacent lands). Clearly, at the end of the day, there is a simple test: do the results of these visual value determinations (reference to BLM VRM manual H-8410-1) mesh with the intuitive sense that these great unspoiled vistas that inspire awe in us are of the highest value and worthy of preservation? They should. In the assignment of Visual Resource Management classes, protection of the viewshed from the California National Historic Trail should be protected to the highest standards. Otherwise, the goal of protecting the experience of these trails has failed. Alternative C proposes adhering to VRM level 2. Our position favors adhering to VRM class 1.	NGO-DS-2: A visual resource inventory was completed in 2009 and was adopted in the Draft RMP.
NGO-DS-3	The proposed utility corridor running along the southern edge of the Black Rock Desert runs directly across the CNHT and is an inappropriate siting, and it has been appropriately eliminated in alternative C. Referring to Figs 2-23, 2-24, and 2-25, Appendix A Chapter 2 Alternative Figures in the Draft RMP, Alternative C is favored, but with a few disagreements. The area directly south of the Black Rock/High Rock NCA, should not be class 4 as shown in Fig 2-24, but Class 1, as this land (and all land to at least 10 miles distance) surrounding the NCA should be given consideration as Adjacent land to this critical area, and therefore be provided Special Areas designation in the visual resource inventory assignment.	NGO-DS-3: This corridor was designated in the 2008 Programmatic EIS for the Designation of Energy Corridors in the 11 Western States. This designation amended the exiting Land Use Plans for the NCA and the Winnemucca District.
NGO-DS-4	In general, more acreage should be assigned as VRM Class 1 in the district. In particular, the Granite Range, and areas to the north of the Black Rock/High Rock NCA should be considered for VRM Class 1 designation. Finally, Desert Survivors supports locating utility-scale industrial solar and geothermal development only on previously disturbed lands, not on undisturbed natural habitat. Desert Survivors feels that the visual resources of these lands are very important and must be protected. We are greatly disturbed by the Secretary of the Interior's recent actions approving renewable energy projects which over-ride significant unmitigated environmental impacts. If this is likely to happen in the future it calls into question the value of all these management plans. The BLM should have a clear conservation and VRM policy and stick to it.	NGO-DS-4: See Table 2-1 Sustainable Development - Action D-SD 3.0 and D-SD 3.1 encourages re-use of public lands which may have been previously disturbed areas.
NGO-DS-5	MINERAL RESOURCES Designating certain areas as closed to mining is reasonable stewardship in this wild area. While areas outside WA's and WSA's identified as containing wilderness characteristics are protected in alternative C, impact of mining to VRM objectives should also be considered.	NGO-DS-5: Impacts to VRM from mineral development was analyzed in Chapter 4 – Section 4.2.15.
	Thank you for the opportunity to comment on the resource management plan. The Desert Survivors intends to	

NGO-DS

Comments

Responses

continue to "experience, share and protect" the grand beauty and solitude of this area, and as in the past we are looking forward to continued volunteerism with the BLM to help in the stewardship of the district.
Sincerely,
Gerry Goss
President, Desert Survivors

NGO-FNW

Comments

Bob Edwards
Winnemucca District Office
5100 E Winnemucca Blvd.
Winnemucca NV 89445-2921

October 25, 2010

Via e-mail: wdrmp@blm.gov

RE: Comment on the Draft Winnemucca RMP/EIS

Dear Bob:

We have the following comments to make on the draft Winnemucca RMP/EIS. As you know, Friends of Nevada Wilderness has been around for 26 years working to protect our wild Nevada heritage. We have many members who live in or near lands managed by the Winnemucca District Office. Our members enjoy hiking, hunting, fishing, camping, wildlife watching, star gazing, photographing natural landscapes, painting, participating in special events, driving for pleasure and just plain exploring the wonderful backcounty within the Winnemucca District. Well managed public lands are important to our members for many, varied reasons. On behalf of our Friends of Nevada Wilderness members, Board of Directors and staff we submit these comments.

Areas with Wilderness Character:

We support the Preferred Alternative's identification of the following areas as having wilderness character: The two units in the Granite Range (Buckhorn Peak and Granite Peak), Fencemaker, North Sahwave Mountains and Tobin Range. In addition to these areas listed above, we request that you add these areas to the list of those with wilderness character:

NGO-FNW-1

- The area directly south of the Blue Lakes WSA to the Sage Hen drainage. The area south of the WSA contains the beautiful Snow Creek Canyon drainage and is a logical extension of the WSA. Since the time the WSA was designated, the mining that presented a potential conflict has been abandoned and is naturally restoring itself through road washouts and vegetative re-growth. The Pine Forest Working Group identified this area as having wilderness character. While the final recommendation from the group did not include the land all the way to the Sage Hen drainage, the land itself still retains those wilderness characteristics. At the very least, it should be included within the Pine Forest ACEC boundary.

NGO-FNW-2

- The highly scenic core ridge of the Lava Beds with its western flank (refer to attached map and photos). Please note that this is a much reduced in size unit than was considered during the Pershing County process. We believe that this smaller proposal captures the special features such as the geological and botanical values that give the Lava Beds its values for primitive and unconfined recreation and solitude. This is a popular place for photographers, backpackers and hikers.

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Responses

NGO-FNW-1: BLM has identified lands having wilderness characteristics in the RMP. The Pershing County Wilderness Working Group recommendations have been carried forward for the wilderness characteristics included in this RMP. The Pine Forest working group recommendations are being considered by Congress and are likely to be enacted on prior to the finalization of this RMP/EIS. Ultimately WSA status and boundaries would be determined by Congressional action.

NGO-FNW-2: The Citizens Proposal put forward by the Pershing County Checkerboard Lands Committee for Wilderness Characteristics Inventory has been adopted by this RMP. This Citizens Group and the BLM determined that the Lava Beds did not meet the criteria for Wilderness Characteristics.

NGO-FNW

Comments

Management of Wilderness Characteristics Areas

NGO-FNW-3

We would ask that you more clearly define the management actions for protecting the Wilderness Characteristics Areas as follows. The areas listed above that have wilderness character should be:

- Designated as "limited to designated routes";
- Classified as a Class I for Visual Resource Management;
- Closed to mineral material disposal, mineral leasing and mineral entry;
- Included in Rights-of-way exclusion areas; and
- Retained in public ownership.

Wilderness Study Areas

We support designating all WSAs as limited to designated routes and would stress that this should be a high priority to identify these routes with signs and maps and have prompt restoration for damage to wilderness character from all other vehicle incursions within the WSAs. Since these areas were identified as WSAs back in the 1970's, the wilderness character of some of these WSAs has been allowed to deteriorate due to lack of active management. FLPMA clearly charged that WSAs needed to be managed to protect their wilderness character. We hope that in the near future Friends of Nevada Wilderness and our volunteers can partner with the Winnemucca BLM to better care for these WSAs.

Lands and Reality:

Land Tenure

Alternative D, provides a reasonable plan for land tenure. Sensitive lands and resources should be retained in federal ownership. Sensitive lands and resources should be purchased from willing sellers as the opportunity arises.

NGO-FNW-4

Acquisition of inholdings within WSAs, wilderness areas, ACECs, SRMAs, NCAs and other special areas should be given a high priority when opportunities with willing sellers occurs. When these lands are acquired, they should be managed in the same manner as the adjacent public lands.

NGO-FNW-5

In the final "Pine Forest Working Group" recommendations we identified, at the request of the private landowners, private lands along the eastern edge of the Blue Lakes WSA to be included into the Pine Forest Range Wilderness proposal. We ask that in your final decision you identify those BLM lands for disposal that would facilitate that exchange for Alder Creek and Leonard Creek ranches.

Rights of Way

NGO-FNW-6

In light of the pending listing of the greater sage-grouse and the significant fragmentation to sage-grouse habitat from the Ruby Pipeline it is critical that the BLM does not allow this to happen again. The West-Wide Energy Corridor route was approved in January 2008 by the BLM and the Departments of Energy, Agriculture and Defense after 93 land use plans were amended.

According to a BLM press release, "*the Programatic EIS specifically identified energy corridors to facilitate future siting of oil, gas, and hydrogen pipelines, as well as renewable energy development projects and electricity transmission and distribution facilities on Federal lands in the West to meet the*

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Responses

NGO-FNW-3: BLM will manage lands with wilderness characteristics subject to FLPMA Sec. 603(c) and subsequent guidance.

NGO-FNW-4: Please see Action D –LR 4.1.4, prioritization of the acquisition of in-holdings within wilderness and WSAs.

NGO-FNW-5: After a review of the maps showing lands that may be considered for disposal, the map for Alternative D (Figure 2-66) has been modified and certain lands have been designated as suitable for disposal and certain lands have been designated for retention. With regard to the Alder Creek Ranch and the Leonard Creek Ranch, the recommendations of the Pine Forest Wilderness Citizen's group were incorporated.

NGO-FNW-6: Comment noted.

NGO-FNW

Comments

region's increasing energy demands while mitigating potential harmful effects to the environment. Energy transport corridors are agency-preferred locations where pipelines and transmission lines may be sited and built in the future. Future use of the corridors should reduce the proliferation of rights-of-way across the landscape and minimize the environmental footprint from development. The corridors were sited through the PEIS using a four-step process that identified a number of important lands and resources to be avoided to the fullest extent possible. The agencies examined factors that constrain where a network of energy transport corridors could be located – including topographical, environmental, and regulatory constraints – as well as the overall suitability of particular lands to support development and operation of energy transport infrastructure. In some cases, corridors intersect or approach sensitive lands or resources. Most often these intersections follow existing infrastructure such as highways, transmission lines, or pipelines to avoid placing corridors in new locations."

NGO-FNW-7 The purpose of the WWEC was to avoid proposals such as the Ruby Pipeline, LLC and keep these large projects within identified corridors. The final RMP needs to be very clear that these WWEC corridors MUST be used and that it not optional. Outside of these WWEC corridors, the entire Winnemucca District should be a ROW avoidance area with the exception of smaller supporting lines.

Recreation:

We support the designation of the SRMAs proposed under Alternative D to help provide for a diversity of recreation opportunities on the public lands.

NGO-FNW-8 **The Nightingale SRMA:** Actively managing the OHV use in this SRMA is critical while putting more management emphasis on protecting the wilderness character of the Selenite and Mount Limbo WSAs in the RMZ 1. Motorized travel should be limited to designated routes rather than existing routes. Management and enforcement of motorized use in these areas will be much easier with designated routes that are well marked. At the same time other routes that have been created by motorized vehicle use since the areas were designated as WSA's need to be closed and rehabilitated.

NGO-FNW-9 **The Pine Forest SRMA:** The Pine Forest Range has long been recognized as an exceptional area for recreation, wilderness, and scenic vistas and for critical wildlife habitat. This partially explains all the overlapping designations. The Pine Forest Working Group has made a proposal for a wilderness boundary that has been accepted by the Humboldt County Commissioners and forwarded on to the Nevada Congressional delegation. Should this be enacted, there is still a solid reason to have an overlapping but coordinated ACEC/SRMA overlay. Clearly this area has very popular recreation sites at Knott Creek and Onion Reservoirs as well as camping near Little Onion. These areas definitely need special recreation management direction. At the same time this area has very special needs for wildlife management and for maintaining the high quality habitat that is found here. The final decision should ensure that overall management for the entire Pine Forest Range be integrated and well thought out with a broad logical boundary.

NGO-FNW–10 **The Granite Range SRMA**: Portions of this range have very high wilderness character and should be managed as outlined under the wilderness character section above. The boundaries on the map for the SRMA do not make sense. They should be expanded out to the main travel routes and be based on a more definable and logical boundary. Specifically, the SRMA boundaries should be expanded on the west to Highway 447, to the north to the Winnemucca District boundary, and on the southeast to County Road 34 and follow private land boundaries where appropriate.

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Responses

NGO-FNW-7: Management of utility corridors is addressed in Table 2-1 at LR 5.1. The PRMP also delineated ROW avoidance areas (see D-LR 5.3) and exclusion areas (see D-LR 5.4).

NGO-FNW-8: Management of SRMAs is addressed at D-R 8. Subsequent implementation planning will also address how SRMA are managed. Objective D-R10 and Action D-10.1 designates Travel Management areas. WSA 1.2 addresses OHV travel management within WSAs.

NGO-FNW-9: The proposed RMP brings forward the Pine Forest SRMA. Portions of the Pine Forest range area also proposed as an ACEC (See ACEC 1.1).

NGO-FNW

Comments

Sensitive Species Sage-Grouse:

While this draft RMP/EIS was in production a significant action was taken by the US Fish and Wildlife Service regarding the greater sage-grouse. On March 23, 2010 the Service determined that the greater sage-grouse is "warranted" for listing as a threatened or endangered species under the Endangered Species Act, due to past population and habitat losses, the threats facing remaining sage-grouse populations and habitats, and the inadequacy of existing regulatory mechanisms; but at the same time, the Service determined that proceeding with a listing rule is "precluded" by other priorities and limited resources.

We adopt and incorporate by reference the Service's discussion and analysis of current sage-grouse populations, habitat losses, threats, and the inadequacy of existing regulatory mechanisms as set forth in the "warranted" part of this finding.

NGO-FNW-11 Given the amount of remaining greater sage-grouse habitat found in the Winnemucca District it seems that prior to finalizing this RMP all the proposed actions within the draft plan should reassessed as to their impacts on sage-grouse as the result of this finding. Coupled with the significant impact to sage-grouse habitat with the looming construction of the Ruby Pipeline cumulative impacts should be reassessed before a final ROD is prepared.

NGO-FNW-12 What will the Winnemucca District BLM's management strategy be in the short-term to help prevent a listing and lessen the impacts to all public land users should that listing occur?

We appreciate the opportunity to comment on the draft RMP/EIS and hope you contact us should you have any questions or if we can provide more information to clarify our comments.

Sincerely,

Executive Director
Friends of Nevada Wilderness

Friends of Nevada Wilderness, 1 Booth Street, PO Box 9754, Reno, Nevada 89507
Phone (775) 324-7667; Fax (775) 324-2677
Visit our Website at www.nevadawilderness.org

4

Responses

NGO-FNW-11: Prior to the greater sage-grouse being designated as a candidate species, it was a BLM sensitive species. BLM policy is to provide sensitive species with the same level of protection as provided for candidate species in BLM Manual 6840.06C, that is to "ensure that actions authorized, funded, or carried out do not contribute to the need for the species to become listed."

NGO-FNW-12: Management strategies for sage-grouse can be found in the RMP EIS under Special Status Species. See Objective D-SSS-3, Actions D-SSS1.5, D-SSS 1.2 and 1.2.1, SSS 1.2N, Sss-1.2.3. Action D-SSS 1.2.1 includes use restrictions to protect sage-grouse habitat.

NGO-HRRA

Comments

Responses

HUMBOLDT
RIVER RANCH
ASSOCIATION

RECEIVED BLM
WINNEMUCCA NV
2010 AUG 25 PM 1:00

August 19, 2010

Bob Edwards
BLM Winnemucca District Office
5100 E Winnemucca Blvd.
Winnemucca, NV 89419

RE: Draft Resource Management Plan

Dear Mr. Edwards,

NGO-HRRA-1

The Humboldt River Ranch Association is in support of Action D-LG 1.3 within the Draft Resource Management Plan. We feel as if this option is the best suited for the over 2,100 members of the Association.

The health and safety of property owners within the subdivision is a great concern. Cattle gather where there are homes and private wells that are used for the resident's water source. Contamination of the wells by the cattle is a definite possibility and could be greatly reduced by the removal of the cattle. It is also the owner's assessments that are used for the repair and maintenance of the Association's privately owned roadways. The cattle cause a great deal of physical damage to the roads and drainage system. Cattle also create a hazard for those driving on Association roadways.

Enclosed with this letter is a copy of a letter of support written by the Pershing County Sheriff's Department. Their letter supports the Association's goal of restricting cattle grazing within the subdivision.

The permit holder, proven by past history, does not take the Subdivision's property owners into consideration when unloading his cattle on subdivision roadways, while driving on privately owned roads, through private drainage ditches and privately owned properties to feed cattle in the winter months. Neither is there a legitimate water source for the cattle in the Spring. It takes several days before removing the bodies of dead cattle. This is a tremendous health issue.

2010 To BLM on RMP

2205 Rye Patch Reservoir Road, Lovelock, Nevada 89419
775 538-7431 • Fax 775 538-7814 • Email hrra@hughes.net
http://www.humboldtriverranchassociation.com

NGO-HRRA-1:
Lands proposed to be opened and closed to livestock grazing has been identified in the FEIS/RMP in LG 1.3. Alternative C, option 2 proposed no livestock grazing throughout the District. The proposed RMP does not close areas around Humboldt River Ranch to livestock grazing – See D-LG 1.3.

NGO-HRRA

Comments

Responses

The Board would also like to make it known there was consideration to fence the perimeter of the subdivision at one time. Unfortunately fencing the perimeter would not accomplish keeping the cattle from roaming within the subdivision. There are two checker board sections of BLM within the subdivision that is within the current Permit Holders allocation. The expense of construction of fencing for the perimeter of the subdivision and the additional sections of BLM within the subdivision would create a phenomenal expense to the private property owners. The safety of owners within the subdivision (over 9,000 acres) should be considered over the approximately 800 acres of BLM permitted grazing that sits within the subdivision boundaries.

The Humboldt River Ranch Association Board of Directors respectfully requests that you take their support of Action D-LG 1.3 within the Draft Resource Management Plan into consideration when making a final decision on the Resource Management Plan and remove cattle grazing within the Subdivision. Humboldt River Ranch Association has no position on the proposed removal of cattle grazing on areas other than the Humboldt River Ranch Association properties. Humboldt River Ranch Association's request is for the health and safety of its community as well as the safety of the cattle that roam throughout the subdivision. We also ask that you take into consideration the letter of support provided by the Pershing County Sheriff's Department.

Thank you for your time and consideration regarding this matter.

Sincerely,

HUMBOLDT RIVER RANCH ASSOCIAITON

Cynthia Harkreader

Cynthia Harkreader, President

Encl.
cc: File w/Encl.

2010 To BLM on RMP

NGO-HRRA

Comments

Responses

SHERIFF
Pershing County

"To Serve and Protect"

RON SKINNER, Sheriff

Humboldt River Ranch Association
2205 Rye Patch Reservoir Rd
Pershing County, NV 89419

14 July 2010

RECEIVED BLM
WINNEMUCCA NV
2010 AUG 25 PM 1:00

COPY

RE: Proposal of "Livestock Control Area" by Humboldt River Ranch Assoc.

To Whom It May Concern:

If it is the desire of the members of the "Humboldt River Ranch Association" to restrict the movement of Livestock in areas of Pershing County controlled by the Humboldt River Ranch Association, the Pershing County Sheriff's Office supports the Humboldt River Ranch Association's efforts in the adaptation of a County Code similar to Chapter 6.06, Grass Valley Livestock Control Area, established by the County for the residents of Grass Valley facing a similar problem with "Livestock At Large". (See copy of Pershing County Code, Chapter 6.06, Grass Valley Livestock Control Area, submitted with letter)

Since the establishment of the Grass Valley Livestock Control Area, the Sheriff's Office has had to deal with very few problems created by livestock in the Grass Valley Area. What few problems there were, were easily dealt with.

If you have any question or concerns please don't hesitate to contact either Sheriff Ron Skinner or Lieutenant Thomas Bjerke at the Pershing County Sheriff's Office, telephone #(775) 273-2641.

Respectfully,

Lt. Thomas Bjerke '02

Lt. Thomas Bjerke 102
Pershing County Sheriff's Office
For Sheriff Ron Skinner

P.O. Box 147 • 395 Ninth Street • Lovelock, NV 89419 • (775) 273-2641 • Fax (775) 273-7635

NGO-HRRA

Comments

Responses

Chapter 6.06
GRASS VALLEY LIVESTOCK CONTROL AREA

6.06.010: TITLE:

This Chapter shall be known and may be cited as the *GRASS VALLEY LIVESTOCK CONTROL ORDINANCE*. (Ord. 173 §1, 2000)

COPY
RECEIVED BLM
WINNEMUCCA, NV
2010 AUG 27 AM 10:17

6.06.020: PURPOSE:

The purpose of this Chapter is to regulate and control the running at large of livestock. The presence of any livestock running at large within the livestock control area of Grass Valley as defined in this Chapter is hereby restricted pursuant to the police powers granted to the County pursuant to Nevada Revised Statutes 244.357. The Board finds that such livestock pollute water sources, damage crops, gardens, fences, cause soil erosion and endanger both persons and vehicles. The Board further finds that any livestock at large is a threat to the health, safety and welfare of the people within the developed area of Grass Valley so therefore prohibits the presence of livestock at large within this designated portion of Grass Valley. (Ord. 173 §1, 2000)

6.06.030: DEFINITIONS:

For purposes of this Chapter:

AT LARGE: Off the premises of the custodian of the livestock and not accompanied by a person who has the livestock under immediate control by physical restraint or other means of effective control.

BOARD: The Pershing County Board of Commissioners.

COUNTY: Pershing County, Nevada.

CUSTODIAN: The person, firm, corporation or any other entity owning or otherwise having the care, custody or control of any livestock.

GRASS VALLEY LIVESTOCK CONTROL AREA: That area described in Section 6.06.200 of this Chapter in which livestock is not allowed to roam at large.

LEGAL FENCE: As set forth in Nevada Revised Statutes 569.431 means a fence with not less than four (4) horizontal barriers, consisting of wires, boards, poles or other fence material in common use in the neighborhood, with posts set not more than twenty feet (20') apart. The lower barrier must be not more than twelve inches (12") from the ground and the space between any two (2) barriers must be not more than twelve inches (12") and the height of top

NGO-HRRA

Comments

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barrier must be at least forty eight inches (48") above the ground. Every post must be so set as to withstand a horizontal strain of two hundred fifty (250) pounds at a point four feet (4') from the ground, and each barrier must be capable of withstanding a horizontal strain of two hundred fifty (250) pounds at any point midway between the posts.

LIVESTOCK: Horses, mules, cattle, sheep, goats, donkeys, and/or swine.

PREMISES: The property upon which the custodian keeps or maintains his livestock, whether such property is owned, rented, leased, or otherwise made available to the custodian for his livestock.

RUN OR RUNNING: Being present and does not refer solely to the actual activity of rapid movement.

SHERIFF: The Sheriff or a deputy sheriff of Pershing County. (Ord. 173 §3, 2000)

RECEIVED BLM
WINNEMUCCA NV
2010 AUG 25 PM 1:00

6.06.040: LIVESTOCK AT LARGE PROHIBITED IN THE LIVESTOCK CONTROL AREA OF GRASS VALLEY:

A custodian shall not permit his livestock to run at large on the public roads or highways, nor upon unenclosed premises, nor upon the lands of others without their permission. (Ord. 173 §4, 2000)

6.06.050: LIVESTOCK PROHIBITED FROM GRAZING ON THE PROPERTY OF OTHERS:

No custodian shall permit his livestock to be herded, kept, or otherwise detained for the purpose of grazing or any other purpose on the property of another within the livestock control area of Grass Valley without the other's permission. (Ord. 173 §5, 2000)

6.06.060: PRIMA FACIE EVIDENCE:

Any livestock at large, in or upon any of the places prohibited in this Chapter, is prima facie evidence that animal is running at large in violation of this Chapter. (Ord. 173 §6, 2000)

6.06.070: OBLIGATION TO ERECT A FENCE INSIDE THE LIVESTOCK CONTROL AREA:

It shall be the responsibility of the residents of the livestock control area of Grass Valley who

Comments

Responses

own or allow livestock to be kept on their property within this area to erect and keep in good repair a fence around their property and/or any necessary cattle guards. Such fence must be constructed in such a manner as to keep the livestock contained on the property.

Any custodian who fails to erect a fence and livestock leaves the custodian's premises, the custodian shall be subject to all the penalties set forth in this Chapter. (Ord. 173 §7, 2000)

COPY

6.06.080: CATTLE GUARDS:

Cattle guards must be placed on all roads entering the livestock control area. The County will be responsible for providing cattle guards for County roads. The expense of any other cattle guards will be borne by the residents within the closed area, however the County will install cattle guards which will be used on non-County roads to which the public has access. The County will not install cattle guards for private driveways. (Ord. 173, §8, 2000)

6.06.090: OBLIGATION TO ERECT A LEGAL FENCE ENCLOSING THE LIVESTOCK CONTROL AREA:

It shall be the responsibility of the County to finish erecting and maintain the legal fence around the perimeter of the livestock control area in Grass Valley. (Ord. 173 §9, 2000)

6.06.100: CAUSING LIVESTOCK TO ESCAPE:

Any person who knowingly leaves open, cuts or tears down, or breaks a fence or gate on any property inside the Grass Valley livestock control area and such act results in livestock roaming within the enclosed area of Grass Valley shall be considered the custodian of such livestock. This is for purposes of this Chapter only and then only to the extent of any penalties imposed by this Chapter whether in the form of fines, impounding, caring, feeding, or rounding up such livestock. The fact that a fence or gate was left open, cut or torn down, or broken is prima facie evidence that such was done knowingly. (Ord. 173 §10, 2000)

6.06.110: DUTY OF SHERIFF; LIVESTOCK FROM ENCLOSED AREA:

It is hereby the duty of the Sheriff to impound any livestock roaming within the livestock control area once the Sheriff determines the custodian of the livestock resides within the enclosed area. If the Sheriff determines that it would be more efficient to return the livestock to the custodian rather than impounding the livestock the Sheriff may return the livestock and issue a citation to the custodian. (Ord. 173 §11, 2000)

NGO-HRRA

Comments

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6.06.120: DUTY OF SHERIFF; LIVESTOCK FROM OUTSIDE ENCLOSED AREA:

If livestock enters the Grass Valley livestock control area from outside the area by breaking through the perimeter legal fence and the livestock complained of is determined by the Sheriff to belong to a custodian who resides outside the Grass Valley livestock control area then the Sheriff shall either remove the animals from the area or determine whether any property owners or the County wish to impound the animals pursuant to Nevada Revised Statutes 569.440. The property owners or County in enforcing this Chapter against custodians residing outside the Grass Valley livestock control area shall follow the civil procedures set forth in Nevada Revised Statutes 569.440 for trespassing livestock. If the custodian of the livestock resides within the Grass Valley livestock control area then the Sheriff shall follow all sections of this Chapter. (Ord. 173 §12, 2000)

COPY

6.06.130: COSTS OF IMPOUNDING:

In addition to the fines provided for herein for any violation of this Chapter a custodian shall also be liable for all costs incurred in rounding up, impounding, feeding, caring, and disposing of his livestock found at large. To the extent he believes necessary the Sheriff is hereby authorized to obtain manpower, trucks, and equipment for the purpose of rounding up and impounding any livestock found at large. (Ord. 173 §14, 2000)

6.06.140: NOTIFICATION OF IMPOUNDMENT:

Within twenty four (24) hours of the time that the Sheriff becomes cognizant of the identity of the custodian of impounded livestock the Sheriff will personally notify such custodian in writing, that his livestock is so impounded. In the event that the Sheriff's Department is unable to give personal notice in writing within the twenty four (24) hour period it shall cause the notice to be published at least once a week for a period of at least two (2) weeks in the newspaper published in the County, and also mail a certified letter to the last known address of the custodian. If notice is given by publication, the custodian shalt have until twelve o'clock (12:00) midnight of the day following the day of the second publication to claim or disclaim custodianship. If notice is given personally the custodian shall have until twelve o'clock (12:00) midnight of the day following such notice to claim or disclaim custodianship. Silence shall be accepted as a disclaimer. (Ord. 173 §14, 2000)

6.06.150: CONTENTS OF IMPOUNDMENT NOTIFICATION:

The notice required in Section 6.06.140 of this Chapter, shall contain the types of brands and marks found upon the livestock, and the kind of livestock, as well as the place where the livestock was rounded up and the place where it is being impounded. The notice shall also inform the custodian that he has a right to view and inspect the livestock for purposes of

NGO-HRRA

Comments

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determining custodianship. (Ord. 173 §15, 2000)

6.06.160: DISCLAIMED LIVESTOCK:

If impounded livestock is not claimed within the period provided for in Section 6.06.140 of this Chapter, it shall be sold at public auction to the highest bidder, with notice of the sale given as provided for in said Section. If the livestock is not of sufficient value, in the discretion of the Sheriff, to justify the costs of a sale, the Sheriff may dispose of the livestock by the cheapest means possible. (Ord. 173 §16, 2000)

OPY

6.06.170: PROCEEDS OF SALE:

The proceeds of any sale under Section 6.06.160 of this Chapter, are to be used to satisfy any fines imposed by this Chapter plus any costs incurred for rounding up, impounding, feeding, or caring for such livestock. If any money from such sale remains after the above costs are satisfied it shall be turned over to the County Clerk and deposited in the County's General Fund. (Ord. 173 §17, 2000)

6.06.180: PENALTIES:

For a first violation of this Chapter the violator may be issued a citation and fined up to five dollars ($5.00) per animal. For a second violation of this Chapter, the violator may be issued a citation and fined up to twenty five dollars ($25.00) per animal, notwithstanding that the livestock involved may not be the same livestock as was involved in the previous violation. In no event shall the total fine imposed for each violation of this Chapter exceed the sum of five hundred dollars ($500.00).

A third or subsequent violation shall constitute a misdemeanor and upon conviction thereof shall subject the violator to a term in the County jail for a period not to exceed six (6) months or a fine of not more than one thousand dollars ($1,000.00), or by both fine and imprisonment, notwithstanding that the livestock involved may not be the same livestock involved in the previous violations.

Each day upon which a violation of this chapter occurs shall constitute a separate violation. (Ord. 173 §18, 2000)

6.06.190: AUTHORIZATION TO CONTRACT:

The board is hereby authorized to contract with any resident of the county for the purpose of keeping impounded livestock upon the land of such resident until such livestock is claimed or

NGO-HRRA

Comments

Responses

disposed of. Such resident shall provide for the ordinary care and feeding of the livestock while in the care of the resident. However, such resident shall not be liable for special care or feeding that may be required of some livestock. Further, such resident is not obligated to turn over any livestock to its custodian, nor to anyone else, until all costs have been paid in full for rendered services, including sheriff's costs. (Ord. 173 §19, 2000)

COPY

The section below has been affected by a recently passed ordinance, 235 - GRASS VALLEY LIVESTOCK CONTROL AREA. Go to new ordinance.

6.06.200: LAND AREAS WITHIN GRASS VALLEY LIVESTOCK CONTROL AREA:

Description of the Grass Valley livestock control area, Grass Valley, Pershing County, Nevada, is as follows:

T. 34 N., R. 38 E.

Sec. 6. That portion west of the existing Bureau of Land Management fence that parallels Grass Valley Road.

Sec. 7. All excepting that portion in the extreme N.E. $^1/_4$ that lies north and east of the Bureau of Land Management fence that runs northwest and southeast and excluding approximately 40 acres out of said section 7.

Section 17. All except approximately 80 acres in the N.E. $^1/_4$ as described above in section 7.

Section 18. All.

Section 19. All.

Section 20. All.

Section 29. All.

Section 30. All.

Section 31. All.

Section 32. All.

T. 34. N., R. 37 E.

Section 1. All.

Section 2. All.

NGO-HRRA

Comments

Responses

Note: page 8 of 8 was a blank page and therefore omitted.

COPY

Section 11. All.

Section 12. All.

Section 13. All.

Section 14. All.

Section 24. All.

Section 25. All.

Section 36. All.

T. 33 N., R. 38 E.

Section 4. That portion of the section west of the Bureau of Land Management fence that parallels Grass Valley Road on the east side and comprising 60 acres more or less.

Section 5. All.

Section 6. All.

Section 7. All.

Section 2. All.

T. 33 N., R. 37 E.

Section 11. All.

Section 12. All.

(Ord. 198, 2003: Ord. 173 §20, 2000)

6.06.210: CONSTRUCTION AGAINST STRICT LIABILITY:

Nothing in this chapter is to be construed as imposing strict liability in tort against a violator. Any civil action arising from livestock running at large is to be determined on the basis of the laws pertaining to civil actions and not on the basis of a violation of this chapter, anything contained in this chapter to the contrary notwithstanding. (Ord. 173 §21, 2000)

I-HRRA, Petition-1

Comments

Humboldt River Ranch

PG 1 OF 4

PETITION

WE THE UNDERSIGNED DO PETITION THE B.L.M IN SUPPORT OF OPTION "D" OF THE RESOURCE MANAGEMENT PLAN RELASED BY THE B.L.M. ON JUNE 25, 2010. OPTION "D" CLOSES LIVESTOCK GRAZING WITHIN THE HRRA COMMUNITY. THIS REQUEST IS TO ENSURE THE ~~HEATH~~ HEALTH AND SAFETY OF HRRA RESIDENTS:

PRINT NAME	ADDRESS & PHONE #	SIGNATURE
Margaret Teixeira	11995 Shasta Lake Rd (775)446-0152	Margaret Teixeira
Shirley Hutchin	21740 Titanium 538-7088	
Daniel [illegible]	21740 Timmins	Oswald L. Horden
LYNDA QUILICI	10800 Old Victory Hwy 538-7400	Lynda Quilici
Bruce Luke	11530 Beaumont Trail 538-7090	
BRAD Quilici	10300 OLD VICTORY Hwy 775-427-7500	
LESLEY LUKE	11530 BEAUMONT TRAIL Lovelock NV 89419 5387090	Lesley Luke
Kathy Moe	300 Chimney Creek Rd Lovelock NV 89419	5387030 Kathy Moe
Judy Coe	10985 Lahi Point Dr, Lovelock, NV. 89419	Judy Coe
GISELA FRANCESCONI	22005 CHIMNEY CRK RD Lovelock, NV 89419	

Bureau of Land Management
Received
OCT 25 2010
Field Office
Winnemucca Nevada

Responses

I-HRRA, Petition-1: Comment noted.

Comments | **Responses**

Humboldt Ranch

PG 2 OF 6

PETITION

WE THE UNDERSIGNED DO PETITION THE B.L.M IN SUPPORT OF OPTION "D" OF THE RESOURCE MANAGEMENT PLAN RELASED BY THE B.L.M. ON JUNE 25, 2010. OPTION "D" CLOSES LIVESTOCK GRAZING WITHIN THE HRRA COMMUNITY. THIS REQUEST IS TO ENSURE THE ~~HEATH~~ HEALTH AND SAFETY OF HRRA RESIDENTS:

PRINT NAME	ADDRESS & PHONE #	SIGNATURE
Dorothy Colby	108D, 102E (808) 398-8020	Dorothy Colby
William HALLINAN	318G HRRA LOVELOCK	
JAMES TALLMADGE	(775-273-0529) LOVELOCK 845 FRANKLIN	
LOLA TALLMADGE	775-273-0529 845 FRANKLIN AVE LOVELOCK	Lola Tallmadge
Mary Tolbert	775-853-4738 2430 Telluride Dr. Reno	Mary Tolbert
WAYNE Tolbert	↓	↓ Wayne Tolbert
Sandra Houston	22100 Fall River Dr Lovelock	Sandra Houston
Scott Houston	↓	Scott Houston
Argentina Cabarela	1004 Locomotive Way	Argentina Cabarela
Allen Culuris	7020 Verite Dr Sparks, NV 89436 775-622-2503	

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Field Office
Winnemucca Nevada

Comments | **Responses**

Humboldt Ranch

PG 3 OF 4

PETITION

WE THE UNDERSIGNED DO PETITION THE B.L.M IN SUPPORT OF OPTION "D" OF THE RESOURCE MANAGEMENT PLAN RELASED BY THE B.L.M. ON JUNE 25, 2010. OPTION "D" CLOSES LIVESTOCK GRAZING WITHIN THE HRRA COMMUNITY. THIS REQUEST IS TO ENSURE THE ~~HELATH~~ Health AND SAFETY OF HRRA RESIDENTS:

PRINT NAME	ADDRESS & PHONE #	SIGNATURE
LEONORA ALCHICE	1510 UNITY AVE SF CA 94122	[illegible]
VLADIMIR DOBROFF	47468 Chella St Fremont, CA 94539	[illegible]
Jean T. Dobroff	47468 Chella St Fremont CA 94539	Jean T. Dobroff
Michael Nowakowski	11590 Union Valley Lovelock NV 89419	[illegible]
Pamela Yates	1712 E Truman Dr Moses Lake WA 509 765 4383 98837	Pamela Yates
Manuel Peinado	1075 Colonial Ct Tracy. CA 95376.	Manuel Peinado
Ben D Sanchez	506 Pyramid Ct Fairfield, CA 94534	[illegible]
Doyle Cornelius	316 California Ave #427 Reno, NV 89509	[illegible]
Trudy Trainor	810 Lepori Way Sparks, NV 89431	Trudy Trainor
Carolyn Hultgren	11290 Beaumont Trl. Lovelock, NV 89419 775-538-7084	Carolyn Hultgren

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OCT 25 2010
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Winnemucca Nevada

Comments | **Responses**

Humboldt River Ranch

PG 4 OF 6

PETITION

WE THE UNDERSIGNED DO PETITION THE B.L.M IN SUPPORT OF OPTION "D" OF THE RESOURCE MANAGEMENT PLAN RELASED BY THE B.L.M. ON JUNE 25, 2010. OPTION "D" CLOSES LIVESTOCK GRAZING WITHIN THE HRRA COMMUNITY. THIS REQUEST IS TO ENSURE THE ~~HELATH~~ Health AND SAFETY OF HRRA RESIDENTS:

PRINT NAME	ADDRESS & PHONE #	SIGNATURE
Clarence Hultgren	11290 Beaumont Trail 775-538-7084	Clarence Hultgren
ELWYN C. JENSEN	121 JESSICA LYNN LN. ROSEBURG, OR 97471 541-679-1331	Elwyn C. Jensen
SHIRLEY E. JENSEN	121 JESSICA LYNN LN. ROSEBURG, OR. 97471 541-679-1331	Shirley E. Jensen
TODD A. PLUMTOM	P.O. BOX 55 Lovelock NV 89419 775-273-2671	[illegible]
Bill TAYLOR	LOT 163	Bill Taylor
Georgia Morgan	21720 Pyramid Lake Rd Lovelock, NV 89419	Georgia Morgan
HAO-NGUYEN	Lot 3	Hao Nguyen
[illegible]	3042 Tosca Way Longmont, CO 80520 925-827-9046	LH081 [illegible]
ROBERT DURANCE	11950 Topaz Ct Lovelock, NV 89419 (775) 538-7428	Robert Durance
Carolyn Durance	11950 Topaz Ct Lovelock, NV 89419 (775) 538-7428	Carolyn Durance

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Comments | **Responses**

Humboldt River Ranch

PG 5 OF 6

PETITION

WE THE UNDERSIGNED DO PETITION THE B.L.M IN SUPPORT OF OPTION "D" OF THE RESOURCE MANAGEMENT PLAN RELASED BY THE B.L.M. ON JUNE 25, 2010. OPTION "D" CLOSES LIVESTOCK GRAZING WITHIN THE HRRA COMMUNITY. THIS REQUEST IS TO ENSURE THE ~~HELATH~~ Health AND SAFETY OF HRRA RESIDENTS:

PRINT NAME	ADDRESS & PHONE #	SIGNATURE
VENUS RUMBAOA	445 DAVISON CREEK DR. FAIRFIELD, CA 94534	905-768-7740
PREEY HUTALLA	3423 SANFORD DR. CONCORD, CA 94520	925-689-8655
GARY GOODGE	21775 Old Victory Hwy 442-0123	
Laura Goodge	21775 Old Victory Hwy Lovelock, NV 89419 (775) 442-0123	Laura Goodge
Michael White	21050 Walker Lake Rd Lovelock NV.	Michael White
Darlene Walker	315 McCassie Cir	Darlene Walker
FRANK R Catent	Fernley NV 89408	
John + LORI CARRILLO	955 JASPER WAY FERNLEY, NV	
ROBIN MATEO	9330 Salado ct ELK GROVE, CA 95757	
Wivina Mateo	9330 Salado CA. ELK GROVE CA. 95758	
ORVILLE CONSTANT	22105 WINTER HILL LN LOVELOCK	

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OCT 25 2010
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Winnemucca Nevada

Comments

Responses

Humboldt River Ranch

PG 6 OF 6

PETITION

WE THE UNDERSIGNED DO PETITION THE B.L.M IN SUPPORT OF OPTION "D" OF THE RESOURCE MANAGEMENT PLAN RELASED BY THE B.L.M. ON JUNE 25, 2010. OPTION "D" CLOSES LIVESTOCK GRAZING WITHIN THE HRRA COMMUNITY. THIS REQUEST IS TO ENSURE THE ~~HELATH~~ Health AND SAFETY OF HRRA RESIDENTS:

PRINT NAME	ADDRESS & PHONE #	SIGNATURE
DENNIS OFALLA	212 PACKING PL. 917916 (405) - 807-2818	

Bureau of Land Mana
Received
OCT 25 2010
Field Office
Winnemucca Dist