



State Land Use Planning Advisory Council

MEETING PACKET

Friday August 19, 2022
Elko, NV

TABLE OF CONTENTS	<u>PAGE#</u>
Agenda	1-3
2-10-22 SLUPAC Meeting Minutes	4-17
BLM RMP Planning in Nevada	18-19
State Land Use Planning Agency Update	20-23
○ State Planning Conference Schedule	24
○ Humboldt County Public Lands Plan	25-84
○ Nevada Affordable Housing Dashboard	85



NOTICE OF PUBLIC MEETING AND AGENDA FOR THE

STATE LAND USE PLANNING ADVISORY COUNCIL

A public meeting will be held on:

Friday August 19, 2022 9:00 AM

At the following location:

**Elko Convention Center
Silver Room
700 Moren Way
Elko, NV 89801**

Or

via Zoom at

<https://unr.zoom.us/j/86512673335?pwd=bHc3YmZyWk9WQUdJMTcvSFh0dGw0QT09>

Meeting ID: 865 1267 3335

Passcode: 952535

Phone: 669-900-6833

Attendance to this meeting will also be available virtually. For this meeting the State Land Use Planning Advisory Council will be using Zoom, a third-party app, and does not control its technical specifications or requirements. Your ability to participate in the public comment portions of a meeting may be impacted by factors including but not limited to the type of device you use, the strength of your internet or cellular signal, and the company that provides your internet or cellular service. The State Land Use Planning Advisory Council is not responsible if you are not able to participate in a meeting through Zoom due to these or any other factors.

Public comment may be submitted via email prior to the meeting, please submit public comments to scarey@lands.nv.gov by 4 PM on August 16, 2022. For questions or additional information, you may contact Scott Carey, State Lands Planner at 775-684-2723 or at scarey@lands.nv.gov.

Please note that times listed are estimates

- 9:00 am 1) Call to Order**
Roll Call of the Council and Introductions of staff & guests.
- 9:05 am 2) Public Comment**
This is an opportunity for the public to provide public comment on any item included on the agenda or any other land use planning and any other related topic not included on the agenda. (Pursuant to NRS 241.020, no action may be taken upon a matter raised under this item until the matter has been specifically included on an agenda).
- 9:15 am 3) Review of Agenda (For Possible Action)**
(Agenda is reviewed for unforeseen circumstances such as the inability of a scheduled speaker to attend, to move an item to a different time during the meeting to accommodate a speaker, etc.)
- 9:20 am 4) Approval of Meeting Minutes (For possible action)**
- Approval of minutes from the February 10, 2022 SLUPAC meeting.
 - Approval of minutes from the June 3, 2022 SLUPAC meeting.
- 9:25 am 5) Bureau of Land Management (BLM) Resource Management Planning in Nevada (For Possible Action)**
David Pritchett and Carolyn Sherve with the Nevada State Office of the BLM will provide the Council with an overview of upcoming statewide resource management planning activities. Following the presentation, the Council may discuss and provide feedback to the BLM on upcoming resource management planning activities and other land use planning issues. The Council may also provide direction to Staff to prepare a formal response to the BLM's upcoming resource management planning activities and other land use planning issues for consideration at a future meeting. *Members - State Land Use Planning Advisory Council*
- 9:45 am 6) County and Member Planning Updates (For Discussion Only)**
Updates from SLUPAC members on planning and land use related activities within their areas of representation. *Members – State Land Use Planning Advisory Council*
- 10:30 am 7) Elko County Presentation (For Discussion Only)**
Elko County will provide the Council with a presentation on the public land and land use planning issues within the county.
- 10:50 am 8) Drought Impacts and Climate Change on Northwestern Nevada Agriculture (For Discussion Only)**
Ed James, General Manager of the Carson Water Subconservancy District will provide the Council with a presentation about the impacts of drought and climate change on agriculture within the Carson River watershed in Northwestern Nevada.

- 11:10 am 10) State Land Use Planning Agency Update (For Discussion Only)**
Staff will provide the Council with an update on agency activities, SLUPAC projects, Federal public lands and other legislation, and other issues of interest to the Council.
- 11:25 am 11) Future Agenda Items (For Possible Action)**
The Council will discuss and recommend items to be placed on a future SLUPAC agenda.
Members – State Land Use Planning Advisory Council
- 11:35 am 12) Scheduling of Future SLUPAC Meeting Dates and Locations (For Possible Action)**
The Council will discuss and recommend dates and possible locations for future SLUPAC meetings. Traditionally, the Council has met four times in a year and has held its meetings in various geographic areas throughout the State. *Members – State Land Use Planning Advisory Council*
- 11:45 am 13) Public Comment**
This is an opportunity for the public to provide public comment on any item included on the agenda or any other land use planning and any other related topic not included on the agenda. (Pursuant to NRS 241.020, no action may be taken upon a matter raised under this item until the matter has been specifically included on an agenda).
- 12:00 pm 14) Adjourn (For Possible Action)**
Members – State Land Use Planning Advisory Council

PLEASE NOTE:

(I) Times listed for all items are estimates.

(II) Items on the agenda may be taken out of order at the discretion of the Chair; the public body may combine two or more items for consideration; and the public body may remove an item or defer discussion of an item on the agenda at any time.

(III) Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Scott Carey in writing at the Nevada Division of State Lands, 901 S. Stewart Street, Suite 5003, Carson City, Nevada 89701 or by calling 775-684-2723 no later than August 16, 2022.

(IV) Documentation and supporting agenda items are available on the Nevada State Clearinghouse Website at <https://clearinghouse.nv.gov> and will be available at the SLUPAC meeting. For further information you may contact Scott Carey at 775-684-2723 or at scarey@lands.nv.gov.

Notice of this meeting was posted at the following locations:

Elko Convention Center, 700 Moren Way, Elko, NV 89801

Division of State Lands, 901 S. Stewart Street, Suite 5003, Carson City, NV 89701

Nevada State Library and Archives, 100 N Stewart St, Carson City, NV 89701

Nevada State Clearinghouse website at: <https://clearinghouse.nv.gov>

Nevada Public Notice Website at www.notice.nv.gov

STATE LAND USE PLANNING ADVISORY COUNCIL
MEETING MINUTES

February 10, 2022

University of Nevada Cooperative Extension Office

Room #E

8050 Paradise Road, Las Vegas, NV

Members Present

Jake Tibbitts, Eureka County (Chair)
 Lorinda Wichman, Nye County (Vice Chair)
 Hope Sullivan, Carson City
 Sami Real, Clark County
 Jim Barbee, Churchill County
 Maureen Casey, Douglas County
 Jim French, Humboldt County
 Curtis Schlepp, Mineral County
 Roger Mancebo, Pershing County
 Jeanne Herman, Washoe County
 Bill Calderwood, White Pine County
 Marla McDade Williams, Nevada Indian Commission
 Charlene Bybee, Nevada League of Cities & Municipalities
 Jeremy Drew for Vinson Guthreau, Nevada Association of Counties

Members Absent

Wilde Brough, Elko County
 De Winsor, Esmeralda County
 Art Clark, Lander County
 Kevin Phillips, Lincoln County
 Wes Henderson, Lyon County
 Kathy Canfield, Storey County

Others Present

Brett Waggoner, Nye County
 Jeremy Drew, Resource Concepts Inc.
 Lyndi Renaud, Storey County
 Rob Beltramo, Washoe Tribe of Nevada and California
 Darren Daboda, Moapa Band of Paiutes
 Ryan Loomis, City of Henderson
 Brian Adams, City of Henderson
 Richelle Liston, City of Henderson
 Joesph Lednický, University of Nevada Cooperative Extension
 Buddy Borden, University of Nevada Cooperative Extension
 Sheila Bray, University of Nevada Cooperative Extension
 Bill Bayne, University of Nevada Cooperative Extension
 Jordan Hosmer-Henner, Governor Steve Sisolak
 David Pritchett, U.S. Bureau of Land Management
 Dan Nubel, Office of Attorney General
 Greg Ott, Office of Attorney General
 Charlie Donohue, Nevada Division of State Lands
 Ellery Stahler, Nevada Division of State Lands
 Scott Carey, Nevada Division of State Lands

Nevada Division of State Lands

State Land Use Planning Agency
 901 S. Stewart Street, Suite 5003
 Carson City, NV 89701

Telephone: (775) 684-2723
www.lands.nv.gov/land-use-planning

1) Call to Order

The meeting was called to order by **Jake Tibbitts** at 9:31 am. A roll call was held for members of Council and a quorum was established. Introductions were made by others who were present.

2) Public Comment

Jake Tibbitts called for public comment. There was no public comment, and the public comment period was closed.

3) Review of the Agenda

Scott Carey with the Nevada Division of State Lands stated that there were no changes needed for the meeting agenda. There were no other changes to the agenda suggested by the Council. **Jake Tibbitts** stated that since there were no changes to make, then the Council will proceed with the meeting agenda as submitted.

4) Election of Chair and Vice Chair for 2022

Scott Carey with the Nevada Division of State Lands stated that that NRS 321.740 and the Council's bylaws outline that the Chair and Vice Chair be elected at the first meeting of the year. Scott stated that the main roles of the Chair and Vice positions are to run the meetings, assist staff with the development of meeting agendas, and sign letters of support or comments letter on behalf of the Council. Scott stated that the terms of the new Chair and Vice Chair would run through February 10, 2023, and that staff is recommending that the Council elect a Chair and Vice Chair for 2022. Scott also stated that **Jake Tibbitts** and **Lorinda Wichman** are both eligible to be re-elected if the Council desires.

Lorinda Wichman made a motion to elect **Jake Tibbitts** as Chair for a one-year term ending on February 10, 2023. The motion was seconded by **Jeanne Herman**. There was no discussion on the motion. The motion was approved unanimously by a voice vote of the Council.

Jeanne Herman made a motion to elect **Lorinda Wichman** as Vice Chair for a one-year term ending on February 10, 2023. The motion was seconded by **Roger Mancebo**. There was no discussion on the motion. The motion was approved unanimously by a voice vote of the Council.

5) Approval of July 9, 2021 SLUPAC Meeting Minutes

Jeanne Herman made a motion to approve the July 9, 2021, SLUPAC meeting minutes as submitted. The motion was seconded by **Maureen Casey**. There was no discussion on the motion. There was no opposition to the motion and the motion was passed. **Hope Sullivan** abstained from voting on the motion.

6) County and Member Planning Updates

Jake Tibbitts, Eureka County

Jake stated that Eureka County continues to work on several high-profile water issues throughout the county. Jake stated that two thirds of the county's population currently receive water from the Diamond Valley basin. He stated that the county continues to go through the adjudication process for the water in Diamond Valley and multiple hearings are scheduled soon before the District Court.

Jake stated that Eureka County like many areas throughout the state is struggling with affordable housing. He stated that there is currently no housing at all in southern Eureka County due to existing mining and new mining projects. He stated that home values in the county continue to rise overall and that in some cases the value of a home will rise weekly. He stated that the county is working with mining companies to develop multi-family housing opportunities and single-family homes. He stated that county previously worked with another mining company to develop a subdivision that could accommodate additional single-family homes right away. He stated

that the county is also looking to develop transitory housing opportunities to accommodate workers from the mining industry.

Jim French, Humboldt County

Jim stated that Humboldt County is also experiencing a housing crunch. He stated that the new salmon farm in Pershing County has created increased demand for construction workers and engineers to live in Humboldt County. He stated that the Lithium Nevada project in Orvada is nearing the final permitting phase and is also creating increased demand for housing in the county. He stated that overall, the housing crunch in the county is being fueled by a lack of skilled labor in the construction industry and a lack of housing supply. He stated that the county is working with companies in the area to provide short term as well as longer terms housing needs.

Jim stated that the county has completed the final draft and in the final stages of updating its Natural Resources Public Lands Master Plan including a comprehensive water resources plan. Jim stated that the county has also recently submitted comments to the Air Force concerning the Mountain Home Air Force Base airspace modernization project. He stated that the county is concerned about the impact of the modernization project to the northern areas of the county.

Jim stated that the county has completed its review of the Environmental Impact Statement (EIS) for the Sage Grouse 2015-2019 plan rewrite. He stated that the EIS calls for additional Areas of Critical Environmental Concern (ACEC) designations within the county.

Charlie Donohue with the Nevada Division of State Lands asked where the proposed ACEC's are being proposed in the county.

Jim French stated that the Department of Interior has issued a call for private entities to recommend where ACEC's should be designated within the Sage Grouse Special Focal Areas (SFAs). Jim stated that he believes this is a new concept and that each new ACEC that is designated will come with its own habitat designation and set of restrictions. He further stated that any new ACEC will come with its own management plan and require additional management requirements for the Department of Interior. He stated that the Department of the Interior's call for new ACEC designations is a new concept and something the Council should be aware of and keep an eye out for around the state. He stated that the designations of an ACEC could impact thousands of acres within a county and impact the county's land use plan for that area.

Curtis Schlepp, Mineral County

Curtis stated that housing is also an issue in Mineral County. Curtis stated that the county is in need of additional multi-family housing in order to support the county's workforce. He stated that there was a home builder that came into the area and has built one new home and that it has not sold yet. He stated that when this new home does sell it will likely be one of the most expensive homes built in the county.

Curtis stated that the Hawthorne Army Depot is a major driver of housing demand for the county. He stated that Mineral County like the rest of the state currently has a lot of employment opportunities that cannot be filled. He stated that the county was recently looking to fill 10-12 positions and was having a hard time filling the vacant positions. He stated that statewide housing is a major issue and is something that needs to be addressed.

Charlie Donohue with the Nevada Division of State Lands stated that the state recently disposed of Walker Lake State Recreation Area to Mineral County. Charlie asked about the status of the county's plan to improve this recreational area.

Curtis Schlepp stated that there have been recent discussions about improving some of the beaches in this area. Curtis stated that he believes the county received a grant from the state for this project back in 2015. He stated that the County Commission recently discussed some potential issues around this grant and the county's required match for the project. He stated that Mineral County is currently not in a great position financially to provide for the required matching funds for this project. He added that the county continues to discuss this project and sees the need to improve recreation at Walker Lake in the face of declining lake levels.

Lorinda Wichman, Nye County

Lorinda stated that Nye County continues to work on a lands bill as a way to provide some mitigation from the proposed expansions of the Nellis Air Force Base, the Nevada Test and Training Range, Department of Energy, NASA, and Naval Air Station Fallon. She stated that county wants to have a draft of the lands bill to the congressional delegation by the first of April.

Lorinda stated that Tonopah continues to face a housing crunch. She stated that resolution to this issue is challenging because Tonopah is land locked and does not have land available to build. She stated that part of the county's land bill provides for additional land east and south of Tonopah to build new housing. She added that the Bureau of Land Management (BLM) is experiencing staff retention and attraction issues due to the housing situation in Tonopah. She stated that she is working on amendments to the county's master plan which was last updated in the early 2000's.

Lorinda stated that there are currently solar projects 30 proposed in Nye County along the proposed Greenlink West project corridor. She stated that many of these projects are proposed in the same locations on public land. She stated that the county has requested to the BLM State Director that the agency put these public lands up for competitive bid. She stated that the county recently executed a professional services agreement for a new manager for the Tonopah Conservation District.

Scott Carey with the Nevada Division of State Lands asked if the county had an update on NASA's proposed land withdrawal in the Railroad Valley. Scott also asked about the Northern Nye County housing summit planned for next week in Tonopah.

Lorinda Wichman stated that she is unable to attend the Northern Nye County housing summit next week but is encouraged to see everyone attend. Lorinda stated that NASA has denied the county's request to become a cooperating agency on the proposed land withdrawal in the Railroad Valley. She stated that this decision has upset many people within the county and within the local BLM offices. She stated that the county continues to work with the congressional delegation to have NASA reconsider this decision and allow the county to become a cooperating agency on this proposal. She stated that NASA was originally looking to withdrawal 23,000 acres in the Railroad Valley but is now looking at withdrawing 500 or 1000 less acres.

Hope Sullivan asked for additional information about the Northern Nye County housing summit planned for Tonopah.

Scott Carey with the Nevada Division of State Lands stated that he was planning to attend the Northern Nye County housing summit in Tonopah next week. Scott stated that the two-day summit is being facilitated by the University of Nevada, Reno College of Business and is going to focus on housing issues in Esmeralda County and Northern Nye County. He stated that the purpose of the summit is to examine solutions to the areas current housing needs as well as increased housing needs from new lithium and gold mining projects coming to the area. He stated that he will provide the Council with an update on the results of the summit before the next meeting.

Charlie Donohue with the Nevada Division of State Lands offered his congratulations to Nye County on hiring a new manager for the Tonopah Conservation District.

Roger Mancebo, Pershing County

Roger stated that Pershing County is in the process of updating its master plan which includes the water resources plan. Roger stated that the county is looking forward to the opening of the new salmon farm which is scheduled to open by July 1st. He stated that housing within Pershing County and in the Lovelock area is challenging like it is elsewhere in the state. He stated that all available RV spots in the county are currently full. He stated that the outlook for the county's water remains dry and the county remains concerned about prolonged drought conditions in Rye Patch reservoir.

Jake Tibbits stated that he shares Roger's concerns for more moisture in the region and remarked that December 2021 was the second wettest December on record followed by January 2022 being the second driest January on record.

Cathy Canfield, Storey County

Cathy was unable to attend the meeting but did provide the Council with a [Storey County Update](#) prior to the meeting.

Jeanne Herman, Washoe County

Jeanne stated that the county's lands plan is currently being working on in Washington DC. She stated that she has never seen the plan and was not sure of what is in the plan at this time.

Jeanne stated that at yesterday's Board of County Commissioners meeting over 350 citizens attended the meeting and provided nearly 5 hours of public comment concerning elections and election integrity. She stated that there was no media attention or coverage of yesterday's meeting and wanted to share this with the rest of the Council.

Bill Calderwood, White Pine County

Bill stated that he echoes the concerns of the other Council members with respect to housing and the shortage of labor across the state. He stated that the County Commission is looking into unmaintained private roads throughout the county and trying to find a way to fund and provide maintenance for these roads. He said that poorly maintained private roads in the county has been a barrier for some of these properties to be sold and be developed for housing. He stated that the labor shortage has been a challenging for the police department, who is currently 5 officers short of its normal staffing levels.

Bill stated that the hydro pump storage project in the county is currently on hold until the spring. He stated that the project developers are going to conduct additional testing of the grounds to determine compatibility and costs for the project.

Bill stated that the White Pine Commission recently voted to implement a \$0.05 per gallon diesel fuel tax. He stated that from July 2020 through November 2021, this tax has generated over a half million dollars in funding to the Regional Transportation Commission. He stated that this tax revenue has been a huge help to provide maintenance on roads in the county.

Marla McDade Williams, Nevada Indian Commission

Marla stated that before the meeting she sent out an email to the Nevada Indian Commission to ask the Tribe's throughout the State to provide any input or updates for the Council. She stated that she heard back from Rob Beltramo with the Washoe Tribe of Nevada and California and Darren Daboda of the Moapa Band of Paiutes.

Wendy Loomis with the Washoe Tribe of Nevada and California stated that she was asked by Chairman Serrell Smokey to attend today's meeting. Wendy stated that they are learning some good information from today's meeting and thanked the Council for allowing the Tribe to attend today's meeting.

Marla stated that there is concern amongst Tribal Nations in southern Nevada concerning the proposed public lands bills. She stated that the Tribe's are in a different position than counties when it comes to resources available. She stated that one of the main concerns for Tribe's on the public lands bills is trying to balance the resources available with future development in this area especially with respect to water resources. She stated that Tribal Nations do support the protection of Avi Kwa Ame from solar development and its designation as a national monument. She stated that Tribe's remain concerned about the proposed expansion of Nellis Air Force Base and saving the Red Rock National Conservation Area.

Marla stated that in Northern Nevada there is concern from Tribe's about efforts to mitigate and protect pinyon juniper forests. She stated that wildfires can be devastating to these areas, and that Tribes are concerned about clear cutting these forests and allowing commercial pine nut harvesting. She stated that as a cultural practice, people need to be respectful of the pinyon trees. She stated that commercial pine nut operators in this area are not respectful of the cultural practices and do not promote the regeneration of pine nuts. She stated that it would be appreciated if counties in this area would be considerate of this issue.

Marla stated that off-road recreation is degrading certain tribal lands in the state. She stated that this use has led to increased erosion and has caused impacts to cultural & archeological sites in these areas. She also stated that abandoned mine sites remain a problem. She stated that superfund sites and ongoing mining has creating ongoing conflicts and impacts for Tribe's throughout the state. She stated that there is a desire to determine what resources are needed and determine the best way to provide those resources while respecting the Tribe's and the traditional areas where they live.

Marla stated that there is an issue with an abandoned state highway in Mineral County. She stated that she is willing to help facilitate discussions and resolution with the Tribe involved with this issue.

Jake Tibbits thanked Marla for the update and stated that it would be good the Council to stay connected with the Nevada Indian Commission on any lingering issues. He stated that it would be good for the Council to stay updated on any remaining issues so it can work more collaboratively with the Tribe's and move forward with a common voice.

Jake noted in the [meeting chat room](#), comments provided by Darren Daboda of the Moapa Band of Paiutes that the Tribe does not have Federally reserved water rights and that the Tribe is working on a new 69 kv transmission line to the Moapa Paiute Travel Center. In the meeting chat room, Darren also provided an update on the Tribe's solar projects and that its working with NDOT on the "Jornado del Muerto" historical marker on Interstate 15.

Curtis Schlepp asked which state highway has been abandoned in Mineral County.

Marla McDade Williams stated that its her understanding the abandoned state highway is a portion of US 95 that goes through the Walker River Paiute Tribe's reservation.

Curtis Schlepp stated that he will follow up with Chairwoman Amber Torres on this issue,

Vinson Guthreau, Nevada Association of Counties

Vinson was unable to attend today's meeting, Jeremy Drew with Resource Concepts Inc. provided the update for the Nevada Association of Counties (NACO).

Jeremy stated that NACO Board in January approved submitting comments to the Federal government on the proposed definition of Waters of the United States. He stated that there is a Supreme Court case on a parallel track with the proposed definition that could affect this issue.

Jeremy stated that NACO provided comments for round 3 of the Greater Sage Grouse land use planning amendment proposed by the BLM. He stated that the comment period for this plan closed earlier in the week and NACO has requested to become a cooperative agency for the project. He stated that Resource Concepts Inc has been filling in while NACO recruits for its Natural Resources Public Lands Manager position. He stated that the position has closed and NACO plans to hold interviews with candidates over the next couple of weeks.

Hope Sullivan asked for clarification and the name of the Supreme Court case that Jeremy mentioned.

Jeremy Drew with Resource Concepts Inc stated that the Supreme Court case is called Sacketts vs the EPA. Jeremy stated that he would drop an article about this case into the [meeting chat room](#).

Charlene Bybee, Nevada League of Cities and Municipalities

Charlene stated that she does not have an official update from the Nevada League of Cities and Municipalities but offered to provide an update on regional issues and the City of Sparks. She stated that both small and large cities are challenged with the current housing situation across the state. She stated that the City of Sparks is now over 108,000 people and that the city cannot build fast enough housing despite a lot of new multi-family construction. She stated that the city been trying to encourage developers to construct missing middle housing in the city. She stated that everyone is building luxury residential housing and that there is a real need for workforce housing that is affordable and attainable within the city. She stated that the city is beginning to see more duplexes, townhouses, condominiums, and tiny houses being developed where the price point is lower.

Charlene stated that within the city the 5 Ridges development is currently underway. She stated that this project takes place on a former aggregate materials pit and is being repurposed for residential. She stated that the city for the first time allowed a special improvement district to be created for this development. She stated that is a tool allowed by Legislature that allows for fees to be collected within the district and be used towards infrastructure improvements. She stated that over the next 30 years fees will be collected within the district and that this is a new and innovative concept for the city. She stated that the fees collected will help the developer with the infrastructure costs needed to serve the new development and will benefit future residents of the district.

Charlene stated that the City of Sparks is involved in the county lands bill and that the city is promoting the lands bill and the road on the east side of the city connecting to the Tahoe-Reno Industrial Center. She stated that the city needs to get its industrial land uses off of the Truckee River and transitioning the area to new land uses.

Scott Carey with the Nevada Division of State Lands asked about the Economic Development Authority of Western Nevada (EDWAN) recent regional lands study that was completed.

Charlene Bybee stated that she was aware the EDWAN recently held a large economic forum about the state of the economy but that she has not had a chance to review the regional lands study yet.

Scott Carey with the Nevada Division of State Lands stated that the EDWAN regional lands study looked at the availability of developable land within the Truckee Meadows for housing and industrial development. He stated that the report recommended that federal lands bill to support future housing and industrial growth in the region. He stated that after the meeting he will provide the Council with a copy of this report.

Hope Sullivan, Carson City

Hope stated that Carson City continues to update its zoning ordinance with city staff and without the help of outside consultants. She stated that she meets quarterly with the builders in the city and earlier this week they met with Brian Bonnenfant with the Center for Regional Studies at the University of Nevada. She stated that Carson City had 204 housing starts last year and that the city's growth management ordinance would have allowed over 600 new units. She stated that the builders in this meeting talked a lot about how statewide there is a lack of construction workers due to workers aging out and that there is also a lack of building materials. She stated that Carson City continues have a lot of discussions about housing and the obstacles to housing and what other states are doing. She suggested a future agenda topic for the Council to look into and discuss housing and the related challenges across the state.

Jim Barbee, Churchill County

Jim stated that Churchill County has two planned unit developments that are moving through the planning process. He stated that all available and buildable lots within Fallon have been developed. He stated that DR Horton has purchased most of the buildable lots within the City of Fallon and the county expects those lots to be developed soon. He stated that the two planned unit developments would encompass about 1,400 single family residential units within the county. He stated that the county is working with a developer to develop a 420 multifamily unit project on a county owned property.

Jim stated that the Rafter 3C Arena in Fallon is scheduled to open on June 1st. He stated that the arena is 75,000 sq ft in size and that they have events scheduled in the facility starting in March. He stated that the county is planning to release the request for proposals for a new 2 story district court building in Fallon.

Sami Real, Clark County

Sami stated that Clark County has adopted the update to the county's master plan. She said that the county has not completed a comprehensive update to the master plan since it was written in the 1970's. She stated that the county is still working on the update to its zoning ordinance. She stated that the county is working on this update in three installments and that the first installment would come out in early March. She stated that the All in Clark County sustainability plan continues to be implemented throughout the county. She stated that the county is looking at setting up a similar program like the City of Reno has to encourage more urban trees and forests to address heat island effects in the county. She stated that the county continues to work with the Southern Nevada Water Authority on more long-term restrictions for water use and evaporative cooling units for commercial buildings in the county to save water.

Sami stated that the county recently selected a developer to construct an affordable housing project on a county owned property. She stated that the county continues to work through the logistics and remaining legal issues with the BLM to complete this affordable housing project. She stated that the county is looking to develop another affordable housing project on another county property because they are not getting affordable housing projects coming in from the private sector. She stated that the county's approach is to incentivize affordable housing projects in the county by providing the land.

Jake Tibbitts stated that it was his understanding that many public facilities throughout the county were built on Federal land under the Recreational and Public Purposes (RP&P) process. He asked what process the county is going through with the BLM to transfer the county's property to affordable housing developers.

Sami Real stated that the county has acquired this land from the BLM and the county is trying to figure out how to transfer this property into the hands of a developer for affordable housing. Sami stated that this is new territory for the county and there have been a lot of conversations with the BLM and others as to how to transfer this land. She stated that if the Council has a future agenda item on this topic, that she could provide and update on these projects and the transferring of the land.

Hope Sullivan stated that Carson City has also made land available to developers for affordable housing and that they have completed the land transfer. Hope stated that a challenge for the city is to ensure that the operation of the facility remains in good condition and remains affordable in the future. She stated that the city is not in the affordable housing business, but it is making the land available with the intention that it would be used for affordable housing. She stated that it would be good the Council to discuss this issue at future meeting.

Maureen Casey, Douglas County

Maureen stated that Douglas County was the recipient of the 2021 Outstanding Rural Planning Award from the Nevada Chapter of the American Planning Association for the county's 2020 master plan update. She stated that last week the county approved the first ever special use permit for a synagogue. She stated that this will be the first synagogue in Douglas County and will be located at the top of Kingsbury Grade. She stated that there is an educational program going on within the Lake Tahoe and Carson River basins to promote not dumping oil into the river and to pick up pet waste.

Maureen stated that 20-30 years ago Douglas County approved deed restrictions on properties to promote affordable housing. She stated that out of area investors were coming into the county and purchasing properties to rent them out at above market prices. She stated that this is a big issue in South Lake Tahoe, where local residents are being pushed out by investors who are also renting the properties for Vacation Home Rentals. She stated that one strategy the county has employed when properties in this area are being redeveloped is to place a deed restriction on the property for affordable housing.

Maureen stated that the average age group for Douglas County is above 50 years old and that older residents in the county are generally opposed to affordable housing. She stated that the county is working on updating its communications and messaging when it comes to affordable housing. She stated that the county is trying to educate the public about affordable housing not being only subsidized government housing but its housing for workforce and county residents. She stated that the housing remains a key challenge for the county to recruit and retain its workforce. She asked for suggestions and ideas from the Council on how to properly message affordable housing to remove false perceptions from the community.

Sami Real stated that its important to break down misconceptions in the community when it comes to affordable housing. Sami stated that one way to do this is to equate the costs of affordable housing with the real salaries of a job. She stated that for one of Clark County's affordable housing projects, the county used a teacher's starting salary to make the case for the need for the project. She stated that its important to tie the salary for a job that the county will need and wants to help build support in the community for an affordable housing project.

Joesph Lednicky with University of Nevada Cooperative Extension stated that as part of the Nevada Economic Assessment Project (NEAP) they have been working with the Nevada Rural Housing Authority and Nevada Housing Coalition on affordable housing issues. Joesph stated that the Nevada Housing Coalition can help assist communities with breaking down misconceptions and through its messaging help build support for affordable housing.

7) NEAP Presentation

Joesph Lednicky with University of Nevada Cooperative Extension provided the Council with a [presentation](#) about the Nevada Economic Assessment Project (NEAP).

Buddy Borden with University of Nevada Cooperative Extension stated that he is pleased to interact with the Council on the NEAP. Buddy stated that the goal of the NEAP is to provide a consistent and statewide tool that communities can use to analyze the economic impacts of a project. He stated that the team is working with the Nevada Division of State Parks to conduct a survey of park visitors and help the agency analyze the economic impacts of state parks.

Sheila Bray with University of Nevada Cooperative Extension thanked the Council for the opportunity to host today's meeting.

Buddy Borden with University of Nevada Cooperative Extension encouraged the Council to visit the [NEAP website](#) and check out the fact sheets the project has developed for each county.

Marla McDade Williams asked for a copy of the [NEAP presentation](#) to be shared with the Council. Marla asked how the project determined who the stakeholders were for the Payment in Lieu of Taxes (PILT) analysis.

Buddy Borden with University of Nevada Cooperative Extension stated that the PILT analysis section for the NEAP was completed by Dr. Tom Harris of the University of Nevada, Reno. He stated that he believes the stakeholders were determined by the percentages of the payment formula in the PILT statute. He stated that he would need to investigate further in order to provide a better answer. He stated that the project team would like to take a closer look at the Tribal Nations across the state and provide these areas with better information to make their decisions.

Charlie Donohue with the Nevada Division of State Lands stated the NEAP is a very useful tool for the entire state. Charlie stated that the Division removed the NRS demographic reporting requirements a few legislative sessions ago within the State Land Use Planning Agency due to staffing limitations. He stated that it is great to see the University of Nevada Cooperative Extension program undertake this effort through the NEAP and provide valuable information to local communities across the state. He asked how the University of Nevada Cooperative Extension can make the NEAP a sustainable program into the future.

Buddy Borden with University of Nevada Cooperative Extension stated that seed money provided for the NEAP by the Bureau of Land Management (BLM) is running out soon. Buddy stated that the project has been fortunate to enter into agreements with Nevada State Parks and Nevada Rural Housing Authority to perform specific studies using the NEAP data that will help support keeping the program running. He stated that the NEAP would like to see more agencies and partners around the State inform the Legislature of the value of the project and be included within the State budget. He stated that the main goal of this project is to provide useful data to support communities around the state make good decisions based on the real economic impacts of projects.

Charlie Donohue with the Nevada Division of State Lands stated that the Nevada Division of Outdoor Recreation recently was awarded American Rescue Plan Act (ARPA) funding to support projects of the Division and look at the economic impact of the recreation industry statewide. Charlie offered to connect the staff with the Nevada Division of Outdoor Recreation with the NEAP.

Buddy Borden with University of Nevada Cooperative Extension stated that NEAP has been connected with the Nevada Division of Outdoor Recreation and they look forward to utilizing their economic data and combining it with data gathered by other partners.

Jake Tibbitts stated that the NEAP data has been useful to Eureka County to examine the economic impact of proposed mines. Jake stated that it his preference that Federal agencies conducting environmental reviews use the local NEAP data to determine socio-economic impacts as opposed to using out of state data. He stated that it would be good for the BLM to provide direction to its field offices to use the NEAP data when reviewing projects.

Charlie Donohue with the Nevada Division of State Lands asked if the Council would see value in reviewing and considering a resolution or letter supporting the NEAP.

Jake Tibbitts stated that he would see value in the Council considering such an action, but noted that today's item was listed on the agenda for discussion only.

Charlie Donohue with the Nevada Division of State Lands stated that staff would be happy to bring forth a future agenda item for the Council to consider a letter or resolution supporting the NEAP.

Jake Tibbitts stated that he would like to see a future agenda item to this effect and that he believes it would help advance the NEAP overall.

8) Vacation Home Rental Discussion

Jake Tibbitts stated many local governments throughout the state are dealing with this issue and are trying different measures to regulate and manage vacation home and short-term rentals. Jake stated that he believes this issue is related to many of the affordable housing challenges that were discussed earlier in the meeting,

Scott Carey with the Nevada Division of State Lands provided an overview of the staff memo that was prepared for this agenda item and included on pages 13-14 of the [meeting packet](#). Included in the staff memo was a publication on Short Term Rentals in Nevada that was prepared by the Nevada Legislative Counsel Bureau's Research Division in March of 2021. Scott stated that staff recommends that the Council review the information provided in staff memo and have a discussion on the best practices to regulate short term and vacation rentals throughout the state.

Ryan Loomis with the City of Henderson provided an overview of the city's short term rental ordinance and efforts to regulate this use within the city. Ryan stated that the city's ordinance has been in place since July 2016 and that it did not originally include a buffer provision. He stated that in 2020, the city amended its ordinance to require a 1,000 ft buffer from other short-term rentals. He stated that the new buffering requirement created a lot of legal non-conforming short-term rental uses within the city. He stated that the City Council will soon be considering another amendment to its ordinance to implement the new requirements from

AB 363. He stated that the amendment to the ordinance includes a new 2,500 ft buffer from short term rentals with a non-restricted gaming use and new state licensing requirements. He stated that as of February 15th the City will be requiring documentation from short term rentals that their local homeowners association allows for short term rentals.

Ryan encouraged members of the Council to visit the city's [Short Term Rental website](#) and check out the information available if a local government is considering its own short term rental ordinance. He stated that some of one most common code enforcement issues involving short term rental compliance is with the city's 200 ft radius neighborhood noticing requirement. He stated that the notices are required to provide contact information for the short-term rental owner as well as the hotline for residents to call in complaints. He stated that after a receiving a complaint through the hotline, the city may issue a citation if the short-term rental is operating not in compliance with the city's ordinance. He stated that other common code enforcement issues are operating outside of permitted hours and exceeding occupancy requirements. He stated that on average the city will collect \$2,154 per month in fines for non-compliance with the city's short term rental ordinance.

Ryan stated that prior to the distance buffering requirements being implemented there was a high concentration of short-term rentals located near another. He stated that the buffering requirement has helped reduce the concentration and reduce complaints from residents. He stated that the city's inspection program for reviewing a new short term rental use or renewal has really helped compliance with the city's ordinance. He also stated that city has maintained a Frequently Asked Questions (FAQ) section on its [Short Term Rental website](#) to help provide information to the public and assist operators with compliance.

Wendy Loomis with the Washoe Tribe of Nevada and California asked how many short-term rentals permits the City of Henderson issues annually. Wendy also asked what annual fees the city charges for short-term rental permits now and how the city used to collect taxes prior to the ordinance.

Ryan Loomis with the City of Henderson stated that he wasn't sure how many permits are issued annually by the city, but he stated that the city currently has 350 permitted short-term rentals. Ryan stated that the city charges a \$820 fee each time a short-term rental registers with the city. He stated that each month a short-term rental property owner must report their taxes each month to the city and if they don't pay the required taxes for two months that city can issue citations.

Brian Adams with the City of Henderson stated that the required monthly reports are sent to the city's Finance Department and that the Department will provide the Planning Department with a list of property owners who are out of compliance. Brian stated that even if an owner does not rent out the home during that month, they still must report to the city and pay any required taxes.

Wendy Loomis with the Washoe Tribe of Nevada and California asked if the city has received a reduction in fees and taxes coming into the city from implementing its ordinance.

Ryan Loomis with the City of Henderson stated that the city has always required that taxes be paid for any short-term rental use. Ryan stated that since the adoption of the buffering requirements they have seen a reduction in the number of short-term rentals within the city.

Joesph Lednicky with University of Nevada Cooperative Extension how the city cracks down on non-registered short-term rental units.

Ryan Loomis with the City of Henderson stated the city maintains a map of where regulated short term rental units are located. He stated that the city's code enforcement will respond to complaints of unregulated short term rental units and will issue citations and work with third-party booking sites to ensure compliance with the city's ordinance.

Brian Adams with the City of Henderson stated that the city uses Host Compliance as its vendor to enforce the city's short term rental ordinance. Brian stated that the city uses this company to track third-party booking sites to see which properties in the city are being offered for rent. He stated that this company allows the city to see which properties available for rent that are in registered with the city and those that are not registered. If a

property is not registered, the city will issue a notice of violation to the property owner through the Host Compliance company.

Scott Carey with the Nevada Division of State Lands expressed his appreciation to the City of Henderson staff for participating in today's meeting and for sharing their experience with regulating short term and vacation home rentals.

Maureen Casey stated that Douglas County has an agency that handles permitting and collects fees for vacation home rentals in South Lake Tahoe. Maureen stated that this agency has done a wonderful job for the county. She stated that the County Commission recently voted to fund a full-time position within the District Attorney's Office that will be paid for using the fees collected for the vacation home rentals in the county. She stated that the county's Vacation Home Rental (VHR) Board has been working to process code enforcement and permit violations. She stated that this Board does have the authority to issue fines of up to \$5,000 per violation. She stated that very few within the county have contested these fines and when they are contested the County Commission has usually upheld the maximum fines. She stated that the County Commission has only reduced two fines that were contested, one of which was for a bed & breakfast in the Carson Valley.

Maureen stated the Douglas County has been successful in weeding out the bad apples with respect to compliance with the county's vacation home rental ordinance. She stated that the county currently has 200 people on the waiting list for vacation home rental permits. She stated that county staff has been directed that it's not up to them to remind permittees of renewal requirements. She stated that the county will send one letter to a permittee and if the property owner fails to act, they will lose their permit and then go to the bottom of the waiting list. She stated that the [Douglas County Vacation Home Rental website](#) includes a lot of helpful information about the county's regulations.

Jake Tibbitts thanked the Council for today's presentation and stated that it would be good for members of the Council to keep the group updated as new ordinances and regulations are put into place. He stated that every community in Nevada is likely affected by this issue, and it would be good to share information about how to successfully regulate this use.

9) State Land Use Planning Agency Update

Scott Carey with the Nevada Division of State Lands provided an update of the State Land Use Planning Agency that was included as pages 22-26 of the [meeting packet](#). Scott expressed his appreciation to the University of Nevada Cooperative Extension for hosting today's meeting and encouraged all members of the Council to visit this facility in the future.

Jake Tibbitts stated that he is looking forward to working with the Nevada Department of Wildlife (NDOW) on the implementation of AB 211 and the new tentative map review requirements for wildlife.

Charlie Donohue with the Nevada Division of State Lands stated that staff has working with the Department of Business and Industry and the Governor's Office to put together a list of possible state-owned lands that could be used for affordable or transitional housing. Charlie expressed his appreciation to the members of the Council for their comments regarding affordable housing across the state

Bill Bayne with the University of Nevada Cooperative Extension thanked the Council for its work throughout the state. Bill stated that he values the NEAP and the University of Nevada Cooperative Extension's involvement with the project. He stated that the project began over 4 years ago with a small budget of around \$20,000 and that it has been a continual struggle to maintain financial support for the project every year. He stated that it is imperative we find a way to sustain the NEAP so that the project team can spend more time gathering and updating economic data around the state. He stated that the NEAP team is currently pursuing different funding strategies and he hopes that the Governor and Legislature will find value in the project and dedicate funding to support the program. He stated that any letters of support or other actions from the Council would be a great help towards finding a sustainable funding source for the NEAP.

10) Future Agenda Items

Nevada Division of State Lands
State Land Use Planning Agency
901 S. Stewart Street, Suite 5003
Carson City, NV 89701

Telephone: (775) 684-2723
www.lands.nv.gov/land-use-planning

Jake Tibbitts stated during today's meeting he has heard the following future agenda items suggested, a presentation on the impacts of drought and climate change on agriculture, and a support letter for the NEAP.

Hope Sullivan suggested a future agenda item about affordable housing around the state. Hope stated that each member of the Council knows the challenges of this issue, but they don't know all of the solutions. She stated that it will be important for the Council to relate this issue back to the workforce and water resources available within their area of the state.

Maureen Casey stated that it would be good for the Council to hear a presentation about Douglas County's transfer of development rights program. She stated that this would be a good agenda item for the Council if it were to meet in Douglas County and could involve a field trip.

Scott Carey with the Nevada Division of State Lands stated that staff will also look the agenda items suggested. In addition, he suggested the following future agenda items; appointments for members of the SLUPAC Executive Council, and a presentation from NDOW about the implementation of AB 211 and the new tentative map review requirements for wildlife.

11) Scheduling of Future SLUPAC Meeting Dates and Locations

Scott Carey with the Nevada Division of State Lands stated that staff was hoping to finalize a date and location for the next Council meeting. Scott suggested that the Council set a date and location for its next meeting around the upcoming Nevada Rural Planning Conference organized by the Nevada Chapter of American Planning Association and scheduled in Elko for June 2-3.

Jake Tibbitts suggested Friday June 3, 2022 at 9:00 AM in Elko as the date for the next Council meeting. The consensus of the Council was that this date would work for its next meeting.

12) Public Comment

Jake Tibbitts called for public comment.

Rob Beltramo with the Washoe Tribe of Nevada and California expressed his appreciation to Chairman Sarrell Smokey and Marla McDade Williams for the invitation to join today's meeting. Rob stated that its good to reconnect with members of the Council & staff and that its good to know that the Tribe is not alone in dealing with similar issues.

Jake Tibbitts called for additional public comment. There was no additional public comment, and the public comment period was closed.

13) Adjourn

The meeting was adjourned at 12:28 pm.

Respectfully submitted,

Scott Carey
/s/
Meeting Recorder

Please note that minutes should be considered draft minutes pending their approval at a future meeting of the State Land Use Planning Advisory Council. Corrections and changes could be made before approval.

The meeting was digitally recorded. Anyone wishing to receive or review the recording may call (775) 684-2723. The recording will be retained for three years.



August 19, 2022

To: State Land Use Planning Advisory Council

From: Scott Carey AICP, State Lands Planner

RE: Bureau of Land Management (BLM) Resource Management Planning in Nevada Presentation

Background

At the July 9, 2021, meeting, the Council heard a presentation from the Bureau of Land Management (BLM) that provided an overview of upcoming statewide resource management planning activities. During this presentation BLM staff discussed an effort to update all resource management plans (RMP) throughout the State. During the meeting the Council provided feedback to the BLM staff about the RMP update process.

Analysis

Over the past several years, the Council has stressed that cooperation between Federal, State, Tribal, Local Governments and other stakeholders is critical on the withdrawal of any public lands or change in land use. Additionally, the Council has advocated for local governments and Tribal Nations in Nevada to have active engagement in this process consistent with their local land use plans and policies. An update to any BLM RMP can have an impact on a local land use plan and the activities that take place on public lands.

At the July 7, 2021, meeting it was stated that the project would involve the updating of the RMP's for 12 Field Offices, 3 National Conservation Areas, 2 National Monuments, and the Nevada Test and Training Range. Each of these RMP updates would be analyzed under a single Environmental Impact Statement (EIS) but would be authorized under 18 separate Records of Decision (ROD). As the Council is aware, many of these existing RMP's around the state are several decades old and are in need of policy revisions.

The BLM previously stated that the goal to complete this project was during the currently Presidential administration. Over the past couple of Federal budgets cycles the BLM, has been unsuccessful in obtaining funding to carry out the Statewide RMP project. Recently the Town of Beatty approved a letter that was submitted to the Nevada Congressional delegation. In its letter the Town of Beatty expressed support for funding for the Statewide RMP Update project and called for revisions to the Beatty area RMP.

A BLM RMP can have a big impact on a local land use plan and have a significant impact on the use of public lands surrounding a community. Staff feels that it is important for the Council to remain engaged in this project and provide input to the BLM throughout the planning process. Staff believes that it would be helpful to the BLM staff to receive an update on the status of this project and then provide additional feedback. If after receiving the update, the Council may direct staff to prepare a formal response concerning the Statewide RMP Update project. A formal response could come in the form of a letter that the Council would consider at a future meeting.

Recommendation

Staff recommends that the Council hear the presentation from the BLM about statewide resource management planning activities and provide any feedback or comments as necessary. After the presentation, the Council may provide direction to Staff to prepare a formal response to the BLM's upcoming resource management planning activities and other land use planning issues for consideration at a future meeting.



Nevada Division of
STATE LANDS

STATE OF NEVADA
Department of Conservation & Natural Resources

Steve Sisolak, Governor
Jim Lawrence, *Acting Director*
Charles C. Donohue, *Administrator*

August 19, 2022

To: State Land Use Planning Advisory Council

From: Scott Carey AICP, State Lands Planner

RE: State Land Use Planning Agency Update

Since the June 3rd meeting the Agency has been working on and tracking various activities, SLUPAC projects, Federal public lands and other legislation, and other issues of interest to the Council. The purpose of this memo and agenda item to provide the Council with an update on the agency and provide an opportunity to answer questions or provide additional information.

- 1) 30 by 30: On January 27, 2021, President Biden signed Executive Order 14008 which was aimed at tackling the nation's climate crisis at home and abroad. Section 216 of the executive order directs the Federal Government to achieve the goal of conserving at least 30 percent of the nation's lands and waters by the year 2030. In May, the Nevada Legislature adopted [Assembly Joint Resolution \(AJR\) 3](#) which expresses support for the goal of protecting 30 percent of the lands and waters of the State by 2030.

The Agency believes that policy of 30 by 30 could have an impact on land use planning and land management activities across Nevada. For the past year, the Agency has been looking into where Nevada is with respect to preserving and protecting 30 percent of its land and waters. The Agency has run some preliminary projections and depending upon how specific lands are classified Nevada could exceed or fall short of the 30 percent goal. The agency continues to await further direction from the Federal government as to how specific lands will be classified as protected or preserved as part of the 30 by 30 policy. In January, the Federal Government issued [an annual progress report](#) about the 30 by 30 initiative nationwide.. The Agency will continue to engage with the Federal Government and other stakeholders to review the land use implications of this policy and will provide updates to the Council as necessary.

- 2) AB 211 NDOW Tentative Map Review: During the 2021 Session of the Nevada Legislature, [Assembly Bill 211](#) was passed and signed into law by Governor Sisolak. The law changes the requirements for local governments to consider the to consider the potential impact to wildlife and wildlife habitat before taking final action on a tentative map. The law also requires that tentative map applications be submitted to the Nevada

Department of Wildlife (NDOW) for review. We are working with staff from NDOW to provide the Council with a presentation about this bill and its implementation at a future meeting. NDOW is currently in the process of drafting regulations to implement this bill and would like to come to a future Council meeting to provide a presentation and seek input. Additionally, NDOW staff has expressed an interest in meeting individually with local government planning staff to seek input on their regulations and the best way to implement their review of future tentative maps around the state.

- 3) Federal Highway Administration (FHWA) Nevada Federal Lands Connectivity Planning Study: At the July 9, 2021, meeting the Council heard a presentation from the FHWA on the Nevada Federal Lands Connectivity Planning Study. The first goal for this study is to conduct a needs assessment to identify unmet access needs to federal lands and develop a framework to prioritize those needs. The results of this analysis will inform future FLAP calls for projects, and help us better align priorities between FLAP, the Federal Lands Transportation Program (FLTP), and the bigger Fed-Aid program for the state. The second goal of the study is to provide policy and process recommendations for enhanced integration of federal lands access needs into the statewide and Metropolitan Planning Organization (MPO) transportation planning processes. On May 9th, the FHWA held a virtual project kick off meeting with stakeholders from around the state. On Wednesday (August 17th) the FHWA held a public workshop at Elko city hall to get input for stakeholders in Northeastern Nevada on the study. Additional, workshops for the study are planned to be held in Southern Nevada and Northwestern Nevada later this year. More information about the Nevada Federal Lands Connectivity Planning Study can be found on the [project website](#).
- 4) 2022 Nevada State Planning Conference: The Nevada Chapter of the American Planning Association (APA) is going to hold its annual conference October 17-19 in Downtown Las Vegas. This year will mark the 50th annual Nevada State Planning Conference and the theme for the conference is “Planning for the Challenges of Tomorrow”. The chapter recently released a draft schedule for this year’s conference which is attached to this memo. Staff will be presenting a session at the conference, titled “Jets, Bombs, Drones and Training: The Military in Nevada” which will provide an overview and update on the military in Nevada. For more information or to register for this year’s conference, please visit the [conference website](#).
- 5) Humboldt County Public Lands Plan Update: At the June 3rd meeting, the Council received a presentation from Humboldt County about the update to the county’s public lands plan. During the meeting Andy Rieber a consultant for Humboldt County provided an overview to the Council of the strategies and policy changes they are working on as part of the update. After the presentation members of the Council requested that a copy of

the plan be provided. A copy of the Humboldt County Public Lands Plan update is included with this memo. Staff has been reviewing the draft plan and will be providing comments to the county as requested. Humboldt County has expressed to staff that they would welcome and appreciate any feedback on the plan by members of the Council.

- 6) NEAP Letter of Support Responses: At the June 3rd meeting, the Council approved a [letter of support](#) for continued funding for the Nevada Economic Assessment Project (NEAP). Following the meeting, staff posted a copy of the letter on the Council's website and sent to Governor Sisolak, Senator Cortez Masto, Senator Jacky Rosen, Congresswoman Dina Titus, Congressman Mark Amodei, Congresswoman Susie Lee, Congressman Stephen Horsford, BLM Nevada State Director, Humboldt-Toiyabe National Forest Supervisor, the Interim Finance Committee, Joint Interim Standing Committee on Natural Resources, and the Subcommittee on Public Lands. Staff received several positive responses from the individuals and offices that were provided a copy of the letter.
- 7) The Nature Conservancy Lithium Report: At the June 3rd meeting the Council received a presentation from the Nevada Division of Minerals about the lithium potential in the state and reviewed a economic white paper released by UNLV on this topic. Earlier this month the Nature Conservancy and the University of California, Los Angeles released a report that analyzes the environmental and economic impacts of lithium extraction throughout the nation. This report included some specific information about potential lithium deposits in Nevada and issues to consider with future lithium mining. A copy of the Nature Conservancy Lithium report is available [HERE](#).
- 8) Nevada Annual Housing Progress Report: Over the past several meeting there has been a lot of discussion amongst the Council about the lack of housing throughout the state. As a follow up to these discussions, staff wanted to provide the Council with a copy of the latest Nevada Affordable Housing Dashboard provided by the Department of Business & Industry. This dashboard provides a summary of the leading economic and housing indicator issues that affect the availability of housing in Nevada. A copy of the dashboard summary is included in this memo. A copy of the full dashboard is available on the [Nevada Affordable Housing Dashboard website](#). In February the Department of Business & Industry released that annual housing progress report for the state. The purpose of this report as a request by NRS is to inventory housing conditions, project future needs and demands, and adopt strategies to provide for all forms of housing, including that which is affordable. A copy of the Nevada Annual Housing Progress Report is available [HERE](#).
- 9) Federal Public Lands Bills: The Agency continues to track the progress of several Nevada specific public lands and natural resource Federal bills. Below is a listing of the

bills currently being tracked by the Agency. As the Biden Administration and the 117th Congress continue to work on new legislation, the Agency expects these Federal bills to continue moving through the process or resurface over the next year.

- Southern Nevada Economic Development and Conservation Act (S. 567) (H.R. 1597)
- Ruby Mountains Protection Act (S. 609)
- Carson City Public Land Correction Act (S. 1412)
- Lander County Land Management and Conservation Act (S. 1411)
- Lake Tahoe Restoration Reauthorization Act (H.R. 3132) (S. 1583)
- Maude Frazier Mountain (H.R. 216)
- Great Basin National Heritage Area and Mormon Pioneer National Heritage Area Extension Act (S. 1004) (H.R. 2882)
- Elko National Cemetery Act (S. 726)
- Northern Nevada Economic Development, Conservation, and Military Modernization Act of 2021 (H.R. 5243)
- Avi Kwa Ame National Monument (H.R.6751)
- Apex Area Technical Corrections Act (H.R. 7247)
- Truckee Meadows Lands Bill
- Nye County Lands Bill
- Fallon Range Training Complex modernization & withdrawal
- Nevada Test and Training Range modernization & withdrawal
- Sunrise Mountain Protections
- Numu Newe National Monument
- Amodei Amendment to National Defense and Authorization Act

2022 NV APA / ASLA Conference – DRAFT Schedule

	DAY/TIME	Room 1	Room 2	Room 3	MOBILE SESSIONS
10.17.22	8:00-9:00 AM	BALLROOM: OPENING PLENARY SESSION KEYNOTE: Mayor Carolyn Goodman, Tina Quigley			
	9:15-10:30 AM	Urban Heat	Risk Avoidance	Competitive Grant Strategies	
	10:45-12 PM	Happy City: Transforming Our Lives	Military in Nevada	Is Housing a Human Right?	
	12-1 PM	LUNCH – ON YOUR OWN CHAPTER BOARD MEETING			
	1:15-2:30 PM	SHPO	Henderson Code Update	BC: Gateway Lessons Learned	Comparing Redevelopment
	3:45-5:00 PM	EQUITY – Clement/Claudia			
	5-7 PM	RECEPTION – Carson Kitchen			
10.18.22	8:00-8:50 AM	BALLROOM: OPENING/BREAKFAST CHAPTER BUSINESS MEETING			
	9 – 10:15 AM	BALLROOM: PLENARY SESSION Planners Who Lead			
	10:30 – 12 PM	SUSTAINABILITY – SNWA/Drought & Sustainability Panel	I-15 Mobility Alliance	Preserving Westside History	RTC Bike Share – B-Cycle Arts District
	12-1:15 PM	LUNCH – ON YOUR OWN			
	1:15-2:15 PM	The Transform Clark County Adventure	MPO Planning Projects & Activities	Community Engagement	
	2:30-3:45 PM	Henderson Strong Implementation	Maryland Pkwy TOD Plan	NEAP – NV Economic Assessment	
	4-5:15 PM	LAW	Positioning for the Future: Federal Grants	Ukraine Post War Reconstruction	
	5:30-7:30 PM	RECEPTION			
10.19.22	9:00-10:15 AM	From Master Plan to Special Area Plan	COLE: Oddie-Wells Project It's All About Stress	Planning Director's Roundtable	
	10:30-11:45 AM	ETHICS	Past Present and Future Tales of TRIC	TRPA / Caldor Fire	
	12-1:30 PM	BALLROOM City Nerd / Ray Delahanty CLOSING REMARKS DEBOER AWARDS BANQUET			

Special Designations

General

Humboldt County is aware that Congress, the President of the United States, and federal agencies are variously authorized to create special designations on the public lands. Such designations have the potential to restrict natural resource and recreation uses, limit resource management and access, and erode the multiple use-sustained yield character of public lands within the County. Special designations include, but are not limited to: National Monuments, National Conservation Areas (NCAs), Wilderness Areas, Wilderness Study Areas (WSAs), and Areas of Critical Environmental Concern (ACECs). The restrictive nature of special designations directly affects public health, safety, and welfare within the County by potentially:

- ❖ limiting economically important activities like livestock grazing, mining, and recreation;
- ❖ limiting road access and allowable management for critical activities such as fuel reduction, firefighting, invasive species control, and wildlife management;
- ❖ increasing the risk of catastrophic wildfires (see above) resulting in risk to public safety and air and water quality;
- ❖ impeding post-fire reclamation efforts;
- ❖ impeding the exercise of traditional activities (e.g. grazing, mining, recreation, and foraging) that are essential to Humboldt County's unique custom and culture.

It is Humboldt County's position that special designations should be created only when they are supported locally by the County Board of Commissioners. Where special designations are created, it is Humboldt County's policy to seek to ensure that planning and management of the specially designated area is coordinated with the County and is consistent with this Plan to the maximum extent allowed by applicable law.

Coordination, Cooperation, and Consultation:

Federal Land Use Planning and Management:

It is the policy of Humboldt County to coordinate and consult with all relevant federal agencies on special designation decisions and planning. Humboldt County will coordinate its planning and policies for special designations with BLM land use planning and management [consistent with 43 U.S.C § 1712(c)(9) and 43 CFR § 1601.0-5(c)] and with Forest Service land use planning [consistent with 16 U.S.C. § 1604(a), 36 CFR § 219.4, and 36 CFR § 212.53] to seek maximum consistency. Humboldt County expects that all such requirements for intergovernmental coordination will be affirmatively met by federal agencies, consistent with the applicable authority. (See Section XX Framework, Coordination).

NEPA:

Humboldt County expects early notification by all federal agencies to participate in NEPA project teams as a cooperating agency. Humboldt County shall participate as a

cooperating agency on all federal agency NEPA analyses for land use plans or other projects pertinent to special designations and expects that EISs shall include a consistency review with this and other relevant elements of the Humboldt County Master Plan pursuant to 40 CFR § 1502.16(a)(5) and 40 CFR § 1506.2(d). (See Section XX Framework, NEPA).

Specific Special Designations

Wilderness Areas

Humboldt County is aware that only Congress may designate Wilderness Areas, under the Wilderness Act (16 U.S.C. 1131-1136). While Wilderness Areas provide important opportunities for a limited range of primitive recreational activities, by eliminating motorized access, Wilderness designations also block access to public lands for members of the public who may be elderly, disabled, low income, or who are for other reasons unable or ill-equipped to participate in primitive, non-motorized recreation. Further, Wilderness designations eliminate or sharply curtail management activities such as road maintenance, fuels management, and regular monitoring which are essential for maintaining fire resistant and resilient landscapes and frustrate the goals, objectives, and policies stated in Section XX (Wildfire Prevention and Management) of this Plan.

Currently, there are 10 Congressionally designated Wilderness Areas within, or in part within, Humboldt County managed by the BLM:

- ❖ Black Rock Desert
- ❖ Calico Mountains
- ❖ High Rock Lake
- ❖ North Black Rock Range
- ❖ North Jackson Mountains
- ❖ South Jackson Mountains
- ❖ Pine Forest Range
- ❖ Pahute Peak
- ❖ East Fork High Rock Canyon
- ❖ Little High Rock Canyon

There is one Wilderness Area within Humboldt County managed by the Forest Service:

- ❖ Santa Rosa-Paradise Peak

It is Humboldt County's position that these areas provide Humboldt County's visitors and residents with ample opportunities for primitive recreation and solitude and that no additional lands are suitable for Wilderness designation within the County.

Wilderness Proposals and Recommendations:

Humboldt County is aware that wilderness proposals can be submitted by individuals and citizen groups as well as federal land management agencies. It is the position of Humboldt County that no lands located within Humboldt County should become a designated Wilderness Area unless it meets the following criteria:

- ❖ The proposal has the local support of the County Board of Commissioners and is the result of a multi-stakeholder collaborative effort (as exemplified by the Pine Forest Working Group).
- ❖ The proposal meets all BLM criteria for wilderness (as determined by BLM Manual 6310) and has been endorsed by both the BLM Winnemucca District and the Nevada State Office of the BLM.
- ❖ The input from required local public hearings, as well as County and State input, have been included in any Wilderness recommendation pursuant to requirements in the Wilderness Act [16 U.S.C. § 1132 (d)(1)].
- ❖ The relevant Federal agency has demonstrated that the proposed Wilderness Area can be safely and effectively managed as wilderness (including demonstration of ongoing ability to conduct fuels management, fight wildfire, control invasive weeds, etc.)
- ❖ Designation of the proposed area does not compromise important existing recreational and economic uses.

Grazing in Wilderness:

Humboldt County is aware that grazing—and the necessary activities and facilities needed to support and maintain a grazing program—where authorized prior to the establishment of a Wilderness Area, will be permitted to continue under the Wilderness Act. Congressional guidance, referred to in BLM Manual 6340, has clarified the grazing provision of the Act as follows:

- ❖ No curtailment of grazing simply because an area is a designated Wilderness;
- ❖ Maintenance of preexisting facilities and structures is allowed with the use of motorized equipment where there is no practical alternative;
- ❖ Replacement or reconstruction of existing facilities does not have to appear “natural”;
- ❖ New construction or improvements are allowable when they serve the purpose of resource management and protection;
- ❖ Motorized access for emergency livestock care is allowed.

“In 1990, the House of Representatives issued House Report 101-405, Appendix A—Grazing Management Guidelines, in association with the Arizona Desert Wilderness Act of 1990. Although the Wilderness Act provides the authority for managing grazing in wilderness, this report (and its predecessor, House Report 96-1126, issued in association with the Colorado Wilderness Act of 1980) has been cited in many subsequent wilderness bills and provides helpful information. Grazing is specifically permitted in wilderness under Section 4(d)(4)(2) of the Act. After designation of an area as wilderness, Allotment

FINAL DRAFT—APPROVED

Management Plans may need to be revised or developed for allotments within a wilderness to ensure they are consistent with this policy.”

BLM Manual 6340—Management of BLM Wilderness

Consistent with this guidance, federal agencies should inform permittees that the authorized use of motorized vehicles in emergency situations and in situations where alternatives are impractical on Wilderness Areas is available to them. Federal agencies should also work with permittees to incorporate authorization for non-emergency use of motorized vehicles into grazing permits consistent with BLM Manual 6340, and to acknowledge such occasional motorized access by permittees in all wilderness plans.

Mining in Wilderness

Humboldt County is aware that certain mining activities, and the maintenance of routes of ingress and egress to access the site of mining activities, are authorized under, and subject to, the Wilderness Act (23 U.S.C. § 1133(d)(2&3) and 23 U.S.C. § 1134(b)) as clarified in BLM Manual 6340—Management of BLM Wilderness(c)(11). All wilderness area plans should include assurances that valid existing mining rights shall be protected, and routes accessing the sites of valid existing mining claims shall remain open and be maintained.

Fire Prevention and Management in Wilderness

The following fire-related sections are supplemental to, and should be read in conjunction with, Chapter XX Wildfire Prevention and Management.

❖ Wildfire Response

Humboldt County is aware that the Wilderness Act affords federal land management agencies broad discretion in the management of fuels and fire response:

“[S]uch measure may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.” 16 U.S.C § 1133 (d)(1).

In view of the fact that wildfires have significantly increased both in severity and frequency across the Great Basin generally and in Humboldt County in particular, and that wildfires pose risks to human life and property and cause significant damage to native vegetation and wildlife, air and water quality, and the local economy, Humboldt County shall seek to ensure that all fires on Wilderness Areas are immediately extinguished using all available means, including but not limited to aircraft and mechanized ground equipment.

- All wilderness plans should stipulate that all fires on wilderness areas, including those that are naturally caused, are to be immediately extinguished.

- All wilderness plans and fire plans should include NEPA pre-authorization for use of mechanized equipment on Wilderness Areas in the event of fire incident response.
- All wilderness plans and fire plans should incorporate state and local fire-fighting agencies (specifically RFPAs) and authorize their participation in incident response on wilderness fires with mechanized equipment. (See Chapter XX Wildfire Prevention and Management).

❖ Fuels Management

The “control of fire” on Wilderness Areas authorized by 16 U.S.C § 1133 (d)(1) may reasonably be understood to include the reduction of fine fuels and the achievement of fire resistant and resilient landscapes. Allowing Wilderness Areas to degenerate into fire traps is contrary to the preservation of Wilderness values, and also threatens public health, safety, and welfare within the County.

Federal land management agencies should employ all appropriate and safe tools—specifically targeted and treatment livestock grazing—to ensure that fuel loads on Wilderness Areas are consistent with intergovernmental goals for fire resistant and resilient landscapes (see Chapter XX Wildfire Prevention and Management). Prescribed burning should not be used in Wilderness Areas due to safety issues caused by limited road and vehicle access.

❖ Post-Fire Rehabilitation in Wilderness

All Wilderness Area plans should incorporate plans for timely post-fire stabilization and rehabilitation to ensure soil stability, water quality, and prevent establishment of invasive species. Humboldt County is aware that effective rehabilitation must be accomplished shortly after a fire incident and generally requires mechanized access to Wilderness. Humboldt County is also aware that post-fire rehabilitation on Wilderness Areas is often delayed by NEPA, with the consequence that rehabilitation efforts may be authorized only after the period in which they would be effective has expired. It is therefore Humboldt County’s policy to seek to ensure that agency Wilderness plans and fire plans incorporate programmatic NEPA for mechanized post-fire rehabilitation and stabilization, enabling rehabilitation efforts to be timely authorized under a DNA or CX/CE.

Road Access and Maintenance

Although Wilderness Areas are characterized as “roadless,” Humboldt County is aware that some Wilderness Areas have “cherry stem” roads within their boundaries which are excluded from the wilderness proper. Cherry stem roads are essential for recreational access into certain Wilderness Areas. They also provide critical access for firefighting equipment and personnel, and may provide access for inholdings. Other roads existing within Wilderness Areas include rights-of-way to private inholdings and valid existing mining claims. It is Humboldt County’s

policy to seek to ensure that all pre-existing roads within the boundaries of Wilderness Areas are passable and maintained as needed on an ongoing basis, and that Wilderness plans provide programmatic NEPA authorization for such maintenance. All rights-of-way should be renewed on an ongoing basis to protect pre-existing rights.

Fish and Wildlife Management in Wilderness

While Humboldt County understands federal agencies' obligation to ensure the preservation of wilderness values on Wilderness Areas, the County is also aware that agencies have latitude to authorize certain fish and wildlife management activities pursuant to the guidelines set forth in Appendix B of the Report of the Committee of the Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101-405). This includes, but is not limited to, authorizing the occasional and temporary use of motorized vehicles and aircraft, fish stocking and restocking, and other actions for wildlife management, provided that such occasional actions would enhance wilderness values and could be accomplished with minimal impact.

All wilderness managements plans for wilderness areas within Humboldt County should incorporate guidance from House Report 101-405 (see appendix to this chapter), thereby affording State wildlife managers the ability to maintain diverse, viable, and healthy fish and wildlife populations on Wilderness Areas.

Invasive Weed Control in Wilderness

Invasive weeds—including cheat grass, medusa head rye, and ventenata—can spread rapidly if left untreated. Overgrowth of invasive species harms the natural vegetative communities in Wilderness Areas and creates an extreme fire hazard, threatening human life and habitation as well as wilderness values. It is Humboldt County's policy to seek to ensure that all wilderness plans include authorization for the monitoring and rapid treatment of invasive weeds on Wilderness Areas. Invasive weeds should be treated with the most effective means permitted by law with a view to minimizing wide-spread invasion and excessive damage to native plant communities.

Adjacent Management

Wilderness designations should not create, or imply the existence of a protective perimeter or buffer zone around Wilderness. Nonwilderness activities or uses that occur outside of a Wilderness but that can be seen, heard, or detected from within a wilderness should not be limited or precluded.

BLM Lands with Wilderness Characteristics (LWC)

Humboldt County is aware that the BLM maintains, on an ongoing basis, an inventory of "Lands with Wilderness Characteristics" (LWC)—namely, public lands that the BLM has determined to

have the necessary characteristics of a Wilderness Area. LWCs are therefore candidates for Wilderness nomination/recommendation and subsequent Congressional designation as Wilderness Areas, as well as candidates for preservation of wilderness characteristics through agency land use planning. It is the policy of Humboldt County to coordinate with the BLM on all LWC inventory activities by providing its own inventory data, as well as maps, photographs, narratives, and other information germane to LWC determination, consistent with FLPMA, which states:

“[T]o the extent consistent with the laws governing the administration of the public lands, coordinate the land use *inventory*, planning, and management activities of or for such lands with the land use planning and management programs of ... local governments within which the lands are located,”

43 U.S.C. 1712(c)(9) (emphasis added).

Furthermore,

- ❖ It is the policy of Humboldt County to coordinate with the BLM on all LWC land use planning and management activities. Humboldt County expects that planning and management decisions for LWC units be consistent with this Plan to the extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1.
- ❖ With a view to protecting public health, safety, and welfare, it is the position of Humboldt County that LWC units be managed to prioritize a broad compliment of the “principle or major uses” recognized in FLPMA (43 U.S.C. 1702(l)) over the preservation of wilderness characteristics.
- ❖ Humboldt County expects that in making LWC determinations, the BLM will adhere to BLM Manual 6310—Conducting Wilderness Characteristics Inventory on BLM Lands (3/15/12). In determining whether a unit meets the criteria for “roadless,” the BLM should adhere to the definition of “road” given in Manual 6310:
 - Road: An access route which has been improved and maintained by mechanical means to insure (*sic*) relatively regular and continuous use. A way maintained solely by the passage of vehicles does not constitute a road.
 - Improved and maintained – Actions taken physically by people to keep the road open to vehicle traffic. “Improved” does not necessarily mean formal construction. “Maintained” does not necessarily mean annual maintenance.
 - Mechanical means – Use of hand or power machinery or tools.
 - Relatively regular and continuous use – Vehicular use that has occurred and will continue to occur on a relatively regular basis. Examples are: access roads for equipment to maintain a stock water tank or other established water sources, access roads to maintained recreation sites or facilities, or access roads to mining claims.

BLM Wilderness Study Areas (WSAs)

WSAs were identified by the wilderness review required by Section 603 of the Federal Land Policy and Management Act (FLPMA) and subsequently recommended to Congress for consideration as Wilderness Areas. Since 1991, the BLM has ceased identifying new WSAs. There are four WSAs within, or in part within, Humboldt County: Lahontan Cutthroat Trout Instant Study Area (ISA); North Fork of the Little Humboldt River; Disaster Peak; and Pueblo Mountains.

Humboldt County strongly supports the immediate and expedient processing of WSA recommendations by Congress. Where Congress chooses to not designate a WSA as a Wilderness Area, it is the position of Humboldt County that subsequent land use planning should prioritize a broad complement of the “principle or major uses” recognized in FLPMA (43 U.S.C. 1702(l)) over the preservation of wilderness characteristics on the former WSA unit. It is also the policy of Humboldt County to coordinate with the BLM on all WSA and former WSA land use planning and management activities. Humboldt County expects that planning and management decisions for WSAs and former WSA units be consistent with this Plan to the extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1.

Humboldt County is aware that until a Congressional determination is made, WSAs will be managed in a manner that maintains the area’s suitability for preservation as wilderness (the “non-impairment standard”). However,

“[m]anagement to the non-impairment standard does not mean that the lands will be managed as though they had already been designated as wilderness. Some uses that could not take place in a designated wilderness area may be permitted under the WSA Management Manual. For example, in many cases it is permissible to use motorized vehicles on some primitive routes in WSAs, while such vehicles are prohibited in designated wilderness under the Wilderness Act.”

BLM Manual 6330 – Management of Wilderness Study Areas

Additionally, BLM Manual 6330 identifies seven exceptions to the non-impairment standard on WSAs, including but not limited to:

- ❖ Emergencies. In emergencies, any action necessary to prevent loss of life or property may be taken, even if the action will impair wilderness suitability. Emergencies include, but may not be limited to, fire, flood, pursuit of criminal suspects, search and rescue operations in cases of lost or injured persons, and recovery of deceased persons.
- ❖ Valid existing rights. Any valid existing right (VER) existing on the date of approval of FLPMA (October 21, 1976)—or prior to the designation date for Section 202 WSAs not reported to Congress—will be recognized. Examples of VERs include: a valid mining claim, a mineral lease, or a right-of-way authorization.
- ❖ Grandfathered uses. Grazing, mining, and mineral leasing uses and facilities that were allowed on the date of approval of FLPMA (October 21, 1976)— or the designation date for Section 202 WSAs not reported to Congress —are grandfathered, i.e. allowed as a preexisting use. As provided for in FLPMA Section 603(c), these uses and facilities may

continue in the same manner and degree as on that date, even if this impairs wilderness suitability. As described in FLPMA, grandfathered uses only include grazing, mining, and mineral leases, and do not include other uses such as recreational activities.

BLM Manual 6330 – Management of Wilderness Study Areas

Forest Service Candidate Wilderness Inventory and Recommendations

Humboldt County is aware that the Forest Service is required to identify, evaluate, analyze, and decide whether to recommend lands that may be suitable for inclusion in the National Wilderness Preservation System (NWPS) in its land use planning efforts:

“In developing a proposed new plan or proposed plan revision, the responsible official shall [...] [i]dentify and evaluate lands that may be suitable for inclusion in the National Wilderness Preservation System and determine whether to recommend any such lands for wilderness designation.”

36 CFR 219.7(c)(2)

Humboldt County expects, consistent with Forest Service Handbook 1909.12 Chapter 70—Wilderness Evaluation that the input of the County and the public will be solicited for the inventory, evaluation, and analysis of units being considered for recommendation as Wilderness Areas:

“The responsible official should use the public participation opportunities provided as part of the broader planning process (FSH 1909.12, ch. 40) to engage the public and other governments to provide feedback and input on the inventory, evaluation, and analysis of areas for wilderness recommendation, and may provide additional participation opportunities specifically on this topic as necessary.”

Humboldt County further expects that in identifying, evaluating, and analyzing areas with potential wilderness characteristics, and subsequently recommending such units for wilderness designation through land use planning, the Forest Service will coordinate its efforts with Humboldt County to the maximum extent required by 16 U.S.C. 1604(a) and 36 CFR 219.4.

Humboldt County is aware that units selected for wilderness recommendation through the Forest Service’s land use planning process will be managed to “[p]rotect and maintain the ecological and social characteristics that provide the basis for their suitability for wilderness designation,” 36 CFR 219.10 (b) (iv).

However, it is Humboldt County’s policy to seek to ensure that units examined in any of the inventory, evaluation, or analysis stages which were not recommended for inclusion in the NWPS be managed, according to the final decision document, to include a broad compliment of multiple use activities, and not for preservation of wilderness characteristics. (Forest Service Handbook 1909.12 Chapter 70 Sec. 74). Forest Service land use planning decisions for units

ultimately not recommended for inclusion in the NWPS should be coordinated with Humboldt County to the maximum extent required by 16 U.S.C. 1604(a) and 36 CFR 219.4.

National Monuments

Humboldt County is aware that national monuments on public lands may be designated either by an act of Congress or by the President under the Antiquities Act (16 U.S.C. 431-433). Humboldt County opposes the designation of any national monument within its boundaries unless the proposal has been coordinated with the County and has strong support within the local community. In the event that a national monument is created within Humboldt County, it is the policy of the County to seek to ensure 1) its ongoing multiple use-sustained yield management; 2) that a network of roads for user access and management activities is regularly maintained with a view to protecting the public health, safety, and welfare; 3) that there are no restrictions on or elimination of customary uses, unless there is a clearly demonstrated need to the contrary.

Humboldt County expects that planning and management of national monuments be coordinated with the County, and management decisions for national monuments on lands managed by the BLM be consistent with this Plan to the extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1.

National Conservation Areas (NCAs)

Humboldt County is aware that Congress is authorized to designate NCAs on lands managed by the BLM. Presently, there is one NCA in Humboldt County—the Black Rock Desert-High Rock Canyon Emigrant Trails NCA. Humboldt County opposes the designation of any additional NCAs within its boundaries unless the proposal has been coordinated with the County and has strong support within the local community. In the event that another NCA is created within Humboldt County, it is the policy of the County to seek to ensure broad multiple use-sustained yield management and a regularly maintained network of roads for user access and management activities with a view to protecting the public health, safety, and welfare on the NCA. Unless a clear need to the contrary is explicitly demonstrated, Humboldt County opposes restrictions on or elimination of customary uses on NCAs.

Humboldt County expects that planning and management of NCAs be coordinated with the County, and management decisions for NCAs be consistent with this Plan to the extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1.

Areas of Critical Environmental Concern (ACECs)

An ACEC is an administrative designation used by the BLM in its land use planning process and authorized under FLPMA. Federal regulations define the designation as follows:

“Areas of Critical Environmental Concern or ACEC means areas within the public lands where special management attention is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes, or to protect life and safety from natural hazards. The identification of a potential ACEC shall not, of itself, change or prevent change of the management or use of public lands.”

43 CFR 1601.0-5

The BLM identifies Research Natural Areas (RNAs) and Outstanding Natural Areas (ONAs) as specific types of ACEC. Because the BLM must use the same criteria to evaluate existing or proposed RNAs and ONAs as it uses to evaluate existing or proposed ACECs, all three designations are here addressed together as “ACECs.”

Humboldt County is aware that in order to designate an ACEC, the BLM must demonstrate:

- ❖ that the area possesses values meeting the relevance and importance standards (CFR 43 1610.7-2(a));
- ❖ that special management is required (43 CFR 1601.0-5(a)) to protect and prevent irreparable damage to these values (i.e. general site-specific planning is inadequate) or to protect life and promote safety where natural hazards exist.

ACEC proposals, as well as the subsequent planning and management of designated ACECs, should be fully coordinated with Humboldt County to the maximum extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1. ACEC designations and subsequent management decisions for ACECs should be consistent with this Plan to the maximum extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1.

It is the policy of Humboldt County to oppose the designation of ACECs for which:

- ❖ Relevance and importance criteria for the values present—or presence of significant natural hazards—have not been clearly and explicitly demonstrated.
- ❖ Substantial evidence has not been provided demonstrating that protection and prevention of irreparable harm to the values present—or protection of life from natural hazards—requires special management.
- ❖ The area of the proposed ACEC is larger than the minimum necessary to protect and prevent irreparable harm to the values present, or to protect life from natural hazards.
- ❖ Proposed restrictions on land and resource uses exceed the minimum restrictions necessary to protect and prevent irreparable harm to the values present, or to protect life from natural hazards.

APPENDIX B.—WILDLIFE MANAGEMENT GUIDELINES

Subsection 2(h) of H.R. 2570 explicitly provides that, in furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats that support those populations may be carried out in wilderness areas, where consistent with relevant wilderness management plans, in accordance with appropriate policies and guidelines.

The Committee has reviewed the existing BLM policies and guidelines for fish and wildlife management in Bureau of Land Management wilderness areas, as set out in BLM's wilderness management manual, and has found them to be in furtherance of the purposes and principles of the Wilderness Act. Those policies and guidelines are as follows:

A. PURPOSE

This statement of policy and the following guidelines are intended to provide guidance to State and Federal personnel for the management of fish and wildlife in wilderness in accordance with the Wilderness Act of 1964 (16 USC 1131–1136). Both State and Federal agencies are responsible for fostering mutual understanding and cooperation in the management of fish and wildlife in wilderness. These guidelines should serve as a framework for cooperation among the Forest Service, Bureau of Land Management, and the States in the coordination of fish and wildlife management and in the development of cooperative agreements or other management plans.

These policies and guidelines were developed within the overall context of the purpose and direction of the Wilderness Act, and they should be made available to all agencies responsible for management of the National Wilderness Preservation System, to appropriate State fish and wildlife agencies, and to other interested parties.

B. GENERAL POLICY

Fish and wildlife management activities in wilderness will be planned and carried out in conformance with the Wilderness Act's purpose of securing an "enduring resource of wilderness" for the American people. The wilderness resource is defined in section 2(c) of the Act, as an area essentially "untrammelled by man", where natural ecological processes operate freely and the area is "affected primarily by the forces of nature." The National Wilderness Preservation System will be managed to ensure that ecological succession, including fire and infestation of insects, operate as freely as possible with only minimum influence by humans.

Fish and wildlife management activities will emphasize the protection of natural processes. Management activities will be guided by the principle of doing only the minimum necessary to manage the area as wilderness.

Section 4(d)(7) of the Wilderness Act stipulates that “Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.” Angling, hunting, and trapping are legitimate wilderness activities, subject to applicable State and Federal laws and regulations.

This nation is fortunate in having a National Wilderness Preservation System encompassing a wide range of ecosystems. Specific on-the-ground conditions will result in slightly different application of these guidelines in so vast a system. These different applications are spelled out in National Forest Plans or wilderness management plans. This is both appropriate and proper, if we are to allow nature to play the dominant role.

1. Use of motorized equipment

Section 4(c) of the Wilderness Act states:

Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

The emphasis is on the management of the area as wilderness as opposed to the management of a particular resource. This language is viewed as direction that all management activities within wilderness be done without motor vehicles, motorized equipment, or mechanical transport, unless truly necessary to administer the area or are specifically permitted by other provisions in the Act. It means that any such use should be rare and temporary; that no roads can be built; and that wilderness managers must determine such use is the minimum necessary to accomplish the task. Any use of motorized equipment or mechanical transport requires advance approval by the administering agency.

2. Fish and wildlife research and management surveys

Research on fish and wildlife, their habitats and the recreational users of these resources is a legitimate activity in wilderness when conducted “in a manner compatible with the preservation of the wilderness environment” (Sec. 4(d)(1) of the Wilderness Act). Methods that temporarily infringe on the wilderness environment may be approved if alternative methods or other locations are not available. Research or management surveys must be approved in writing, on a case-by-case basis, by the administering agency.

Helicopters and fixed-wing aircraft overflights may be used to conduct approved fish and wildlife research activities. Aircraft

must be used in a manner that minimizes disturbance of other users, including humans and wildlife.

All fish and wildlife studies within and over wilderness must be conducted so as to preserve the natural character of the wilderness. Aerial counts and observations of wildlife may be permissible for management of wilderness wildlife resources. Capturing and marking of animals, radio telemetry, and occasional temporary installations (such as shelters for cameras and scientific apparatus and enclosures and exclosures essential for wildlife research or management surveys) may be permitted, if they are essential to studies that cannot be accomplished elsewhere.

Guidelines

- a. Obtain specific written approval or permits from the administering agency before erecting any structure, enclosure, or enclosure.
- b. Locate and construct all structures so as to make them unobtrusive on the landscape.
- c. Construct structures of native materials or camouflage to make them blend with their natural surroundings.
- d. Plan aircraft flights over wilderness to minimize disturbance. Consider time of day, season of the year, route and altitude of flight, and location of landing areas on the perimeter of the wilderness.
- e. Research projects underway when a wilderness is designated may continue, but modify research methods to minimize disturbance of the wilderness environment.
- f. Installation of permanent base stations within wilderness is not permitted for monitoring of radio-instrumented animals.
- g. The administering agency should only approve capture methods that minimize the impact on the wilderness environment.

3. Facility development and habitat alteration

In rare instances, facility development and habitat alteration may be necessary to alleviate adverse impacts caused by human activities on fish and wildlife. For the benefit of wildlife that spend only part of the year in wilderness, give first priority to locating facilities or habitat alterations outside wilderness.

Flow-maintenance dams, water developments, water diversion devices, ditches and associated structures, and other fish and wildlife habitat developments necessary for fish and wildlife management (which were in existence before wilderness designation) may be permitted to remain in operation.

Clearing of debris that impedes the migratory movements of fish on primary spawning streams may be permitted, but only in a manner compatible with the wilderness resource.

Maintenance of existing water supplies and development of additional water supplies may be permitted, but only when essential to preserve the wilderness resource and to correct unnatural conditions resulting from human influence.

Guidelines

- a. Submit proposals for new structures or habitat alterations to the administering agency for approval.

b. Build or maintain new and existing structures permitted for wildlife management in a manner that minimizes the visual impacts on the landscape.

c. Limit clearing of debris from spawning streams to those identified in the wilderness management plan as being critical to the propagation of fish.

d. Use only nonmotorized equipment to clear debris. Use explosives only when the use of hand tools is not practical, and only outside of heavy visitor-use periods.

e. The administering agency and the State agency will jointly make decisions to remove existing water related improvements.

f. If it is necessary to restore essential food plants after human disturbance, use only indigenous plant species.

4. Threatened and endangered species

Many wilderness areas provide important habitat for Federally listed threatened and endangered species of wildlife. Actions necessary to protect or recover threatened or endangered species, including habitat manipulation and special protection measures, may be implemented in wilderness. But such actions must be necessary for the perpetuation of recovery of the species and it must be demonstrated that the actions cannot be done more effectively outside wilderness. Use only the minimum actions necessary and the methods most appropriate in wilderness.

Guidelines

a. Manage wilderness to protect known populations of Federally listed threatened or endangered species where necessary for their perpetuation and to aid in their recovery in previously occupied habitat.

b. When alternative areas outside of wilderness offer equal or better opportunities for habitat improvement or species protection, take actions to recover threatened or endangered species outside of wilderness first.

c. Threatened and endangered species may be transplanted into previously occupied habitat within wilderness.

d. All transplants or habitat improvement projects require approval by the administering agency.

e. To prevent Federal listing, protect indigenous species that could become threatened or endangered or are listed as threatened or endangered by States.

5. Angling, hunting and trapping

Angling, hunting and trapping are legitimate wilderness activities subject to applicable State and Federal laws and regulations.

6. Population sampling

Scientific sampling of fish and wildlife populations is an essential procedure in the protection of natural populations in wilderness.

Guidelines

a. Use only methods that are compatible with the wilderness environment.

b. Gill netting, battery-operated electrofishing, and other standard techniques of population sampling may be used.

c. Closely coordinate sampling activities with the administering agency and schedule them to avoid heavy public-use periods.

7. Chemical treatment

Chemical treatment may be necessary to prepare waters for the reestablishment of indigenous species, to protect or recover Federally listed threatened or endangered species, or to correct undesirable conditions resulting from the influence of man. Species of fish traditionally stocked before wilderness designation may be considered indigenous if the species is likely to survive. Undesirable conditions and affected species shall be identified in wilderness plans.

Guidelines

- a. Use only registered pesticides according to label directions.
- b. In selecting pesticides, give preference to those that will have the least impact on non-target species and on the wilderness environment.
- c. Schedule chemical treatments during periods of low human use, insofar as possible.
- d. Immediately dispose of fish removed in a manner agreed to by the administering agency and the State agency.

8. Spawn taking

The collection of fish spawn shall be permitted from wilderness when alternative sources are unavailable or unreliable, or where spawn taking was an established practice before wilderness designation.

Guidelines

- a. Do not use motorized equipment to assist in collecting and removing spawn.
- b. Use of techniques and facilities necessary to take spawn, which were in existence before wilderness designation, may continue as provided for in the wilderness management plan.
- c. Facilities for spawn-taking stations approved after wilderness designation must be removed after the termination of each season's operation.
- d. Decisions to prohibit spawn taking, where it was an established practice before wilderness designation, will be made jointly by the administering agency and the state agency.

9. Fish stocking

Fish stocking may be conducted by the State agency in coordination with the administering agency, using means appropriate for wilderness, when either of the following criteria is met: (a) to reestablish or maintain an indigenous species adversely affected by human influence; or (b) to perpetuate or recover a threatened or endangered species.

Selection of species for stocking will be determined jointly by the administering agency and the state agency. Exotic species of fish shall not be stocked. The order of preference for stocking fish species is (a) Federally listed threatened or endangered indigenous spe-

cies, (b) indigenous species. Species of fish traditionally stocked before wilderness designation may be considered indigenous if the species is likely to survive. Numbers and size of fish and time of stocking will be determined by the State agency.

Barren lakes and streams may be considered for stocking, if there is mutual agreement that no appreciable loss of scientific values or adverse effects on wilderness resources will occur.

Guidelines

a. The State agency shall make fish stocking schedules available to the administering agency, indicating what species and numbers are planned for each water within a wilderness.

b. Adjust stocking rates to minimize the likelihood of exceeding the carrying capacity of the water being stocked so as to reduce the chance of producing a population imbalance and to minimize the likelihood of attracting overuse detrimental to the wilderness resource.

10. Aerial fish stocking

Aerial stocking of fish shall be permitted for those waters in wilderness where this was an established practice before wilderness designation or where other practical means are not available. Aerial stocking requires approval by the administering agency.

Guidelines

a. As justification for aerial stocking, the State agency will supply the administering agency a list of those waters where stocking with aircraft was an established practice before wilderness designation, indicating the type of aircraft used (fixed-wing or helicopter). This justification will become a part of the wilderness management plan.

b. To stock waters that had not been aerially stocked before wilderness designation, the State agency will demonstrate to the administering agency the need for using aircraft.

c. Plan aircraft flights over wilderness to minimize disturbance. Consider season of year, time of day, route and altitude of flight, and location of landing areas on the perimeter of the wilderness.

11. Transplanting wildlife

Transplants (removal, reintroduction, or supplemental introduction) of terrestrial wildlife species in wilderness may be permitted if necessary: (a) to perpetuate or recover a threatened or endangered species; or (b) to restore the population of an indigenous species eliminated or reduced by human influence.

Transplants shall be made in a manner compatible with the wilderness character of the area. Transplant projects, including follow-up monitoring, require advance written approval by the administering agency.

Guidelines

a. Motorized methods and temporary holding and handling facilities may be permitted if they are the minimum necessary to accomplish an approved transplant.

12. Wildlife damage control

Wildlife damage control in wilderness may be necessary to protect Federally listed threatened or endangered species, to prevent transmission of diseases or parasites affecting other wildlife and humans, or to prevent serious losses of domestic livestock. Control of nonindigenous species, also may be necessary to reduce conflicts with indigenous species, particularly if the latter species are threatened or endangered.

Guidelines

a. Acceptable control measures include lethal and nonlethal methods, depending upon need, justification, location, conditions, efficiency and applicability of State and Federal laws.

b. Control measures will be implemented by the Animal and Plant Health Inspection Service, the administering agency, the State fish and wildlife agency, or other approved State agency, pursuant to cooperative agreements or memoranda of understanding. Wildlife damage control must be approved by the administering agency on a case-by-case basis.

c. Direct control at individual animals causing the problem.

d. Use only the minimum amount of control necessary to solve the problem.

e. Use pesticides only where other measures are impractical. Use only registered pesticides according to label directions and subject to the following restrictions:

(1) Pesticides may be applied only by certified pesticide applicators.

(2) The placement of pesticides shall be accurately indicated on the largest scale USGS map available.

(3) Place warning signs at the entrance to the area where pesticides are being used to warn the public of any dangers to themselves or their pets.

(4) In the selection of pesticides, give preference to those that will have the least impact on non-target species and on the wilderness environment.

13. Visitor management to protect wilderness wildlife resources

Many wildlife species are sensitive to human encroachments on their ranges. Grizzly bear, bighorn sheep, elk, mountain goat, birds of prey (such as peregrine falcon and bald eagle), other migratory and resident birds, and certain other wilderness wildlife species cannot tolerate excessive human disturbance, particularly during certain seasons of the year.

When necessary to reduce human disturbance to a wildlife species, the administering agency, in coordination with the State agency, may take direct or indirect management actions to control visitor use.

Guidelines

a. Specify in the wilderness management plan the management actions necessary and the agency responsible to reduce conflicts with wildlife.

b. If and when it becomes apparent that public use is significantly degrading the wilderness wildlife resources, limitations on visitor use may be imposed and enforced by the appropriate agency. Any limitations will be applied equitably to all wilderness visitors.

14. Management of fire

The objectives of fire management in wilderness are to: (a) permit lightning-caused fires to play, as nearly as possible, their natural ecological role within wilderness and (b) reduce, to an acceptable level, the risks and consequences of wildfire within wilderness or escaping from wilderness. Fire ignited by lightning will be permitted to burn or will be suppressed as prescribed in an approved plan. Prescribed fires ignited by man may be permitted to reduce unnatural buildup of fuels only if necessary to meet objectives (a) and (b) above. Although additional benefits may result from man-ignited prescribed fire, vegetative manipulation will not be used to justify such fires.

Rangeland Management and Health

General Position Statement and Goals

Federal rangeland management practices affect fire, invasive weeds, rangeland health, fugitive dust, and soil and water quality within the County. These resources and processes do not respect jurisdictional boundaries. Proper management, lack of management, or mismanagement, of federal rangelands therefore has significant spillover effects on County interests. Effective range management practices also support and stabilize range livestock operations within the County. In order to protect public welfare and safety, safeguard a stable local economy, and protect ecological health throughout the County, Humboldt County expects federal land management agencies to conduct ongoing, scientifically informed range management activities on federal lands, executed with the maximum cooperation and coordination allowable under federal law with Humboldt County, local weed, fire, and conservation districts, and grazing permittees.

Consistent with this expectation, a mandate for federal land managers to coordinate range management with state, tribal, and local governments in order to reduce wildfire risk was issued in Executive Order 13855 “Promoting Active Management of Forests, Rangelands, and other Federal Lands to Improve Conditions and Reduce Wildfire Risk.” Humboldt County expects federal agencies to comply with this EO in full, in coordination with the County. [See Section XX Fire and Section YY Invasive Weeds].

The primary goal of range management within the County should be to meet, or at a minimum, make progress toward meeting, agency standards for rangeland health. Beyond this, and consistent with EO 13855, it is Humboldt County’s goal to ensure rangelands within the County are managed so as to reduce the risk of wildfire and subsequent invasive weed infestation, and to ensure maximum resiliency to fire, invasive weeds, and drought.

Humboldt County further expects that, consistent with federal guidance [*Adaptive Management: The U.S. Department of Interior Technical Guide*, 2009; *Department of the Interior: Departmental Manual*. 522 DM 1, Feb. 1, 2008; *Forest Service Handbook 1909.12 Land Management Planning Handbook*, § 41 Adaptive Management Framework] federal agencies will pursue rangeland health goals and objectives by employing an adaptive management approach to range management activities, in cooperation with local governments and grazing permittees.

Specific Positions on Range Management

Definitions and Best Practices

Range management should be an active, ongoing process directed by the establishment of reasonable management goals and objectives for each management unit. That unit may be a grazing allotment, pasture within an allotment, or some other spatially defined administrative unit. *Management goals* should be general statements of the desired direction of change or the

desired condition of resources in the future (BLM TR4400-1, as cited in Swanson et al. 2018). *Management objectives* should define a specific attribute of natural resource conditions that management will try to accomplish, the area or location where this change will occur, and the timeframe to achieve the objective. Rangeland management practices within Humboldt County should:

- ❖ Identify site-specific, measurable, and attainable management objectives for a desirable attribute.
- ❖ Implement an adaptive management strategy. Adaptive management requires that: all parties understand current rangeland conditions; managers correctly identify problematic issues; managers and land users cooperatively address the ecological processes and/or mechanisms that cause those problems by formulating solutions specific to the cause of the problem. Furthermore, managers must implement regular monitoring programs to document the results of those actions and decisions. Managers then adapt subsequent management actions based upon those results.

Ecological Sites and Potential

Consistent with standard range science practices, Humboldt County expects that the basic unit addressed in any rangeland management evaluation or decision will be the ecological site. A properly defined ecological site (e.g. Loamy pp. 8-10) will reference a distinctive plant community that can grow on that site. Beyond a description of the plant community, a site definition must also describe the biomass the plant community on the site can potentially produce (i.e., site potential) as a function of the soils, landform, geological, topographical and climatic features that define the site’s physical characteristics. *Humboldt County expects that all rangeland health objectives, evaluations, and management decisions will clearly identify the geographic boundaries, physical site characteristics, and ecological potential of the management unit, and that all management goals and objectives be set within the biophysical constraints of the ecological site in question.*

States and Transitions

Any ecological site description should include a “reference state.” The reference state is the plant community at “mid-successional stage” of development, i.e. a healthy plant community for that particular site. Reference states should be determined for each site on a case-by-case basis. (For the typical sagebrush-bunchgrass rangelands dominant in Humboldt County, the mid-successional state is roughly 55 to 70% perennial herbaceous species and 30 to 45% shrubs. Wetter areas may have more perennial herbaceous biomass [closer to 70%] while drier locations may have more shrubs [closer to 40-45%]. Salt-desert shrub communities, typically on valley bottoms, tend to tilt toward high shrub composition.)

Ecological sites can transition from their reference state to a less desirable state due to various influences. *It is a goal of Humboldt County to ensure that sites are resilient to external*

influences—drought, fire, invasive annuals, insect infestation, erosion, etc.—that may otherwise result in an undesirable transition.

Maintenance:

The maintenance of an adequate understory of perennial herbaceous species, particularly deep-rooted perennial bunchgrasses, is critical for maintaining the long-term productivity and resilience of the typical sagebrush steppe communities that dominate Humboldt County. In assessing a site, the manager's concern should focus on the majority of desired plants in a management unit, not the lone individual. Deep-rooted bunchgrasses are the most effective deterrent (i.e. provide the best resistance) to invasive annual grasses and other weeds that may permanently decrease overall site productivity and increase the risk of regular catastrophic wildfire. Dominant bunchgrass populations also make a site more resilient to insect defoliation and drought.

A flexible, conscientiously designed grazing regime (see Grazing Management, below; Section XX Livestock Grazing) is integral to maintaining a healthy bunchgrass community. Where monitoring detects a downward trend in bunchgrass populations, inadequate grazing management may or may not be the cause. Careful identification of the causal mechanism is in order. If inadequate grazing management is identified as the cause, adjustments to the grazing regime should be applied (see Grazing Management, below). *Changes in management to maintain site resiliency must address the specific ecological processes and/or mechanisms causing the undesired change. Current livestock grazing should not be the presumed cause of transition. If grazing management is a causal factor, managers should apply adaptive management solutions to adjust the season of use, duration, and distribution of grazing.*

Adequate maintenance requires that a site remain resilient to the inevitable biological and physical pressures that can cause ecological change in a desired plant community. Fire and invasive weeds are major threats to healthy sagebrush steppe (and other) plant communities. In many cases, removing excess vegetation (fine fuel) is a critical means of reducing the risk and intensity of fire, and helps to prevent post-fire invasion by invasive and/or noxious weeds. Managers should apply grazing as a key vegetation management tool, both for bunch grasses and invasive weeds, especially when management goals warrant removing excess vegetation. Providing maximum flexibility in grazing permits (as described in BLM IM 2018-109) facilitates the use of grazing as a targeted vegetation management tool and enhances site resilience to fire and invasive weeds.

Historically Degraded Sites:

Where sites have already transitioned out of their mid-successional stage (e.g. on a typical sagebrush steppe site, the perennial herbaceous component has declined and can no longer competitively exclude shrubs, annual invasive species, or other weeds) management must turn from maintenance to restoration. An adequate assessment will pinpoint the causes of the site's transition as a basis for formulating effective remedies. In some cases, the cause of a site's

transition may have been events that occurred decades or even generations ago and for which changes in current management will not produce the desired outcome. In such situations, it is not appropriate to hold current uses and management accountable for transitions that occurred in the past. Where clearly identified causes of undesirable change are still active and correctable, an adjustment in management should occur.

On a transitioned site where shrubs or invasive annuals are the ecologically dominant species, the balance of vegetative communities typically have stabilized. Bunchgrasses typically will not reestablish as the dominant plant type without substantial human intervention. Restoration of a transitioned site typically requires mechanical intervention (e.g., seeding, brush control, etc.) to reestablish a stable, bunchgrass-dominant state. On historically transitioned sites, competition from shrubs or invasive annuals, not the presence of livestock, is typically the ongoing cause of inadequate bunchgrass communities, especially if the season of use, duration, and distribution of grazing are appropriate. In the restoration of transitioned sites, livestock grazing may be an important management and/or restoration tool to control/manage invasive annual grasses.

Grazing Management

Active, ongoing, scientifically informed grazing management is one of the cornerstones of successful range management on the federal lands and is vital to Humboldt County's livestock-dependent economy. Humboldt County expects federal land management agencies to recruit qualified range scientists (meeting the federal Office of Personnel Management [OPM] Range Management Series, 0454 Individual Occupational Requirements) who can demonstrate professional expertise in the science of grazing management. With a view to ensuring the most current and effective grazing management techniques are in use, Humboldt County strongly encourages the BLM and Forest Service to pursue an interdisciplinary approach to grazing management with other experts in the field. This includes: rangeland resource faculty at the University of Nevada, Reno, and the University of Nevada Cooperative Extension; the USDA ARS Great Basin Rangelands Research Unit in Reno, Nevada, and the Eastern Oregon Agricultural Research Center, in Burns, Oregon; the Society for Range Management; the BLM's National Riparian Service Team (NRST); grazing permittees; local conservation districts; and other qualified parties.

Consistent with well-established grazing management research [reviewed in Heitschmidt and Stuth 1991; Vavra et al. 1994; Briske and Richards 1995; Vallentine 2001], Humboldt County agrees that "grazing" does not refer to a single action but is a managed process that involves many variables. Specifically, the outcome of grazing for plants, habitat, soil, and the grazing animal itself is a function of the *season of use* (plant growth stage during grazing), *grazing duration* in the management unit, and *grazing distribution*. Range managers should recognize that there are hundreds of potential combinations of these variables for any management unit. Effective range management requires the ongoing adjustment of these variables (together with the physical and non-physical range improvements necessary to execute adjustments) to achieve appropriate resource use as defined by management goals and objectives.

Season of Use: Grazers may consume plants at leaf emergence, during slow (early) or rapid (late) vegetative growth, just before (boot stage) or after seed heads emerge, when seeds are developing, at seed shatter and dissemination, or when the plant is dormant. During dormancy, the only physiological active parts of the plant are at or below the soil surface; the standing forage present during dormancy does not provide any physiological benefit to the plant. Therefore, buds and roots remain largely unaffected by grazing dormant vegetation unless standing feed is removed down to the root crown, or very intense trampling and physical damage to the buds occurs. Grazing dormant growth may also be an important vegetation management tool.

During the season of active growth—beginning with leaf emergence and ending with seed production—the plant consumes energy reserves to create new leaves (i.e., leaf emergence to the 2-3 leaf stage) and later stores the energy that will keep roots and buds alive during dormancy and allows buds to produce the initial leaves the next growing season. Year-on-year grazing during the entire growth period in a manner that annually removes half or more of the leaf material (particularly toward the latter half of the growth period) is typically the cause of overgrazing. While healthy plants typically can withstand one year of heavy use (>60% leaf removal) during the growing season, plants exposed to this situation for two or more consecutive years have a dramatically increased risk of being overgrazed.

Humboldt County supports the implementation of periodic full or partial non-use on individual pastures during the growing season through some type of rest rotation or deferred rotation grazing system. These are the common and accepted management actions to prevent continuous growing season grazing on individual pastures for multi-year periods.

Grazing Duration: The length of time that livestock have access to a pasture is called “grazing duration.” As grazing duration increases, the probability increases that livestock will graze each plant two or more times. Multiple defoliation events are more likely when long grazing periods overlap the period of active growth because new leaf material develops rapidly and new growth is always more palatable and nutritious than older standing forage. Typically, multiple defoliations increase the risk of removing 50 to 60% or more of the leaf area. Thus, the risk of permanent injury to the plants increases when a long grazing period overlaps much of the growing season, and particularly during the back-half of the growing season. The risk of multiple defoliations can be mitigated with livestock distribution (see below). Poor distribution of livestock can create management problems even when the duration of the grazing period is appropriate. By contrast, aggressive livestock distribution through herding and other methods may facilitate longer grazing duration in a unit.

In the second half of the growing period, grazing duration becomes especially important. During this growth stage, there is only a short period during which the plants can recover (regrow) from grazing. This is because soil moisture is declining rapidly and there is a decreasing probability of a precipitation event large enough to recharge the soil profile and lengthen the growing season. Year-on-year short recovery windows during this important period (or ongoing grazing) do not allow for sufficient leaf growth to create enough stored energy (carbohydrates from photosynthesis) to adequately meet future plant needs.

In short, wherever it is feasible during the growing season, frequent rotations with shorter grazing duration in multiple management units are preferable. Consistent with the Public Rangelands Improvement Act [43 U.S.C. § 1751(b)(1)] Humboldt County views range improvements such as cross fencing and water distribution pipelines as essential to effective range management, and as providing the necessary infrastructure for rotational grazing systems.

Grazing Distribution: “Grazing distribution” refers to grazing all or most of a management unit moderately through scattering or frequent herd movement, as opposed to grazing one area of a management unit intensely. Adequate grazing distribution is supported through water distribution, appropriate selection and placement of mineral supplements, active herding, riparian fencing, and other techniques. Overgrazing in specific areas—especially in zones where livestock are apt to congregate like riparian areas—is usually due to a failure to adequately distribute livestock. Where livestock distribution issues are impacting rangeland health goals and objectives, appropriate adaptive solutions should seek to enhance distribution. Cutting stocking rates or onerous rest schedules are inappropriate responses and will not likely remedy a distribution problem.

In summary, grazing management issues are best solved by rotating season of use, adjusting duration of use as appropriate to season, and implementing livestock distribution strategies. By contrast, reducing livestock numbers will not solve a grazing problem when the underlying cause is excessive duration during the growing season for consecutive years or failing to adequately distribute livestock across a unit. *Grazing management solutions should always focus on adapting grazing strategies to alleviate the mechanistic cause of a problem, not on administrative remedies that substitute wholesale reductions or elimination of grazing for adaptive management solutions.*

A good assessment tool that integrates the season, duration, and intensity variables needed to predict the potential effects of grazing is the Grazing Response Index (*Nevada Rangeland Monitoring Handbook 3rd edition*, p. 48).

Forage Utilization vs Stubble Height

It is Humboldt County’s view that proper range management must begin with the proper application of scientific concepts. “Forage utilization” appropriately refers to the percentage of a plant’s growth that is consumed or damaged during the growing season (i.e., material the plant cannot recruit to photosynthesize at or close to its potential) [Frost et al. 1994; Laycock 1998; Smith et al. 2005]. By contrast, how much of the available forage grazers consume after the plants have completed their annual growth cycle and stored sufficient energy reserves (i.e., grazing post-growth or dead vegetation) is largely irrelevant from a plant health perspective. *The correct and useful application of the forage utilization concept only occurs when managers apply the concept as a growing season assessment tool. This permits a correct understanding of how grazing animals likely affected plant physiological processes that growing season, and how grazing management may need to change (but perhaps not all) to maintain a large population of robust plants with large, deep root systems.*

In contrast to forage utilization, perennial herbaceous vegetation that remains in a management unit after the plants have completed their lifecycle is “residual vegetation,” typically referred to as “stubble” for erect plant material standing above the root crown, and as “plant litter,” when it lies prostrate on or just above the soil surface. Consumption (use) of residual vegetation should not be confused with forage utilization because grazing residual vegetation creates no physiological impacts on the plant—unless plants are grazed down to the root crown. However, some amount of standing stubble (and surface plant litter) may have other resource values and be needed to achieve soil stability and/or proper function of the site. Stubble height requirements, where stipulated, must be constrained by a site’s potential and based on necessary and realistic management goals and objectives; there is no universally appropriate stubble height that can be applied across diverse management sites. Stubble height requirements should not frustrate fuel management goals.

Rangeland Monitoring

Humboldt County recognizes that monitoring is critical to effective range management, and for meeting rangeland health goals and objectives within a multiple use management framework. Federal agencies are responsible for developing monitoring programs. Humboldt County expects that federal agencies will actively involve grazing permittees as cooperative partners in rangeland monitoring within the County. Monitoring efforts within the County should be guided by the framework provided by the *Nevada Rangeland Monitoring Handbook* (Swanson et al. 2018, third edition) and its companion, the *Rancher’s Monitoring Guide* (Perryman et al. 2006) which were collaboratively co-authored and approved by the BLM and the Forest Service, among other federal and state agencies.

The Nevada Rangeland Monitoring Handbook and its companion, the Ranchers Monitoring Guide, describe the inventory, assessment, and long- and short-term monitoring processes and techniques in detail. As these manuals make clear, inventory, assessment, and long- and short-term monitoring are distinct processes, and are not interchangeable.

Humboldt County strongly endorses cooperative permittee monitoring. Both the BLM and the Forest Service have signed MOUs with the Public Lands Council stating their commitment to working cooperatively with grazing permittees as monitoring partners (see *Nevada Rangeland Monitoring Handbook*, pp. 57-72). Further, the Nevada State Office of the BLM and the U.S. Forest Service (Humboldt-Toiyabe National Forest) have signed MOUs (BLM-MOU-NV910-9264-2018-001; 18-MU-11041730-003, respectively) with the Nevada Cattlemen’s Association endorsing permittee/agency cooperative monitoring within an adaptive management framework. Humboldt County expects all provisions of these MOUs to be honored, and strongly encourages federal agency personnel to work with grazing permittees to fill out the Cooperative Monitoring Agreement Template in the *Handbook* (pp. 55-6) to initiate individual cooperative agency/permittee monitoring plans.

Adaptive Management

Consistent with federal guidance and with this document (See General Position Statements, above; Section XX Livestock Grazing), Humboldt County strongly endorses adaptive management and expects federal rangelands within the County to be managed according to an adaptive management approach.

Rangelands are dynamic biophysical landscapes influenced by numerous ecological process that often have large variability between years, but also across decadal or longer cycles. *Long-term static management on dynamic biophysical systems ultimately results in management failure.* These failures cause a decline in resource condition, resistance and resilience to environmental fluctuation, less productive landscapes, and economic hardship for local economies. Adaptive management is the continual process of adjusting management (not eliminating uses) due to changing management situations and resource conditions, and improved knowledge (learning) about those situations, due to properly collected monitoring data. *Both short- and long-term monitoring data are critical components for successful implementation of adaptive management on rangelands. Long-term successful management of rangelands in Humboldt County requires the application of adaptive management.*

Humboldt County expects federal land managers to work in coordination with grazing permittees, fire, weed, and conservation districts, and the County as partners in adaptively managing and monitoring rangelands within the County. [See Section XX Livestock Grazing, Section XX Fire].

Summary

“Rangeland health” refers to the overall biophysical status of a unit of rangeland. The process of assessing rangeland health is a critical first step toward effective range management. However, a rangeland health assessment should never be confused with *range management*, which necessarily involves *accurate diagnosis* of the causes of resource problems, with a view to subsequent actions, like:

- making targeted grazing and other management adjustments;
- ongoing resource monitoring and tracking trend of the resource condition;
- ensuring that ecological sites are managed to minimize risk of fire, and are resistant to invasive species and resilient to fire and other disturbances (Pellant et al. 2005).

Where rangeland health issues are identified, adaptive range management is the most effective and appropriate response. By contrast, responding to rangeland health issues with administrative decisions that foreclose on land uses is effectively a decision to not manage the resource for multiple use, while creating undue hardship on land users and the local economy. Humboldt County will continue to engage with federal agencies as a strong and active partner to ensure that rangelands within Humboldt County meet management goals while sustaining important land uses.

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Sheldon National Wildlife Refuge

The Sheldon National Wildlife Refuge (the “Refuge”) occupies 572,896 acres of federal land in northwest Nevada, the vast majority of which is located in Humboldt County. It is managed by the U.S. Fish and Wildlife Service (the “Service”). The surrounding landscape on which the Refuge is situated is primarily owned by the federal government (under BLM management) or by private landowners. Management of the Refuge has direct impacts on County interests, including public health, safety, and welfare. Specifically, Refuge management decisions directly impact: wildfire risk on the greater landscape; availability of economically important recreational activities; the presence and control of invasive species on the greater landscape; regional species conservation efforts; the economic stability of Humboldt County. These landscape-scale impacts notwithstanding, over time, the Service has engendered a culture of closed-door management on the Refuge that has tended to exclude local neighbors, local partners, and local government agencies, including the County. One purpose of this chapter is to reverse this pattern, ensuring that the County maximizes opportunities to participate in Refuge management decisions, and fosters a culture of intergovernmental cooperation between the Service and the County. While the natural resource-specific chapters of this Plan (e.g. Wildfire Prevention and Management) apply to all public lands within Humboldt County including the Refuge, this chapter has been added to the Plan to supplement the natural resource-specific chapters and focus specifically on the Refuge.

Humboldt County is also cognizant of a shift in Refuge management away from wildlife-dependent recreation that uses motorized access and toward primitive, unmotorized recreation in wilderness settings. The Service’s bias toward unmotorized recreation favors a small, elite minority of recreationists who are privileged to have the health, physical ability, appropriate age, necessary equipment and training, and leisure time to trek miles onto the Refuge on foot to enjoy what the Refuge has to offer, while excluding the vast majority of visitors. Humboldt County strongly supports a Refuge Management direction that makes the vast majority of the Refuge accessible to the majority of visitors, without prejudice to age, disability, or financial resources, with an emphasis on maintaining road access and areas open to wildlife-dependent recreation opportunities on the Refuge.

Humboldt County is aware that management of the Refuge must adhere to the National Wildlife Refuge System Administration Act, the National Wildlife Refuge Improvement Act, the National Environmental Policy Act (NEPA), and other federal statutes, regulations, and directives including:

- ❖ Executive Order 12996: Management and General Public Use of the National Wildlife Refuge System
- ❖ Executive Order 13855: Promoting Active Management of America’s Forests, Rangelands, and Other Federal Lands to Improve Conditions and Reduce Wildfire Risk
- ❖ Executive Order 13352: Facilitation of Cooperative Conservation
- ❖ Executive Order 20070817: Facilitation of Hunting Heritage and Wildlife Conservation
- ❖ Secretarial Order 3372: Reducing Wildfire Risks on Department of the Interior Land Through Active Management
- ❖ Secretarial Order No. 3336: Rangeland Fire Prevention, Management, and Restoration

FINAL DRAFT—APPROVED

- ❖ Guidance for Implementation of Federal Wildland Fire Management Policy (Interagency Wildland Fire Leadership Council. Feb. 13, 2009)
- ❖ Department of Interior Manual Part 620, Chapter 6: Fuels Management
- ❖ 43 CFR Part 46—Implementation of the National Environmental Policy Act
- ❖ Department of Interior Manual Part 516 Chapter 1—Protection and Enhancement of Environmental Quality
- ❖ Department of Interior Departmental Manual Part 516 Chapter 8—Managing the NEPA Process—U.S. Fish and Wildlife Service

Goals

- ❖ A culture of intergovernmental cooperation between the County and the Service.
- ❖ All lands within the Refuge boundaries meet joint intergovernmental objectives for fire resistance and resilience. (See Chapter XX Wildfire Prevention and Management).
- ❖ All appropriate methods of fuels management are utilized on Refuge lands.
- ❖ Increased opportunities and access for wildlife-dependent recreation on Refuge lands.
- ❖ “Coordination, interaction, and cooperation” w/ adjacent landowners and the Nevada Department of Fish and Wildlife (“NDOW”) consistent with 16 U.S.C. 668dd(a)(4)(E).
- ❖ Meet goals in Chapter XX Wildfire Prevention and Management as they pertain to Refuge.
- ❖ Inclusion of livestock grazing in scope of Refuge CCP.
- ❖ Reintroduction of livestock grazing on the 539,000 acre refuge unit established under E.O. 7522 as appropriate.

Objectives

- ❖ County and the Service conduct a minimum of four coordination meetings annually.
- ❖ Service invites County (consistent with 43 CFR § 46.225(b)) to participate as a cooperating agency on all NEPA EIS projects and (as per County request below) on relevant EA projects.
- ❖ Service compliance with all NEPA regulations and guidance, including cooperating agency participation and consistency review with local land use plans.
- ❖ Service management of cooperating agency relationships according to 43 CFR § 46.225-46.230.
- ❖ Service coordination with County on all qualifying categorically excluded natural resource actions consistent with Department of Interior Departmental Manual Part 516 Chapter 8.
- ❖ Service participation in annual County pre fire-season meeting.
- ❖ Service implementation of active fuels management regimes consistent with Executive Order 13855 and Secretarial Order 3372.
- ❖ Integrate targeted and/or treatment grazing into Refuge fuels management regime.
- ❖ Integrate grass banking into approved Refuge activities.
- ❖ Meet all objectives in Chapter XX Wildfire Prevention and Management.

Policies and Positions

Coordination, Cooperation, and Consultation with the County and other Parties

Humboldt County is aware that the Service is required by various statutes, regulations, and guidance to coordinate, cooperate, and consult with local governments, local landowners, and the Nevada Department of Fish and Wildlife (NDOW) in a variety of instances. Humboldt County expects that all such requirements for intergovernmental and/or local community interaction will be affirmatively met by the Service, consistent with the applicable authority. Notably, Congress requires that the Secretary, in administering the System:

“ensure effective coordination, interaction, and cooperation with owners of land adjoining refuges and the fish and wildlife agency of the States in which the units of the System are located.”

16 U.S.C. 668dd(a)(4)(E)

Further, the Department of Interior Manual 516 DM 1 states that all Interior agencies doing NEPA for plans and programs shall engage in “Consultation, coordination, and cooperation with other agencies and organizations” as follows:

- (1) Officials responsible for planning or implementing Departmental plans and programs will develop and utilize procedures to consult, coordinate, and cooperate with relevant State, local, and tribal governments; other bureaus and Federal agencies; and public and private organizations and individuals concerning the environmental effects of these plans and programs on their jurisdictions or interests. Such efforts should, to the extent allowed by law and in accordance with the Federal Advisory Committee Act (FACA), include consensus-based management whenever possible. This is a planning process that incorporates direct community involvement into bureau activities from initial scoping through implementation of the bureau or office decision and, in practicable cases, monitoring and future adaptive management measures. All bureau NEPA and planning procedures will be made available to the public.
- (2) Bureaus and offices will use, to the maximum extent possible, existing notification, coordination, and review mechanisms established by the Office of Management and Budget and CEQ. However, use of these mechanisms must not be a substitute for early consultation, coordination, and cooperation with others, especially State, local, and tribal governments.
- (3) Bureaus and offices are encouraged to expand, develop, and use new forms of notification, coordination, and review, particularly by electronic means and the Internet. Bureaus are also encouraged to stay abreast of and use new technologies in environmental data gathering and problem solving. (516 DM 1, emphasis added.)

Last, the current Refuge CCP states:

“Coordination with Tribal, State, and County Governments: Regular communication with Native American Tribes that are affected or that have an interest in the management of Sheldon Refuge will continue to occur under all alternatives. Tribes that Sheldon Refuge would coordinate and consult with on a regular basis regarding issues of shared interest include the Burns Paiute Tribe, Fort Bidwell Paiute Tribe, Cedarville Rancheria Paiute Tribe, Fort McDermitt Paiute and Shoshone Tribe, and Summit Lake Paiute Tribe.

Similarly, under all alternatives, the Service would continue to maintain regular discussions with Washoe and Humboldt county commissioners, the State of Nevada, and to a lesser degree Lake County and the State of Oregon. State agencies include Nevada Department of Wildlife (NDOW), Oregon Department of Fish and Wildlife, and Nevada Department of Transportation. Key topics for discussion would include road maintenance, wildlife monitoring, big-game management, hunting and fishing seasons and regulations, and endangered species management,” (CCP, 2012, p. 2-3).

It is the policy of Humboldt County to coordinate, cooperate, and consult with the Service on all Refuge management actions that may affect matters of local concern within the County’s statutory purview, including public health, safety, and welfare. This policy is consistent with Executive Order 13352 Facilitation of Cooperative Conservation. The purpose of E.O 13352 is “to ensure that the Department of the Interior ... implement(s) laws relating to the environment and natural resources in a manner that promotes cooperative conservation, with an emphasis on appropriate inclusion of local participation in Federal decisionmaking...” Specifically, E.O. 13352 states that the Secretary of the Interior shall carry out the programs, projects and activities of Interior agencies in a manner that:

- ❖ “properly accommodates local participation in federal decision making;”
- ❖ “provides that the programs, projects, and activities are consistent with protecting public health and safety.”

Humboldt County expects early notification by the Service to participate in all coordination, cooperation, and consultation opportunities, including early inclusion in NEPA project teams and decisionmaking.

NEPA

Humboldt County is aware that the Refuge is required to conduct appropriate NEPA analysis for Comprehensive Conservation Plans (CCPs) as well as for qualifying proposed actions and projects. NEPA compliance of the U.S. Fish and Wildlife Service is primarily delineated by:

- ❖ CEQ NEPA Regulations (40 CFR 1500-1508)
- ❖ Department of Interior NEPA Regulations (43 CFR 46)
- ❖ Department of Interior Department Manual Chapter 1: Protection and Enhancement of Environmental Quality (516 DM 1)
- ❖ Department of Interior Department Manual Chapter 8: Managing the NEPA Process—U.S. Fish and Wildlife Service (516 DM 8)

Cooperating Agency Involvement

The County’s general positions and policies regarding cooperating agency status are set forth in [Chapter. XX Framework]. Here, the County notes additional positions and policies that pertain to cooperating agency status specifically in the context of NEPA conducted by the Service.

❖ County Qualifies as a Cooperating Agency

- Humboldt County is a local government with “special expertise” (i.e. statutory responsibility, agency mission, and related program experience) in protecting and enhancing public health, safety, and welfare within the County. As such, Humboldt County qualifies as an eligible government entity for cooperating agency status under 43 CFR 46.225. It is therefore Humboldt County’s policy, at its discretion, to participate as a cooperating agency on all EISs pertaining to Refuge lands and resources. The County expects the Service to affirmatively extend an invitation to the County to participate consistent with Department of Interior regulations:

“[T]he Responsible Official for the lead bureau *must* invite eligible governmental entities to participate as cooperating agencies when the bureau is developing an environmental impact statement.”

43 CFR 46.225(b) (Emphasis added.)

In certain cases, the County may additionally qualify as a cooperating agency through having jurisdiction by law relevant to the area of NEPA analysis.

❖ Cooperating Agency Participation on Environmental Assessments

- Humboldt County is aware that the Service may extend cooperating agency status to the County in the development of environmental assessments (EAs) (43 CFR 46.305(d)). Humboldt County hereby officially requests that the Service timely extend an invitation to the County to participate on all future Refuge EAs as a cooperating agency.

❖ Scope of Cooperating Agency Participation

- Humboldt County is aware that cooperating agencies play a substantive role in all stages of the NEPA process—from early identification of scoping issues to evaluating alternatives. Consistent with 43 CFR 46.230, Humboldt County expects that it will be afforded the full scope of participation as a cooperating agency by the Service. If the County finds that the Service is not affording the County a substantive role in the NEPA process as a cooperating agency consistent

with federal regulations, the County may seek remedy by: addressing the issue at higher levels of U.S. Fish and Wildlife Service or the Department of Interior, through consultation with congressional representatives, or through legal action.

- ❖ Early Coordination with Government Entities Eligible for Cooperating Agency Status
 - Consistent with 43 CFR 46.200(a)(1&2), Humboldt County expects that the Service will coordinate with the County “as early as feasible” on proposed actions that may have potentially significant effects. CEQ guidance clarifies that early contact with eligible government agencies should include local governments with special expertise in environmental, economic, or social impacts:

“It is incumbent on Federal agency officials to identify as early as practicable in the environmental planning process those [...] local agencies that have jurisdiction by law and special expertise with respect to all reasonable alternatives or significant environmental, social, or economic impacts associated with a proposed action that requires NEPA analysis.”

CEQ Memorandum for the Heads of Federal Agencies: Cooperating Agencies in Implementing the Procedural Requirements of the National Environmental Policy Act, January 30, 2002.

NEPA Consultation, Coordination, and Cooperation

Humboldt County is aware that federal regulations require the Service to engage in “consultation, coordination, and cooperation” with local governments—regardless of whether they are cooperating agencies—as follows:

“The Responsible Official must wherever possible consult, coordinate, and cooperate with relevant State, local, and tribal governments ... concerning the environmental effects of any federal action within the jurisdiction or related to the interests of these entities.”

43 CFR 46.115

Humboldt County expects to consult, coordinate, and cooperate with the Service throughout the NEPA process to ascertain any environmental effects of all alternatives and subsequent approved actions on the Refuge that may affect public health, safety, and welfare, including but not limited to: fuels management, coordinated firefighting, post-fire restoration, controlled burns, air quality, recreation access, invasive species control, species conservation efforts, introduction or reintroduction of plant or animal species.

Categorical Exclusions: Coordination with Local Governments

Humboldt County is aware that Department of Interior guidance (516 DM 8) requires the Service to coordinate with Humboldt County regarding categorically excluded resource management actions. (“Prior to carrying out these actions, the Service should coordinate with affected Federal agencies and State, tribal, and local governments.”) Service coordination with Humboldt County is required for, but not limited to, the following categorically excluded actions:

- ❖ Prescribed burning
- ❖ Fire management activities (including prevention and restoration measures)
- ❖ Reintroduction of native, formerly native, or established species
- ❖ Construction of small berms or dikes
- ❖ Minor changes in the amounts of public use on Service-managed lands
- ❖ Minor changes in existing plans
- ❖ New or revised site, unit, or activity specific plans, including fire management plans

It is the policy of Humboldt County to coordinate with the Service on all qualifying categorically excluded resource management actions that potentially affect public health, safety, or welfare as defined by the County. Humboldt County expects that the Service will timely notify the County of all proposed categorically excluded natural resource actions and affirmatively seek coordination with the County consistent with 516 DM 8.

NEPA Local Government Plan Consistency Review

Humboldt County is aware that NEPA requires the Service to prepare a consistency review as a component of an EIS. Specifically, CEQ regulations require that an EIS “Environmental Consequences” evaluation shall discuss:

- ❖ “possible conflicts between the proposed action and the objectives of Federal, regional, State, and local (and in the case of a reservation, Indian tribe) land use plans, policies and controls for the area concerned. (See § 1506.2(d)).” 40 CFR 1502.16(a)(5).

CEQ regulations for elimination of duplication with state and local procedures further requires disclosure of:

- ❖ “any inconsistency of a proposed action with any approved state or local plan and laws (whether or not federally sanctioned). Where an inconsistency exists, the [EIS] should describe the extent to which the agency would reconcile its proposed action with the plan or law.” 40 CFR § 1506.2(d).

Humboldt County expects all EISs prepared by the Service pertaining to lands within the County’s boundaries or otherwise affecting the County’s interests to feature a consistency review with this Plan and other relevant County plans. Consistency of actions and/or alternatives should

be determined through a consultation with the County Board of Commissioners or its representative. Failure by the Service to include a consistency review in an EIS will be viewed by the County as a violation of NEPA. In such cases, the County may seek legal remedy.

It is Humboldt County's position that the Service should make all practicable efforts to reconcile inconsistencies of final NEPA decisions with this Plan and other relevant County plans. (Resolution may include mitigation of negative impacts to the County.) In the event that consistency is not achieved, Humboldt County may seek resolution through the Department of Interior Office of Collaborative Action and Dispute Resolution.

Refuge Wildfire Prevention and Management

This section supplements, and should be read in conjunction with, Chapter XX Wildfire Prevention and Management. All County goals, objectives, policies, and positions stated in Chapter XX apply to wildfire prevention and management on the Refuge.

Fuels management on the Refuge

A sharp increase in the size and frequency of catastrophic wildfires within Humboldt County makes proactive, effective fuels management on the Refuge a priority, both for the protection of public health, safety, and welfare, as well as for the protection and environmental integrity of the greater landscape. Recent directives from the President, the Secretary of the Interior, and the Interagency Wildland Fire Leadership Council require the Service to pursue ongoing, active fuels management on the Refuge in cooperation with local governments, rangeland fire protection associations (RFPAs), and independent contractors:

- ❖ Executive Order 13855: Promoting Active Management of America's Forests, Rangelands, and Other Federal Lands to Improve Conditions and Reduce Wildfire Risk
- ❖ Secretarial Order 3372: Reducing Wildfire Risks on Department of the Interior Land Through Active Management
- ❖ Guidance for Implementation of Federal Wildland Fire Management Policy (All agencies. Interagency Wildland Fire Leadership Council. Feb. 13, 2009)
- ❖ Department of Interior Manual 620 DM 6: Fuels Management
- ❖ Department of Interior Manual 604 DM 2: Conservation and Restoration of the Sagebrush Biome

It is the policy of Humboldt County to support, and seek to ensure, that all viable forms of fuel treatments are utilized as a means of ensuring landscapes within the County meet joint intergovernmental objectives for fire resistance and resilience. Further, it is the policy of Humboldt County, consistent with Department of the Interior Guidance, to coordinate with the Service on all fuels management activities to achieve best outcomes:

“Fuels management activities shall [...] [c]oordinate with other federal and nonfederal partners (e.g. communities and tribal, state and local governments) to achieve the greatest social, economic, and ecosystem benefit.”

Department of Interior Manual 620 DM 6 p. 1-2

Policies and Positions for Specific Fuels Management Issues:

Livestock Grazing and Fuels Management

Livestock grazing is the only existing landscape-scale fuels management tool and has been recognized by the Secretary of Interior (Secretarial Order 3372) as an important means of reducing wildfire risk. Grazing is also a “refuge purpose” on 539,000 acres of the Refuge pursuant to E.O. 7522 and the National Wildlife Refuge System Administration Act (16 U.S.C. 668ee(10)). Grazing was terminated on all areas of the Refuge in 1994 and has not been resumed. Furthermore, grazing is not considered in the 2012 Refuge Comprehensive Conservation Plan (CCP); the CCP states that grazing is “outside the scope” of the plan. It is the policy of Humboldt County to support resumption of livestock grazing on the Refuge consistent with E.O. 7522 and 16 U.S.C. 668dd(a)(4)(d). Because livestock grazing continues to be a valid refuge purpose and is a critical means of fuels management, it is Humboldt County’s position that:

- 1) Livestock grazing should resume on the Refuge to the extent that approved grazing activities are consistent with E.O. 7522 and the National Wildlife Refuge System Administration Act;
- 2) Livestock grazing should be incorporated into subsequent Refuge planning documents.

Grass Banking

Humboldt County is aware that many refuges within the Refuge System make forage resources available to local ranchers when natural events (e.g. fire) make customary grazing resources unavailable or when grazing is otherwise considered beneficial for fuels treatment or other purposes. Because grass banking is a mutually beneficial arrangement that benefits both ranchers and the Refuge and its purposes, it is Humboldt County’s policy to support grass banking on the Refuge and the incorporation of grass banking into the Refuge CCP.

Coordination for Categorically Excluded Fire Activities

- ❖ Prescribed Burning

Consistent with Chapter XX Wildfire Prevention and Management, Humboldt County opposes prescribed burning as a fuels management tool within the County when conditions are not optimal, or where effective alternatives exist. Consistent with Department of Interior Manual 516 DM 8, Humboldt County expects that the Service will coordinate with the County prior to carrying out prescribed burns.

❖ Fire Management Activities

Consistent with Department of Interior Manual 516 DM 8, Humboldt County expects that the Service will coordinate with the County prior to undertaking any fire management activities, including prevention and restoration measures.

❖ Issuing New or Revised Fire Management Plans

Consistent with Department of Interior Manual 516 DM 8, Humboldt County expects that the Service will coordinate with the County prior to issuing new or revised fire management plans (including for minor changes).

Wildlife-Dependent Recreation

The Refuge is an invaluable resource to Humboldt County residents and visitors alike as a destination for recreational activities. Traditional recreational activities, like hunting and sport fishing, are integral to Humboldt County’s rural custom and culture. Recreational tourism on the Refuge also makes an essential contribution to Humboldt County’s economy. It is the policy of Humboldt County to support recreation—specifically wildlife-dependent recreation—on the Refuge, and further, to seek to ensure that the Service facilitates opportunities for wildlife-dependent recreation on the Refuge without prejudice to age, disability, or financial resources, with an emphasis on maintaining road access and areas open to wildlife-dependent recreation opportunities on the Refuge.

Under Executive Order 12996, “wildlife-dependent recreation” as it pertains to the System is defined as: hunting, fishing, wildlife photography and observation, and environmental interpretation and education. Subsequent amendments to the National Wildlife Refuge System Administration Act state it is the policy of the United States that:

- ❖ “[C]ompatible wildlife-dependent recreation is a legitimate and appropriate general public use of the System.” 16 U.S.C. 668dd(a)(3)(B) (emphasis added).
- ❖ “[C]ompatible wildlife-dependent recreational uses are the priority general public uses of the System and shall receive priority consideration in refuge planning and management.” 16 U.S.C. 668dd(a)(3)(C) (emphasis added).

FINAL DRAFT—APPROVED

- ❖ “[W]hen the Secretary determines that a proposed wildlife-dependent recreational use is a compatible use within a refuge, that activity should be facilitated...” 16 U.S.C. 668dd(a)(3)(D) (emphasis added).

Further, in administering the System, the Secretary shall:

- ❖ [P]rovide increased opportunities for families to experience compatible wildlife-dependent recreation, particularly opportunities for parents and their children to safely engage in traditional outdoor activities, such as fishing and hunting.” 16 U.S.C. 668dd(a)(4)(K) (emphasis added).

Congress has further determined that:

- ❖ “When managed in accordance with principles of sound fish and wildlife management and administration, fishing, hunting, wildlife observation, and environmental education in national wildlife refuges have been and are expected to continue to be generally compatible uses.” Public Law 105-57, Sec. (2)(6).

Maintaining Areas Open to Hunting and Fishing

It is the policy of Humboldt County to seek to ensure that areas historically open to hunting and fishing on the Refuge remain open, accessible, and viable for such use. Closures of hunting and/or fishing areas—and decisions to hydrologically alter fisheries—should only be made in emergency situations with a clear timeline for reopening, or in the rare instance in which hunting or fishing has been definitively proven to have substantive, measurable, and unavoidable negative impacts on wildlife resources. Mitigation measures, where available, should be preferred to closures. Fishing and/or hunting areas should not be closed (or if a fishery, hydrologically altered) for reasons that are vague, hypothetical, avoidable, or not based in sound science.

Humboldt County is aware that, ultimately, the Service has authority to determine what areas of the Refuge are open to hunting and fishing, and on what terms access shall be granted. However, federal statute and regulations clarify that in exercising this authority, the Service must not act in isolation, but with reference to NDOW and Nevada law:

“For those Federal lands that are already open for hunting, fishing, or trapping, closure authority shall not be exercised without prior consultation with the effected States, except in emergency situations.”

43 CFR 24.4(i)(4)

Moreover, the Refuge is required to comply with Executive Order 20070817: Facilitation of Hunting Heritage and Wildlife Conservation, which requires federal agencies to:

- (a) Evaluate the effect of agency actions on trends in hunting participation and, where appropriate to address declining trends, implement actions that expand and enhance hunting opportunities for the public;
- (b) Consider the economic and recreational values of hunting in agency actions, as appropriate;
- (c) Manage wildlife and wildlife habitats on public lands in a manner that expands and enhances hunting opportunities, including through the use of hunting in wildlife management planning;
- (d) Work collaboratively with State governments to manage and conserve game species and their habitats in a manner that respects private property rights and State management authority over wildlife resources.

E.O. 20070817

Significant nonemergency closures to hunting and fishing areas (or decisions to hydrologically alter fisheries) should be reviewed under NEPA with appropriate public notification and participation. Humboldt County expects to be timely notified by the Service of any such NEPA process and will participate as a cooperating agency pursuant to 43 CFR 46.225(b).

When a change in wildlife-dependent recreation availability is sufficiently minor to be categorically excluded under NEPA, the Department of Interior NEPA manual for the Fish and Wildlife Service requires the Service to “coordinate” with local government on “[m]inor changes in the amounts of public use on Service-managed lands” (516 DM 8, 8.5(B)(7)). Consequently, the County expects that the Service will affirmatively coordinate with the County when contemplating any minor CE-level change in the amount of wildlife-dependent recreation on the Refuge.

Sport Fisheries

It is the policy of Humboldt County to seek to ensure ongoing availability of, road access to, maintenance of, and stocking of all sport fisheries on the Refuge (i.e. Dufferrena Ponds, Big Springs Reservoir, Catnip Reservoir). Such actions ensure that quality recreational fishing opportunities on the Refuge are “facilitated” [16 U.S.C. 668dd(a)(3)(D)] for a broad range of visitors, including day-users, children, the elderly, and the disabled. Wherever possible, the Service should “increase opportunities” for sport fishing, pursuant to 16 U.S.C. 668dd(a)(4)(K). The County will oppose the draining of reservoirs or other actions taken by the Service that frustrate wildlife-dependent recreation and diminish opportunities for a broad range of visitors to enjoy fishing on the Refuge.

The County also strongly supports the stocking of sport fisheries on the Refuge with non-invasive, non-native species (e.g. Rainbow Trout) with a view to facilitating and increasing wildlife-dependent recreation. Under 516 DM 8, 8.5(B)(6), the Service should coordinate with the County before “[t]he reintroduction or supplementation (e.g. stocking) of native,

formerly native, or established species into suitable habitat within their historic or established range, where no or negligible environmental disturbances are anticipated.”

Road Access

Maintaining an extensive system of roads on the Refuge is essential for the unbiased support of public wildlife-dependent recreation. Children, the elderly, the disabled, and those without the time or means to trek on foot into the remote back country depend on road access to enjoy wildlife-based activities. Roads are also essential for rapid response in fire control, search and rescue operations, and for effective invasive species management—all matters that affect public health, safety, and welfare within the County. It is therefore the policy of Humboldt County to seek to ensure that existing roads on the Refuge remain open and are maintained as necessary. Specifically:

- ❖ All currently existing roads should remain open unless measurable, definitive proof indicates that the use of a particular road undermines refuge purposes. Where mitigation measures are available, mitigation is preferable to closure.
- ❖ Any road closures should be made on a case-by-case basis.
- ❖ Where closures occur, the fewest number of roads possible should be closed. Seasonal closures are preferable to permanent closures. Closed roads should be reopened if conditions permit.
- ❖ Roads should be maintained as necessary for recreational use and public safety. Humboldt County will co-operate with the Refuge on maintenance issues if staffing shortages inhibit timely maintenance.
- ❖ Humboldt County will maintain its own inventory of roads on the Refuge.
- ❖ Humboldt County expects to participate on CCP planning teams as a cooperating agency and will participate in the discussion of transportation and proposed road closures.

Wilderness: Inventories, Review, and Recommendations

Currently, 424,360 acres of the 573,000 acre Refuge are managed for wilderness characteristics. Significantly over half of the Refuge (341,494 acres) has to date been recommended for inclusion in the National Wilderness Preservation System.¹ While Humboldt County is not

¹ “Areas managed for wilderness values under Alternative 2 (preferred) would include those currently proposed for wilderness designation under Alternative 1 (no action) and additional areas for wilderness study as part of the 2009 Sheldon Refuge Wilderness Review. As a result, a larger portion of Sheldon Refuge (424,360 acres) would be managed for wilderness character

opposed to wilderness designations in principle, the County is mindful that the Service has a statutory responsibility to **prioritize, facilitate, and increase opportunities** for wildlife-based recreation that families and children may **safely engage** in:

- ❖ “[C]ompatible wildlife-dependent recreational uses are the priority general public uses of the System and shall receive priority consideration in refuge planning and management.” 16 U.S.C. 668dd(a)(3)(C) (emphasis added).
- ❖ “[W]hen the Secretary determines that a proposed wildlife-dependent recreational use is a compatible use within a refuge, that activity should be facilitated...” 16 U.S.C. 668dd(a)(3)(D) (emphasis added).

Further, in administering the System, the Secretary shall:

- ❖ [P]rovide increased opportunities for families to experience compatible wildlife-dependent recreation, particularly opportunities for parents and their children to safely engage in traditional outdoor activities, such as fishing and hunting.” 16 U.S.C. 668dd(a)(4)(K) (emphasis added).

The Service’s recommendation that the vast majority of Refuge lands be designated as wilderness for the enjoyment of an elite few who seek a rarified “wilderness experience” undercuts the Refuge’s statutory mandate to “prioritize,” “facilitate,” and “increase opportunities” for wildlife-based recreation in which families and children may “safely engage.” The extreme remoteness of the Refuge ensures that even areas accessible by roads are difficult to reach and hours from help; access to designated wilderness areas—which by law are closed to motorized vehicles—is therefore safe only for a small minority of the most physically fit, and best equipped recreationists who are able to trek in on foot. It is simply not safe for children, the elderly, those with health limitations, or those unable to afford expensive survival equipment to utilize wilderness areas for wildlife-based recreation. Moreover, hunting and fishing is for most people impracticable in wilderness areas—only those few with the benefit of outstanding health and the physical means to pack equipment in and meat out have access to wilderness hunting and fishing. In short, the Service’s excessive wilderness recommendations favor wildlife-based recreation for the elite few over the general public, contrary to Congressional mandate. Wilderness designation on the scale envisioned by the Service would also create public health and safety hazards, including difficulty in fighting range fires and in executing search and rescue operations.

than under the other alternatives in the short term. The areas recommended for wilderness designation by Sheldon Refuge are somewhat different in location and configuration than those currently proposed under Alternative 1 (no action), but the total area recommended is essentially the same (approximately 341,500 acres under Alternative 1 versus approximately 341,495 under Alternative 2).” (2012 CCP, p. ES vi)

It is therefore the policy of Humboldt County to seek to ensure that no further Refuge lands are recommended for inclusion in the National Wilderness Preservation System.

Wilderness Inventory and Review Process

Humboldt County is aware that wilderness inventory (i.e. identification of WSAs) and review of WSAs for suitability and subsequent recommendation for wilderness designation is part of the Refuge CCP process (610 FW 4 Wilderness Review and Evaluation). As such, it is the policy of Humboldt County to participate in wilderness inventories, and in reviews of WSAs for suitability and recommendation for wilderness status, as a cooperating agency on the CCP planning team (see NEPA section, above). Moreover, it is the policy of Humboldt County to testify at required public hearings held by the Service on any wilderness proposals in a draft EIS.

The following extract outlines the wilderness inventory to recommendation process:

610 FW 4 Wilderness Review and Evaluation

4.14 C. If the final determination in a CCP is that a WSA is not suitable for wilderness designation, we document the decision in the CCP and end the study process. We manage areas unsuitable for wilderness designation following the management direction outlined in the CCP.

4.15 What level of NEPA does the Service require for wilderness proposals? NEPA and the Council on Environmental Quality guidelines require environmental impact statements (EISs) for proposals for legislation, such as proposals for legislation to designate an area as wilderness.

4.16 How does the Service involve stakeholders in wilderness reviews?

A. We prepare an outreach plan indicating how and when we will invite stakeholders, including States, other Federal agencies, tribes, and the public to participate in the wilderness review and refuge planning process (see [602 FW 3.4C\(1\)\(i\)](#)).

B. We publish a notice of intent (NOI) to prepare a CCP in the *Federal Register*, which notifies stakeholders that we plan to conduct a wilderness review.

C. We seek input on the inventory and identification of WSAs during the preplanning and scoping steps of the CCP. We seek and consider stakeholder comments on the development, analysis, and selection of wilderness alternatives in the draft CCP. We ensure there is adequate time for appropriate review of the final CCP and decision document (see [602 FW 3.4C\(6\)\(d\)](#) and [550 FW 3.3A](#)).

D. When the findings of the wilderness study result in a determination of suitability and recommendation for wilderness designation, we:

(1) Hold one or more public hearings to receive testimony on the wilderness proposal outlined in the draft EIS. We publish a public notice of the hearing(s) in the *Federal Register* and notify the governmental and agency entities listed above at least 30 days before the date of the hearing(s).

(2) Advise the Governor of the State, the governing board of each county or borough, tribal governments, and interested Federal departments and agencies of our proposal to recommend wilderness designation and invite them to submit their views at the hearing(s).

Research

The Department of Interior Manual 516 DM 8 requires the Service to coordinate with local governments on CE-level research, inventory, and information collecting projects under the following description: “Research, inventory and information collection activities directly related to the conservation of fish and wildlife resources which involve negligible animal mortality or habitat destruction, no introduction of contaminants, or no introduction of organisms not indigenous to the effected ecosystem.” Humboldt County expects the Service to affirmatively coordinate with the County on all CE-level research meeting the above description.

Land acquisitions, Inholdings, Businesses, and other Rights

Humboldt County is aware that for several decades, Refuge management has taken an aggressive and acquisitive stance with regard to peripheral lands, privately-held inholdings, businesses (including the Royal Peacock Mine) and other permits or rights (including water rights) within the boundaries of the Refuge. It is Humboldt County’s position that private property, private businesses, private rights, and legally-held licenses within Refuge boundaries are protected, and that the owners of such property, businesses, rights, and licenses be left unmolested to use and enjoy such holdings as they see fit. In the event that the Refuge proposes to approach any private party with interests within the Refuge boundaries for any reason excepting routine communication, it is Humboldt County’s policy to ensure the Refuge first coordinates with the County to ensure fair and equitable treatment of private parties. Further, Humboldt County maintains that any proposal on the part of the Refuge to acquire in whole or in part any privately-held interest within Refuge boundaries has significant socio-economic impacts and therefore must be subject to full EIS review.

Further, Humboldt County expects that the Refuge will seek required approval for all proposed land acquisitions within Humboldt County—whether inholdings or peripheral—with the

Humboldt County Regional Planning Commission and the State of Nevada, pursuant to NRS 328.195:

Conditions for state consent to federal acquisition of land for wildlife refuge.

1. The consent of the State of Nevada to the acquisition of lands by the United States for wildlife refuges pursuant to the Migratory Bird Conservation Act of 1929, as amended, 16 U.S.C. 715, et seq., whether in fee or by lease or easement, may be granted only if recommended by the planning agency within whose jurisdiction the land is located and approved by the Legislature by law.

2. As used in this section, planning agency means:

- (a) The planning commission for the city in which the land is entirely located; or
- (b) A county or regional planning commission, if there is one, or the board of county commissioners or Nevada Tahoe Regional Planning Agency, within whose jurisdiction the land is located.

NRS 328.195

Wildfire Prevention and Management

General

A wildfire is a wildland fire [i.e. a non-structure fire that occurs in wildlands] caused by an unplanned ignition [either of natural or human origin] or by a prescribed fire that has escaped. While Humboldt County recognizes that fire is a natural and potentially beneficial process that can positively affect forests and rangeland, recent years have witnessed a sharp rise in large-scale, catastrophic wildfires within Humboldt County's borders and in the Great Basin generally. Wildfires originating on or entering onto public lands within Humboldt County are therefore potentially a major threat to public safety, health, and welfare across all jurisdictions within the County. Beyond posing a direct threat to human lives, wildfires destroy livestock, structures and other property, ecosystems, natural resources, wildlife, and habitat. The cumulative, long-term impacts of catastrophic wildfire to Humboldt County and its residents include: damage to watersheds; contraction of Humboldt County's agriculture and recreation-dependent economy; transition of native vegetative communities to communities that are predominantly invasive annuals; undermining species conservation efforts; poor air quality; reduced soil quality and increased erosion.

Given the potentially grave impacts of wildfire on Humboldt County and its citizens, it is Humboldt County's policy to engage and coordinate with federal, state, tribal, and local agencies on all aspects of wildfire management across jurisdictions.

When engaging with federal agencies on wildfire-related issues, Humboldt County will seek to ensure that relevant statute, regulations, guidance, and recent administrative directives—which have instructed federal agencies to make bold management changes on public lands and National Forests to ensure that both are fire resistant and fire resilient—are followed by federal agencies, including:

- ❖ Executive Order 13855: Promoting Active Management of America's Forests, Rangelands, and Other Federal Lands to Improve Conditions and Reduce Wildfire Risk (All agencies. Dec. 21, 2018)
- ❖ Secretarial Order 3372: Reducing Wildfire Risks on Department of the Interior Land Through Active Management (BLM; U.S. Fish and Wildlife. Jan. 2, 2019)
- ❖ Secretarial Memorandum, Secretary of the Interior: Wildland Fire Directive (BLM; U.S. Fish and Wildlife. Sept. 12, 2017)
- ❖ Secretarial Order No. 3336: Rangeland Fire Prevention, Management, and Restoration (BLM; U.S. Fish and Wildlife. Jan. 5, 2015)
- ❖ Healthy Forests Restoration Act (16 U.S.C. §§6501-91, BLM & USFS)
- ❖ Cooperative Forestry Assistance Act (16 U.S.C. § 2106, USFS)

- ❖ Prescribed Burn Approval Act (16 USC § 551c-1, USFS)
- ❖ Guidance for Implementation of Federal Wildland Fire Management Policy (All agencies. Interagency Wildland Fire Leadership Council. Feb. 13, 2009)
- ❖ Earning Bridges: Strategies for effective community relations before, during, and after the wildfire (BLM, 2010)

Wildfire Goals and Objectives

Goals

- ❖ No further conversion of intact sagebrush steppe ecosystems to vegetative communities dominated by invasive annuals.
- ❖ All intact sagebrush steppe ecosystems meet jointly developed intergovernmental objectives for fire resistant and fire resilient landscapes.
- ❖ Land use plans / RMPs / CCPs and fire management plans covering federal lands in Humboldt County include goals, objectives, programs, and activities for fire management and maintaining fire resistant and resilient landscapes (including fuels management programs) that have been jointly developed with Humboldt County.
- ❖ Wildfire response and suppression, and fire-related management programs including fuels management and post-fire salvage and restoration on federal lands, is promptly executed through the coordinated efforts of federal, state, and tribal agencies, Humboldt County, Rural Fire Protection Agencies (RFPAs) and rural fire departments, and approved private contractors.
- ❖ All lands in Humboldt County to be covered by at least one firefighting agency.

Objectives

- ❖ Within six months of the approval of this Plan, Humboldt County, together with local officials of the BLM, the U.S. Forest Service, and U.S. Fish and Wildlife, will jointly develop common fire-related goals, objectives, management planning, and management programs and activities, to be jointly updated as needed.
- ❖ Humboldt County, in coordination with federal, state, tribal, and local partners, will participate in a series of annually occurring pre-fire season meetings to coordinate fire-related efforts including but not limited to: weed control; post-fire restoration; landscape rehabilitation; reducing undefended lands; and targeted grazing. Meetings will be held in conjunction with the annual Humboldt County / Nevada Division of Forestry (NDF) planning meeting detailed in the Wildfire Protection Program Scope of Work in the Interlocal Contract.

- ❖ Within six months of approval of this Plan, RFPAs and Rural Fire Departments, with the County’s support, will have nominated candidate regional Rancher Fire Liaisons and will submit them for agency approval.
- ❖ The County will maintain and regularly review a Community Wildfire Protection Plan (CWPP) for Urban-Wildland Interface under the Healthy Forests Restoration Act with appropriate agencies.
- ❖ All post-fire rehabilitation efforts on federal lands within the County will be completed on schedule.

Wildfire Policies and Positions

Intergovernmental Coordination of Fire Planning

Humboldt County is aware that federal agency wildfire management and response activities, as well as related goals and objectives, are determined by agency LUPs/RMPs/CCPs and agency Fire Management Plans (FMPs). To be effective, wildfire planning must be intergovernmental and cross jurisdictional in scope. It is the policy of Humboldt County to coordinate its fire planning activities with similar planning activities of federal agencies to the maximum extent permissible under federal law, and to seek consistency between County and federal plans, policies, goals, and objectives for wildfire management. This policy is supported by recent executive instruction:

“Shared Management Priorities: The goal of Federal fire management policy for forests, rangelands, and other Federal lands should be to agree on a set of shared priorities with Federal land managers, States, tribes, and other land owners to manage fire risk across landscapes,” (E.O. 13855).

With a view to agreeing upon shared priorities within the planning process, Humboldt County supports and endorses Secretarial Order 3372, which requires all Department of Interior land management plans to incorporate active management:

“[A]ll Department land use plans ... (collectively, “Land Management Plans”) that are currently under revision, and all future Land Management Plans, shall incorporate, as appropriate, the principles of active management to facilitate wildfire prevention, suppression, and recovery planning measures...” (Sec. Order 3372).

Coordinated wildfire planning is further supported by interagency *Guidance for Implementation of Federal Wildland Fire Management Policy* (“Interagency Guidance”) which calls for the following:

“increased dialog and collaboration between federal agencies and tribal, local, and state agencies as plans are updated and implemented to manage wildfires in order to accomplish resource and protection objectives” (p. 6);

“[f]ire management planning will be intergovernmental in scope and developed on a landscape scale” (p. 7);

“Agencies will engage cooperators and affected partners at the strategic, and program planning levels, as well as the tactical, program implementation level.” (p. 14)

Intergovernmental Coordination of Fire Management Resources

Successful wildfire prevention, suppression, and restoration in Humboldt County requires the coordination and pooling of resources and expertise across jurisdictions. A shortage of federal personnel or resources does not justify inadequate fire prevention, suppression, or restoration activities on the federal lands given the abundance of State and local partners and stakeholders available. To ensure the effective, efficient, and timely execution of fire-related activities on federal lands, it is the policy of Humboldt County to seek to ensure that federal land managers coordinate fire prevention activities, wildfire response and control, and post-fire salvage and restoration with State and local governments, RFPAs and Rural Fire Departments, approved private contractors, and effected residents. This policy is consistent with directives issued in E.O. 13855, which states in pertinent part:

“... the Secretary of the Interior and the Secretary of Agriculture (the Secretaries) each shall implement the following policies [...] Coordinating Federal, State Tribal, and Local Assets. Wildfire prevention and suppression and post-wildfire restoration require a variety of assets and skills across landscapes. Federal, State, tribal, and local governments should coordinate the deployment of appropriate assets and skills to restore our landscapes and communities after damage caused by fires and to help reduce hazardous fuels through active forest management in order to protect communities, critical infrastructure, and natural and cultural resources.” (E.O. 13855)

“It is the policy of the United States to protect people, communities, and watersheds and to promote healthy and resilient forests, rangelands, and other Federal lands by actively managing them through partnerships with States, tribes, communities, non-profit organizations, and the private sector.” (E.O. 13855)

Humboldt County is also in agreement with Department of Interior guidance and directives emphasizing intergovernmental coordination for all stages of wildfire management:

“[D]evelop and begin executing a plan to coordinate with Federal Agencies, States, Territories, Tribes, localities, and stakeholders to support infrastructure necessary to

maintain healthy forestland, rangeland, and watersheds. The plan should be designed to mitigate wildfire risks by expanding or utilizing existing Good Neighbor Authority agreements and pursuing long term (20-year) land stewardship contracts.” (Sec. Order 3372)

“[L]ook for opportunities to partner with adjacent agencies, state and local governments, tribes, and private landowners to maximize resources...” (Sec. Memorandum. Sept. 12, 2017)

With a view to protecting sage grouse habitat from destruction due to wildfire, Humboldt County supports the following directive of the Secretary of the Interior:

“Developing an Enhanced Fire Prevention, Suppression, and Restoration Strategy.

To accomplish protection, conservation, and restoration of greater sage-grouse habitat the Department ... will ... [w]ork cooperatively and collaboratively with other Federal agencies, states, tribes, local stakeholders, and non-governmental organizations on fire management and habitat restoration activities, including: (i) Enhancing the capability and capacity of state, tribal, and local government, as well as non-governmental, fire management organizations, including rangeland fire protection associations and volunteer fire departments, through improved and expanded education and training; and (ii) Improving coordination among all partners involved in rangeland fire management to further improve safety and effectiveness.” (Sec. Order 3336)

Humboldt County strongly endorses Forest Service coordination with state and local governments for the purpose of rural fire prevention and control. Such coordination is described by the Cooperative Forestry Assistance Act, which states:

“[E]fforts in fire prevention and control in rural areas should be coordinated among Federal, State, and local agencies ... [I]n addition to providing assistance to State and local rural fire prevention and control programs, the Secretary should provide prompt and adequate assistance whenever a rural fire emergency overwhelms, or threatens to overwhelm, the firefighting capability of the affected State or rural area.”

16 U.S.C. § 2106(a)

Coordination of Wildfire Incident Response

Successful wildfire incident response requires a high degree of coordination between federal, state, tribal, and local governments and firefighting agencies. Effective communication and the coordinated pooling of resources and expertise often means the difference between a wildfire that is rapidly contained and one that becomes catastrophic in size and impact. It is therefore the

policy of Humboldt County to seek to ensure that wildfire incident response is fully coordinated across jurisdictions. As a means to fulfilling this policy:

- ❖ Humboldt County will support the formation of rangeland fire protection associations (RFPAs) and will coordinate with federal agencies in identifying lands not yet covered by existing firefighting agencies.
- ❖ Humboldt County will help facilitate the formation of new RFPAs, and provide existing RFPAs with financial assistance.
- ❖ Humboldt County will strongly encourage NDF to similarly support RFPAs. Specifically, NDF is encouraged to provide RFPAs with firefighting vehicles, personal firefighting equipment, training, and financial assistance.
- ❖ Humboldt County will support cooperation between the BLM and RFPAs / Rural Fire Departments to procure equipment and training on an ongoing basis through the Rural Fire Readiness (RFR) program.
- ❖ Humboldt County will seek to maximize communication and coordination between BLM, U.S. Forest Service, U.S Fish and Wildlife, Nevada Division of Forestry (NDF), and RFPAs / Rural Fire Departments to increase the effectiveness of fire incident response.
- ❖ Humboldt County will strongly encourage and support the nomination of candidate regional Rancher Fire Liaisons by RFPAs / Rural Fire Departments, and will seek to ensure that federal agencies finalize agreements recognizing approved Rancher Fire Liaisons.
- ❖ Humboldt County will seek to ensure federal agencies utilize local knowledge of roads, water sources, and location of livestock prior to and during incident response, consistent with guidance issued in the BLM document *Earning Bridges: Strategies for Effective Community Relations Before, During, and After the Fire*.
- ❖ Humboldt County will encourage the development and updating of mutual aid agreements between RFPAs / Rural Fire Departments, Nevada Department of Forestry, and the Federal agencies.
- ❖ Humboldt County supports and aims to continue the Interlocal Contract with NDF under which NDF agrees to reimburse federal agencies for federal firefighting activities on private lands.
- ❖ Humboldt County encourages federal agencies to expand contracting with private parties for recruitment of privately owned/operated equipment suitable for fire suppression and fuels reduction. Humboldt County encourages the practice of early season contractor inspections and sign-ups well before the fire season.
- ❖ Humboldt County will seek to ensure that coordinated fire response in Humboldt County conforms to the Humboldt County / NDF Interlocal Contract detailed in the Wildfire Protection Program Scope of Work.
- ❖ Humboldt County will seek to ensure that all fire equipment is cleaned and “weed-free” after use.

Fire Resistant and Resilient Landscapes

Consistent with recent executive and departmental directives, Humboldt County recognizes that effective management of wildfire on federal lands requires federal agencies to make fire resistance and fire resilience priorities in their planning and land management activities. While Humboldt County agrees that meeting, or making progress toward meeting, rangeland health standards is important, meeting or surpassing rangeland health standards is no guarantee that a landscape is resistant or resilient to wildfire. Landscapes that are fire resistant and resilient must be managed to meet a further set of criteria. Specifically, fuels management, road access, invasive weed control, and fire breaks are critical for ensuring landscapes are both fire resistant and fire resilient. It is the policy of Humboldt County to take all available opportunities afforded under federal law to ensure that federal lands within the County meet jointly-developed intergovernmental objectives for fire resistance and resilience.

1. Fuels Management

Excess fuels on public lands have been identified as a primary cause of catastrophic wildfire. (“It is well settled that the steady accumulation of vegetation in areas that have historically burned at frequent intervals exacerbates fuel conditions and often leads to larger and higher-intensity fires,” Sec. Memorandum Sept. 12, 2017.) Both on forests and rangelands, fuels reduction—including tree thinning, shrub management, and fine fuels removal—is critical for maintaining fire resistant and resilient landscapes. It is the policy of Humboldt County to seek to ensure that federal LUPs/RMPs/CCPs and FMPs have robust fuels-management programs that utilize the full complement of fuels-management treatments where appropriate. It is also the policy of Humboldt County to work cooperatively with our federal agency partners to ensure fuel-management programs and activities are implemented—fuel management projects on federal lands should not be delayed or deferred due to lack of federal personnel given the number of partners locally available. Cooperative agreements and/or private contracting should be used to ensure that fuels are managed on federal lands in a timely manner. NEPA on fuel management projects should be expedited, wherever appropriate, under the Healthy Forests Restoration Act (16 U.S.C. §§6501-91). Consistent with administrative guidance, Humboldt County’s policy is to seek to ensure that all appropriate fuels management tools, including livestock grazing, are utilized to meet joint objectives for fire resistant and resilient landscapes.

These policies are supported by the following directives:

“Removing Hazardous Fuels, Increasing Active Management, and Supporting Rural Economies. Post-fire assessments show that reducing vegetation through hazardous fuel management and strategic forest health treatments is effective in reducing wildfire severity and loss. Actions must be taken across landscapes to prioritize treatments in order to enhance fuel reduction and forest-restoration projects that protect life and

property, and to benefit rural economies through encouraging utilization of the by-products of forest restoration.” (E.O. 13855).

The Secretaries of Interior and Agriculture are further directed to:

“Develop recommended actions and incentives to expand uses, markets, and utilization of forest products resulting from restoration and fuel reduction projects in forests, rangelands, and other Federal lands...” (E.O. 13855)

The Secretary of the Interior has directed Interior Bureaus (including the BLM and U.S. Fish and Wildlife) to manage fuels as follows:

“As Bureaus and appropriate offices incorporate wildfire best management practices into their Land Management Plans, they shall incorporate the use of any land and vegetation management techniques that are appropriate for the landscape, produce the desired result of reducing fuel loads, and are supported by the best available science. Such practices include, but are not limited to: mowing; pre-commercial and commercial thinning; manual and mechanical cutting; linear fuel breaks; biological and chemical treatment; access road maintenance; prescribed fire or controlled burns; timber salvage; timber and biomass sales; piling; yarding; removing vegetative material; selling of vegetation products (including, but not limited to: firewood; biomass; timber; and fence posts); issue grazing permits; targeted grazing; application of pesticides; bio-pesticides and herbicides; seeding of native, non-invasive, and non-native species; invasive species management; and jackpot and pile burning.” (Sec. Order 3372).

Interagency Guidance provides all federal agencies the following instruction:

“Fire Management and Ecosystem Sustainability: The full range of fire management activities will be used to help achieve ecosystem sustainability, including its interrelated ecological, economic, and social components. “Full range of fire management activities” may include any vegetative management treatment.” (Interagency Guidance, p. 10.)

2. Prescribed Burns

Although prescribed burns are one means of reducing fuel loads on federal lands, given the extreme susceptibility to wildfire of the rangelands within Humboldt County, the risk to public health and safety—not to mention potential devastation of ecosystems and local businesses, and impacts to air, soil, and water quality—of a prescribed fire burning out of control often outweighs the benefits. Due to the extremely high risk of wildfire in Humboldt County during most of the year, prescribed burning is frequently not an appropriate fuels management tool. Prescribed burns, if they occur, should only happen in optimal conditions—damp, cool periods with little or no wind. It is the policy of Humboldt County to oppose prescribed burning as a

fuels management tool within the County when conditions are not optimal, or where effective alternatives exist. (See Section XX County Permitting and Environmental Regulation on Public Land.) With a view to protecting the public health, safety, and welfare of Humboldt County residents, Humboldt County will seek to ensure that:

- ❖ Any plan for a prescribed burn on federal land is communicated to the County, appropriate RFPAs/Rural Fire Departments, and adjacent residents prior to the burn.
- ❖ Targeted grazing is utilized as a first-line landscape-scale fuels treatment; prescribed burns should only be used where grazing or other fuels treatments are ineffective or inappropriate.
- ❖ All prescribed burning activities of the U.S. Forest Service comply with the Prescribed Burn Approval Act (16 USC § 551c-1).

3. Invasive Annual Grasses / Landscape Restoration

In Humboldt County, spread of invasive annual grasses (cheat grass, medusahead, ventenata, goat grass, etc.) is a primary cause of wildfire and a driver of accelerated fire cycles. Any strategy for increasing fire resistance and resilience within the County must aggressively suppress the spread of invasive annuals, and actively manage them where they presently occur. Humboldt County's specific goals for invasive annual management are: 1) Preclude the establishment of new populations of invasives in areas where perennial grasses are dominant; 2) Manage perennial-dominant vegetative communities so they may expand (both in density and range) over time; 3) Contain established invasive-dominant communities to the areas where they currently exist; 4) Actively and continually manage landscapes where invasives are the ecologically dominant species with a view to transitioning back to perennial-dominant communities; 5) Annually reduce the carryover of invasive weed fuel load for the following year.

More specifically, it is the policy of Humboldt County to support and seek to ensure that the following invasive vegetation management approaches are carried out:

- ❖ Management of annual grass-dominant sites should consistently recruit all available and appropriate tools to encourage reestablishment of perennial grasses, including, but not limited to: grazing, herbicide treatments, mechanical treatments, reseeding, and biocontrols.
- ❖ Typically, there are insufficient resources to treat all annual-dominant grass sites as often as needed. Therefore, areas chosen for treatment should be strategically selected with a view to protecting adjacent or near-by landscapes and resources of high value (including wildland-urban interface zones) and whether the necessary resources (e.g. livestock) are available to treat the site.

- ❖ Livestock grazing is the only landscape-scale tool that can effectively manage annual invasive fuel loads and can be applied yearly. Targeted grazing should therefore be used wherever appropriate to treat invasive dominant communities.
- ❖ Spring grazing treatments of invasive grasses may occur, but require care so that intermixed perennials are not heavily grazed during the perennial growing season year-on-year. By contrast, when grazing treatments are applied when perennial species are dormant, higher intensity grazing treatments can occur, and can be repeated annually.
- ❖ In order to facilitate effective, consistent grazing treatment of annual grasses, permanent water developments should be installed where needed, as opposed to relying on labor-intensive water hauling. Lack of water should not be a limiting factor in whether an area needing ongoing treatment is grazed.
- ❖ There should be a “hold harmless” clause for livestock owners when they follow the operating or management plan for each grazing treatment. If their performance meets expectations and an unintended outcome occurs, livestock producers need assurance that they will not suffer adverse effects due to the outcome.
- ❖ Because most annual-dominant landscapes have a remnant perennial grass population, treatment of annuals should harm target weed species, while seeking to protect perennials.
- ❖ Federal land managers should consult with range management faculty at University of Nevada, Reno, and the University of Nevada Extension Service to share knowledge and cooperatively develop best methods for managing invasive annual species in Humboldt County.
- ❖ The Nevada Department of Transportation (NDOT) should utilize the appropriate combination of mechanical and chemical abatements on highway rights-of-way at a frequency that will prevent weed infestations which, absent proper treatment, could increase the potential for fires to spread onto adjacent public and private lands.

4. Fire breaks

In order to prevent the spread of wildfire, it is the policy of Humboldt County to support the creation of strategically located fire breaks (including “brown stripping” and “green stripping”) on federal lands. Locations to be considered for fire breaks should include, but are not limited to, locations that protect wildland-urban interface zones. Where green stripping is used, treated areas should be seeded with non-invasive fire-resistant species. Green and brown strips must be regularly monitored and maintained to prevent shrub reestablishment and invasive weed infestation. Humboldt County supports the use of partnerships, volunteers, and contracting to ensure maintenance of fire breaks.

5. Roads

An extensive and well-maintained network of roads and routes on federal lands within Humboldt County is essential for rapid and effective wildfire response and control, as well as providing access for ongoing management and monitoring activities that are necessary for maintaining fire resistant and resilient landscapes. Permanent road closures, as well as federal land designations and/or management decisions that restrict road use and maintenance activities, impede the ability of emergency responders and land managers to prevent and control wildfire. It is therefore the policy of Humboldt County:

- ❖ To seek to ensure, through coordinated land use planning, travel management planning, and road inventory activities, that existing roads on federal lands remain open and are maintained as needed to enable wildfire response and management;
- ❖ To maintain its own inventory of roads on the federal lands within the County, and to seek consistency between agency and County road inventories;
- ❖ To maintain all County roads crossing federal lands.
- ❖ To encourage and participate in the cooperative maintenance of roads on federal lands to eliminate maintenance backlog and delay.
- ❖ To support the posting of appropriate signage on roads crossing federal lands that identifies restricted activities during fire season.

These policies are supported by the following executive directives, and statutory and regulatory mandates.

“... [L]and designations and policies can reduce emergency responder access to Federal land and restrict management practices that can promote wildfire resistant landscapes.” (E.O. 13855)

“[t]he Secretaries shall ... [r]eview land designations and policies that may limit active forest management and increase the risk of catastrophic wildfires.” (E.O. 13855)

“The Secretary of the Interior shall ... give all due consideration to establishing the following objectives ... Performing maintenance on public roads needed to provide access for emergency services and restoration work ... The Secretary of Agriculture shall ... give all due consideration to establishing the following objectives ... Performing maintenance on roads needed to provide access on USDA FS lands for emergency services and restoration work.” (E.O. 13855)

“The responsible official shall coordinate with appropriate Federal, State, county, and other local governmental entities and tribal governments when designating National

Forest System roads, National Forest System trails, and areas on National Forest System Lands pursuant to this subpart.”

36 C.F.R. § 212.53

“In the development and revision of land use plans, the Secretary shall ... to the extent consistent with the laws governing the administration of the public lands, coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning and management programs of other Federal departments and agencies and of the States and local governments within which the lands are located...”

43 U.S.C. § 1712(c)(9) (emphasis added)

(See also: Travel Management; Special Designations)

6. Post-fire Response, Rehabilitation, Restoration, and Salvage

Rapid and effective landscape management following a fire is critical to protect human safety and welfare, stabilize the environment, and ensure future fire resistance and resilience of the landscape. Such actions may be emergency responses executed under the Burned Area Emergency Response (BAER) program or longer-term salvage, rehabilitation, and restoration programs (including the Burned Area Rehabilitation, or “BAR” program of Department of Interior agencies like the BLM).

It is the policy of Humboldt County to seek to ensure that post-fire activities on federal lands are protective of County interests, meet jointly developed intergovernmental objectives for fire resistant and resilient landscapes, and are coordinated with local stakeholders, including the County. Specifically, Humboldt County will seek to ensure:

- ❖ County representation on BAER / BAR planning and cooperative implementation of BAER / BAR efforts.
 - “BAER assessment plans and implementations of BAER emergency actions are a cooperating and coordinated effort between many federal agencies such as the U.S. Forest Service, National Park Service, Bureau of Land Management, U.S. Fish and Wildlife Service, also including state, tribal governments, local agencies, and emergency management departments. It is important that BAER coordinates its assessment and treatment implementations with all affected and interested cooperating agencies and organizations regarding other post-fire recovery and restoration efforts.” (<https://www.nifc.gov/BAER/>)
- ❖ Immediate stabilization of landscape features and protection of water quality.

FINAL DRAFT—APPROVED

- ❖ Rapid salvage of timber from burn sites by agency and / or private contractors (“The Secretaries shall ... coordinate with the heads of all relevant federal agencies to prioritize and promptly implement post-wildfire rehabilitation, salvage, and forest restoration” E.O. 13855).
- ❖ Same year reseeded of burned areas with species best suited to prevent establishment of invasive vegetation (e.g. cheat grass).
- ❖ Returning the burned site to grazing based on case-by-case monitoring and site-specific rangeland health evaluations and objectives, as opposed to fixed and/or predetermined schedules.
- ❖ Utilization of all appropriate vegetation management tools, including livestock grazing, where invasive species (e.g. cheat grass) threaten to establish on burned areas.
- ❖ Long-term monitoring to ensure restoration efforts are successful.
- ❖ Timely replacement by agencies of fencing and other infrastructure destroyed by fire.

NEPA and Wildfire

Environmental analysis under NEPA is necessary for fire planning and for authorizing both pre- and post-fire management projects. Humboldt County expects to participate as a cooperating agency in all NEPA EAs/EISs that assess fire risk, or analyze fire management, response, or restoration projects. It is Humboldt County’s policy to seek to ensure:

- ❖ That NEPA analyses consider the negative environmental and economic effects of curtailed fuels management activities, including curtailed livestock grazing, in planning documents. (“Land/Resource management Plans will be developed consistent with both ecological conditions, and fire regime dynamics, and consider the short and long-term effects of both action and no action alternatives for planned vegetation management activities as well as responses to wildfire,” Interagency Guidance, p. 10).
- ❖ NEPA documents analyze the negative environmental and economic impacts of road closures and designations that restrict access on firefighting and fuels management activities.
- ❖ NEPA on fuel management projects is expedited, where appropriate, under the Healthy Forests Restoration Act (16 U.S.C. §§6501-91).
- ❖ NEPA for post-fire salvage, rehabilitation, and restoration projects is expedited consistent with E.O. 13855, Sec. 3(b)(i-iv).

Ecosystem and Species Conservation

FINAL DRAFT—APPROVED

The sagebrush steppe ecosystem typical of the public rangelands in Humboldt County is important habitat to a number of sensitive species, including the Greater Sage Grouse. Fire is the primary landscape-scale threat to sagebrush ecosystem integrity, and subsequently, to species conservation efforts. Further, Humboldt County recognizes that fire and transition to invasive annual-dominant vegetative communities set the outer boundaries for the potential success both of sagebrush-dependent species and for livestock grazing operations—both depend on intact, functioning sagebrush ecosystems. Given the potential for wildfire to destroy vast areas of important habitat and grazing land, it is Humboldt County’s policy to prioritize and support species conservation management actions that focus on:

- ❖ Fire resistant and resilient landscapes;
- ❖ Fire suppression and control;
- ❖ Invasive weed suppression and management.

Cooperative Management Agreements

Humboldt County strongly supports, and where appropriate will participate in, cooperative management agreements that increase the ability of federal land managers, state and local government agencies, local fire associations, and private contractors to manage wildfire at a landscape scale. Such agreements can ensure vegetation and fuels management goals are achieved, invasive species are treated, road systems are maintained, timber salvage is completed, and objectives for maintaining fire resistant and resilient landscapes are met. The cooperative efforts Humboldt County supports include, but are not limited to:

- ❖ Rural Fire Readiness (RFR) program assistance (BLM);
- ❖ Good Neighbor Authority (GNA) agreements (BLM and FS);
- ❖ Stewardship contracting (BLM and FS);
(<https://www.forestsandrangelands.gov/stewardship/index.shtml>)
- ❖ Collaborative partnerships for road maintenance (BLM and FS under E.O. 13855);
- ❖ Agreements under the Wyden Act (BLM and FS);
- ❖ DOI Wildland Fire Resistant Landscapes (WFRL) collaboratives (BLM);
- ❖ BLM Healthy Lands projects (BLM);
- ❖ Assistance under the Cooperative Forestry Assistance Act (FS);
- ❖ Collaborative Forest Landscape Restoration Program (CFLRP) projects (FS);
- ❖ Joint Chiefs Landscape Restoration Program (JCLRP) projects (FS and NRCS).

Humboldt County’s policy on cooperative management agreements is supported by E.O. 13855, which states:

“Collaborative partnerships. To reduce fuel loads, restore watersheds, and improve forest, rangeland, and other Federal land conditions, and to utilize available expertise and

efficiently deploy resources, the Secretaries shall expand collaboration with States, tribes, communities, non-profit organizations, and the private sector. Such expanded collaboration by the Secretaries shall, at a minimum, address: a) Supporting road activities needed to maintain forest, rangeland, and other Federal land health and to mitigate wildfire risk by expanding existing or entering into new Good Neighbor Authority agreements, consistent with applicable law, and; b) Achieving the land management restoration goals set forth in Section 2 of this order and reducing fuel loads by pursuing long-term stewardship contracts, including 20-year contracts, with States, tribes, non-profit organizations, communities, and the private sector, consistent with applicable law.”

Nevada Affordable Housing Dashboard

Indicator	Clark	Clark 5 Yr Trend	Washoe	Washoe 5 Yr Trend	U.S.	U.S. 5 Yr Trend
Homeless Count per Thousand People	2.3		2.6		1.8	
Percent of Extremely Low Income Renter Households with Severe Rent Burden	73%		71%		63%	
Percent of Low Income Renter Households with Severe Rent Burden	11%		9%		7%	
Market Rate Multifamily Vacancy Rate	4.7%		2.8%		5.2%	
Tax Credit Multifamily Vacancy Rate	2.2%		3.3%		2.6%	
Subsidized Units per Thousand People	9.3		16.0		15.2	
Housing Choice Vouchers per Thousand People	5.1		5.1		7.0	
Jobs per Permit	-1.2		0.7		-0.8	
Homeownership Rate	55.1		60.2		64.1	
Share of Homes Sold Affordable to Median Income Family	64.7		52.1		63.3	