



**Board of County Commissioners
Nye County
Pahrump, Nevada**

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May 6, 2014

The Honorable Senator Dean Heller
361-A Russell Senate Office Building
Washington, D.C. 20510

The Honorable Senator Harry Reid
522 Hart Senate Office Building
Washington, D.C. 20510

RE: Nevada Sagebrush Landscape Conservation and Economic Development Act

Dear Senators Heller and Reid:

Nye County has reviewed your cosponsored Discussion Draft of the Nevada Sagebrush Landscape Conservation and Economic Development Act, and staff and Commissioners have participated in discussions with staff from your offices regarding the same. We appreciate the effort you are making to address Greater Sage Grouse (GSG) management issues in the State of Nevada, in hopes of preventing an Endangered Species Act listing of the GSG. We also appreciate being afforded the opportunity to evaluate and provide comments to you regarding the Discussion Draft.

However, Nye County has serious concerns regarding the provisions of the Draft bill that prevent our support at this time.

A listing of the GSG will be made on an 11-state basis, not state-by-state unless this bill directs the US Fish & Wildlife Service to do otherwise. Congress has the power to say this bill will prevent listing or to mitigate some of the effects of a listing, but this bill in its current form does neither. As a practical matter, this bill helps to perpetuate the myth that humans and activity on public lands is the cause of the decline in GSG populations. The agencies of the federal government have ignored the scientific evidence and comments from local and state governments that show the GSG populations thrived under the settlement and grazing in the west. The declines in recent years are mostly due to overregulation and mismanagement by the federal agencies.

The bill proposes to designate as wilderness many of the lands in Nevada currently identified as Wilderness Study Areas (WSAs) or Inventoried Roadless Areas, which is contrary to Nye County's policies regarding public lands. Since 1999, Nye County has sought to have WSAs released from WSA status and returned to multiple use (Nye County Resolution 99-07). In addition, the 2011 Nye County Comprehensive Master Plan calls, to the extent possible, for federally managed lands to be released back to local government to be managed, released to private ownership for economic development purposes, or to remain in multiple use status if retained in federal management.

There is very little sage grouse habitat in the WSAs in Nye County, and designating them as wilderness areas (where the positive impact to the GSG would be minimal) has the appearance of a federal land grab. The bill also includes additional restrictions and costs on land use (either \$500 per acre developed in general GSG habitat or \$750 per acre developed in priority GSG habitat), which will act as a deterrent to future development and therefore have a significant adverse economic impact on all the counties involved.

The bill currently states that livestock grazing in Wilderness Areas that started before the date of enactment of the bill “will be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary [of the Interior] considers to be necessary . . .” Based on agency actions, and policies promulgated through land use plan updates (Resource Management Plans, in particular), Nye County does not believe that “reasonable” regulations will be applied, and that the local livestock industry will suffer accordingly.

Nye County supports the position of Eureka County, as described in their letter to you dated April 15, 2014, and stands with our fellow Nevada Counties and communities in opposition to the bill in its current form. We further request that lands in Nye County currently designated as WSAs be released from that status, consistent with the position of Nye County Resolution 99-07.

Again, we appreciate the time and effort you and your staff have taken to reach out to the local communities regarding habitat conservation efforts for the GSG. We believe that the best way to manage the species is through “grassroots” efforts at the local level, involving stakeholders from private industry, local, state, and federal agencies, and others. We have seen success applying this approach to the Amargosa Toad, preventing the species becoming listed, and are confident such an approach with the GSG could be successful.

Nye County looks forward to continuing to work together with you and your staff to find a solution to this problem that works for all stakeholders.

Sincerely,



Dan Schinhofen, Chairman
Nye County Board of Commissioners

Cc:

Congressman Mark Amodei
Congressman Steven Horsford
Congresswoman Dina Titus
Congressman Joe Heck
Governor Brian Sandoval
NV Senator Pete Goicoechea
NV Assemblyman John Ellison
NV Sagebrush Ecosystem Council
Jim Barbee, Director, NDOA
Leo Drozdoff, Director, NDCNR
Tony Wasley, Director, NDOW
Nevada Association of Counties