



EUREKA COUNTY BOARD OF COMMISSIONERS

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May 6, 2015

The Honorable Governor Brian Sandoval
101 N. Carson Street
Carson City, NV 89701

RE: Inconsistencies between Greater Sage-Grouse Land Use Plan Amendment Administrative Draft Final EIS and Eureka County plans, policies, and controls

Dear Governor Sandoval:

We thank you for the leadership role you have taken in addressing the conservation of sage-grouse in Nevada and the survival of Nevada's economy and rural communities. We too want to conserve the sagebrush ecosystem while providing for the current and future needs of our citizens and economy.

Eureka County is a cooperating agency for the Bureau of Land Management (BLM) and US Forest Service (USFS) Greater Sage-Grouse Land Use Plan Amendment EIS. We are in receipt of the Administrative Draft Final EIS (ADFEIS) and are currently reviewing it.

We spent considerable time and effort reviewing the Draft EIS (DEIS) and submitted 125 pages of comments on the DEIS. Much of our focus was providing specific and substantive examples of inconsistencies between the BLM/USFS proposed actions and our proposals, plans, policies, and controls. About 40 pages of our comments focused on these inconsistencies. We are dismayed that so many inconsistencies still exist and the egregious lack of coordination by the federal agencies with Eureka County and other counties in Nevada.

Our initial, cursory review of the ADFEIS spotlights the failure by the BLM/USFS to incorporate our proposals and inconsistencies with our plans, policies, and controls are "explained away." There are only two short paragraphs on page 6-27 with perfunctory statements about inconsistencies with county plans, policies, and procedures and nothing specific to the Eureka County. The ADFEIS states that "The BLM is aware that there are specific...local plans relevant to aspects of public land management that are discrete from, and independent of, federal law. However, the BLM is bound by federal law. As a consequence, there may be inconsistencies that cannot be reconciled" (p. 6-25). Yet, the ADFEIS nowhere identifies how any of the inconsistencies with Eureka County's plans, policies, or controls is not in accordance with federal law. There continues to be no analysis that can conclude or determine that our plans, policies, and proposals will not benefit and conserve sage-grouse in Eureka County. If this analysis exists, BLM has made no effort to describe why BLM can defend that position. We are certain that if our Master Plan and

sage-grouse proposals were incorporated and followed, sage-grouse would thrive and habitat would be improved all while maintaining a strong and vibrant economic base.

We request that you use your authority under your 60 day consistency review to elevate and address these outstanding inconsistencies, if necessary, to Director Kornze of the BLM. As you know, the BLM Director shall accept your recommendations if they provide a reasonable balance between the national and State interest (43 CFR 1610.3-2(e)). We ask that you provide an additional check on consistency not only with State or local plans, but also with "policies" or "programs" as outlined by law and regulation. We have confidence in you using this opportunity to influence the final outcome after most other forms of county involvement are no longer available. When submitting recommendations, please focus on both the specific inconsistencies with plans, policies or programs and the manner in which the recommendations for changes to the plan or amendment strike a reasonable balance between the BLM/federal interest and the interests of the State and its counties. It is of high importance to us that your consistency review be not limited to issues relating to only State plans, policies or programs but also raise issues pertaining to local or regional plans, policies or programs. We have enclosed our comment letter on the DEIS so you can be aware of the numerous, specific inconsistencies that exist.

Additionally, we have enclosed a copy of a letter addressed to the Acting BLM Nevada State Director that outlines much of the background in the process and our understanding of BLMs legal and regulatory mandates for coordination and consistency with local plans, policies, and controls.

We welcome the opportunity to discuss our request and expectations with you and your staff during your consistency review of the EIS.

Respectfully,



J.J. Goicoechea DVM, Chairman
Eureka County Board of Commissioners

Enclosures (2)

cc: US Congressman Mark Amodei
US Senator Dean Heller
US Senator Harry Reid
NV Governor Brian Sandoval
NV Senator Pete Goicoechea
NV Assemblyman John Ellison
NV Sagebrush Ecosystem Council
NV Boards of County Commissioners
NV Association of Counties
NV State Land Use Planning Advisory Council