

**Nevada Association of Counties (NACO) Document Specific Comments to the:  
US Forest Service's Proposed Changes to the Greater Sage-grouse Nevada Plan  
Amendment**

The Following are Specific Comments to the Proposed Changes to the Greater Sage-Grouse Nevada Plan Amendment:

**Page 1, Footnote 2:** This footnote seems to be more pertinent to the Habitat Management Area Map Update process on Page 2. Regarding the determinations on unsuitable / non-habitat and the “ecological potential” to become habitat, who would make such a determination?

**Page 2, Habitat Management Area Map Update Process:** NACO supports updating the mapping to reflect 2015 State-approved Habitat Management Areas, provided that it includes both the State’s Sage-grouse Habitat Management Category Area (SGMCA): the spatial extent (boundary) of Sage-grouse management in Nevada (as defined by the State Plan, page 10) and the State’s habitat management categories: priority, general and other. NACO’s support is also contingent upon the ability to update said maps and ground truth habitat, given that these maps are derived from models of habitat and Sage-grouse use where data is available.

**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. Also, the term “anthropogenic disturbance” needs to be clearly defined, and as expressed verbally by the Forest Service: will NOT include county infrastructure and/or range improvements.

**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).

**GRSG-GEN-ST-005-Standard:** NACO has previously expressed concern regarding “net conservation gain” see scoping comments. NACO remains concerned in terms of how this standard is both applied and interpreted across projects in an equitable and consistent manner. If the Forest Service plans on retaining this standard, it should adopt the State’s definition and process for determining compliance with the standard.

**GRSG-GEN-DC-004-Standard:** NACO has previously argued against the 3% disturbance cap, and would request further information as to how this Standard was developed and the best available science that supports it. In addition, it needs to be clear which version of BSUs will be used to calculate this and how such a cap would be adjusted if BSU boundaries change again.

**GRSG-GEN-ST-006-Standard and GRSG-GEN-GL-007 Guideline:** The terms “active” and “pending” should be defined. Generally, throughout the document, any time a seasonal activity is noted (i.e. lek, breeding and nesting, winter, etc.) please reference the table that specifies dates for these activities.

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**GRSG-AM-ST-011 and 012 – Standard:** See comments to Appendix C below.

**GRSG-LR-SUA-ST-014-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 Forest Ranger may make the most sense in these instances as they are the closest manager to 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?

**GRSG-LR-SUA-ST-015-Standard and GRSG-LR-SUA-ST-016-Standard:** Will the same exceptions for public health and safety, as well as routine administrative functions, be applied to this standard? 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.

**GRSG-WS-ST-025-Standard and GRSG-WS-ST-026-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?

**GRSG-GRSGH-O-029-Objective:** NACO can appreciate the Forest Service's caveat of 'subject to available resources and appropriations' for efforts to address invasive species. However, NACO would urge prioritization of such projects since this issue, and its associated fire cycle, remains the greatest threat to Sage-grouse in Nevada.

**GRSG-GRSGH-GL-032-Guideline:** While NACO appreciates "design features" to minimize non-native plants, a weed management plan may be more effective.

**GRSG-GRSGH-GL-034-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, more competitive with non-native annual grass species (medusahead and cheatgrass) and provide a similar ecological functionality should also be encouraged 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.

**GRSG-GRSGH-GL-036-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

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conflict with an existing water right. NACO suggests adding a sentence to this guideline that would read, "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."

**GRSG-GRSGH-GL-038-Guideline:** While prescribed fire isn't always the best tool to utilize, it shouldn't be eliminated as a tool. Also, any "treatment" should be designed to suppress undesirable annual grasses while promoting favorable vegetation. To accomplish this, treatments should be developed on a site-specific basis in consideration of the site's current ecological state, ESDs and/or DRGs and associated STMs.

**GRSG-GRSGH-GL-0XX-Guideline:** 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.

**GRSG-LG-GL-042 Guideline and Standard:** NACO agrees with deleting current Guideline GRSG-LG-GL-042 and the reference to grazing guidelines included in Table 3. NACO doesn't believe such specific guidelines (such as stubble heights) belong in a Forest Management Plan as they are not developed based upon allotment-specific conditions. Such blanket guidelines could result in unwarranted restrictions on grazing and subsequent increases in fine fuel loads resulting in increased threat of wildfire and favorable conditions for invasive and noxious species.

NACO also has concern with the proposed 50% riparian area and meadow utilization standard. Again, each utilization standard must be set on a site-by-site basis in collaboration between the range specialist and the grazing permittee to meet desired conditions or trends. In some meadow systems production is so high that insufficient removal of biomass will restrict desirable plant growth and allow weedy species to invade. In other systems, reduced herbivory may be required for plants to reestablish root systems and carbohydrate reserves.

In lieu of the existing guideline and proposed standard, 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.

**GRSG-LG-GL-043-Guideline:** NACO is adamantly opposed to allotment closures and forage reserves. Livestock grazing is important to many counties customs, culture and economies and such actions are inconsistent with many counties' Master Plans. In addition, such actions will result in accumulation of fine fuels and increased potential for catastrophic wildfire (i.e. the 400,000+ acre Martin Fire). NACO suggests adding a provision to this guideline for

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development of Allotment Management Plans (AMPs). When developed and planned correctly (between the grazing permittee and Forest Service Specialist) an AMP can provide a list of site-specific management actions and guidelines that improve range condition, grazing management and wildlife habitat. NACO believes working together to utilize livestock grazing as a tool for conserving and improving habitat is a more appropriate course of action than allotment closures and forage banks which will only aggravate current and future accumulation of fine fuels that carry catastrophic wild fires.

**GRSG-LG-GL-044-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.”

**GRSG-FM-ST-049-Standard:** While prescribed fire isn't always the best tool to utilize, it shouldn't be eliminated as a tool, particularly if it can be applied in a manner that prevents large catastrophic wildfire by reducing fuel loads.

**GRSG-FM-GL-052-Guideline:** See comment for **GRSG-GRSGH-GL-034-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.

**GRSG-FM-GL-055-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.

**Wild Horse and Burro:** NACO strongly supports and appreciates the Desired Condition, Standards, and Guidelines included in this section. Unmanaged over-grazing by wild horses is a major concern in Nevada's counties and will continue to be problematic to Sage-grouse habitat until herds are consistently managed within appropriate management levels.

**GRSG-RT-GL-086-Guideline:** “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.

**GRSG-RT-GL-087-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. grazing, weed treatments, fuels reduction, 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, exceptions should be provided to allow for County emergency services and administrative functions.

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**GRSG-P-DC-XX-Desired Condition:** NACO fully supports and appreciates this addition to coordinate with other agencies to 'minimize impacts from predators' particularly where habitat has been diminished due to events such as wildfire.

**Appendix A – Seasonal Habitat Preferences:** NACO appreciates and supports the clarification that “These values are not desired conditions as defined at 36 CFR 219.7, but conditions for which sage-grouse select during seasonal use periods.” NACO also supports the ability to update tables based on new and regionally-specific information. NACO believes a map showing the referenced Ecoregions would be helpful for context. Finally, NACO strongly supports utilization of information developed by the Natural Resource Conservation Service (NRCS) and College of Agriculture, Biotechnology and Natural Resources (CABNR) at the University of Nevada, Reno (UNR) including, but not limited to: Ecological Site Descriptions, Disturbance Response Groups, State-and-Transitions Models to determine site specific objectives based on the current ecological state of the given site.

**Appendix B – Mitigation Strategy:** NACO presents the following points and questions regarding the proposed mitigation strategy:

- NACO fully supports the application of the mitigation hierarchy: avoid, minimize and mitigate. This approach is consistent with federal regulation as well as the State Plan.
- Paragraph 2 on Page 42 is very nebulous, particularly the following excerpt, *...the Forest Service would require and ensure mitigation, subject to valid existing rights and federal regulations governing the authorization...* It is unclear to NACO, and other stakeholders, what this means in terms of which “authorizations” or land use activities would and would not be required to mitigate. This issue should be clarified, perhaps with a table that clearly describes which authorizations would be required to mitigate and which would not.
- NACO agrees that a common, standard method should be used to determine impacts and commensurate mitigation.
- NACO is unclear as to how options (bullets) 2 and 3 under *Compensatory Mitigation* Options would be implemented and determined for mitigation. More detail would be appreciated.
- NACO has previously expressed concern with the “Net Conservation Gain” standard. While NACO appreciates the Forest Service including a definition of “Net Conservation,” this term is still nebulous in terms of determining how this standard would be met. The definition should be updated to better define how the standard would be determined when using the State HQT and CCS (i.e. a functional acre equivalent between impacts and mitigation). Further, there needs to be more definition in terms of how this standard would be determined if not using the State’s mitigation system. Finally, there needs to be a better explanation of how the Forest Service can meet this standard for authorizations that don’t contain regulations that provide an allowance for mitigation.

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**Appendix C – Adaptive Management Plan for Nevada:** NACO presents the following points regarding the proposed Adaptive Management Plan for Nevada:

- NACO supports the Forest Service's adoption and inclusion of the State of Nevada's Adaptive Management Plan that was approved by the Sagebrush Ecosystem Council on July 17, 2018.
- NACO questions how Adaptive Management will be implemented in BSU and/or Lek Cluster areas that fall outside of mapped habitat adopted by the Nevada Sagebrush Ecosystem Council in 2015. The BSUs and Lek Clusters should be reconfigured to match the 2015 state-approved mapping.
- NACO suggests that Map C-1 be updated to reflect how BSUs and Lek Clusters are situated within each Ranger District in Nevada. At present, the scale of the map makes it difficult to discern which BSUs and Lek Clusters fall within the Santa Rosa Ranger District.