

Sagebrush Ecosystem Program

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STATE OF NEVADA
Sagebrush Ecosystem Program

SAGEBRUSH ECOSYSTEM COUNCIL
STAFF REPORT
MEETING DATE: February 13, 2014

DATE: January 9, 2014
TO: Sagebrush Ecosystem Council Members
FROM: Sagebrush Ecosystem Technical Team
Telephone: 775-684-8600
THROUGH: Tim Rubald, Program Manager
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SUBJECT: Discussion and consideration of possible revisions to the Wild Horses and Burros section of the Nevada State Alternative in the BLM/ USFS Sub-regional EIS.

SUMMARY

This item requests SEC direction to revise the current Wild Horses and Burros section of the State EIS Alternative. The SETT will work with various stakeholders to gain input on best available science, suggested revisions, and pertinent citations that might provide greater detail and specificity on the State's goals, objectives, and management actions, to provide a greater likelihood for the State Alternative to, at least in part, be selected as the preferred alternative.

PREVIOUS ACTION

March 27, 2013. The Council directed the SETT to meet with USFWS and NDOW staffs to discuss the USFWS comments on the Nevada State Plan and report back to the Council.

April 22, 2013. The Council directed the SETT to further develop the Nevada State Plan and the EIS Alternative to incorporate the concerns expressed by the USFWS.

July 30, 2013. The Council adopted the Sagebrush Ecosystem Strategic Detailed Timeline, which included revision of the State Plan/ EIS Alternative.

BACKGROUND

As currently written (see Attachment 1), the Wild Horses and Burros section of the State Alternative in the EIS is generally inadequate for the purpose of outlining the needs of the State and provides little direction to the BLM and USFS beyond managing and maintaining these animals to Appropriate Management Levels (AML), which is

equivalent to current BLM management policy (or the No Action Alternative).

During the next month, until mid-March, 2014, the State has an opportunity to solicit input to incorporate additional goals, objectives, and management actions to better reflect the State’s concerns and incorporate best available science that will strengthen the State Alternative and provide a greater likelihood for the State Alternative to, at least in part, be selected as the preferred alternative.

FISCAL IMPACT

There are no fiscal impacts to the State.

RECOMMENDATION

Staff recommends the SEC direct the SETT to work with various stakeholders to revise the Wild Horses and Burros section of the State EIS Alternative.

POSSIBLE MOTION

Should the SEC agree with the staff recommendation, a possible motion may be:
“Motion to direct the SETT to work with various stakeholders to revise the Wild Horses and Burros section of the State EIS Alternative and bring a revised version to the SEC for review and possible approval.”

Attachments:

1. Wild Horses and Burros section of State Alternative as originally submitted to the BLM

jc: TR

	<p>Sage-Grouse population, nest success and recruitment goals should be established for all SGMAs. (2012 Plan)</p> <p>Focus on a six-point plan that is summarized here and expanded below.</p> <ol style="list-style-type: none"> 1. Control access to garbage dumps and landfills. 2. Control access to road kill. 3. Control access to abandoned animal carcasses. 4. Control access to artificial nesting and roosting structures. 5. Ensure adequate nesting cover for Sage-Grouse. 6. Increase site-specific take of ravens. <p>TMA-9.1: Maintain a mosaic of shrub cover conditions ranging from twenty percent to forty percent in nesting habitat to provide both habitat resiliency and preferred nesting conditions for Sage-Grouse in areas with high raven populations. Where this amount of shrub cover is not available (<25%), then perennial grass cover should exceed 10% (Coates, et al. 2011) and annual grass cover should not exceed 5% (Blomberg, et al. 2012 (2012 Plan))</p> <p>TMA-9.2: When population, nesting success, and recruitment goals are not met, implement an effective predator control effort for ravens, badgers, and coyotes as needed, based on biological assessments appropriate to local conditions. Conduct predator control to coincide with the life stage impacted by predation. SGMAs should be prioritized for predator control. If a SGMA meets or exceeds the reproductive and population objectives, move predator control to the next lower SGMA priority. (2012 Plan)</p> <p>TMA-9.3: Continue successful programs that have eliminated external food sources for ravens, particularly landfills, waste transfer facilities, and road kill that subsidize raven populations. Enforce existing State laws that require daily covering of landfills. Continue to reduce and minimize external food sources for ravens: particularly landfills, waste transfer facilities, and road kill that subsidize raven populations. Continue to enforce existing State laws that require daily covering of landfills. (2012 Plan)</p> <p>TMA-9.4: Address and eliminate conflicting regulations between the Migratory Bird Treaty Act and the Endangered Species Act. Pursue additional take permits in excess of the current 2,000 bird limit from the USFWS for raven control. If necessary, pursue additional raven take in excess of the current 2,000 bird limit from the USFWS for raven control. (2012 Plan)</p> <p>TMA-9.5: Identify and apply appropriate habitat management (e.g. livestock management, vegetation treatments, etc.), and non-lethal practices (e.g. control of artificial nest and roost sites) that decrease the effectiveness of predators.</p> <p>TMA-9.6: Monitor effects of predator control to determine causal relations with Sage-Grouse survivability and adapt control strategies accordingly. (2012 Plan)</p> <p>TMA-9.6: When downward population trends and nesting success are detected in SGMAs, initiate predator surveys and identify responsible predator species to target and implement an effective predator control effort. (2012 Plan)</p>
Habitat Conservation for Agriculture	<p>TMA-10: Implement a best practices certification program for ranch management and forage production in consultation with US Department of Agriculture, Natural Resource Conservation Service, and the Nevada Department of Agriculture.</p>
Wild Horse and Burro	<p>TMA-11: Manage wild horses at Appropriate Management Levels (AML) to avoid and minimize impacts to SGMAs. (2012</p>

<p>Management – Federal Agency Actions</p>	<p><u>Plan)</u></p> <p><u>TMA-11.1:</u> Maintain wild horses at appropriate management levels in designated herd management areas (HMA) throughout SGMAs. <u>(2012 Plan)</u></p> <p><u>TMA-11.2:</u> Evaluate conflicts with HMA designations in SGMAs and modify Land Use Plans and Resource Management Plans to avoid negative impacts to Sage-Grouse. If necessary, resolve conflicts between the Wild and Free Roaming Horse and Burro Act and the Endangered Species Act. <u>(2012 Plan)</u></p>
<p>Livestock Grazing</p>	<p><u>TMA-12:</u> Ensure that existing grazing permits maintain or enhance SGMAs. Utilize livestock grazing when appropriate as a management tool to improve Sage-Grouse habitat quantity, quality or to reduce wildfire threats. Based on a comprehensive understanding of seasonal Sage-Grouse habitat requirements, and in conjunction with flexibility of livestock operators, encourage land management agencies to cooperatively make timely, seasonal range management decisions to respond to vegetation management objectives, including fuels reduction. <u>(2012 Plan)</u></p> <p><u>TMA-12.1:</u> Expand the promotion of proper livestock grazing practices that promote the health of perennial grass communities as this condition has been found to suppress the establishment of cheatgrass <i>(Blank and Morgan, 2012)</i>.</p> <p><u>TMA-12.2:</u> Grazing management strategies for riparian areas should, at a minimum, maintain or achieve riparian proper functioning condition (PFC). Specific management actions include riparian fencing to provide control of the season, duration or degree of herbivory, providing alternate water sources away from the riparian area, changing the grazing system, or other grazing management practices that promote herbage removal within acceptable limits. <u>(2004 Plan)</u></p>
<p>Livestock Grazing – Federal Agency Actions</p>	<p><u>TMA-13:</u> On BLM and USFS-administered lands, meet the standards for riparian vegetation such as outlined in the various Resource Advisory Council (RAC) Standards and Guidelines for Ecological Health to meet the Sage-Grouse habitat requirements. <u>(2004 Plan)</u></p>
<p>Wild Ungulate Grazing</p>	<p><u>TMA-14:</u> See Wild Horse and Burro (TMA-11) Section</p>
<p>Mineral Development</p>	<p><u>TMA-15:</u> Through the Nevada Sagebrush Ecosystem Council, encourage the strong conservation ethic in the mining industry by implementing effective avoidance management, and enhancement and reclamation of disturbed lands to preserve, protect, and improve habitat in SGMAs. On Federal lands, activities that have an approved BLM notice, plan of operation, right-of-way, or drilling plan, and on State/Private lands, projects with an approved Nevada Division of Environmental Protection permit, are exempt from any new mitigation requirements above and beyond what has already been stipulated in the projects’ approvals. <u>(2012 Plan)</u></p> <p><u>TMA-15.1:</u> Implement a centralized impact assessment process overseen by the Nevada Sagebrush Ecosystem Council that provides consistent evaluation, reconciliation, and guidance for project development that avoids or minimizes conflicts with Sage-Grouse in SGMAs. <u>(2012 Plan)</u></p> <p><u>TMA-15.2:</u> Consistent with BLM 43 CFR 3809 regulations for Notice-level operations, and USFS 36 CFR 228A regulations, governing mining and exploration, allow exploration and other mineral-related activities that create not more than five acres of surface disturbance. The BLM and USFS may exercise existing discretionary authority to consider other information, including cumulative impacts. <u>(2012 Plan)</u></p> <p><u>TMA-15.3:</u> Follow a strategy that seeks to avoid conflict with Sage-Grouse by locating facilities and activities in Non Habitat</p>