

ONE HUNDRED ONE NORTH CARSON STREET
CARSON CITY, NEVADA 89701
OFFICE: (775) 684-5670
FAX No.: (775) 684-5683



555 EAST WASHINGTON AVENUE, SUITE 5100
LAS VEGAS, NEVADA 89101
OFFICE: (702) 486-2500
FAX No.: (702) 486-2505

Office of the Governor

July 29, 2015

John Ruhs, Acting State Director
BLM Nevada State Office
1340 Financial Blvd
Reno, NV 89502

RE: Governor's Consistency Review of the Nevada and Northeastern California Greater Sage-Grouse Proposed Land Use Plan Amendment and Final Environmental Impact Statement

Dear Mr. Ruhs:

Pursuant to the rights afforded to me as Governor of the State of Nevada under the Federal Land Policy and Management Act 43 USC 1701 and 43 CFR 1610.3-2, please be advised of significant inconsistencies between the Nevada and Northeastern California Greater Sage-grouse Proposed Land Use Plan Amendment and Final Environmental Impact Statement (LUPA/FEIS), and Nevada's state and local plans, policies and programs. I also propose recommendations that will create a reasonable balance between the national interest and Nevada's interest, while still achieving a net conservation gain for the Greater Sage-grouse.

The LUPA/FEIS represents a significant departure from the process that was outlined in late 2011 by former Secretary of the Interior, Ken Salazar. The process was intended to be collaborative, inclusive and proactive; an unprecedented undertaking to bring federal agencies and states together to craft plans to adequately conserve the Greater Sage-grouse and preclude a listing under the Endangered Species Act. Western states and multiple agencies have participated in this effort in good faith. We have expended millions of dollars and thousands of hours to present a scientific, innovative and effective conservation plan.

The almost 2,000 page Draft Environmental Impact Statement was issued on November 22, 2013. Nevada identified hundreds of inconsistencies with state and local plans, and best available science at that time. The BLM and USFS then took approximately 18 months to revise the document and released the nearly 3,500 page LUPA/FEIS on May 28, 2015. The BLM and USFS made significant changes from draft to final, leaving the citizens of Nevada with only 30 days to review and protest the LUPA/FEIS.

Importantly, many of the identified inconsistencies were left unresolved and often ignored or dismissed without consideration. Especially troubling is that new concepts such as Sagebrush Focal Areas (SFAs) and other management actions with significant environmental and societal implications were introduced without adequate public notice or opportunity for comment in the LUPA/FEIS. Many significant methodologies were also changed with little scientific justification or explanation provided to the public.

It is also important to note that the LUPA/FEIS contains many new elements that disregard best science, Nevada’s state and local plans, and federal law. It is disappointing that this process has changed from a collaborative, proactive approach, to a now heavy-handed, federal approach that uses status-quo approaches and relies primarily on information from federal officials in Washington D.C., rather than expertise from state conservation and wildlife agencies, and local input.

NEVADA’S DEMONSTRATED COMMITMENT TO CONSERVATION

Long-term Engagement

Nevada has focused on sage-grouse conservation for well over a decade. Under the leadership of previous Nevada Governors, a working partnership of state agencies including the Nevada Department of Wildlife, local area working groups, private citizens, industry and local governments have developed and implemented conservation strategies across the range since at least the year 2000.

Even with these accomplishments, we have done more. Nevada accepted Secretary Salazar’s invitation in good faith and took immediate action to revitalize our efforts, and develop and implement a program for Greater Sage-grouse conservation. In response, I issued Executive Order 2012-09, which established the Governor’s Greater Sage-grouse Advisory Committee, and later enacted the recommendations from that entity through Executive Order 2012-19. That Order established the Sagebrush Ecosystem Council (SEC) and a new, inter-agency and inter-disciplinary Sagebrush Ecosystem Technical Team (SETT) dedicated solely to the sagebrush ecosystem.

Legislative Initiatives

The SEC has carefully guided the development and adoption of the full Nevada 2014 Greater Sage-Grouse Conservation Plan (State Plan). The Sagebrush Ecosystem Program, including the SEC and the SETT, were codified in Nevada Statute with the passage of Assembly Bill 461 during the 2013 Legislative Session, making Nevada the first, and still the only, state to recognize a programmatic commitment to the conservation of Greater Sage-grouse in state law.

To further solidify Nevada’s commitment to the State Plan and Greater Sage-grouse conservation, I worked with the Nevada Legislature during the 2015 Legislative Session to pass a major budget initiative that included continued full funding for the SEC, the SETT, the full operation and adaptive management of our innovative Conservation Credit System (including funds for an independent audit of the system), continued contract services to ensure that habitat maps are utilizing the most current scientific

information, and \$2 million for implementation of conservation projects. The Nevada Legislature further showed its support for the State Plan by passing Senate Joint Resolution 5, which urged the BLM and USFS to adopt the State Plan as the preferred alternative in the FEIS.

State Plan Developed and Supported by Nevadans and Best Science

The SEC is comprised of voting members from the conservation and environmental communities, the Nevada Board of Wildlife Commissioners, local government, the mining, ranching, energy, and agriculture industries, tribal nations, and the general public. In addition, this Council has ex-officio representation from the U.S. Fish and Wildlife Service (USFWS), Bureau of Land Management (BLM), US Forest Service (USFS), Nevada Department of Wildlife, Nevada Department of Conservation and Natural Resources, and the Nevada Department of Agriculture.

In 2014, the SEC unanimously approved and adopted the State Plan per Nevada Revised Statute 232.162. The State Plan has subsequently been adopted by most Nevada counties, and has considerable support from industry, conservation groups, and the general public.

The process we utilized to develop the State Plan is exemplary. An overwhelming body of scientific, Nobel Prize-winning research¹ shows that management of common-pool resources, such as the sagebrush ecosystem, is *consistently more successful over time* when key policy design principles are followed. Nevada's process follows these leading principles of common-pool resource management by creating appropriation rules that are developed locally and related to local conditions, allowing for flexibility when it is needed and justified, defining clear boundaries, providing arenas for conflict resolution and internal policymaking, arranging clear methods for monitoring and sanctioning nonconformance, and establishing conflict-resolution mechanisms that are rapid and low-cost, among other factors.

The State Plan is the only plan that aligns with these areas of best science. Moreover, section 202(c) of FLPMA requires that in developing land use plans, the Secretary of the Interior *shall* "use and observe the principles of multiple use and sustained yield..." and, importantly, *shall* "use a systematic interdisciplinary approach to integrate physical, biological, economic, and other sciences." The Nevada State Plan is the only plan that meets these and other high standards called for by FLPMA and BLM policy.

¹ For example, see: Ostrom, Elinor (1990). *Governing the Commons: The Evolution of Institutions for Collective Action*. Cambridge University Press.; Poteete, Janssen, and Elinor Ostrom (2010). *Working Together: Collective Action, the Commons, and Multiple Methods in Practice*. Princeton University Press.; National Academy of Science, (2013). *Using science to improve the BLM wild horse and burro program: A way forward*. National Academies Press.; Reed, M.S., et al. (2015). *Climate change and desertification: Anticipating, assessing & adapting to future change in drylands*. Impulse Report for 3rd United Nations Convention Combating Desertification Scientific Conference. Agropolis International.

State Plan Addresses All Threats

The State Plan focused on addressing the threats as identified in the Conservation Objective Team (COT) report. The COT report identifies the cycle of wildfire and invasive grasses as the primary threat to Sage-grouse in Nevada. As a result, Nevada has increased our wildland firefighting capabilities and created mobile statewide forces targeting sage-grouse as their primary resource concern. We also have boosted noxious weed, native plant, and seed programs in the state. This process was recently validated by federal action, and I applaud Secretary Jewell for her leadership and meaningful efforts related to wildland fire; I am hopeful that our collective efforts will result in significant conservation benefit for sage-grouse and the sagebrush ecosystem.

Although anthropogenic disturbances are not the primary threat in Nevada, the State Plan includes a rigorous process of “avoid, minimize and mitigate” to achieve a net conservation gain for the Greater Sage-grouse. A key component of our “avoid, minimize and mitigate” strategy was the development and adoption of the Nevada Conservation Credit System (CCS). The CCS is a rigorous, scientifically based mitigation program that achieves consistent net conservation gain and a single method for determining mitigation across the entire Sage-grouse Management Area, covering approximately 48,627,000 acres in Nevada. More importantly, the CCS strategically recognizes the importance of protecting and enhancing limiting sage-grouse habitat such as late brood rearing habitat. This is *critical* to conservation in Nevada due to our unique topography, ecology and threats. The SETT is currently implementing both credit development and credit obligation (debit) projects in important sage-grouse habitat areas to test and adaptively manage the CCS.

In summary, the State Plan is consistent with the purposes, policies, and programs of federal laws and regulations applicable to the public lands, is based on the best available data and science, addresses each of the threats identified in the COT report, was developed entirely in a public and transparent process, including significant, direct involvement from federal agencies, and is supported by a wide array of stakeholders across the State of Nevada. Therefore, our plan is more likely to succeed over the long term as compared to the federally-driven policies envisioned in the LUPA/FEIS; I recommend and request that the State Plan be fully implemented.

SUMMARY OF KEY INCONSISTENCIES

Nevada has demonstrated a clear commitment to the conservation of Greater Sage-grouse and the sagebrush ecosystem. Throughout the process, it was understood that the State’s Plan would likely comprise a majority of the preferred alternative, and thus we worked closely with BLM, USFS and USFWS staff to meet numerous deadlines and incorporate the policy decisions and methodologies requested in the COT report, USFWS’s Mitigation Framework, and national policy direction. We compromised, considered alternative approaches, incorporated feedback and tested policies based on reality and pragmatic experience. However, the LUPA/FEIS shows that national level policy replaced Nevada’s state and local planning efforts, thus minimizing the

collaborative nature of this process, and stressing relationships between state, local, and federal agencies. The result is a document that is insufficient and flawed; not based on the best available science, or state and local plans, and not well rooted in federal law.

Inconsistencies Poorly Identified and Inadequately Addressed

The Draft LUPA/FEIS process did not comply with the BLM’s requirements to be consistent with other federal, state, local, and tribal plans and policies (see 43 CFR 1610). Many Nevada agencies, counties and stakeholders worked with your staff to minimize inconsistencies with federal and state law as well as state and local plans throughout this EIS planning process for the LUPA/FEIS. Some inconsistencies have been addressed, but most have been dismissed.

Commenters specifically showed that BLM’s goals, objectives, and management actions are inconsistent with the State Plan, the Nevada Rangeland Monitoring Handbook (NCE 2006), Pershing County, Nevada Land Use Planning, specifically the Pershing County Natural Resources Land Use Plan, the Pershing County Master Plan, the 2011 Nye County Comprehensive Master Plan, the Elko County GRSG Plan, Lincoln County’s policy of “no net loss” of AUMs within the County, the Lincoln County Lands Acts, the Ely Resource Management Plan, Lander County’s GRSG strategy, the Eureka County Master Plan and other plans, policies, and controls.

Of concern, the LUPA/FEIS fails to demonstrate how these plans are or are not inconsistent, and largely dismisses any potential inconsistencies with a brief, general explanation:

The BLM and Forest Service are aware that there are specific state or local laws relevant to aspects of public land management that are discrete from, and independent of, federal law. However, BLM and Forest Service are bound by federal law. As a consequence, there may be inconsistencies that cannot be reconciled. The FLPMA requires that BLM’s land use plans be consistent with state and local plans “to the extent practical.” In a situation where state and local plans conflict with federal law, there will be an inconsistency that cannot be resolved. Thus, while state, county, and federal planning processes, under FLPMA, are required to be as integrated and consistent as practical, the federal agency planning process is not bound by or subject to county plans, planning processes, or planning stipulations.²

² United States Department of the Interior and United States Department of Agriculture (2015). *Nevada and Northeastern California Greater Sage-Grouse Proposed Land Use Plan Amendment and Final Environmental Impact Statement: Response to Comments on the Draft Land Use Plan Amendment/Environmental Impact Statement*. p C-24.

This vague and generic “response” to hundreds of identified inconsistencies is unacceptable, inconsistent with FLMPA, and could actually undermine legitimate efforts to preserve the species.

Recommendation: Reconsider the identified inconsistencies and either incorporate the State Plan, or provide legitimate responses for the inconsistencies. The State of Nevada is especially interested in specific responses regarding inconsistencies related to the issues detailed in this letter. Also, attached to this letter is correspondence and requests that I received from local jurisdictions, state agencies and other interested parties for your reconsideration and a more complete and legitimate response for the record. Please also identify, specifically, which federal laws are allegedly inconsistent with our state and local plans. Finally, please identify which federal laws preclude you from collaboration with state and local governments to resolve these inconsistencies, as opposed to simply dismissing them as the LUPA/FEIS does.

Sagebrush Focal Areas (SFA)

The creation of SFAs in the LUPA/FEIS is counterproductive and inconsistent with the State Plan and local jurisdiction plans. The concept was not properly considered through a public comment process or clearly part of the DEIS alternatives. And, it did not use data or Nevada-specific expertise relating to sage-grouse populations and habitats.

Importantly, the withdrawals and disturbance caps envisioned in the LUPA/FEIS reflect a significant misunderstanding of the true threats to, and opportunities for, sage-grouse in Nevada. Fire and invasive species have a much greater effect on sage-grouse than mineral development. To wit: over the past five years, mineral development has disturbed only 10,000 of the 57 million acres of federal land in Nevada. In comparison, wildfire has scorched approximately 1.5 million acres of federal land in the same timeframe.

Nonetheless, the State Plan provides rigorous avoidance measures and mandatory design features that will ensure that we make every effort to limit negative effects to sage-grouse.

The State Plan also takes into account indirect effects to sage-grouse, limiting habitat, ecological site descriptions, state-and transition-modeling, and resistance and resilience concepts that are scientifically *far superior* to the simplistic and outdated thinking surrounding exclusion areas. This notion is well supported in scientific literature and by experts in Nevada and abroad.

The primary issues with SFAs are:

- Methods provided for delineation of the SFAs are not scientifically defensible, or properly described. The criteria described for producing SFAs does not

incorporate the assessment of breeding bird densities (Doherty et al. 2010) or resistance and resilience mapping statewide (Chambers et al. 2014).

- Utilizing arbitrary boundaries for prioritizing management actions (e.g. vegetation management, grazing permit renewals, firefighting resource prioritization) that may unintentionally undervalue the importance of other non-SFA landscapes in greater need of assistance.
- Recommendation for mineral withdrawal and elimination of most mineral exploration within the SFA.
- Potential additional grazing management restrictions.

Recommendation: SFA designations should be eliminated as a component of the LUPA/FEIS. If SFAs must remain, BLM/USFS should work with the expertise of Nevada’s conservation and wildlife staff to identify the true “best of the best,” and must limit any moratorium, segregation or withdrawal of locatable minerals to a scientifically based time period that allows for re-entry or a lifting of any such moratorium at such time as science shows that relevant sage-grouse populations are stable or increasing.

Anthropogenic Disturbance Cap

Nevada has engaged in numerous discussions with federal representatives regarding why a disturbance cap is not necessary, given the unique basin and range topography of Nevada and the safeguards built into the State Plan, and why a disturbance cap can be counter-productive to Greater Sage-grouse conservation. The disturbance cap fails to account for the quality of habitat and seasonal habitat types, which should be considered based on best available science and to ultimately achieve a net conservation gain for greater sage-grouse. The “one-size-fits-all” approach does not assure greater conservation for sage-grouse and does not allow for adaptive management in a dynamic biological system.

We appreciate the specific disturbance management protocol outlined in the LUPA/FEIS for Nevada. However, strong concerns remain regarding the three percent disturbance cap. Based on LUPA meetings that recently occurred with federal and state agency staff that involved test runs of the disturbance caps, a three percent cap at the level of biologically significant unit (BSU) may be a moot point as that level of disturbance will likely never occur. At the project level it appears to create serious perverse incentives to move away from co-location with other existing disturbances. Ideally, disturbances should be incentivized to co-locate in existing disturbed areas. However, based on the test case scenarios, the three percent cap at the project level will be hit routinely forcing project proponent to move to undisturbed areas in order to remain below the three percent cap at the project scale.

Recommendation: The disturbance cap concept should be removed from the preferred alternative. The State of Nevada spent considerable time, resources and funding to create the rigorous and scientifically based CCS. The CCS adequately accounts for the quality of habitat and the availability of seasonal habitat types both at the BSU level and the project level, and makes a disturbance cap unnecessary, even possibly counter-

productive to achieving net conservation gains. If a disturbance cap remains in the LUPA/FEIS, additional conditions should be inserted whereby the cap at the BSU level is a temporary backstop to give time for the CCS to prove its effectiveness. When the CCS is proven to be effective the disturbance cap would no longer be required. I also recommend that if a disturbance cap remains that the cap be calculated solely at the BSU level and not the project level.

Land Use Allocations that Create Exclusion Areas

The LUPA/FEIS includes allocations that ultimately create exclusion areas for certain land uses. This is inconsistent with state and local plans and does not address the primary habitat threats in Nevada as identified in the COT report. The specious assumption that exclusion areas provide conservation for sage-grouse is not justified by scientific literature or data, and, in fact in many cases has proven to be less than effective at creating uplift for the species or habitat. The extent of habitat disturbance due to anthropogenic actions, such as mineral and energy development, is minimal compared to habitat loss due to wildland fire and invasive species. Relying on one-size-fits-all actions without specific analysis of the benefit provided to the species is unproductive.

Recommendation: Land use allocations that specifically close areas regardless of mitigation should be removed, and the LUPA/FEIS should instead utilize the rigor of the State Plan’s “avoid and minimize” process. Those disturbances that cannot be avoided or completely minimized should then run through the rigor of the CCS which identifies and recognizes the highest quality habitat, as mapped and verified on the ground and provides for a system through mitigation ratios, habitat quality, distance criteria and many other factors to ensure the protection and conservation of the habitat. If large areas of land use closures remain in the LUPA/FEIS, there needs to be an exception allowing for some level of disturbance provided that a net conservation gain can be achieved.

Mineral Rights

In addition to the State of Nevada’s opposition to mineral withdrawals considered in SFAs, we have concerns around the concept of “valid existing rights” (VERs) currently in the LUPA/FEIS. The use of this term related to locatable minerals on lands other than those that may be segregated or withdrawn is confusing and creates uncertainty.

Recommendation: Work with the Nevada Division of Minerals and the SEP to clarify that sage-grouse measures will be implemented within existing surface management regulations, that questions of VERs in relation to locatable mineral rights are limited to potential withdrawal areas, and that, if implemented, the three percent anthropogenic disturbance cap does not apply to exploration and mining disturbance authorized under surface management regulations.

Habitat Objectives and Associated Management Actions

The Habitat Objectives in Tables 2-2, 2-5, and 2-6 and their associated management actions are inconsistent with existing Resource Management Plans, as well as state and local plans. The level of specificity provided in the proposed LUPA management actions as they relate to the table are better handled at the local planning level through Stewardship Plans, Allotment Management Plans, Rehabilitation Plans, and other similar plans. Actions in the proposed plan that require management to “meet, restore, reestablish, and achieve” the narrowly focused habitat objectives, such as desired sagebrush height and cover amount, may very well be beyond the ecological potential of a particular site. Understanding the ecology of these systems is critical to the appropriate management of Nevada’s rangelands, and extends to the conservation of sage-grouse. These planning efforts must be cooperative with the landowner and interested parties need time to comment.

Recommendation: The BLM and USFS should incorporate the introductory language (text of Section 4.0) and the desired habitat conditions (Table 4-1) from the State Plan for consistency of application.

The FEIS implements unduly restrictive livestock grazing actions that do not include all available tools for proper range management to address site-specific concerns. At the same time, the proposed actions for wild horse and burro populations do not achieve proper grazing. State and local plans support proper grazing management practices, applicable to all large ungulates, which incorporate a high level of flexibility through adaptive management to achieve the overall management and resource objectives as defined by the permittee and the land manager through an allotment management planning process. The LUPA/FEIS should, like state and local plans per federal policy guidelines, empower local management with stakeholder input and collaboration to work toward the desired habitat conditions and overall ecosystem health to achieve a net conservation gain for sage-grouse, and adhere to all existing state and federal laws in its management actions.

Recommendation: The LUPA/FEIS should make the management actions for both the Livestock Grazing and Wild Horses and Burros sections consistent with state and local plans, and should ensure that that the management actions are implemented according to federal law.

Mitigation for Anthropogenic Disturbances

As mentioned earlier, Nevada committed significant time, staffing, and funding to the creation of a mitigation system, the CCS, that provides a consistent, transparent and scientifically based methodology for mitigation. The preferred alternative allows for the development and use of other applicable mitigation systems in addition to the CCS, but fails to provide detail on the level of rigor and net conservation gain of these other systems, nor are there assurances that these programs incorporate the best available science. The CCS is a rigorous, scientifically based mitigation program that includes

measures for habitat suitability and availability at multiple scales to ensure net conservation gain for the greater sage-grouse. In addition, the CCS is a system that is transparent and consistently applied to credit and debit projects in each mitigation situation across jurisdictional boundaries. I understand the need to account for existing signed agreements (*i.e.* the Barrick Bank Enabling Agreement), as well as the need for flexibility in the unlikely event that the CCS is not able to fulfill mitigation requirements. However, the allowance of multiple mitigation systems, without specific detail requiring that alternative mitigation systems achieve, at a minimum, the same level of conservation gain, does not provide consistency or certainty for the Department of Interior, private industry, non-governmental conservation organizations, local governments, or the state. This in turn diminishes our ability to achieve and account for landscape level conservation gain.

Recommendation: The rigor of the CCS should be set as the bar that other allowed mitigation systems must meet to ensure that they are equitable, comparable and consistently provide net conservation gain for greater sage-grouse. The LUPA/FEIS should also recognize and honor pre-existing, signed sage-grouse agreements such as the Barrick Bank Enabling Agreement.

The LUPA/FEIS does not require mitigation in OHMA and, as such, is not consistent with the State Plan and the best available science (Coates et al 2014). Mitigation in OHMA provides conservation on an additional 7,620,000 acres that are spatially important to sage-grouse as they maintain connectivity throughout the range in the sub-region.

Recommendation: The LUPA/FEIS should adopt mitigation requirements in the OHMAs for both direct impacts on OHMAs and indirect impacts in PHMA and GHMA created by anthropogenic disturbances occurring in OHMAs. This adoption will help to ensure net conservation gain throughout Nevada and provide consistency across the range.

Map Updating Process

The State of Nevada Management Categories maps were created by USGS to be used in conjunction with the State Plan to determine management areas at the landscape scale that are then paired with on the ground, site specific data to determine mitigation requirements and assist with project prioritization. It is not a habitat map; it is a management category map and should be classified and used as such. The addition of land use allocations, and noise and travel restrictions, based solely on map designations and not on-the-ground data could have implications in areas where they are or are not necessary. This map is intended to be updated every three to five years based on emerging science and state collected lek and telemetry data. Ecosystems and human communities change through time in numerous ways that are directly related to sage-grouse and multiple-use land management. Recognizing these changes and refocusing on current and emerging priorities as science and resource inventories improve is part of essential adaption in land management. The LUPA/FEIS needs to be

able to adopt the map updates to incorporate best available science and to be consistent with state and local plans.

Recommendation: The LUPA/FEIS should include a method for using site-specific data when applying SSS1-SSS4, which contains noise restrictions and travel restrictions, particularly in GHMA. The BLM/USFS should use the process that was outlined in Appendix O of the Preliminary Proposed FEIS (CA Version) for future map updates. This process provides for the same framework and methods as were used to develop the maps in the LUPA/FEIS and specifically indicates that updates to the maps using these methods will be incorporated through plan maintenance not plan amendment. At the very minimum, if adopting the above process is not possible, the LUPA/FEIS should adopt the final version of the State of Nevada Management Categories map due mid-August from USGS in the signing of the ROD to ensure that the plan has the most current science and data.

Comprehensive Travel and Transportation Management

The LUPA/FEIS is unclear in the comprehensive travel and transportation management section and requires clarification in how it will be implemented, and also fails to outline procedures to address valid existing rights that have not been adjudicated in federal courts but nonetheless are valid existing rights (*i.e.* RS 2477 roads). Management of roads is under the jurisdiction of the state and local governments per NRS 405.191 (public roads include what are commonly referred to as R.S. 2477 rights-of-way) and NRS 405.201 (accessory roads are roads to which public use and enjoyment may be established). The proposed actions will restrict or eliminate access to roads which are founded upon existing and valid rights.

Recommendation: Provide clarification on the comprehensive travel and transportation management section that clearly outlines the intent of this section. Also include a statement that any roads that currently exist will be assumed to have underlying valid existing rights. As a starting point, BLM and USFS should use each county’s provided road inventory as roads that may have a right of way under RS 2477 and cannot have restrictions imposed on them.

NEVADA STANDS READY

Thank you for your consideration of our comments, recommendations and concerns. I respectfully request your full consideration of these requests and recommendations. Despite our disappointment and frustration at this juncture, Nevada stands ready to discuss, consider, explain and forge a path forward with you and the Department of the Interior. I am hopeful that we can return to the collaborative relationship we once enjoyed during this process and that in doing so, we can agree on a final set of policies that will accomplish our mutual goal of conserving sage-grouse in Nevada.

Should you have any questions or wish to discuss this further, please do not hesitate to contact Tony Wasley, Director of the Nevada Department of Wildlife, Leo Drozdoff,

Director of the Nevada Department of Conservation and Natural Resources, Jim Barbee, Director of the Nevada Department of Agriculture, or Cory Hunt, a member of my staff.

Sincere regards,



BRIAN SANDOVAL
Governor

Attachments:

- Sagebrush Ecosystem Program Letter
- Elko County Commission Letter
- Eureka County Commission Letter
- Lincoln County Commission Letter
- Nevada Association of Counties Letter
- Washoe County Commission Letter
- Nevada Division of Minerals Letter

Cc:

- The Honorable Secretary of Interior Sally Jewell
- The Honorable Secretary of Agriculture Tom Vilsack
- BLM Director Neil Kornze
- USFS Chief Tom Tidwell
- Nevada Congressional Delegation
- Nevada Sagebrush Ecosystem Program
- Western Governors Association