



Nevada Association of Counties

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December 20, 2018

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RE: Nevada Association of Counties (NACO) Comments to the U.S. Forest Service on the Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS) for the Intermountain and Rocky Mountain Regions

Dear Mr. Shivik & Mr. Dunkelberger,

As the state association representing all 17 of Nevada's counties, the Nevada Association of Counties ("NACO") greatly appreciates the opportunity to provide comment on the U.S. Forest Service's (USFS) Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS) for the Intermountain and Rocky Mountain Regions. NACO engaged throughout the Greater Sage-Grouse Plan Amendment Process finalized in 2015 and Notice of Intent ("NOI") in 2017, as well as in this current process. The information provided by NACO and its member counties during those National Environmental Policy Act ("NEPA") processes are hereby incorporated by reference.

The National Forest Management Act and the National Environmental Policy Act both require that the USFS work closely with state and local governments to ensure consistent planning. The Ninth Circuit has held that a county has a proprietary interest in its ability to enforce land-use

regulations, revenue collection and taxation, and in protecting natural resources from harm¹. Furthermore, On March 31, 2017, the United States District Court for the District of Nevada recognized the harm of the land use plan amendments to the counties' land use planning, road maintenance and environmental plan implementation². Therefore, NACO requests that the USFS strive for coordination and consistency with the plans adopted by Nevada's counties, as required under NFMA³, adequately explain inconsistencies among the plans as required under NEPA⁴, and explain the extent to which it will reconcile its proposed action with county plans⁵. Consistency review and local stakeholder engagement is crucial if the USFS is to produce a final product that balances national and local ends and effectively protects sage grouse habitat.

NACO recommends adoption of the proposed action with the suggested modifications as discussed in this document and the attached document-specific technical comments. NACO would like to thank the USFS for incorporating some of Nevada's counties' top priorities into the LMPA and DEIS proposed action alternative. Below are the key changes described in the proposed action that NACO believes will preserve counties' ability to provide important services to Nevada's communities and address critical habitat conservation needs. NACO is outlining these areas to highlight its desire that these updates will remain in the final amendment:

- **Priority Habitat Management Areas ("PHMA"), General Habitat Management ("GHMA")** – the USFS proposed amendment recognizes that their original proposal included areas of non-habitat and also included areas of existing infrastructure and human population (i.e. existing infrastructure immediately surrounding communities such as Austin and Kingston was included in the initial amendment) and that these areas are not suitable for Sage-grouse centric management and allocation decisions. Further, "Ground Truthing" of modeled habitat maps, and the exception process will allow conservation of the species, while meeting the needs of local communities.
- **Sagebrush Focal Areas ("SFAs")** – Removal of SFAs was a high priority for NACO and the counties we represent; NACO also supports elimination of mineral withdrawals, in accordance with the limits of USFS authority.
- **Adaptive Management Plan** – NACO supports consistency with both Nevada's Greater Sage-grouse Conservation Plan, as amended (State Plan) and NV BLM language, especially the use of best available science, a collaborative – locally based process, and an iterative approach when addressing habitat management. NACO supports inclusion of the recently-adopted Nevada Adaptive Management Plan.
- **Exception Process** – NACO is supportive of the exception process language that includes renewals of existing infrastructure, and the ability for counties and local governments to address public health and safety concerns and priorities as well as regular administrative functions while avoiding regulatory delays that can be problematic to providing timely services.

¹ See *City of Sausalito v. O'Neill*, 386 F.3d 1186, 1198 (9th Cir. 2004) (citing *Scotts Valley Band of Pomo Indians of Sugar Bowl Rancheria v. United States*, 921 F.2d 924, 928 (9th Cir. 1990) (land-use); *Colorado River Indian Tribes v. Town of Parker*, 776 F.2d 846, 848-49 (9th Cir. 1985) (revenue collection and taxation); *Fireman's Fund Ins. Co. v. City of Lodi*, 302 F.3d 928, 944 (9th Cir. 2002) (natural resources). *W. Expl., LLC v United States DOI*, 250 F. Supp. 3d 718, 732 (D. Nev. 2017).

² *W. Expl., LLC v. United States DOI*, 250 F. Supp. 3d 718, 732 (D. Nev. 2017)

³ 16 U.S.C. § 1604

⁴ 40 CFR § 1502.16(c) and 40 CFR § 1506.2(d)

⁵ 40 CFR § 1506.2



- **Fuels Management** – NACO supports the potential inclusion of policies encouraging the USFS to work collaboratively with local governments and stakeholders to produce better fuels management outcomes. In particular, NACO advocates for expanded treatment of invasive species and excessive woody fuels on Forest Service managed lands. NACO also advocates for the use of desirable non-native plant species that can retain similar ecological function as native plant species in all rehabilitation efforts.

NACO's Priority Issues

As mentioned above, while some of the issues articulated by counties regarding the 2015 plan have been addressed in the USFS Draft EIS proposed action, NACO has provided specific comments to the USFS's Greater Sage-grouse Proposed LMPA and Draft EIS. NACO recommends adoption of the proposed action with the suggested modifications as discussed in this document and the attached. Nevada's counties believe it is important that the issues outlined in the attached document, *Nevada Association of Counties (NACO) Comments to: Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS) for the Intermountain and Rocky Mountain Regions*, be reviewed and addressed in any final plan revision. While we request detailed review of NACO's specific comments to the proposed LMPA and DEIS, we would like to highlight a few areas and strongly encourage the US Forest Service to include these updates and clarifications in the final amendment:

- **Exception Process** – NACO requests clarity as to when exceptions for public health and safety as well as routine administrative functions will be applied and to what standards. For example, while such exceptions are described for GRSG-LR-SUA-ST-016-Standard, they are not included for Standards GRSG-LR-SUA-ST-017 & -018. Such exceptions are necessary for counties to provide needed services. To that end, NACO also requests clarification as to how the "authorized officer" is selected for each instance of waivers, exceptions, and modifications of No Surface Occupancy stipulations. Lastly, NACO strongly supports and encourages the USFS to consider an exception for land retention that would allow for disposal or exchange of lands identified as PHMA or GHMA if such lands are found to contain non-suitable habitat OR mitigation can be implemented consistent with the State Plan.
- **Travel Management** – Travel restrictions impact local communities by interfering with county obligations to provide regular and emergency services, including but not limited to maintaining roads, providing public safety services; impeding land owners access to their private property; and prohibiting the travel of ranchers, hunters, recreationists, and exploration geologists alike. NACO requests language be added to the amendment that requires consultation and coordination be conducted with the respective County prior to any road closures or travel restrictions. Any road closures, seasonal or otherwise, must be coordinated with the local government.
- **Fuels Management** – NACO strongly supports prioritizing invasive species treatments in priority habitats and suggests working with local government and weed and conservation districts to maximize these efforts. To that end, NACO strongly supports the use of desirable non-native plants in combination with native species for habitat restoration, as native species are often expensive, difficult to obtain, and don't always compete well with invasive species. NACO also



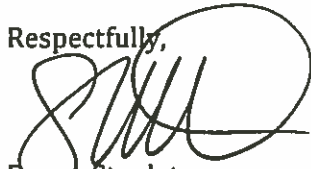
strongly urges the US Forest Service to consider such tools as prescribed fire and targeted grazing as useful tools for fire management.

- **Grazing** – The draft EIS proposed action fails to adequately recognize that managed livestock grazing can be an important and cost-effective tool to achieve desired habitat conditions and to reduce wildfires. NACO strongly encourages the US Forest Service to work with individual grazing permittees to develop allotment-specific grazing systems that meet the terms and conditions of the grazing permit, results in favorable trends towards desired Sage-grouse habitat and provides flexibility to address excess fuels when present.
- **Adaptive Management Plan** – NACO strongly supports the inclusion of Counties in the Adaptive Management Plan and process. As such, NACO requests language be added to clarify the inclusion of local government, as well as other local stakeholders, as members of the Adaptive Management Response Team.

Conclusion

Thank you for your consideration of these important issues. We applaud the USFS's willingness to coordinate with individual counties, NACO and all interested parties in the preservation and conservation of Sage-Grouse habitat. If there is any additional information we can provide, or questions we can answer, please do not hesitate to contact me directly at dstapleton@nvnaco.org.

Respectfully,



Dagny Stapleton
Executive Director

DS/vwg/sh

Enclosure

Cc:

Office of Governor Brian Sandoval
Nevada Sagebrush Ecosystem Council and Technical Team
U.S. Senator Dean Heller
U.S. Senator Catherine Cortez-Masto
U.S. Congressman Mark Amodei
U.S. Congresswoman (Senator-Elect) Jacky Rosen



**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
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for the Intermountain and Rocky Mountain Regions.
December 20, 2018**

Chapter	Section	Page No.	Paragraph	Line No.	Comment
General Comment					NACO appreciates the opportunity to provide comment on the Draft EIS. If NACO's comments conflict with those provided by associated Counties, NACO would ask the Forest Service to defer to the County-specific comment as the individual counties better understand their circumstances.
1	1.1	1-1 - 1-3	General Comment		<p>Currently, the EIS does not adequately describe the various legal authorities and directives that support why it is not just permissible, but necessary and good policy, for the USFS to work to achieve alignment with the state plans and to resolve various inconsistencies that impact counties' ability to provide critical and basic public services.</p> <p>The USFS should include in the EIS the various legal requirements making the EIS necessary including NFMA's multiple use mandate; requirements for consistency with state and local plans, policies, and controls; NEPA's flexibility in providing for a mitigation hierarchy that does not support prohibition or preclusion-type management, etc. Additionally, USFS can rely on new and best available science that informs defensible changes that must be made to the LMPA.</p> <p>A statement about the March 2017 District Court remand as an additional Need for this EIS would also be appropriate. NACO believes it is important to frame the legal reasoning for alignment with the State Plan, rather than relying solely on a "directive" or "policy."</p>
1	1.1	1-1	2	10-11	The full description of 16 USC 1604(a) should be included. Please revise: "The Secretary of Agriculture shall develop, maintain, and, as appropriate, revise land and resource management plans for units of the National Forest System, <i>coordinated with the land and resource management planning processes of State and local governments and other Federal agencies.</i> " (Emphasis added.)
1	1.2	1-4	Bullet #3		The definition of "Other Habitat Management Areas" should be more closely aligned with the Nevada Greater Sage-grouse Conservation Plan (Nevada Plan)

**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS)
for the Intermountain and Rocky Mountain Regions.
December 20, 2018**

					as Nevada is the only state with this designation. These are areas of moderate habitat and low use by Sage-grouse that are typically associated more with the potential for indirect impacts than direct impacts.
1	1.4	1-4	#1		As discussed at the September 14 th Cooperating Agency Meeting, it should be clear that not all SFA area will be designated as PHMA as some areas may be mapped as GHMA, OHMA, or non-habitat. As such, it may make more sense to say "...will be eliminated and designated as the underlying HMA designation. "
1	1.4	1-4 and 1-5	# 1, 2, 4, 5, 6, 7, 8, and 11		Generally, NACO supports these proposed updates.
1	1.4	1-5	#7		For Nevada, it may make sense to make the link between invasive species and wildfire as they are inextricably tied. We would also urge the Forest Service to work with local government and conservation districts to maximize invasive plant management efforts.
1	1.4	1-5	#9		It seems awkward that by restricting activities in PHMA, the FS is saying that they would "incentivize" habitat disturbance in other HMAs where restrictions may still apply. Perhaps it would make more sense to say the FS is "disincentivizing" habitat disturbance in PHMA.
1	Table 1-2	1-7 & 1-8	Habitat Management Areas Designation		What is the difference between row 1 and row 5? NACO would also like to see something in regards to the ability to ground truth HMA for a given project.
1	Table 1-2	1-9	Including Waivers, Exceptions, and Modifications on NSO Stipulations		Would this section apply to any of the local-government requested exceptions for administrative functions and emergency services? That change doesn't appear to have a description in regard to special use authorizations. Also, under row 2, why would the USFWS approve NSO waivers, exceptions or modification with GRSG still being managed by the State?

**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS)
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December 20, 2018**

1	Table 1-2	1-10	Adaptive Management Review Process	Row 2	NACO appreciates the inclusion of local partners and counties as part of the causal factor analysis process.
1	Table 1-2	1-10	Treatment of Invasive Species	Row 1	NACO is concerned that 'Livestock Grazing' isn't listed as a resource topic under the invasive plant control issue. It seems by excluding this topic area, the Forest Service isn't recognizing the role grazing can play in accomplishing treatment goals in PHMAs. The exclusion of 'Wildfire' as a resource topic is also a bit confusing given the direct link between invasive species and fire.
1	1.5.4	1-11	2	Bullet #1	Given that 'restrictions on rights-of-way and infrastructure are not being carried forward for further analysis, does this exclude the consideration of exceptions for administrative and emergency actions that are carried out by local governments (like what the BLM has proposed through its amendment process)? If so, that is of major concern the NACO and the local governments it represents.
1	1.5.4	1-11	2	Bullet #3	<p>Given that "Retention of lands as identified as PHMA or GHMA in federal ownership" is an issue that does not warrant additional analysis in the EIS, does this mean that exceptions cannot be made to such a strict definition?</p> <p>NACO would like to see an exception to this action (retention), that would allow for disposal or exchange of lands identified as PHMA or GHMA if such lands are found to contain non-suitable habitat OR mitigation can be implemented that meets the State's standard.</p> <p>These sorts of actions could be mutually beneficial to both the Forest Service and local government by consolidating ownership patterns while providing a conservation gain to the species. For instance, conveyance of a parcel of land containing a water tank that serves the town of Austin in exchange for a private inholding surrounded by Forest Service land (or even habitat enhancement on Forest Service managed land) could be mutually beneficial to the Forest Service, Lander County / Town of Austin and the Greater Sage-grouse and result in a conservation gain as defined by the State's Habitat Quantification Tool.</p>

**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS)
for the Intermountain and Rocky Mountain Regions.
December 20, 2018**

1	1.5.4	1-11	3	Bullet #2	NACO has continually advocated that while the FS does not implement predator control directly, it should be coordinating with other federal and state agencies that do in order to maximize effectiveness, particularly in degraded habitats where impacts of predation are suppressing sage-grouse populations (i.e. areas recovering from wildfire, areas of conifer encroachment, etc.). As such, NACO appreciates the addition of GRSG-P-MA-112-Management Approach. However, does it make sense to show Predator Management as an issue that has been “dismissed”?
1	1.5.4	1-11	1	Bullet #6	Roadless areas and recommended wilderness could well affect and hamper efforts to implement effective and efficient invasive species controls. As such, does it make sense to dismiss analysis of this topic?
1	1.7.1	1-12 & 1-13	State and Local Plans		NACO appreciates the addition of local county resource plans from Churchill, Clark, Humboldt, Lincoln, Nye, Pershing, Washoe, and White Pine Counties to this list.
2	Table 2-7 Proposed Action	2-80	GRSG-GEN-DC-002-Desired Condition		NACO would appreciate a note that clarifies that county administrative activities, existing infrastructure, and emergency services all qualify as “authorized uses” in both priority and general habitat. NACO appreciates the addition of a definition for the term “anthropogenic disturbance” but would request clarification that, as expressed verbally by the Forest Service, anthropogenic disturbances does NOT include county administrative infrastructure and/or range improvements.
2	Table 2-7 Proposed Action	2-80 & 2-81	GRSG-GEN-DC-003-Desired Condition		This desired guideline should be within the context of the landscape’s potential based on current ecological state, appropriate Ecological Site Descriptions (ESDs) and/or Disturbance Response Groups (DRGs) and associated State-and-Transition Models (STMs).
2	Table 2-7 Proposed Action	2-81 & 2-82	GRSG-GEN-ST-005-Standard		NACO has previously argued against the 3% disturbance cap, and requests further information as to how this Standard was developed and the best available science that supports it. In addition, clarification is needed how such a cap would be adjusted if BSU boundaries should change.

**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS)
for the Intermountain and Rocky Mountain Regions.
December 20, 2018**

2	Table 2-7 Proposed Action	2-83 & 2- 84	GRSG-GEN-ST- 010-Standard & GRSG-GEN- GL-013- Guideline		NACO appreciates the inclusion of definitions for the terms “active” and “pending” leks.
2	Table 2-7 Proposed Action	2-85 & 2- 86	GRSG-LR-SUA- ST-016- Standard		NACO strongly supports exceptions ‘iii’ for public health and safety issues as well as ‘v’ for routine administrative functions. However, there should be more clarity on who makes the determination as to when these standards are met. NACO would suggest that the District Ranger may make the most sense in these instances as they are the closest manager the local community that may be making such requests. Also, in terms of the “net conservation gain” standard for mitigation, will the Forest Service adopt the State of Nevada’s definition of this and means of determining it? The net conservation gain standard is based on landscape-scale land use planning and mitigation policies. NACO has argued against the net conservation gain standard in favor of implementing site-specific mitigation requirements based on site-specific data on habitat conditions.
2	Table 2-7 Proposed Action	2-87	GRSG-LR-SUA- ST-017- Standard and GRSG-LR-SUA- ST-018- Standard		Will the same exceptions for public health and safety, as well as routine administrative functions, be applied to these standards? NACO supports these same exceptions for these two standards as there may be situations where stipulations for needed land use may be required for counties to provide needed services. One example might be placement of new communication infrastructure that may not be conducive to co-location with existing infrastructure or rights-of-way. Another (temporary) example may be repair of a washed-out road.
2	Table 2-7 Proposed Action	2-88	GRSG-LR-LOA- ST-022- Standard		Does this apply whether land exchanges or disposals have been spelled out in a previous Forest Plan or Congressional Act (i.e. Lands Bill)? NACO requests language be added to indicate that this Standard does not apply to disposals or land exchanges that have previously been approved.

**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS)
for the Intermountain and Rocky Mountain Regions.
December 20, 2018**

2	Table 2-7 Proposed Action	2-89	GRSG-WS-ST-024-Standard and GRSG-WS-ST-025-Standard		Why are solar and wind energy developments treated differently (i.e. solar is not allowed in general habitat, yet wind is)? Are such developments allowable if they can meet the “net conservation gain” standard?
2	Table 2-7 Proposed Action	2-90 & 2-91	GRSG-GRSGH-GL-030-Guideline		While NACO appreciates “design features” to minimize non-native plants, a weed management plan may be more effective.
2	Table 2-7 Proposed Action	2-91	GRSG-GRSGH-GL-032-Guideline		NACO strongly objects to the preference for ‘native’ species in habitat restoration and enhancement efforts. Native species are expensive, often difficult to obtain, and don’t always compete well with non-desirable invasive species. As such, use of native species can often limit the size and effectiveness of a habitat enhancement or restoration project. Desirable non-native species that are more readily available, more cost effective, and more competitive with non-native annual grass species (medusahead and cheatgrass) and provide a similar ecological functionality should also be encourage for use. NACO suggests the Forest Service work with the Agricultural Resource Service’s Great Basin Rangeland Research Center in Reno to identify science and monitoring data to support this approach.
2	Table 2-7 Proposed Action	2-91	GRSG-GRSGH-GL-034-Guideline		Any treatments involving water (i.e. springs and seeps) should be consistent with State Water law. For instance, a fencing project may be completed to benefit vegetation, but it also may change use of the water source by livestock which could conflict with an existing water right. NACO suggests adding a sentence to this guideline that reads, “Treatments should be consistent with State Water Law and, where appropriate, the Forest Service will work collaboratively with water right holders to implement such projects.”
2	Table 2-7 Proposed Action	2-92	GRSG-GRSGH-GL-036-Guideline		While prescribed fire isn’t always the best tool to utilize, it shouldn’t be eliminated as a tool.

**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS)
for the Intermountain and Rocky Mountain Regions.
December 20, 2018**

2	Table 2-7 Proposed Action	2-92	GRSG-GRSGH- MA-037- Management Approach	NACO strongly supports the approach of prioritizing invasive species treatments in priority habitats, as well as early detection and response. NACO would suggest adding a sentence that provides direction to Forest Service personnel to work with local government, weed districts and conservation districts to maximize such efforts and leverage funding opportunities.
2	Table 2-7 Proposed Action	2-94	GRSG-LG-GL- 043-Guideline	NACO requests the insertion of “in collaboration with the permittee” after “appropriate” and before “to address”.
2	Table 2-7 Proposed Action	2-94	GRSG-LG-GL- 044-Guideline	NACO suggests inserting “in collaboration with the permittee” after the word “managed” and before “to promote”
2	Table 2-7 Proposed Action	2-94	GRSG-LG-MA- 045- Management Approach	<p>NACO requests further clarification regarding the frequency and location that habitat assessments are to be conducted. Are they to take place in every FS allotment and on what schedule?</p> <p>Again, NACO would advocate that the Forest Service utilize all available planning tools and mechanisms (Programmatic EIS, Allotment Management Plans, use of Temporary Non-renewable Grazing Authorizations, etc.) to work with individual grazing permittees to develop allotment-specific grazing systems that meets the terms and conditions of the grazing permit, results in favorable trends towards desired Sage-grouse habitat, and provides flexibility to address excess fuels when present.</p>
2	Table 2-7 Proposed Action	2-95	GRSG-LG-GL- 046-Guideline	NACO is concerned that using the term “restricted” could have unintended consequences. Depending on site conditions, it might not always be possible, or necessary to stay 2.0 miles away from a lek. Thus, NACO suggests replacing “restricted” with “avoided unless site-specific conditions dictate otherwise.”
2	Table 2-7 Proposed Action	2-97	GRSG-FM-MA- 054- Management Approach	<p>See comment for GRSG-GRSGH-GL-032-Guideline above. NACO strongly supports use of desirable non-native species that provide a similar functionality as native species yet are often more available, cost effective and competitive with invasive species.</p> <p>Per the Notice of issuance of agency final directive specific to the Native Plant Material</p>

**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS)
for the Intermountain and Rocky Mountain Regions.
December 20, 2018**

					<p>Policy (Forest Service Manual 2070) published in the Federal Register on Feb. 13, 2008:</p> <p><i>This policy does not discount the management use of non-native plant materials. Non-native, non-invasive plant species may be used when needed: (1) In emergency conditions to protect basic resource values such as soil stability and water quality; (2) As an interim, non-persistent measure designed to aid in new establishment of native plants (unless natural soil, water and biotic conditions have been permanently altered); (3) In conditions and management situations where native plant species are not available; and (4) When working in permanently altered plant communities. Under no circumstances will invasive plant species be used.</i></p> <p>NACO would argue that conditions 1-4 apply to nearly all disturbance related alterations in Sage-grouse habitat in Nevada, particularly following catastrophic wildfire. As such, these caveats should be incorporated into all Standards, Guidelines and Management Approaches that currently suggest a sole or strong preference to use of native plant materials, so that it is clear that non-native, non-invasive plant species are in fact available for use.</p>
2	Table 2-7 Proposed Action	2-97 & 2-98	GRSG-FM-GL-056-Guideline		The term “restricted” should be reconsidered as there are situations where cross country travel may be warranted to aggressively attack wildfire or address other emergency circumstances.
2	Table 2-7 Proposed Action	2-104	GRSG-RT-MA-082-Management Approach		“Herbicide treatments” should be included in this list of potential management actions as it is often the most effective and economical means of dealing with invasive plants.
2	Table 2-7 Proposed Action	2-104 & 2-105	GRSG-RT-GL-083-Guideline		Any road closures, seasonal or otherwise, must be coordinated with the local government. Many Forest Service roads provide access to private lands (including water rights) or are critical for administrative functions and important land uses (i.e. weed treatments, fuels reduction, grazing, etc.) As such, NACO requests adding a sentence here that the respective County would be consulted and coordinated with prior to any road closures or travel restrictions. Also, exception should be provided to allow for County emergency services and administrative functions.

**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS)
for the Intermountain and Rocky Mountain Regions.
December 20, 2018**

3	3.1.1	3-190	Diffuse Activities	Bullet #1	NACO agrees with what the studies say, but the effects of grazing aren't solely related to intensity and season, as such, NACO suggests revising this statement to read "...will vary with grazing timing, intensity, duration and season of use as well as site-specific factors ".
3	3.1.1	3-190	Diffuse Activities	Bullet #2	For clarification purposes NACO suggests the following changes: <i>Predation can be limiting to greater sage-grouse populations in areas with overabundant predator numbers and/or degraded habitats. Application of predator control has potential short-term benefits in small, declining populations; however, reducing human subsidies may be necessary to generate long-term changes in raven predator numbers. This is because raven predator control has produced only generally results in short-term declines in local raven populations, especially with raven populations where take is limited due to Migratory Bird Treaty stipulations.</i>
3	3.2.1	3-193	Table 3-2	Title and Footnote 2	The title of this table is a bit misleading for Nevada in that the number of males counted on leks is NOT the "population". If NDOW publishes an estimated population by year, that may be a more appropriate number to use for Nevada.
3	3.2.6	3-196	Livestock Grazing		NACO is concerned with inconsistencies throughout this section describing how residual forage is valued and measured. In paragraph four within this section multiple publications are cited determining that grass height was overestimated in relation to importance to sage-grouse habitat. The following paragraph (5) mentions that utilization rates are more important than stubble and droop heights in mesic meadows and riparian areas, however, it is unclear as to which method the FS recognizes as the proper manner to gauge utilization rates. Within this section, references are made to stubble height, utilization by weight, and droop height. The FS needs to provide clarification as to what method(s) they will use to determine utilization and in what situation the method(s) are used. NACO favors utilization ranges (rather than droop or stubble height) consistent with the Nevada Rangeland Monitoring Handbook, Volume 3.

**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS)
for the Intermountain and Rocky Mountain Regions.
December 20, 2018**

3	Table 3-7	3-197	Humboldt National Forest Land and Resource Management Plan (1986)	Row 2	In table 3-7 under the “Consistent with Greater Sage-grouse Research” Column, the box indicates that a 40-60% or moderate use level is seen in research as being recommended for sage-grouse habitat. NACO recommends that a footnote be added to this table disclosing that “moderate use” is a term in which its meaning changes between ecological sites and community phases within the ESDs. In other words, a 70% utilization rate in certain riparian areas may not be considered as exceeding more than moderate use.
3	3.3	3-200	Table 3-11		This list doesn’t seem consistent with a similar list provided in Chapter 1 (see Page 1-11). For instance, this table doesn’t include rights-of-way and infrastructure. Perhaps it is different terminology or levels of specificity, but something should be done to explain the inconsistency.
3	3.3	3-200	Table 3-11		The University of Nevada, Reno has begun working on a Socioeconomic Baseline Data collection process for the entire State, and as part of that process will be performing a socioeconomic as well as fiscal impacts analysis for the greater sage-grouse plans. These models and the analysis will be conducted irrespective of the Forest Service’s timeline and will not likely be completed during this process. Counties request the Forest Service to work with UNR during this analysis.
4	4.5.5	4-223	2, “Nevada”		NACO requests clarifications be made regarding how the “authorized officer” is selected for each instance of waivers, exceptions, and modifications of NSO stipulations.
4	4.5.6	4-224	1, “Nevada”		NACO appreciates the recognition of needed flexibility for seasonal use periods.
4	4.5.7	4-225	4	19-20	NACO finds the following statement that “...livestock grazing is not affecting the achievement or maintenance of desired conditions described in the 2015 Amendments” somewhat confusing. It may make more sense to say that grazing is not “negatively” affecting...
4	4.5.7	4-226	1	20-23	NACO appreciates the recognition of forest/allotment scale grazing management effectiveness vs. regional scale grazing guidelines.
4	4.7.3	4-248	Table 4-13	“Corcoran Canyon	To increase readability in the Location and Activity column revise to read: Groundwater monitoring wells and access routes will be used for a period of five years following construction and be reclaimed after the five-year period.

**Nevada Association of Counties (NACO) Technical Document-Specific Comments to:
Greater Sage-grouse Proposed Land Management Plan Amendments (LMPA) and Draft Environmental Impact Statement (DEIS)
for the Intermountain and Rocky Mountain Regions.
December 20, 2018**

				Exploration Project CE”	
4	4.7.11	4-272			See comments relevant to 4.5.7
4	4.10	4-274	2	32	<p>NACO requests further clarification as to why livestock grazing is listed as a “short term use resulting in the greatest impact on long-term productivity of (these) natural resources” when throughout the rest of this chapter grazing was deemed as “not affecting the achievement or maintenance of desired conditions described in the 2015 Amendments”, and when grazing has been proven to enhance resource productivity when managed correctly. NACO also finds it inappropriate to group the effects of grazing (which in most instances has been a long-time permitted activity) with new mineral and energy development, dispersed recreation, and infrastructure development.</p> <p>For all other “short term” authorizations creating an impact to habitat, a discussion of required compensatory mitigation should be included in this chapter as another means of offsetting such impacts.</p>
App. D	Table D-2	D-2	Table D-2	NA	<p>The acreages included seem small over a 10-year time horizon. Is there some more information elsewhere as to how these were determined?</p> <p>For footnote #2, NACO would request considering allowance of treatments in Phase 2 PJ that may have encroached into sagebrush ecotypes, and also clarify if the 30% canopy cover is specific to sagebrush or PJ.</p>
App. D	Nevada – Seasonal Habitat Preferences	D-3	Introduction	NA	<p>NACO suggests the following updates to the introductory paragraph: <i>Tables D-3 and D-4 present sage-grouse local seasonal habitat preferences in Nevada. Because habitat preferences vary, for example among ecological sites and along latitudinal, topographic, or precipitation gradients, several tables are presented with values most closely associated with local conditions. These values are not desired conditions as defined at 36 CFR 219.7, but conditions for which sage-grouse select, where available, during seasonal use periods. Tables and values should be used as a basis for comparison when completing seasonal habitat assessments, as described in Stiver et al. 2015. Tables may be added and</i></p>

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December 20, 2018**

					<i>updated revised with administrative changes based on the best available scientific information.</i>
App. D	Mitigation Strategy	D-9	D.1 General		NACO appreciates the inclusion of coordination with local government.
App. D	Compensatory Mitigation Options	D-10	Bullet 1	Options for implementing...	NACO would appreciate a note in this bullet indicating that use of the CCS meets the FS bar of “net conservation gain”.
App. D	Compensatory Mitigation Options	D-10	Bullets 2 & 3	Options for implementing...	NACO requests making it clear who will determine if the “net conservation gain” standard is met in these two scenarios and suggests consulting with the Nevada SETT to make such a determination.
App. D	Adaptive Management Plan for Nevada	D-11	Adaptive Management Analysis Scales	Bullet 3	It should be made clear how BSUs will be used for anthropogenic disturbance calculations. Is this based on the entire BSU (including non-habitat, or only HMAs within the BSU)?
App. D	Adaptive Management Plan for Nevada	D-12	Figure 1	Steps 1 and 2	<p>Two suggested updates to the figure:</p> <p><i>Statewide Technical Team reviews population findings from USGS as well as habitat warnings: human and natural disturbances and fire risk for warnings and triggers. The STT determines which areas warrant soft and hard trigger responses to move forward to Step 2. Population triggers warrant a mandatory response, while habitat triggers are determined by the STT. The STT may also combine Adaptive Management Responses for both biological and habitat triggers and/or combine the geographical scale of a response based on needs and available resources.</i></p> <p><i>Step 2: Determine the Causal Factor(s) for areas warranting an Adaptive Management Response.</i></p>
App. D	Adaptive Management Plan for Nevada	D-13	Figure 2		Please explain, in a footnote or other appropriate area, the difference between the BSU and HMA boundaries.

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December 20, 2018**

App. D	Adaptive Management Plan for Nevada	D-14	Footnote 5		Please clarify that Coates et al. 2017 only applies to population warnings and triggers.
App. D	Adaptive Management Plan for Nevada	D-16	Causal Factor Analysis and Management Response Process	Step 1 and 2	Please see above comments to Figure 1 and incorporate here as appropriate. Also, the “Adaptive Management Response Team” should be defined somewhere along with whom will be represented on the team. NACO suggests local government and stakeholders be on such a list. Finally, in Step 2, the causal factors should be applied at the “appropriate” analysis scale versus at “each” analysis scale.
App. D	Adaptive Management Plan for Nevada	D-16	Causal Factor Analysis and Management Response Process	Step 3	NACO suggests adding to the beginning of the Step 3 text, “Through a collaborative process...”