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Interim Legislative Committee on Public Lands- Eureka County Update, July 26, 2018, Battle Mountain, Nevada

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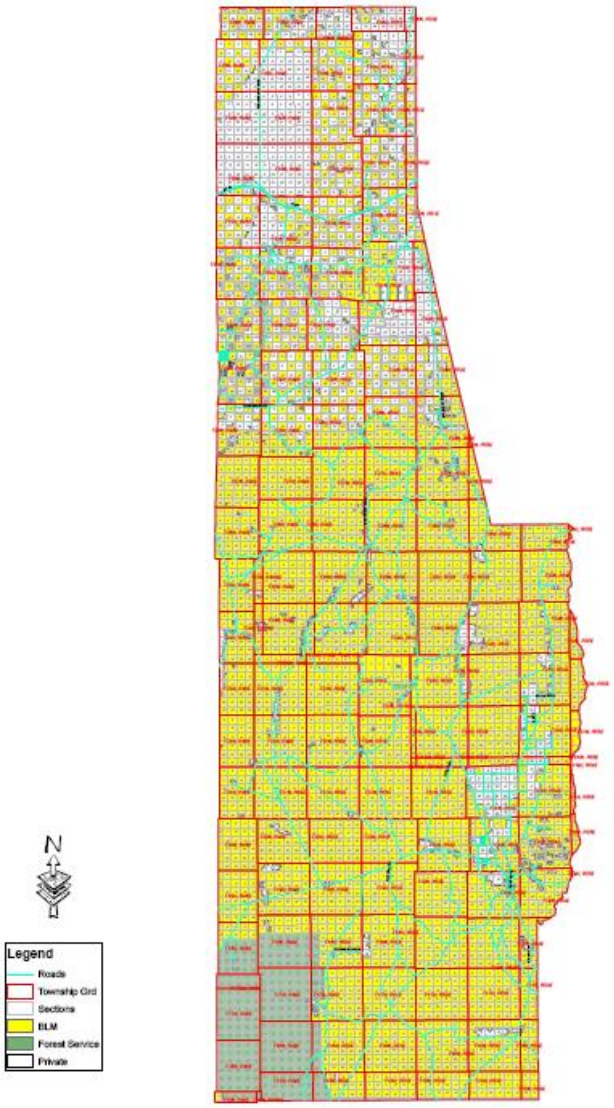
BACKGROUND

Much like Nevada as a whole, Eureka County is composed of a large federal land holding. Eighty-one percent of Eureka County's land area is made up of federally administered land, primarily Bureau of Land Management and Forest Service. Eureka County is primarily driven by mining, farming and ranching. Nearly all of Eureka County's employment is in the natural resources sector and the community's viability is largely dependent on business and recreational activities conducted on or in concert with federal lands.



OVERARCHING ISSUES

- Private land makes up only 13% of Eureka County's total land area. Dependency on federally administered land limits and is often detrimental to our long-term socio-economic stability and viability.
- There is a general lack of effort by the federal land management agencies to adequately coordinate their land management activities and decisions with the local plans, policies, and desires of Eureka County. This works to undermine sound land management and often creates adversarial relationships between the agency, the County, and proponents of projects on public land within the County.
- Any regulation, legislation, and/or policy that (1) reduces access to public lands, (2) minimizes multiple-use of public land and (2) increases our dependence on federal dollars undermines local efforts to bring socio-economic balance.
- Government programs aimed at offsetting the economic limitations of large federal land holdings (e.g. PILT and SRS) do not address the impacts to the core social and economic values that we must overcome. Revenue derived from resource use and extraction from public lands is not always justly shared with affected counties in which the lands and resources are located.
- Eureka County is fully supportive of any project that comes into the County if it is done right and in a sustainable way—socially, environmentally, and economically. We work hard to ensure that any project will be done in a way that is not too disruptive to the current character, social climate, and natural resources of Eureka County.
- Non-participatory opposition to local, coordinated land planning and management is undermining application of good stewardship to Federal lands. Directed, malicious opposition by some groups is compromising the health, safety and welfare of local citizens throughout our county (and the west), reducing the overall economic viability of the affected communities, and undermining coordinate resource management from diverse interests.

REQUESTED ACTIONS

1. **Engage federal agencies and local governments in understanding how proper government-to-government coordination is not only required by law, but is necessary for sustainable management of our federally administered land resources—economically, socially, and environmentally. Establish State policy (1) mandating coordination by federal land management agencies with the State and its local governments and (2) mandating consistency to the maximum extent possible with State and local government plans, policies, proposals, and controls.**

   Congress has mandated time and time again that federal agencies coordinate their decision making with state and local governments. This mandate is repeated in the National Environmental Policy Act, the National Forest Management Act, the Federal Land Policy and Management Act, the Rangeland Renewable Resources Act and in numerous BLM and USFS rules and regulations. However, since agency personnel often do not know, understand, or apply what is required through this coordination obligation there is a failure to reach consistency, confusion runs rampant, distrust abounds, and even hostility between federal agency staff and local government arises. We believe that federal agencies should enter to formal coordination protocols with local governments that include and describe in detail the process for coordination with local governments at every stage of the agency planning and decision processes especially regarding how to address inconsistencies with local land use plans, policies and laws.

Although coordination includes collaboration and consultation, coordination by definition is *not* synonymous with collaboration or consultation. Coordination by definition is "of the same order or degree; equal in rank or importance" (Merriam-Webster Dictionary). Therefore, coordination implies active participation of the local government at a level higher than afforded the general public. Only a local governmental entity, elected by the people and accountable to it, is able to incorporate and legitimize the compromises necessary for sustainable management of the lands that the community is so dependent on. Regular, principled coordination is the only way to put to rest past conflicts and allay fears about community viability threats down the road in addition to reducing the need for appeal and judicial review of agency management decisions. In the end we believe that including and properly defining coordination will work now to build and strengthen the foundation for the long-term while making the necessary management decisions at the necessary scale—the local scale.

Effective coordination, at a minimum, should include the following as mandated by various laws and regulations:

- Early notification (prior to public notice) to the local government of all actions or plans of the federal agency that will affect the local population.
- Opportunity for meaningful input by the local government with substantial weight and meaning applied by the federal agency to the input.
- Federal agency is required to be apprised of the local government policies and plans.
- Federal agency must solicit local government interpretation of these policies and plans.
- Federal agency is required to adequately consider the local government policies or plans when working on federal agency policies, plans, or management actions.
- Federal agency is required through all practicable effort to make federal agency policies, plans, or actions consistent with the local government policies and plans.
- When inconsistencies arise, federal agency should meet with local governments in order to work towards consistency.
- When consistency cannot be reached, federal agency must specifically justify and explain in the document of analysis (i.e., EIS) why consistency could not be reached.

The coordination and consistency requirements are absolutely imperative in providing the healthy tension and balance that gives necessary recognition, consideration, and incorporation of State and local interests. Help from the State Legislature to "remind" the federal land management agencies of their obligations is extremely important to all of Nevada in order to achieve consistency to the maximum extent possible with our plans, policies, and desires.

2. **Ensure that the Greater Sage-Grouse (GSG) and its habitats are conserved and managed according to the State's Plan and in coordination with local government plans, policies, and actions. Keep GSG conservation and management as close to home as possible.**

   This would include supporting the legal challenge striving to ensure that the State plan and local plans and policies are the standard in which GSG are managed in Nevada. Let the Nevada Sage Grouse Plan be fully implemented to test its effectiveness.

3. **Work with federal land management agencies, primarily BLM, to review federal water rights filings to ensure agencies are not holding projects and uses hostage through assertion of rights that would not be found valid if formally adjudicated through Nevada Water Law. Bolster State Engineer capacity to complete adjudications to settle these water rights issues.**

There are dozens of filings by the federal agencies, primarily BLM, in our area for water rights. The Nevada law (NRS 533.503) that prohibits obtaining stockwatering rights by entities that do not hold a "legal or proprietary interest" in the livestock has reduced the filing by the agencies for stockwater rights. However, BLM has filed many Public Water Reserves (PWR 107 – based on Presidential Order 107 in 1926) and in many cases some vested claims asserting a priority based on the Treaty of Guadalupe Hidalgo of 1848. Based on case law and other adjudications in Nevada, it is certain that the large majority of these claims would be found invalid if adjudication were completed. Unfortunately, the State Engineer has not had the capacity to complete many adjudications.

What has been occurring is BLM asserting their un-adjudicated claims as "rights" and requiring certain projects to develop mitigation outside of the involvement of the State Engineer and asserting seniority over other vested claims or permits (i.e, stockwater and irrigation) on federally administered lands precluding maintenance efforts and access of others of these waters. Often, BLM asserts that PWR 107 claims are for watering wild horses when these rights, if valid, are only for domestic and livestock watering purposes. Recent specific examples of this are with the General Moly Mt. Hope Project and livestock watering/wild horse conflicts in Antelope Valley.

Federal agencies must also stop asserting rights on waters where it is obvious their claims would not stand if adjudicated.

We ask the Committee to 1) request of and work with federal agencies to do what is right and review all of their water rights filings statewide and withdraw those vested claims that are questionable or unjustified. BLM must also review all of their PWR 107 claims statewide and withdraw those that do not meet the primary purpose or minimal need of PWR 107; and 2) ensure the State Engineer be supported in the staff and funding capacity to continue to move forward with formal adjudications of all basins in the State, prioritizing those where issues like these are prevalent.

4. **Provide funding support to the Attorney General's office to assist counties in the State to formally, and finally validate RS 2477 rights-of-way (i.e., Quiet Title Act).**

Federal agencies continue to make it clear that they will not recognize current and historic rights-of-way on federal lands (i.e., RS 2477 rights-of-way) unless these rights-of-way are adjudicated in federal court (based on a recent 10th Circuit decision). This concerns us because the 10th Circuit decision that the federal agencies reference explicitly states, "this case does not involve ***county use or management*** of R.S. 2477 rights of way that ***do not conflict with a federal management regime*** on federal public lands . . . R. S. 2477 rights of way are in consistent use throughout the West and nothing herein purports to speak to or address the right to the continued existence and use of such roads as to which a conflict has not arisen." So, as long as there is no conflict with the "federal management regime" then there is no need for adjudication or determination of certain rights-of-way in any federal court and nothing should hold any county back from using and maintaining these roads. What we have found is that often, the federal agencies do not adequately, justifiably, and specifically state how certain rights-of-way that have been closed to travel conflict with their "management regime" narrowly defined through Federal law and regulation. The recent Greater Sage-Grouse Land Use Plan Amendments and recent Travel Management Plans of USFS have highlighted these issues that could have been avoided if title were validated and finalized.

If a final solution is not pursued now in Nevada, the controversy and arguing will continue to repeat over and over again, all at the expense of continued and historic access and multiple uses. SB 456 was passed in the 2015 Session that strengthened the provisions in NRS 405 to protect against travel restrictions and road closures. It also include direction to SLUPAC, NACO, and the Attorney General to "work cooperatively to develop, maintain and assist in the implementation of a legal protocol whereby a county may perfect its rights to and finalize title to an accessory road or a public road." SB 456 also urged the Attorney General "to take a leadership role in pursuing actions on behalf of the State and its counties in formalizing and finalizing title to accessory roads and public roads in this State…." SLUPAC is working with NACO and the Attorney General on this effort but this effort is hamstrung by lack of capacity. Formalizing and finalizing title to these rights-of-way is critical in order for the State and its local governments to have leverage and standing regarding issues of access to federally administered lands.

We ask that adequate funding be appropriated towards this effort and that this Committee submit a BDR seeking this appropriation. We request this Committee support efforts to finalize title to all accessory roads and public roads in Nevada to bring an end to ongoing controversy surrounding these adjudicated roads.

5. **Bring land management close to home: rise above the fray and rhetoric surrounding the transfer of public lands to state management. Only support legislation, regulation, and policies that maximize multiple-use of public lands while providing for the sustainability of these lands economically, socially, and environmentally.**

Please help management of public lands to be aligned closer to home with legislative fixes to onerous, unnecessary, and overly burdensome regulation. We believe that any legislation or regulation must include and describe in detail the process for coordination with local governments especially regarding how to address inconsistencies with local land use plans, policies and laws.

Also, there have become entrenched positions, mostly based on rhetoric, regarding transfer of public land management to states. It must be understood that much of the reason why many want to see public land management closer to home is because many feel disenfranchised with federal management and local needs being inadequately weighed in management decisions. Within this spectrum of rhetoric are solutions that would ensure public lands remain public lands but management of these lands being done in a way that best fits local and state needs. The Nevada Land Management Task Force was created in 2013 through AB227. They were tasked with studying the transfer of certain federal lands to the State of Nevada and completed its work in 2014. Their report discussed two phases that could be pursued. We will not argue about the "wholesale" transfer of public lands to state management that was identified as Phase 2 but instead focus on a more "surgical" approach identified in Phase 1.

Phase 1 focused on a limited transfer of acres of difficult to manage checkerboard lands (the railroad corridor along I-80 of alternating public and private parcels), lands already designated for disposal by the BLM, and lands leased to public agencies in Nevada under the Recreation and Public Purposes Act. The study found that the transfer of these lands (~7.2 million acres) could be successfully and sustainably managed at a lower expense to taxpayers. It is critical to understand and acknowledge that the lands identified as suitable for disposal went through a rigorous FLPMA planning and NEPA process in the first place. The disposal lands planning and classification process through FLPMA and NEPA requires coordination with all stakeholders including and not limited to federal and state resource management agencies, local government and land user interest groups and individuals, including environmental groups. Coordination at the planning and management level has been employed for decades since the inception of FLPMA. We assert that the methodology and protocol required

through FLPMA and NEPA to evaluate disposal lands in an RMP is by far more integral and provides a proven and usable tool for land use classification and allocations. The protocol is substantiated through on-site evaluation, ecological site correlation, and existing and historical land management implications. FLMPA has strict criteria limiting how lands can even meet the standard to be labeled as suitable for disposal. These include (with emphasis added):

1) such tract because of its location or other characteristic is ***difficult and uneconomic to manage*** as part of the public lands, and is ***not suitable for management by another Federal department or agency***; or
2) such tract was acquired for a specific purpose and the ***tract is no longer required for that or any other Federal purpose***; or
3) disposal of such tract will serve important public objectives, including but not limited to, expansion of communities and economic development, ***which cannot be achieved prudently or feasibly on land other than public land and which outweigh other public objectives and values, including, but not limited to, recreation and scenic values, which would be served by maintaining such tract in Federal ownership.***

We find it a bit disingenuous that there has become a mantra of "No-Net Loss of Public Lands" that some have subscribed to when there was every opportunity for involvement for ALL stakeholders, which were deemed consistent with FLPMA's strict criteria, and which were analyzed through NEPA in an EIS. No net loss of public lands is not a viable or reasonable caveat. In Nevada, every lands transfer bill in the past, including SNPLMA, or BLM administrative action transferring land through an RMP always has had and always will have a net loss of public land.

We request that the Committee rise above the fray surrounding the wholesale transfer of public lands and support a surgical approach that would transfer lands already identified as suitable for disposal and lands already under a lease to public and private agencies.

6. **Ensure that Federal receipts from commercial activities on public land are shared with the State and counties in which the lands are located.**

We propose that these revenues be split equally between counties, the State, and the Federal government with one-third going to each.

7. **Respond to federal land agency decisions continually and fatally exposed to National Environmental Policy Act (NEPA) and Endangered Species Act challenges.**

The recent "mega" lawsuits over NEPA adequacy and relentless petitions for ESA listing cover everything from land tenure adjustments to grazing decisions. The purpose of these lawsuits, as stated by the proponents, is to scuttle all agency decisions that run counter to the proponent's philosophy. In other words, it is not compliance with NEPA that the environmental groups want; it is elimination of multiple uses that provide food, fiber, and minerals for society.

We believe that an appropriate response to these challenges includes (a) building a local body of monitoring data and technical expertise to support locally coordinated land management decisions, (b) support EAJA reform legislation to bring transparency and oversight of EAJA money used to fund costly, and often frivolous, environmental lawsuits, (c) pressing Congress to clarify the purpose of the National Environmental Policy Act,

what is a "major federal action," and remove the loopholes that allow what is now being called "NEPA creep" and (e) pressing Congress to pursue common sense amendments to the ESA.

8. **Support the current push to streamline permitting of activities on federally administered land at both the State and federal level while conserving natural resources.**

   A lot of red-tape can be reduced and should occur. However, this should not come at the expense of local government and citizen involvement. This effort should only focus on what is truly overly bureaucratic, cumbersome, and redundant but should not result in "corner cutting" of necessary natural resource and community protections.

9. **Strongly oppose any effort that would allow permanent retirement of grazing permits on federally administered land.**

   Loss of grazing land has a direct and induced negative impact upon the economy and social glue of all rural Nevada that can and has been quantified. Many BLM RMP's in the West including the stalled RMP amendment for the Battle Mountain BLM District seeks to retire grazing permits through third-party purchases. "Willing sellers" are often created by pressure from aggressive anti-grazing groups where selling out of grazing permits is often a final resort. We urge this Committee to work to help ensure that permanent retirement of grazing permits does not take place in order that the long-term socioeconomic stability of rural Nevada communities remains intact.

10. **Pursue efforts with BLM, USFS, and grazing permittees to ensure that 1) management decisions are based upon the best rangeland science; 2) flexibility is built into grazing permits to allow for adaptive management as issues and concerns arise; and 3) that the quality and quantity of data collected can support all decisions made based on clear and measurable resource objectives.**

    We continue to be concerned about unjustified and arbitrary closures of livestock grazing in certain areas due to perceived adverse impacts of livestock grazing. There are two good examples of where this is happening. First, when a vegetation treatment takes place in a grazing allotment (i.e., fuels reduction or wildlife enhancement), these projects are usually small in area compared to the entire allotment. However, the entire allotment is often closed to grazing for two years or more to allow for vegetative objectives to be met. The problem is that the objectives stated are often so vague or arbitrary (i.e., immeasurable) that the closures continue for many more years because the objectives, according to BLM, are not met. Further, a small treatment (or burn) often takes place and the allotment is closed to grazing for two years and just before the two years of grazing closure are about up, another small treatment (or burn) occurs in the same allotment starting another grazing closure for two more years. Secondly, more and more allotments are receiving livestock grazing closures because of drought and/or during the hot months of the year because of subjective determinations of adverse vegetation, primarily riparian impacts. Our concern is that the monitoring data and background information going into making these restrictive decisions are often based on flawed and/or subjective observations and not based on current rangeland science.

    There is a general misuse of and reliance on the US Drought Monitor (USDM) in justifying grazing restrictions. Borrowing from definitions from the Society for Range Management, the various BLM Drought Management EAs define drought as:

- A prolonged chronic shortage of water, as compared to the norm, often associated with high temperatures and winds during spring, summer, and fall.
- A period without precipitation during which the soil water content is reduced to such an extent that plants suffer from lack of water.

An area can be in drought because of lack of snow and streamflow but well-timed precipitation events often result in normal to above normal vegetation conditions. Simply put, the rangeland forage in many areas across the state is normal to above normal due to spring and summer rains and the second definition of drought (vegetation conditions) is not occurring. We have seen specific examples of ranchers being forced into so-called "voluntary" grazing reductions or Full Force and Effect decisions based on the area being in drought while the rangeland conditions on the ground do not support that conclusion.

In regards to forage availability and rangeland condition, timing of precipitation is much more important that total precipitation. Studies from University of Idaho concluded that precipitation in only two months, May and June, explained 72% of forage species annual variability and including April explained nearly all of the variation (Rimbey et al., 1992). This means that overall, the area may be in drought based simply on annual precipitation, but good storms at the right time of the year can provide ample and even excess forage. This year, we have had rainfall at the right times, in most of the right places, to grow normal to above normal vegetation even while springs and streams are dry.

The USDM has the disclaimer that the "Drought Monitor focuses on broad-scale conditions. Local conditions may vary." The technical reference for the USDM highlights that water supply indicators such as snowpack, streamflow, groundwater levels, and reservoir levels have heavy weightings in determining severity of drought (see http://droughtmonitor.unl.edu/AboutUs/ClassificationScheme.aspx). We are not disputing that we are in a drought that matches the first definition of drought above. But the drought we are suffering from is an overall lack of moisture, primarily snow, to recharge our springs, streams, and groundwater supplies. Again, it is imperative to consider that forage and rangeland health is primarily driven by late spring and early summer rain events, not snow.

A metric that has not been actively used when taking broad scale assessments of forage availability and rangeland condition is the Vegetation Drought Response Index (VegDRI) (http://vegdri.unl.edu/Home.aspx). In fact, the Drought EAs state that the USDM will be used alone only to identify areas of water shortage. Yet, the EAs also state that the USDM and the Vegetation Drought Response Index (VegDRI) would be consulted in tandem to be the first step in "determine drought afflicted areas and vegetation condition as it pertains to drought stress" (p. 4). We contend that BLM is often purposefully choosing to overlook the VegDRI as the first step in determining where to focus site-specific monitoring because the vegetation conditions exhibited according to VegDRI do not highlight severe or extreme drought as does the USDM. As previously mentioned, the USDM is primarily for making broad scale assessments on water supply and determining federal drought assistance. Any vegetation information going into the USDM is also "outweighed" by the other water specific indicators. According to the VegDRI references, "VegDRI maps are produced every two weeks and provide regional to sub-county scale information about drought's effects on vegetation….The VegDRI calculations integrate satellite-based observations of vegetation conditions, climate data, and other biophysical information such as land cover/land use type, soil characteristics, and ecological setting. The VegDRI maps that are produced deliver continuous geographic coverage over large areas, and have inherently finer spatial detail (1-km2 resolution) than other commonly available drought indicators such as the U.S. Drought Monitor." There is also a misuse of the US Drought Monitor in justifying grazing restrictions. An area can be in drought because of

lack of snow and streamflow but well-timed precipitation events often result in normal vegetation conditions. These examples above place ranchers in the often untenable position of not being able to provide for the needs of their livestock at the right time of the year. Also, in some examples, these restrictions could be seen as a taking since the grazing season-of-use is not in line with the permitted use of the water right appurtenant to riparian areas.

These examples above place ranchers in the often untenable position of not being able to provide for the needs of their livestock at the right time of the year. Also, in some examples, these restrictions could be seen as a taking since the grazing season-of-use is not in line with the permitted use of the water right appurtenant to riparian areas.

We have found that under the above circumstances, any real resource burden is often shifted to private lands. Much of the prime and invaluable wildlife and riparian habitat in the State is under private control. Anytime grazing restrictions are placed upon the federally administered land, it only increases the possibility of land degradation on private lands—these restrictions do not solve the resource issues on a regional or global scale.

We ask for assistance in exhorting federal land management agencies, primarily BLM, to quit misusing drought as an umbrella excuse to reduce grazing when drought is truly not impacting rangeland conditions and to avoid unjustified, arbitrary and subjective grazing restrictions on federally administered lands. We ask the Committee to assist with the following to address grazing and vegetative drought on federally administered land:

1) Help ensure agencies separate hydrologic and vegetative drought and do no rely on USDM for drought determinations regarding vegetation. Instead, properly use VegDRI and incorporate other indices such as those being researched by DRI and Dr. Justin Huntington (e.g., EDDI).
2) Federal agencies in coordination with grazing permittees must ensure that management decisions are based upon the best rangeland science, that flexibility is built into grazing permits to allow for adaptive management as issues and concerns arise, and that that quality and quantity of data collected can support all decisions made;
3) Before imposing grazing restrictions or seeking changes in livestock stocking rates or seasons of permitted use, federal agencies in coordination with grazing permittees must identify and implement all economically and technically feasible livestock distribution, forage production enhancement, weed control programs, prescribed grazing systems, off-site water development by the water rights holder, shrub and pinyon/juniper control, livestock salting/supplementing plans, and establishment of riparian pastures and herding;
4) Federal agencies in coordination with grazing permittees must assure that all grazing management actions and strategies fully consider impact on property rights of inholders and adjacent private land owners and consider the potential impacts of such actions on grazing animal health and productivity.

11. **Promote and support efforts, including legal challenges, to compel BLM to manage wild horse and burro herds as required by law under the 1971 Wild Free Roaming Horse and Burro Act and subsequent amendments.**

The Diamond Complex can be describes as a microcosm of wild horse related mis-management. In 1996 and 1997, Eureka County worked with BLM to create the Diamond Mountain Complex Working Group. This was a coordinated effort (touted at the time by BLM as a Coordinated Resource Management group—the future of lands management). The working group included Eureka, White Pine, and Elko counties; Eureka Dept. of Natural Resources; Nevada Division of Wildlife; all Diamond Complex grazing permittees; wild horse interest groups

(Commission for Preservation of Wild Horses, Wild Horse Organized Assistance); general interested publics; and the Elko, Battle Mountain and Ely BLM field offices. Essentially, anybody that wanted a say had a spot at the table. The working group developed the Diamond Mountain Complex wild horse capture/removal plan and the Diamond Mountain Complex Evaluation which allocated forage, based on what was available and sustainable, for wild horses, wildlife, and livestock grazing. The entire process was to allocate resources for the multiple uses that exist in the area through, as noted by BLM, an "ecosystem approach." Looking back over the history, files, minutes, etc.—the grazing permittees and wildlife interests greatly compromised and in the end, received forage allocations that were much less than desired. They did this with the promise by BLM that this new "balance" would continue moving forward. This of course did not happen. Now, as then, ranching and wildlife, including Greater Sage Grouse, are taking the brunt of the impact from wild horse mis-management and overpopulation. The Diamond Complex Meeting Notes dated May 2, 1997 on BLM letterhead noted the concern then:

> "Pete Goicoechea [county commission chairman at the time] expressed concern that the permittees had made a commitment to reduce livestock use but the Bureau had not committed to remove then maintain wild horse numbers. Hal, Clint, and Jeff [BLM managers from each BLM field office] all emphasized that this was the number one priority in the state and the Bureau is committed to this project…Mr. Goicoechea expressed concern on getting the wild horse numbers to AML and keeping those numbers at that level. [BLM] indicated that there has been a commitment to gather to and keep at AML…that number should be reached since they will be gathering horses 9 years and younger, if not there would be follow up gathers."

This simply has not been the case. The Diamonds have never had follow up gathers as agreed to by the Diamond Complex Working Group and promised by BLM in the way that precludes resource damage and undue impact to ranches, wildlife, and other multiple uses. Coordinated Resource Management (CRM) has been touted as the model of good land management. It is supposed to bring all interests to the table to find a balance of uses and desires. It is still being touted today and is an undertone in the wild horse management efforts currently underway. We too believe in CRM. However, CRM only works when all sides follow up with their promises and obligations. In the instance of the Diamond Complex, BLM has never followed through with their commitments and today, as then, actively uses ranching and passively sacrifices wildlife as the targets to pay the price for wild horse mis-(or non) management. CRM and compromise only works when everybody involved holds up their end of the bargain.

We believe it is time for the State of Nevada to compel BLM to follow the law in regards to managing wild horses and burros. This would include supporting efforts to remove appropriations riders in Congress that have limited BLM's tools allowed under the law. Nevada's rangelands continues to take more than its fair share of the adverse impact of wild horse and burro population numbers that far exceed what the resources can sustain for healthy horses and healthy, working rangelands

12. **Support expansion of current efforts by a diverse group of agencies and individuals (e.g., Nevada P-J Partnership) to implement landscape scale projects utilizing pinyon-juniper woodland biomass in a way that benefits energy production, rangeland health, wildlife habitat, hydrologic function, and economic stability**.

One of the primary natural resource issues throughout much of the Great Basin is the vast encroachment of pinyon-juniper woodlands (P-J) into sagebrush ecological sites. Dr. Robin Tausch estimates that P-J have increased beyond areas of native occupation by 125 to 625 percent since 1860 in the Intermountain West and presently occupy nearly 45 million acres. This shift to P-J woodland dominance within sagebrush steppe lant

communities has significant impacts on soil resources, plant community structure and composition, forage quality and quantity, water and nutrient cycles, wildlife habitat, biodiversity, and fire severity and frequency. It is argued that the geographic range inhabited by sage grouse has declined substantially in recent decades. Encroachment of P-J woodlands into sagebrush ecological sites has reduced available habitat for sage grouse and other wildlife species and forage for livestock and wild horses. The BLM, USFS, NRCS and NDOW have recognized the impact of P-J encroachment on wildlife habitat and rangeland health.

Pinion-juniper woodlands are a tremendous renewable resource available to Nevada and there are novel and innovative approaches and opportunities to use the biomass created in these encroaching and infilling PJ communities to create energy and other economic benefits ecological problem of P-J encroachment.

CONCLUSION

The issues that we have highlighted above are not unique to just Eureka County. We welcome the opportunity to actively pursue solutions to these issues with you. Please do not hesitate to contact us if you have any questions or would like to discuss further.