

July 14, 2017,

Marci Todd,
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Acting Director Todd,

The intent of this letter is to express concern over potential mining activity or surface disturbance in an exceptionally important sage grouse resource area in Humboldt County. Specifically, the top of the Montana Mountains in northern Humboldt County. The decisions made with regard to this area, relative to the disturbance of key sage grouse habitat, will define the resolve of the state of Nevada and BLM in the recovery of sage grouse in Nevada.

In my 31 years of working for the Nevada Department of Wildlife (NDOW), I worked exclusively in Washoe and Humboldt counties including the Sheldon Pronghorn Refuge. A major segment of work program in those areas included sage grouse lek surveys, instituting helicopter lek surveys, brood surveys, and harvest related activities including wing analysis. My work included working with the respective districts of the BLM, USFS and the Sheldon Refuge on habitat projects impacting or benefiting sage grouse. After retirement in 2003, I was contracted by Winnemucca BLM to help the North-Central Population Management Units (PMU) team develop a habitat and anthropogenic impacts index for sage grouse and convert that information into a sage grouse recovery plan. This sage grouse assessment and recommendation process was outlined under Governor Kenny Quinn's sage grouse recovery effort initiated in 2000. That same district sought myself and a retired BLM California state wildlife lead, Paul Roush, to help the BLM and state agencies identify wildlife related issues, with particular emphasis on sage grouse, along the entire route of the Ruby Pipeline project. El Paso Pipeline Company wanted a complete analysis of sage grouse habitat by seasonal use in order to avoid or mitigate impacts or disturbance. Under our contract, we developed the impacts along the entire route of the pipeline through four states, including all of northern Nevada and reported those findings to the Federal Energy Regulatory Commission (FERC) and the respective state and federal agencies in all four states. That same information was used to negotiate mitigation measures for Nevada to offset impacts, primarily on sage grouse. During my four decades of experience with sage grouse, I worked with the University of Nevada, Oregon State University and Colorado State University on graduate work to help assess hunter impacts, habitat related impacts, production/survival factors and disturbances to sage grouse.

The work history is presented to establish my understanding and experience with sage grouse across the northern portion of the state and my tenured insights into those PMU's. Since my work on the Ruby Pipeline Project, I have not been involved in the more recent sage grouse aspects of recovery planning in the state of Nevada. In particular, how man related impacts to sage grouse and their habitat are being deciphered, indexed, avoided or mitigated on a site specific basis.

This letter expresses my great concern with a proposed Lithium mining project on top of the Montana Mountains, in northern Humboldt County. I knew from my years of experience in the area, there was

mineral activity and samples being hauled out of the area for testing. During my tenure in Humboldt County the extraction was minimal and sporadic, but a significant amount of Lithium clay was removed on a site specific basis. Throughout that process, my concerns for impacting sage grouse values were articulated to the Winnemucca BLM office. Recently, it has come to my attention plans for Lithium exploration and various stages of development have been submitted for the area. My primary concern is focused on ANY mine site or extraction areas on top of the Montana Mountains in the area commonly referred to as "Lone Willow", now or into the future. That concern extends into the Jordan Meadows area to the east that serves as the wintering ground for the Montana Mountains sage grouse population and associated populations in southern Oregon.

The Montana Mountains hold one of the highest, if not the highest, densities of sage grouse across their entire range. When I initiated a sage grouse study in 2001-2005 to capture and mark sage grouse (1,311 birds, total marked) to recover a sample of banded birds through hunter harvests (recapture); it revealed a population base that fluctuated between 7,264 and 13,625 sage grouse with an average of 9,669 birds in an area that encompasses approximately 324 square miles of summer/fall habitat. The popularity of the hunt area was evidenced by the average number of 365 hunters participating in each hunt over the five year study. Traditionally, the Montana Mountain population has one of the highest level of chick production and survival rates in Nevada and accounts for the fluctuation in the base population level. In comparing this area with other key ranking sage grouse habitat sites, it pales any other high density site I have worked in across northern Nevada. The topography, geographic features, soils, mixture of high sage, low sage, mountain brush, aspect, flush of the forb component, distribution of meadow systems, other mesic sites, cover type, lack of significant anthropogenic features, etc. makes this the most unique and notably well balanced sage grouse habitat site in Nevada. Although the area was influenced by a wildfire in 2012, the productive soils, higher elevation and moisture retention capabilities provide an excellent opportunity for recovery.

Habitat ranking of the Montana Mountains by NDOW, USGS and BLM has identified this area as a critically important population base that serves to bridge the sage grouse habitat and PMU's across the northern part of the state and into southern Oregon. Much of Washoe, Humboldt and Elko counties have been identified as sage brush focal populations tied to intact habitat. That listing is not an assumption or conjecture, but rooted in solid habitat assessment/evaluations by professionals supported by peer reviewed science. In order to stave off listing of this species as an endangered species, bold moves need to be implemented in key areas such as the Montana Mountains.

Land management planning, especially since FLPMA and NEPA, has integrated the multiple use concept with other aspects such as ESA species, threatened species and species of concern into their decision making process; as well as demands for man related projects. Aside from identifying the primary resource values through an assessment process, it also evaluates to see if an adverse project or management approach can be avoided or resolved through mitigation. In the case of the Montana Mountains, the area is the "gold standard for quality sage grouse habitat," any mitigation is not an option. If protection measures cannot be afforded in sage grouse habitat that is considered the "Best of the Best", I hold little hope for any recovery process for this species and question the validity of those recovery processes in Nevada.

If proactive measures cannot be taken to deny any mining permits, based on hard science and the meta-population importance of this area for sage grouse, I am very pessimistic as to the recovery and

stabilization of this species. Being a realist, I get it; agricultural, mineral production and energy are key to our society and I support those activities. However, if regulatory mechanisms cannot be implemented to protect this and other key areas, I am fearful we will see petitions for a listing to endangered status for sage grouse. If the state of Nevada cannot advocate and support the justification to deny this permit by the BLM, the validity of Nevada's sage grouse planning and recovery process is nothing more than a hollow effort. Environmental and conservation based groups can easily monitor these types of decisions to measure overall loss of habitat, particularly in a high profile area such as the Montana Mountains. The determinations made from those decisions will serve as the basis for a more severe listings by the USFWS, potential litigation by various environmental groups and more significant economic losses over a broader area if the sage grouse is listed as endangered. Judges can easily add and subtract to determine the percent of habitat lost.

My intent is to make certain you know and fully understand the importance of the Montana Mountains relative to sage grouse and how it influences a large segment of Nevada's resource. I know and understand the intricacies of this area and its importance over a large segment of northern Nevada and southern Oregon's sage grouse populations. Genetic work validates the importance of this area, it is basically the "hinge pin" and provides the connectivity to a much larger meta-population of this species in northern Nevada and southern Oregon.

It is my hope this letter helps point out the important significance of this area, with regard to sage grouse, and provides additional insights as to the variables to consider when reaching a decision on this issue.

Please do not hesitate to contact me if you have questions or need the data for references made in this letter.

Respectfully,



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cc: Governor Brian Sandoval
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