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April 15, 2015

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Gentlemen,

The Nevada Department of Agriculture (NDA) would like to express our disappointment with the development of and the content of the report titled *Invasive Plant Management and Greater Sage-Grouse Conservation: A Review and Status Report with Strategic Recommendations for Improvement* that was publicly released by the Western Association of Fish and Wildlife Agencies (WAFWA) on April 6, 2015.

The report's acknowledgement and thank you to myself and other western state weed coordinators for "support, validation, and ideas during the development of the report and the strategic recommendations" significantly misrepresents actual contributions and roles in the development this report.

NDA provided the attached comments on a preliminary draft of this report in January and, to date, has not received any response from WAFWA or any member of the working group. The published report does not incorporate much, if any, of the NDA comments provided. There remains inaccurate statements regarding state departments of agriculture authority and current weed management activities and programs. For this reason, the Nevada Department of Agriculture is concerned with being listed as a contributor in the development of this report as is suggested in the acknowledgements.

Since January, the Western Weed Coordinators Alliance (WWCA), which includes the state weed coordinators of all the western states within Greater Sage-Grouse habitat, has attempted to be more involved in discussions surrounding sage-grouse conservation and invasive plant management. In particular, WWCA requested to have the opportunity to collaborate and further assist in the development of this report and its strategic recommendations. Discussions between WWCA and WAFWA Fire and Invasive Working Group members had led many state weed coordinators, including myself, to believe a working meeting would be held to discuss this report and to develop the strategic recommendations. No such meeting has been held and none of the state weed coordinators were informed this report was planned to be or had been released as final.

In fact, the published report contains a significant amount of new information that was not available to state weed coordinators at time of review, including the entire strategic recommendations section. It is alarming that such a significant document was released without a coordinated effort from the lead agencies or professionals in terrestrial weed control. It is understandable that decisions and comprehensive reports surrounding the sage-grouse are time sensitive, however, that cannot be used as justification to publish information that has not been fully peer reviewed or is inaccurate. The overall implications of this report and the process in which it has been published without full peer review or professional input is dangerous to the overall effort of scientifically supported rangeland management and/or conservation.

NDA remains supportive of the original intent and purpose of the development of this report. NDA remains generally supportive of the concept of this document, and continues to know that there remains a significant need for collaboration between WAFWA and state weed coordinators on the issues highlighted within the report. However, to this point, collaboration by WAFWA with the appropriate entities involved in, and with the authority over, invasive plants has not been seen. I hope new strategies will be considered by WAFWA to ensure sound information is provided to the United States Fish and Wildlife Service (USFWS) and others responsible for making the crucial decisions regarding sage-grouse conservation and overall rangeland management.

I look forward to your response. For specific examples of areas of this report where the NDA remains concerned or feels more elaboration is needed regarding invasive plant management please contact me.

Sincerely,



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CC: Nevada Sagebrush Ecosystem Council
Virgil Moore, Greater Sage Grouse Executive Oversight Committee
Western Weed Coordinators Alliance

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January 20, 2015

Ken Mayer
WAFWA Working Group Chairman
Via email: Ken.e.mayer@gmail.com

CC: Mike Ielmini, USFS
Via email: mjelmini@fs.fed.us

Dear WAFWA Invasive Species Subcommittee,

The Nevada Department of Agriculture (NDA) appreciates the invite from Mike Ielmini to provide feedback to the draft report of *Invasive Plant Management and Greater Sage-Grouse Conservation: A Review and Status Report and Strategic Recommendations for Improvement*. From here, we hope the requested meeting between WAFWA and the noxious weed management community occurs to assist in further development of the strategic recommendations of this document.

The NDA has the following comments on this draft report:

COMMENTS RELATED TO DOCUMENT AS A WHOLE:

1. Overall we are concerned with the lack of coordination or correspondence, thus far, between WAFWA and the state weed coordinators in the development of this report. This report addresses many important topics of which the Nevada Department of Agriculture Noxious Weed Program and other state weed coordinators are deeply engrained. Continual coordination between WAFWA and western weed coordinators is needed to accurately represent current weed program structures at various levels.
2. The distinction between federal and state/local agencies, programs, and statutes is not clear enough throughout this document to truly assess where barriers occur in successful weed management. The results of the survey seem to be overgeneralized and significant issues in weed management within federal agencies are not addressed.
3. Overall perception of the document is that more standardization and regulation is needed instead of the need to address the lack of on-the-ground action that currently exists on the large mass of federal land that is within the greater sage-grouse habitat range.
4. In many portions of the document invasive *species* management is used, however, the title of this document is invasive *plant* management. Although both are related, the assessment of management and

implementation of management strategies as it relates to the benefit of the sage-grouse is vastly different. Invasive plants and invasive species are also managed by separate state level entities.

SPECIFIC COMMENTS ON CONTENT OF DOCUMENT:

1. The acknowledgements on page 3 are appreciated, however, being a member of the Western Weed Coordinators Committee (WWCC) and a board member of the North American Invasive Species Management Association (NAISMA) I do not see how these organizations have been directly involved to this point. I assume there will be more direct contact with NAISMA board members by WAFWA in future before release of this report.
2. The first paragraph on pg. 3 refers to mapping and states that “data collected by most land managers at the local, state, and federal levels is mostly incomplete” is overgeneralized. Complete data exists at most levels, however, there has not been a complete push to have all data go to one centralized database to make a complete dataset across all agencies.
3. The first paragraph on pg. 10 can be added to with the statement that there is a lack of consistent on the ground implementation of the federal funding that currently does exist. The lack of adequate infrastructure, *and* on the ground action by federal agencies on weeds is important to discuss due to the fact that such a large percentage of land across the western states is federal land.
4. The last sentence of the second paragraph on pg. 11 is an overgeneralization. Although in Nevada this has been true, most western states have very large state and county budgets and federal funding only augments the funding that is already a line item budget. In addition, most federal funding for weed management that comes to the states, such as from the USFS State and Private Forestry Grant Program funding, requires non-federal match so states cannot solely rely on the federal funding to maintain operations. This is now presently the case in Nevada. Operations of the noxious weed program at the state level rely on pesticide registration fees.
5. Discussion on pg. 13 regarding federal agency management activities does not address the lack of actual on-the-ground efforts on invasive plants that occurs on federal lands across the west.
6. The last sentence on pg. 13 regarding cheatgrass as a low priority for management and funding allocations is overgeneralized. Although it is not a regulated noxious weed, many projects at the local levels are dedicated to cheatgrass controls due to the known negative environmental impacts posed by cheatgrass. More explanation and discussion regarding the implications of regulating cheatgrass and the feasibility of this at the state level is needed. Most of the monocultures of cheatgrass in Nevada occur on BLM land which again makes the solution to large-scale cheatgrass controls more complicated than just listing it as a state regulated noxious weed. In addition, much of the grazing literature addresses benefits of cheatgrass as valuable forage for cattle producers and controls of cheatgrass by strategic grazing as appropriate rangeland management strategy.
7. In the discussion of FNWA it does not address the lack of accountability to the federal agencies to follow the requirements outlined in FNWA. There is also currently no consequences to the federal agencies that are not meeting those requirements.
8. The paragraph on pg. 15 referring to the hindrance of effective federal response does not get to the underlying problem. In previous sections this document shows there are regulations. Regulations are not the issue but lack of action and funding for those actions is the problem.

9. The last statement on pg. 15 is incorrect. The state departments of agriculture enforce state noxious weed regulations and *do not* have authority to enforce the Federal Noxious Weed Act.
10. First paragraph on pg. 17 referring to county weed districts should state that “County weed districts *may* employ taxation”. This is not a requirement in Nevada and many choose not to raise taxes.
11. The second paragraph on pg. 18 does not mention the USFS State and Private Forestry CWMA Cost Share Grant Program. This has been used in Nevada and other western states heavily.
12. The concept of CWMA is successful to have a strategic approach across land jurisdictions, however this is not enough when there still remains lack of federal funding and implementation of on the ground controls across the majority of the landscape in the west.
13. The last paragraph on pg. 20 seems to contradict the previous section explaining how CWMA and local on the ground efforts and coordination is effective. CWMA and local efforts do not rely on increased regulatory efforts to be successful. Increased funding for coordinated on the ground actions is necessary.
14. Last sentence of first paragraph on pg. 21 is a broad opinion statement. In most cases, in states like Nevada with 87% federal land, more projects are implemented and successfully accomplished on private land. Private land continues to be easier to get more consistent on the ground efforts due to flexibility of landowner management strategies and lack of requirement to do NEPA for new weed management projects.
15. Pg. 22 refers to weed free certification as legislatively supported. Weed Free certified materials are not required by all federal agencies and enforcement of the requirement to use certified weed free materials is inconsistent across federal agencies. State and county requirements supporting use of these materials are also inconsistent.
16. Pg. 23 second to last sentence says support is non-existent. This is an overstatement. There is a lot of private and other non-government support.
17. Pg. 24 – statement that “few federal *and state* agencies have comprehensive policies against invasive species to direct activities” is inaccurate. Most states have comprehensive policy or state weed plans. Federal agency comprehensive policy regarding invasive plants is limited.
18. The discussion on pg. 26 of, I assume, HR 3994 needs further explanation and detail. The proposed legislation did not increase state legislation. It is aimed at changes in federal legislation and policy to achieve greater implementation at federal level for actual on the ground treatments. Legislation at the state level exists and does not need to be increased. The proposed legislation from HR 3994 is needed to hold federal agencies more accountable to actions. In addition, this bill has been changed drastically since it was first discussed and introduced.
19. On the bottom of pg. 26 it states that key invasive species management players are almost completely absent from the discussion on sage-grouse habitat. Key noxious weed/invasive plant management players, i.e. the state noxious weed coordinators, have not been included in these discussions. Absence has not been by choice, but due to lack of invitation to participate.
20. The section on non-traditional stakeholders as a barrier needs additional explanation of how terms of below average and non-traditional stakeholders are defined.

21. There are options of nationally recognized education campaigns already in existence (pg. 28). For example, the Play Clean Go campaign has been accepted by NAISMA and many states for implementation.
22. The statement on pg. 29 that “most state laws are inadequate in effectively protecting ecosystems...” is concerning. The language in most state laws is adequate, however the availability of staff and budgets to enforce those laws is a limitation to how often the state statutes are enforced. The message of this statement is repeated in the last paragraph of this barrier section on pg. 30. It states “at the federal and state levels noxious weed laws and regulatory protections are...inadequate”. This is not valid for assessing the state level. State statutes are adequate for gaining action, however there is a lack of regulation at the federal level holding federal agencies accountable in weed management.
23. The last paragraph on pg. 31 is strong in addressing major barriers to weed management.
24. Pg. 32 barrier of “management prioritizations do not emphasize sage-brush restoration when targeting plants” seems to be an unfair assessment or in need of discussion. The survey was directed at weed specialists and weed managers, not restoration ecologists and the results reflect that.
25. Pg. 32 – 33 methodology for ranking plants should be explained further.
26. The statement at the bottom of pg. 33 referring to private landowner capacity to deal with invasive species effectively is too much of a generalization and assumption. In many cases in the agricultural and rural context the private landowners have more capacity than federal agencies in dealing with invasive plants. There is not a lack of internal structure and capacity for weed management at *all* levels.
27. The statement on pg. 34 of “a comprehensive re-design of programs at all levels may be necessary” is an alarming suggestion and completely invalid. The entire second paragraph on pg. 34 does not mention the underlying issue that the majority of lands in sage-grouse habitat is primarily federally owned and managed. There is inadequate federal on the ground efforts for weed management for various reasons. The establishment of strategic plans does not address the actual issue of lack of on the ground actions. This paragraph contradicts previous discussion on page 31 of this report.
28. The comparison of invasive species or invasive plant prevention to fire prevention on pg. 36 is not fully connected. Prevention of invasive annual grasses (invasive plants) is a component of fire prevention. The impacts of fire are seen immediately where the impacts of invasive plants may not be seen right away, hence why there is more emphasis or wide acceptance and awareness of fire prevention.
29. The discussion of the vectors of spread on pg. 36 name mining and grazing as vectors. Although these may be vectors for spread there are already prevention measures in place for these entities. Mining operations are required to control weeds, usually as a part of their contracts, and grazing permittees are subject to BLM office requirements for weed management. In addition many states have legislation requiring industry such as gas and oil pipeline development to be responsible for noxious weed controls after projects are implemented. Regulations do exist but should be applied across entire landscape (federal and private/local government).
30. The discussion of EDRR on pg. 37 does not address the federal NEPA requirements as a barrier to EDRR implementation on a broader scale. This has been a challenge in many cases in Nevada.
31. The last paragraph on pg. 38 is directly related to the prioritization of funding. Historically, weed management program funding was prioritized at controlling category A or B species and/or EDRR species. By prioritizing funding for restoration and monitoring this barrier could be solved. Adaptive

management strategies are normally more feasible by county or local programs. NEPA requirements of federal agencies limit adaptive management at a large scale.

32. The barrier of inadequate collection, retrieving and sharing of invasive plant data (pg. 40 – 41) can use more clarification. Existing solutions to this barrier could be the following:
- a. NAISMA has created and accepted mapping standards and protocol (adopted in 2014 conference)
 - b. EDDMaps has developed into a more useful web-based database. EDDMaps has moved beyond simple plant presence points and allows treatments and photo monitoring, negative survey data implementation, and polygon reporting. EDDMaps can link to already existing databases at all levels and is easily shared with all users. The mentioned state databases, such as, Oregon WeedMapper and CAL WeedMapper have already begun the process of linking datasets if not already linked. In Nevada we have also used the public EDDMaps to develop a private GIS web-based database which overlays the invasive plant data with other relevant datasets such as habitat and fires to prioritize funding and projects. Although EDDMaps can link and combine existing datasets such as NISMS at the federal level, upper federal agency decision makers, have not made this a requirement or provided the creators of EDDMaps approval to link to all agency databases.
33. Figure 5 needs additional explanation (pg. 61) and/or legend.

Again, the Nevada Department of Agriculture appreciates the opportunity to be involved in this process. We look forward at the opportunity to be involved in future discussions and development of the strategic recommendations. If additional clarification is needed for any of my above points please do not hesitate to contact me.

Sincerely,



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