



# Nevada Association of Counties

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June 1, 2020

Ammon Wilhelm  
BLM Idaho State Office  
1387 South Vinnell Way  
Boise, ID 83709

cc: John Ruhs  
BLM Idaho State Office  
1387 South Vinnell Way  
Boise, ID 83709

**RE: Nevada Association of Counties Comment on the Bureau of Land Management's Draft Programmatic Environmental Impact Statement for Fuel Reduction and Rangeland Restoration in the Great Basin. Federal Register 85 FR 19018.**

Dear Mr. Wilhelm:

As the state association for all 17 of Nevada's counties, the Nevada Association of Counties ("NACO") appreciates the opportunity to provide comment on the Bureau of Land Management's ("BLMs") Draft Programmatic Environmental Impact Statement (DPEIS) for Fuel Reduction and Rangeland Restoration in the Great Basin. NACO provides comments as the collective voice on behalf of all of Nevada's counties, but defers to individual counties that have provided county-specific information or positions that may be in conflict with NACO's position.

## Introduction

NACO is pleased to see the BLM taking a comprehensive approach to improving fire resistance and resiliency of rangelands in the Great Basin. This DPEIS, along with BLM's recent Fuel Break PEIS, and the CX for Pinyon Juniper management should create a suite of tools for the BLM to utilize to help reduce the frequency and intensity of fires across the great basin.

NACO urges the BLM to cooperate and coordinate with county governments when conducting restoration and enhancement activities when such activities do not require site specific NEPA analysis. For many Nevada communities, resource-based industries that are tied to public lands are their lifeblood. And in all counties, staying apprised of and involved in federal land management planning and conservation efforts is critical, as federal agency decisions are inextricably tied to counties' ability to effectively plan for the future and provide mandated services. Aside from the knowledge and expertise counties provide, Nevada's counties also bear the most immediate and long-lasting socioeconomic impacts from wildfires in the Great Basin, fires that threaten lives and livelihoods.

## a. Cooperation and Coordination with Local Governments

Under FLPMA, the BLM must coordinate its land use inventory, and management activities with “States and local governments within which the lands are located.”<sup>1</sup> This coordination requirement reflects that FLPMA recognizes that states and local government share land management responsibilities with the BLM. Integrated land management efforts which include close cooperative relationships with partners and local communities are key to successful land management planning.

NACO hopes that a programmatic approach to rangeland restoration and fuel reduction projects will enable the BLM to more quickly conduct needed measures to achieve stated goals. NACO works with county governments to adopt and maintain local, regional, state and national cooperation to cultivate effective policy and land management planning. In general, NACO supports land management practices that are expedient and adaptable. For example, our recent comments on the proposed categorical exclusion for pinyon-juniper removal were generally supportive because of the likelihood that PJ treatment would provide needed benefits for rangeland ecosystem health and reduce fuel for wildfire without lengthy site-specific NEPA analysis.

However, it is important the BLM cooperates and coordinates with county governments to ensure that actions not-requiring site-specific NEPA analysis are consistent with local land use plans and local weed control programs to balance the need for expedient treatment with local knowledge and local priorities. NACO would like to see consistency of language within the PEIS when discussing cooperation with local government. For instance, on page 1-2 language should be adjusted for clarity as follows:

“The BLM will continue cooperating and coordinating with other federal, Tribal, state, and local ~~governments-agencies~~ governments consistent with applicable laws and regulations pertaining to planning and implementing vegetation treatments within the analysis area.”

NACO would appreciate consistency to ensure that BLM local and regional offices have clear guidance on when to defer to local plans and consult local government. Lastly, NACO projects implemented under this PEIS should also be eligible as part of any stewardship agreements or contracts approved through the BLM.

## b. Native and Nonnative Seed

The spread of noxious and invasive plants in the Great Basin is connected to the prevalence of rangeland fires. Where ecosystems have suffered fire-caused disturbance, invasive fuel-laden species such as cheatgrass, propagate.

The rate of encroachment of annual invasive grasses and the ever-increasing probability of wildfire is simply too serious of a problem to insist on idealized management options that are unlikely to produce ideal outcomes. Insufficient rangeland restoration results in proliferation of fire-conductive invasive species.

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<sup>1</sup> 43 U.S.C. 1712 (c).



BLM refers to its native plant policy in Handbook 1740-2 to guide its policy for when to use natives or non-natives across the project area in the PEIS. However, the strong preference for native seeds is misguided here, where the stated “need” of this PEIS includes “restoration treatments such as fuels reduction and revegetation...to retain and increase intact sagebrush communities and improve their ability to resist annual grass invasion and recover from disturbance such as wildfire.”

Specifically, BLM’s policy for use of nonnatives is too restrictive. Native species are expensive, often difficult to obtain, and do not always compete well with non-desirable invasive species, particularly in marginal areas. Strict insistence on the use of natives can limit the size and effectiveness of rangeland restoration. 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 similar ecological functionality should also be encouraged for use.

NACO therefore suggests that the BLM, to better fit the purpose and need of *this* PEIS, not adopt its nonnative seed policy from H1740-2 verbatim, but modify it as follows (proposed language underlined):

“Using nonnative seeds as part of a seeding mixture is appropriate ~~only~~ if it is done under the following circumstances: 1. suitable native plant material is not readily available, 2. the natural biological diversity of the proposed management area would not be diminished, 3. exotic and naturalized species can be confined in the proposed management area, 4. analysis of ecological site inventory information indicates that a site would not support reestablishment of a species that historically was part of the natural environment, or the reestablishment of that species is unlikely and 5. resource management objectives cannot be met in the near-term with native species. For example, nonnative plant material may potentially be used in areas with low resistance and resilience that are invaded by invasive annual grasses.”

### c. Livestock Grazing

NACO supports the inclusion of targeted grazing as a fuel reduction and rangeland restoration tool. NACO worries that the PEIS does not fully address the need for consultation and coordination with permittees whose existing permit could be affected by a restoration or fuel reduction project. Section 2.2.4 of the PEIS should be modified to state as follows:

“Any changes to permitted grazing would be in accordance with 43 Code of Federal Regulations (CFR) 4110, 43 CFR 4120, and 43 CFR 4130 (2005). However, the BLM ~~may~~ must work with permittees through voluntary agreements or coordination within the authorized permitted use to temporarily modify grazing to increase the success of vegetation restoration projects.”

Elsewhere, in Chapter 3, the PEIS includes a footnote that states:

“If permitted livestock grazing is to be affected, the permittee will be consulted and coordinated with prior to the implementation of the restoration activity. The preferred option is to plan the restoration activity to occur within the authorized permitted rotation. If that is not feasible, an agreement will be completed with the affected permittee that provides for the necessary protections for the restoration treatment (i.e., seeding).”



NACO supports this latter statement and would urge the BLM to clarify these two statements and more clearly describe the process the BLM will follow when a permittee's grazing is to be "affected." NACO has always emphasized the importance of cooperative and collaborative conservation and land management approaches that rely on voluntarily partnership with stakeholders rather than on top-down regulation centered approaches. To that end NACO would urge the BLM to include a clear statement that no permit will be modified without consultation and coordination with the affected permittee, and that modification will be the result of a voluntary agreement between the BLM and the affected permittee for the purpose of effectuating restoration and enhancement projects.

#### **d. Socioeconomic Data**

FLPMA, NEPA, and their implementing regulations require BLM, to the maximum extent possible, align with and mitigate impacts to State and local government planning needs, with the understanding that "socioeconomic impacts are usually indirect and largely fall on communities and local government institutions."

The PEIS states only that the Socioeconomic Baseline Report information is "available on the website for this project." While it may not be feasible to include the socio-economic baseline data for individual affected counties across the project area in this PEIS, NACO encourages the BLM to incorporate the report by reference or to include the Socioeconomic Baseline Report as an appendix. Inclusion of the Socioeconomic Baseline Report in the PEIS will benefit affected parties, cooperating agencies, and the BLM itself by informing the project participants of the impacts of restoration and enhancement projects. NACO encourages the BLM to consult the Nevada Economic Assessment Project (NEAP) which creates socioeconomic baseline data for all counties in Nevada and is being done in cooperation with the BLM, University of Nevada, and the U.S. Forest Service.<sup>2</sup>

#### **Conclusion**

We would like to thank the BLM for their consideration of the input and recommendations of Nevada's counties. Any changes to public land management in Nevada effects our residents, county functions, and the ability for counties to serve their citizens' basic needs. We look forward to continued engagement on this matter. If you have any questions, please do not hesitate to contact me at [dstapleton@nvnaco.org](mailto:dstapleton@nvnaco.org), or by phone at (775) 883-7863.

Respectfully,



Dagny Stapleton  
Executive Director

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<sup>2</sup> <https://extension.unr.edu/neap/>



**Nevada Association of Counties' (NACO) Document Specific Comments to BLM's Draft Programmatic Environmental Impact Statement for Fuel Reduction and Rangeland Restoration in the Great Basin (DPEIS) Appendix D (proposed language underlined)**

App. D	3.	GEN	NACO appreciates that the BLM will defer to local knowledge such as the state or local BLM when there is a conflict between guidance and the PEIS. However, NACO would appreciate clarification as to whether local government, land use plans, or weed management programs will also receive deference.
App. D	15.	FW, LG, SD, SOIL, SSS, VEG	<p>This design feature should be modified to read as follows:</p> <p>Before targeted grazing begins, complete a targeted grazing plan in <u>cooperation with the permittee</u> that optimizes successful reduction or control of the target nonnative species, while avoiding damaging native desired plants. The plan would include the following:</p> <ul style="list-style-type: none"> <li>● Objectives that specify target nonnative species, grazing duration, intensity, stocking level, type of livestock, and measurable outcomes</li> <li>● A monitoring plan</li> <li>● Stipulations, including the following: <ul style="list-style-type: none"> <li>– To minimize the risk of introducing or spreading invasive plant species through livestock manure, a quarantine period may be needed before livestock are turned out into an area for targeted grazing and when they are removed from such an area.</li> <li>– <u>Required</u> coordination with applicable permittees, state agencies, or other landowners in advance of targeted grazing treatment. This is to identify and minimize any potential conflicts of targeted grazing with regularly permitted livestock grazing. In case-specific situations, rest from regularly permitted grazing may be necessary in order to accomplish targeted grazing objectives (Hendrickson and Olson 2006)....</li> </ul> </li> </ul>
App. D	19	CULT, FW, SD, SSS, VEG	NACO supports BLM's decision to monitor noxious weeds and invasives and to take corrective action in accordance with local weed programs.
App. D	21	SD, VEG, VIS	<p>This design feature should be modified to read as follows:</p> <p>If revegetation is necessary, apply an appropriate mixture of locally adapted or genetically appropriate forbs and grass seed (adapted to the site) <u>as well as desirable nonnative seeds or plant material</u> at jackpot burn sites and pile burn sites to facilitate vegetation establishment.</p>

