

February 20, 2014

To: Governor Brian Sandoval
From: Karen Boeger, NV Chapter Backcountry Hunters & Anglers
Re: NDOW Sage Grouse comments on Draft Sage Grouse EIS

Dear Governor Sandoval,

Pre-script:

I am a Nevadan by choice of almost half a century and have been a conservation activist for most of that same time span, working on public land issues related to wilderness and wildlife for various conservation and sportsman organizations, currently as a Board member of the NV Chapter of BHA. I have been a participant in numerous stakeholder groups working with both FS and BLM.

Backcountry Hunters and Anglers has a vested interest in the health of sage grouse and their habitat. It is our mission to conserve and restore large intact chunks of wildlife habitat and the connectivity between them. By doing so, we will continue to provide the best habitat for wildlife, and thus for traditional backcountry hunters and anglers, into the foreseeable future.

Concern:

The NV Chapter of Backcountry Hunters & Anglers has been surprised and dismayed that the submission of NDOW comments on the Draft Sage grouse DEIS has caused consternation and controversy within the Sagebrush Ecosystem Council. To our mind, NDOW was simply doing the job that the public expects and needs it to do – provide the unadulterated wildlife science to the Federal Land Agencies so that any DEIS can fully examine all potential impacts of any wildlife-related decision on our public lands.

NDOW's critical input helps diminish the risk of potential appeals and lawsuits, which would only serve to exponentially slow the process of the speedy, science-based adaptive management required to avoid the listing of the sage grouse. All entities/stakeholders will benefit from science-based decision-making – our only hope of conserving/restoring sage grouse habitat. Healthy, sustainable, resilient habitat sustains not just the bird, but the interests of all stakeholders.

Thanks to your vision, creating the SEC and SETT is a potentially positive development and, most importantly, that those entities include NDOW. Below, I have pasted excerpts from our comments on the Draft EIS that enumerates the positive contributions reflected in the state Alternative E.

That said, I have also included the section of our comments enumerating the concerns with Alternative E, especially highlighting those which concern the roles of SETT and NDOW.

It cannot be said often enough, that NDOW appropriately needs to retain autonomy in submitting wildlife science-based comments on wildlife issues to the public land agencies. They also appropriately need autonomy to review and give input on any projects related to the restoration or conservation of sage grouse habitat. By doing so, rather than being an action disloyal to the state process, this will confirm Nevada's intention to protect our valuable wildlife. The public deserves complete assurance that our Wildlife Department is doing the job it is mandated to do.

It is our hope that you can act swiftly to restore harmony and collegiality to the SEC while assuring NDOW that they are appreciated and valued for doing their job which is so important to this effort to restore/retain sage grouse habitat.

Thank you for your consideration of our concerns.

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Post-script: excerpts of our comments on the Draft EIS:

This DEIS is unique in my experience in that the state of NV has a proposed entire stand-alone alternative: E. In my Chapter 2 comments on both Table 2.4 and Table 2.5 below, I enumerate my primary concerns with the state alternative. At the same time, it is important to also point out the **advantages of a state alternative** for consideration, or at least portions of it. Here is a list:

- The focus on the sagebrush ecosystem by a counsel of stakeholders (SEC) gives hope that we will move beyond business as usual. This forum for both state and federal agencies and vested interests promises useful dialogue, education, sharing of information and concerns.
- Brings potential state resources and expertise to the SG issue, elevates the SG issue to the state level and brings a broader-based citizen involvement than some past issues.
- Hopefully brings increased collegiality and co-operation between the state departments of Wildlife and Natural Resources. **The trick will be in allowing important NDOW autonomy in wildlife science-based data gathering and decisions.**
- The acceptance by the SEC of the USGS/ Dr. Coates map of SG habitat with its multi-layered prioritization levels. This can be the most useful tool in prioritizing actions in the field.
- Establishment of a science working group (SWG) of professionals working on standards and guidelines for grazing. The trick will be if the S&Gs are not so complex as to hinder timely implementation, monitoring and adaptive management.
- Establishment of the SETT which brings together scientists/biologists across the disciplines key to SG survival: soils, vegetation (& fire/weeds), wildlife.
- The potential of the Conservation Credit System concept. Adequate funding will be essential.

Concerns regarding Alternative E throughout all sections:

1. Proposed complete reliance on SETT for consultation potentially supersedes or dilutes the critical science data that only NDOW biologists can provide for cost-effective decision-making.

Stand alone consultation with NDOW must occur before considering input of SETT. SETT reports to the Sagebrush Ecosystem Council (SEC) which includes members of commodity interests. Those reports are potentially modified or altered by the SEC. In decisions related to Sage Grouse (SG), science must be the primary consideration before economics.

2. The “avoid, minimize, mitigate” concept, while a very good one, does not acknowledge that loss of priority habitat cannot be mitigated until such time as it is replicated, and arguably not even then. There must be key portions of priority habitat that are “exclusion” zones for any new development (save for valid existing claims) until such time as new/restored, occupied, sustainable habitat is created (acre for

acre) adjacent to existing priority habitat to replace any development “takings”.

3. The conservation credit system is an excellent idea, but must be overseen by an Executive committee which includes, in addition to SETT, the federal agencies and NDOW (as a separate entity from its participation in SETT).

4. The emphasis on landscape scale restoration/fire pre-suppression goals/principles/actions.

The WAFWA Gap report specifies numerous areas where implementation, science and monitoring are lacking to ascertain the where/when/how to apply actions at a landscape scale that will assure both success and reveal the trade-offs of pro-action with potential negative effects to SG and SG habitat.

5. The recurring proposed direction to use livestock as a tool in fuels reduction:

Again, the WAFWA report top gap # 5 includes the lack of rigorous/credible studies on the use of targeted livestock grazing for fuels reduction, especially at a larger scale, as well as determination of feasibility costs of potential impacts.