



Nevada Association of Counties

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Western Region Project Manager
Bureau of Land Management, Nevada State Office
1340 Financial Blvd.
Reno, NV 89502

Via Electronic Mail

March 22, 2012

RE: Comments regarding the Western Region Sage-Grouse Conservation Environmental Impact Statement and Land Use Plan Amendments.

To whom it may concern:

We submit the following comments in response to the December 9, 2011 Federal Register of Intent (NOI) announcing the Bureau of Land Management's (BLM) and Forest Services (FS) intent to prepare Environmental Impact Statements (EIS's) and Supplemental Environmental Impact Statements (SEIS's) for the management and conservation of the greater sage-grouse.

We are in support of the comments submitted by several Nevada Counties including Elko, Eureka, Humboldt and Nye. Additionally, as a member the Western Counties Alliance we support the comments submitted by that association. We urge you to give their comments, and ours, significant consideration as your agency moves forward.

Nevada's Counties are host to the largest amount of federally managed public lands of any state. As such they are more impacted by the policies and practices employed by the federal land management agencies. NACO has long supported the multiple use of the public lands within the state. Many of our rural communities and counties depend on the continued multiple use of these lands for the quality of life they enjoy and for the economic sustainability of their communities. Restrictions on what activities are allowed to take place on the lands our counties host can have serious negative impacts on the counties and the people that live in them and should only be imposed as a last resort. We are concerned that some of the management practices proposed in the NOI will harm Nevada's counties. Additionally, we believe that some of the proposed actions will have the opposite effect as their stated goals and will result in further reduction of sage-grouse population and habitat.

We disagree with the Fish and Wildlife Service’s finding that “the inadequacy of regulatory mechanisms to conserve the greater sage-grouse and its habitat is a significant threat” to preventing the bird from being listed as a threatened or endangered species. The federal land management agencies currently have in place numerous regulatory mechanisms regarding activities on the public lands. It could be argued that there are in fact too many and in some cases overlapping and contradictory regulations and that the misapplication or overzealous enforcement of these existing regulations have contributed to the perceived decline in the populations and habitat of the greater sage-grouse.

NACO encourages the counties to work closely with the federal land management agencies. We have long worked to help build relationships between the entities. It is our position that federal laws, including FLPMA and NEPA, require this coordination and that the federal agencies must consider the counties’ land use plans in developing their management plans. Sadly, we do not believe that the federal agencies have fully embraced this concept. Any changes to federal management regulations and practices, including the Environmental Impact Statements and Supplemental Environmental Impact Statements as referenced in the December 9, 2001 NOI, should only be adopted or implemented after meaningful coordination with the counties.

We are concerned that the proposed changes to management of what has been identified as “Preliminary Priority Habitat” and “Preliminary General Habitat” appear to contain a bias against other uses of the public lands including livestock grazing. We encourage the federal agencies to undertake a thorough review of historical data regarding the reported population of the sage-grouse, the number of AUMs authorized across the state and the number of acres burnt by wildfires. We believe that there is ample anecdotal evidence that illustrates that the reduction of livestock grazing has a correlation to the decrease in sage-grouse populations and the dramatic increase in the number of acres consumed by wildfire to require an in-depth analysis to determine if there is a connection. It is ironic that historical stewardship by livestock grazers and other users of the public lands is now being couched in terms like “alternative management” or “adaptive management” in order to get the federal land management agencies to consider their value in managing and conserving the public lands. Additionally, it is not clear that the federal agencies complied with the Administrative Procedures Act in the designation of these preliminary habitats as there appears to not have been any public notice or input during the process.

The wild horse and burro population in the State of Nevada is estimated by the BLM to be 19,057 (17,710 horses and 1,347 burros¹). The BLM has determined that the Appropriate Management Level (AML) for Nevada is 12,688 animals. It is concerning that, despite the fact that the population of wild horses and burros is at one hundred fifty-one percent (151%) of AML, the management of wild horse and burros nor the excess population is not listed as a

¹ Bureau of Land Management, *Wild Horse and Burro Quick Facts*, http://www.blm.gov/wo/st/en/prog/whbprogram/history_and_facts/quick_facts.html, Accessed March 22, 2012



primary issue of concern in the NOI. This is interesting given the concern expressed regarding damage to sage-grouse habitat caused by livestock grazing.

Lastly we question the legal qualification for the sage-grouse to be listed as a threatened or endangered species. The Fish and Wildlife Service (FWS) findings determined that a minimum effective population of 5,000 sage-grouse will safeguard them from the long-term risk of extinction range-wide.² The findings estimated that the current population is between 350,000 and 535,000 birds or 70 to 107 times greater than the “minimum effective population” as found by the FWS. On the surface, it appears that the sage grouse is ineligible for listing.

NACO believes that a listing of the greater sage-grouse at this time is not warranted. Further, we believe that adapting management plans in a manner that would restrict other historic uses of the public lands to prevent a potential listing is not justified and could quite possibly be detrimental to the sage-grouse and the public lands themselves. We urge the land management agencies to continue to work with the counties and the local users of the public lands to utilize time-tested resource management strategies including the use of managed livestock grazing to reduce the hazardous fuel loads and improve sage-grouse habitat.

Thank you for your consideration of our comments on this matter of great importance to Nevada’s counties.

Sincerely,



Jerrie Tipton
President
Mineral County Commissioner

² United States Fish and Wildlife Service, 50 CFR Part 17. Endangered and Threatened Wildlife and Plants; 12-Month Findings for Petition to List the Greater Sage-Grouse (*Centrocercus urophasianus*) as Threatened or Endangered. Federal Register / Vol. 75, No 55 / Tuesday, March 23, 2010 / Proposed Rules. See www.gpo.gov/fdsys/pkg/FR-2010-03-23/pdf/2010-5132.pdf.

