



Chapter 5: Consultation and Coordination

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Public involvement, consultation and coordination and have been at the heart of the planning process leading to this Final EIS and Proposed Resource Management Plan. This was accomplished through public meetings, informal meetings, individual contacts, news releases, planning bulletins, a planning website, and Federal Register notices.

5.1 PUBLIC PARTICIPATION

Scoping is an early and open process to determine the scope of issues to be addressed in the planning process, as defined by 40 Code of Federal Regulations (CFR) Parts 1500 et. seq. The scoping process serves several purposes, including providing a formal mechanism to engage the public in identifying key planning and land management issues. The BLM conducted formal public scoping activities during the 60-day scoping period from December 6, 2001 to February 4, 2002. These activities included developing a project website and conducting public scoping meetings in an “open house” format.

5.2 PROJECT WEBSITE

The website was designed to provide the public with information on the planning issues and the overall process as well as with another means of submitting input directly to the BLM. The project website, www.BlackRockHighRock.org, initially went “live” on November 26, 2001 and featured content that provided users with information on resource and planning issues associated with *Black Rock-High Rock*. Information included, but was not limited to, text of the NCA Act, NCA and Wilderness Facts, a map of the planning area, a form allowing users to add their names to the project mailing list, and a form for users to submit input as part of the scoping process.

5.3 SCOPING PERIOD

5.3.1 SCOPING MEETINGS (AND COLLABORATIVE PLANNING WORKSHOPS)

The scoping meetings took place in an “open house” format to provide members of the public an opportunity to interact one-on-one with resource specialists from the BLM on the various resource issues and provide input to the BLM using a number of mechanisms. Five public workshops were scheduled for the general public in late November/early December 2001. In addition, a separate scoping meeting was scheduled specifically for tribal representatives on December 4, 2001 in Reno, Nevada.

Publication of the Notice of Intent (NOI) in the Federal Register, which is considered the formal start of the scoping process, did not occur until December 6, 2001. This precluded the five public workshops from being formal scoping meetings under the NEPA process, but as part of the overall RMP process the meetings were still held in the manner and on the dates originally scheduled and referred to as Collaborative Planning Workshops.

Two additional meetings using the identical format conducted during the scoping period in mid-January, were formal scoping meetings. In all advertising efforts associated with these two scoping meetings, the BLM made a point to inform the public that anyone who had attended the collaborative planning workshops in November and December of 2001 and provided input was also invited to attend these meetings, but their attendance was not necessary because any input received during the earlier meetings would be considered by the BLM as formal scoping comments.

5.3.2 SCOPING PUBLICITY

A variety of methods were used to publicize the collaborative planning workshops and the scoping meetings. Meeting announcements were mailed directly to the project mailing list of over 1,200 names, as well as to members of the Resource Advisory Council (RAC) Subgroup three weeks

before the meetings were conducted. In addition, a press release was distributed to 68 regional and local media outlets announcing the meetings. Finally, the project website posted the press releases and meeting announcements under the appropriate content headings: *press releases* and *meetings*, respectively. For the collaborative planning workshop held specifically for Tribal representatives, a separate mailing was made to Tribal governments inviting their participation. The Tribal governments were also telephoned directly to announce the meeting and were asked to use Tribal communication channels to spread the word with respect to the meeting.

Table 5-1 summarizes key information related to the numerous meetings conducted during the scoping period and just prior to the scoping period. All meetings, except where otherwise noted, were held from 5:00 pm to 9:00 pm.

Table 5-1. Collaborative Planning Workshops and Scoping Meetings

Meeting	Type	Location	Attendees
November 28, 2001	Collaborative Planning Workshop	Winnemucca, NV BLM-Winnemucca Field Office 1500 E. Winnemucca Boulevard	9
November 29, 2001	Collaborative Planning Workshop	Gerlach, NV Gerlach Community Center 410 Cottonwood Street	9
November 30, 2001	Collaborative Planning Workshop	Cedarville, CA BLM-Surprise Field Office 602 Cressler Street	4
December 3, 2001	Collaborative Planning Workshop	Sacramento, CA Scottish Rite Masonic Center 6151 H Street	45
December 4, 2001 1 – 4 pm	Collaborative Planning Workshop – For Tribal Representatives	Reno, NV BLM-Nevada State Office 1340 Financial Boulevard	1
December 4, 2001	Collaborative Planning Workshop	Reno, NV BLM-Nevada State Office 1340 Financial Boulevard	78
January 16, 2002	Scoping Meeting	Reno, NV BLM-Nevada State Office 1340 Financial Boulevard	45
January 17, 2002	Scoping Meeting	Sacramento, CA Scottish Rite Masonic Center 6151 H Street	4

NOTE: The BLM considered any input received at the Collaborative Planning Workshops to have the same status as comments submitted during the formal 60-day scoping period. It was intended that the Collaborative Planning Workshops were to function as formal scoping meetings, but delays in the publication of the NOI precluded them from having that formal status.

All meetings were held in large, single rooms open to the public. As attendees arrived, they were asked to sign-in and were given a folder containing informational materials related to the planning effort. These materials included a map of the planning area, fact sheets describing the planning issues that had been identified thus far in the process, a comment form, and a copy of the Nevada Sage, a newsletter published by the BLM Nevada State Office containing articles on *Black Rock-High Rock*. Different “issue stations” that focused on particular planning issues were positioned around the meeting area and were staffed by resource specialists from the BLM. The resource specialists were present to answer questions that attendees had and to clarify questions related to their areas of expertise. Each issue station had poster-sized maps geographically depicting the resources related to that issue, as well as additional samples of the fact sheets related to that issue. Some of the stations addressed broad issues and included some specific sub-issues as well. For example, the “Historical and Cultural Resources” station covered issues related to the Applegate-Lassen Trail, other historical and cultural issues, and issues of concern to Tribes.

Numerous fact sheets were developed for the various broad issues represented at the meeting; these issues included:

- Access and Transportation
- Grazing and Private Interests
- Recreation and Off-Highway Vehicle (OHV) Use
- Wilderness
- Wildlife and Hunting (including Wild Horses & Burros)

Other informational materials were developed that addressed applicable portions of the NCA legislation, a summary of comments BLM had heard to that point from other sources, information developed during earlier planning efforts, key planning concerns, and Questions and Answers.

Three methods were available to participants who wished to submit input at the workshops and scoping meetings:

- A computer featuring the *Black Rock-High Rock* website and its online input form,

- A paper comment form to use for handwritten comments, and
- A tape recorder for submitting spoken comments.

Attendees who submitted input at the workshops and scoping meetings chose to use the website and the written form; no one used the tape recorder.

5.3.3 PUBLIC INPUT

Public input received through the project website, collaborative planning workshops, public scoping meetings, direct mailings, hardcopy comment forms, and personal communications, which include all input received during the public scoping period as well as input received in the weeks leading up to the scoping period, were compiled into a single database for management and analysis. The 825 comments included in the database were grouped into seven issue categories. Individuals submitting comments categorized their own comments from a menu of choices. Table 5-2 displays the categorized comments.

Table 5-2. Types of Scoping Comments Received

Input Category	Comments	Percent
Recreation / OHV (Burning Man, land speed, rocketry, etc.)	189	23%
Access and Transportation	151	18%
Wildlife / Hunting	143	17%
Wilderness	95	12%
Livestock Grazing, Mining and Other Private Interests	61	7%
Historic / Cultural Resources (including emigrant trails)	54	7%
Other	130	16%
Total	825	100%

5.3.4 ISSUES ADDRESSED

Issues identified through the scoping process were considered in the development and analysis of the planning alternatives. The seven categories were: Access and Transportation; Historic and Cultural Resources (including emigrant trails); Livestock, Grazing and Other Public Interests; Recreation/OHV (Burning Man, land speed, rocketry, etc.); Wilderness; Wildlife/Hunting; and Other, as described below. Comments beyond the scope of this EIS were not considered in alternative development and analysis.

5.3.4.1 Access and Transportation

Most public comments opposed constructing new access, however, others argued that access is necessary to accommodate visitation, private landowner activities, wildfire response, and prescribed management activities, including revegetation of fire-destroyed lands and wild horse population control. The main issues to address are to what degree should access be provided to the plan area and private landowners and how can this be accomplished while preserving the “primitive character” of the NCA and protecting the area’s resources.

5.3.4.2 Historic and Cultural Resources (including emigrant trails)

Public comments addressed management of the trails and the degree of exposure the trails should be subject to from visitation and motorized activity. Issues involved conserving the trails in their current state versus restoring them to “pioneer” conditions and restricting access, which limits visitation to the trails, versus accommodating visitors, which may further deteriorate the trails. The main issues to address are should the trails be conserved or restored and how can the trails and their setting be adequately protected while providing opportunities for public enjoyment of this resource.

5.3.4.3 Livestock, Grazing and other Private Interests

Comments primarily focused on impacts to private rights and permits within the NCA, such as grazing, and changes in private activities due to NCA designation. The main issues to address are can private rights and permits be accommodated while meeting the intent of NCA legislation and should any changes or restrictions be made to the current regulation of private rights.

5.3.4.4 Recreation/OHV (Burning Man, land speed, rocketry, etc.)

Comments suggested that the NCA should be emphasized as a “conservation” area and not a “recreation” area. A majority of comments noted that most current recreation activities should continue, including camping, rocketry, land speed activities, and the Burning Man festival, with the exception that OHV activity should either be ended or kept to a minimum on designated routes only.

Suggested management improvements included rotating the location of large-scale permitted events on the Playa to prevent damage, maintaining the existing number of campsites, and providing minimal to no recreational amenities in remote areas, such as restrooms and other modern facilities. The main issues to address are to what degree NCA designation should affect current

recreational activities and how public access and diverse recreational opportunities can be provided while protecting and preserving resources within the NCA.

5.3.4.5 Wilderness

Comments mostly expressed differing views of passive versus aggressive approaches to management of Wilderness Areas. Issues focused on establishing a baseline for wilderness conditions, revegetation after wildfires, restoration of rangeland areas, presence of wild horse and cattle populations, intervention with non-native plant species, public access, recreational signage, and camping in the wilderness. The main issues to address are to what extent management activities should interfere with nature to protect and enhance Wilderness Areas, while accommodating and enhancing the visitor experience.

5.3.4.6 Wildlife/Hunting

Comments addressed animal population management, availability of water resources to support wildlife, and restrictions on hunting and fishing. The main issue to address is how wildlife resources can be conserved and protected, while providing opportunities for hunting and fishing.

5.3.4.7 Other

Other issues derived from comments included providing a visitor center and information kiosks; location of visitor services; providing interpretive materials on the history of the emigrant trails, Burning Man, and warnings about the primitive nature of the area; and signage and other directional information assistance within the NCA. The main issues to address are whether visitor services and educational materials should be provided to enhance the visitor experience and if so how those services should be implemented.

5.4 AGENCY CONSULTATION AND COORDINATION

Because of jurisdictional responsibilities, BLM is required to consult with certain federal, Native American, and State agencies and entities (40 CFR 1502.25) during the NEPA decision-making process. BLM is also directed to integrate NEPA requirements with other environmental review and consultation requirements to reduce paperwork and delays (40 CFR 1500.4-5).

Title II, Section 202 of FLPMA directs BLM to coordinate planning efforts with Native American Indian tribes, other federal departments, and agencies of the State and local governments as part of its land use planning process.

This section documents the consultation and coordination efforts undertaken by BLM throughout the entire process of developing the final EIS and Proposed RMP.

5.4.1 NATIVE AMERICAN INDIAN TRIBES

In keeping with the provisions of NEPA and FLPMA, BLM established regular opportunities for interaction with Tribal officials and conducted a Collaborative Planning Workshop for tribal representatives on December 4, 2001. Initial contact letters were mailed directly to Tribal organizations in late March/early April 2002 to solicit suggestions and comments regarding Tribal consultation during the NCA planning process. Table 5-3 lists Tribal organizations that were contacted for consultation.

Table 5-3. Tribal Organizations Contacted

Alturas Rancheria	Lovelock Tribal Council
Battle Mountain Band Council	Nevada Indian Environmental Coalition
Burns Paiute Tribe General Council	Pit River Tribe
Cedarville Rancheria Tribal Office	Pyramid Lake Tribal Council
Confederation of Warm Springs Reservation	Shoshone-Bannock Tribes
Fallon Shoshone-Paiute Tribe	Shoshone-Paiute Business Council
Fort Bidwell Reservation	Summit Lake Paiute Tribe
Fort Hall Reservation	Susanville Indian Rancheria
Fort McDermitt Tribal Office	Walker River Paiute Tribal Council
Intertribal Council of Nevada	Winnemucca Tribal Council
Klamath General Council	--

5.4.2 FISH AND WILDLIFE SERVICE

The Endangered Species Act of 1973 (ESA), as amended, directs every federal agency to ensure that any action it authorizes, funds or carries out is not likely to jeopardize the existence of any listed species or destroy or adversely modify critical habitat (50 CFR 400). The ESA authorizes federal agencies to enter into early consultation with the Fish and Wildlife Service (FWS) to make those determinations. Consultation by BLM with the FWS under Section 7 of the ESA was initiated on December 14, 2001. A list of threatened, endangered, proposed and candidate plant and animal species, and species of concern that may be present in the NCA and associated wilderness areas was requested.

5.4.3 STATE HISTORIC PRESERVATION OFFICE

The State Historic Preservation Office (SHPO) must be consulted concerning any resource management proposals that may affect a cultural property listed on or eligible for the National Register of Historic Places. The SHPO has been part of the State Planning Team since it was formed. A letter requesting planning process input was sent to the SHPO in March 2002.

5.4.4 RESOURCE ADVISORY COUNCIL (RAC) SUBGROUP

The Sierra Front-Northwestern Great Basin and Northeast California Resource Advisory Councils formed the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Subgroup (RAC NCA Subgroup) in April 2001 at a joint meeting of these two RACs held in Reno, Nevada. The purpose of the NCA Subgroup was to work collaboratively with BLM and to provide advice and counsel to the two parent RACs during the Congressionally mandated, time-sensitive resource management planning process for the NCA Planning Area.

The Subgroup reached a maximum of 26 members and met 10 times: nine planning meetings and a special Wilderness Workshop held in December of 2001. Meeting places were in Cedarville, California, and in Winnemucca, Reno and Verdi, Nevada. In addition, some members participated in field trips to the NCA, and many also attended additional meetings of the two parent RACs, and took part in other NCA related BLM planning and public scoping meetings.

The regular meetings and the workshop covered a total of 15½ days. Based on average attendance, this means that the members of the Subgroup donated a total of 2500 hours of their valuable time to the NCA planning process. This is a strong indication of how much the Subgroup members care about the Black Rock-High Rock country.

Seven Subgroup members were also members of the parent RACs: three from the Northeast California RAC and four from the Sierra Front-Northwestern Great Basin RAC. Collectively the members live in fifteen different communities, and represent very diverse interests, including among others:

- Ranching
- Historic Trails
- Wilderness
- Native American Tribes
- OHVers
- Rockhounds
- County Government
- Tourism
- Wildlife
- State Agencies
- Burning Man/Special Recreation Events
- Range
- Public-At-Large
- Public Interest Groups
- General Recreation

At the planning meetings the Subgroup helped to formulate and refine draft alternatives, as well as to determine and analyze impacts that could be expected from implementation of these alternatives. In short, the Subgroup made essential contributions to, and played a major part in, the NCA planning effort.

At its final meeting in Verdi, Nevada on June 3, 2003, each member of the Subgroup was presented with a Certificate of Appreciation by NCA Manager Dave Cooper, and a special plaque was commissioned for presentation to RAC NCA Subgroup Chairman Don Klusman.

5.4.5 STATE PLANNING TEAM

In addition to coordination conducted with the RAC subgroup, a State Planning Team consisting of representatives from State of Nevada agencies was formed and tasked with providing input to the development of this Final EIS and Proposed RMP from the State's perspective.

Meetings with the State Planning Team were held on:

- February 21, 2002
- March 21, 2002
- August 20, 2002
- September 5, 2002
- November 14, 2002
- May 16, 2003

5.4.6 ECONOMICS SUB-TEAM

Coordination and consultation was also conducted with an Economics Sub-Team composed of representatives from Washoe County, Nevada, Humboldt County, Nevada, Pershing County, Nevada, Modoc County, California, the Nevada Association of County Governments, University of Nevada-Reno, Nevada BLM State Office, and members of the Black Rock-High Rock planning team.

Meetings with the Economics Sub-Team were held in Lovelock, Nevada on the following dates:

- November 27, 2001
- March 14, 2002
- August 14, 2002

5.5 PUBLIC COMMENT PERIOD ON THE DRAFT EIS AND RMP

The BLM published an NOA for the Draft RMP/EIS on March 7, 2003 and the document was filed with the EPA. The EPA announced the availability of the Draft RMP/EIS for public review and comment in the Federal Register on March 14, 2003 (*Federal Register*, Vol. 68, No. 45, Friday, March 7, 2003, pp. 11127-11129); this announcement began a 90-day comment period, which ended on June 16, 2003.

Agencies and the public were invited to submit their comments by regular mail, through the project

website, electronic mail (email), facsimile transmission (fax), at public meetings held at 5 locations in April 2003, or hand delivered to the BLM field office. Copies of the Draft RMP/EIS were available for review online at the project website (<http://www.BlackRockHighRock.org/>), the BLM NV Winnemucca Field Office, and at the following repositories: U of Nevada-Reno Getchell Library, Humboldt County Library, BLM NV Carson City Field Office, BLM NV State Office, Gerlach NV Library, Reno NV Public Library, Pershing County NV Public Library, Lyon County NV Library—Dayton NV, Lyon County NV Library—Fernley NV, BLM CA Surprise Field Office, Modoc County CA Library—Cedarville CA, Modoc County Library—Alturas CA, BLM CA State Office, and BLM CA Eagle Lake Field Office. Copies of the DEIS could also be requested in either a printed copy or on a compact disc (CD) by contacting the Winnemucca Field Office through email, phone, or fax.

5.5.1 PUBLIC COMMENT MEETINGS

The public comment meetings took place in an “open house” format to provide members of the public an opportunity to interact with resource specialists from the BLM on the respective resource issues as well as provide comments to the BLM on the Draft EIS and RMP. Five public comment meetings were held in April 2003.

Table 5-4 summarizes the public comment meetings held during the comment period. All meetings were held from 4:00 pm to 7:00 pm.

Table 5-4. Public Comment Meetings

Meeting	Location	Attendees
4/21/03	Winnemucca, NV Convention Center Bridge St & Winnemucca Blvd	11
4/22/03	Gerlach, NV Gerlach Community Center 410 Cottonwood Street	10
4/23/03	Cedarville, CA BLM-Surprise Field Office 602 Cressler Street	6
4/24/03	Sacramento, CA Scottish Rite Masonic Center 6151 H Street	35
4/25/03	Reno, NV BLM-Nevada State Office 1340 Financial Boulevard	38

All meetings were open to the public and were held in large, single rooms. As attendees arrived, they were asked to sign-in and they were given a folder containing informational materials related to the planning effort. These included a fact sheet on “making your comments count” which emphasized the need for specific, substantive comments, fact sheets organized by resource area illustrating the differences between the No Action Alternative, Alternative A, B, and C, a blank comment form, and a copy of the *Nevada Sage*, a newsletter published by the BLM Nevada State Office containing articles on *Black Rock-High Rock*. Different “issue stations” that focused on particular resource areas were positioned around the meeting area and were staffed by resource specialists from the BLM. The resource specialists were present to answer any questions that attendees may have had on the Draft EIS and or to clarify any issues on particular resource. Each issue station had poster-sized maps geographically depicting the resources as they would be managed within the different Alternatives.

In addition, a documents station was available where participants could review the Draft EIS and RMP in hard copy.

Hard copy comments were collected from participants during the public comment meetings. Additionally, comments on the Draft EIS and RMP were received via mail, fax, and email.

5.5.2 COMMENT MEETING PUBLICITY

A variety of methods were used to publicize the public comment meetings. In February, planning bulletins were mailed to the project mailing list of nearly 1,500 names, as well as to members of the Resource Advisory Councils (RACs) and RAC Subgroup, announcing the dates, times and places of the April meetings. In addition, a press release was distributed to 68 regional and local media outlets announcing the meetings. Finally, the project website posted the press releases and meeting announcements under the appropriate content headings: *press releases* and *meetings*, respectively.

5.5.3 COMMENT ANALYSIS

This chapter presents a synopsis of the comments received. A more detailed analysis is presented in Appendix N.

Comments in response to the Draft RMP/EIS were organized and summarized to allow decision-makers and BLM specialists to understand the principal issues of concern. The purpose of this analysis was to objectively identify and display the nature and extent of the public input received on the Draft RMP/EIS. All comments were reviewed. Substantive comments were identified for response, which includes those that presented new data, questioned findings of analyses, or raised questions or uses relevant to the potential environmental impacts of the alternatives, as required by NEPA (40 CFR 1503.4) and the BLM NEPA handbook (H-1790-1). Comments were categorized based on resource areas.

4,529 comments were received from federal, Tribal, State, and local agencies, the RAC subgroup, special interest organizations, and individuals. Each comment was entered into a database and multiple issues within each comment were assigned to their appropriate category. Because of the large number of submittals (letters, emails, faxes, comment forms) received during the

public comment period, BLM elected to extract and categorize comments and, as appropriate, group the same or similar comments for response. This approach enabled BLM to more efficiently consider, individually and collectively, all comments received and to respond to those comments.

The following list highlights key aspects of the BLM approach to capturing, tracking, and responding to public comments on the Draft RMP/EIS:

- BLM read all comment documents and their attachments to identify and extract comments. After comment identification, BLM grouped individual comments by categories and assigned each comment to a BLM specialist in the appropriate discipline to prepare a response. BLM specialists reviewed each response to ensure technical and scientific accuracy, clarity, and consistency, and to ensure that the response fully answered the comment. BLM specialists referred to the original letters, when necessary, to better define the context surrounding the comments.
- Frequently, more than one commenter submitted identical or similar comments. In such cases, BLM grouped the comments and prepared a single summary response for each group. Summarization of comments was also appropriate because of the large number of comments received.
- To the extent practicable, BLM grouped comments by topic. Each comment-response pair consists of the number of comments summarized, the individual or summary comment, and the response.
- BLM made every effort to be fully responsive to every comment received on the Draft RMP/EIS. When the meaning of a comment was not clear, BLM made a reasonable attempt to interpret the comment and respond based on that interpretation. In such cases, a statement of the BLM interpretation of the comment precedes the response.

5.5.3.1 List of Key Topics and Issues

This section provides short summaries of a variety of key issues raised by commenters during the public comment process. It also provides BLM responses to those key issues. BLM identified the issues as “key” based on factors such as:

- The prevalence of a particular issue.
- The extent to which an issue concerned fundamental aspects of the Preferred Alternative.
- The extent to which BLM changed the Final RMP/EIS in response to the issue.

Transportation and OHV Routes

Many comments noted that roads should be kept unimproved and should not be upgraded. Other comments noted that roads in the planning area are already deteriorated and the potential increased visitor use would result in further damage.

The transportation system management described in TRAN-1, TRAN-2, TRAN-3, TRAN-4, and TRAN-8 attempt to strike a balance between providing for adequate access and conserving, protecting and enhancing the resources, including the setting of the emigrant trails and a wilderness landscape. The system would be designed to provide a series of primary access routes where the roads would be adequately maintained to provide for a wide range of public access combined with many miles of motorized trails where the public could experience solitude, isolation and the challenge of self-discovery. The decisions also provide a process to continually evaluated and adjust the management of the transportation system to meet the future needs for management.

Mixed sentiment was received regarding OHV use in the NCA and resulting impacts.

The enabling legislation provided for continuing access to users of the area. However, the Act also required that OHV use be confined to designated roads and trails or others designated for vehicle use. The OHV decisions (OHV-1) provide for a large open area (Map 8-3) that includes the entire Playa and the remainder of the area is

designated for motorized use on roads and trails. 23 miles of roads are proposed for closure in the RMP. Sections 4.2.1.19, 4.2.2.19, 4.2.3.19, 4.2.4.19 and 4.2.5.19 "from Transportation and OHV Management" in the FEIS discussion the impacts related to changes in OHV designations. The specific impacts from changing the size of the open area is unknown but expected to be small. Most visitors to the NCA stay on existing routes and do not pioneer new routes.

Cultural Resources, Including Emigrant Trails

Comments suggested that there is a considerable need for adequate inventorying and monitoring.

BLM recognizes the need to undertake cultural resource inventories of large areas as discussed in the common to all alternatives section 2.4.3.2 and RMP decisions CRM-1, CRM-4, and CRM-5. Volunteers from organizations with direct interests in the NCA and scientific research as described in appendix M (decision CRM-7) will be used in inventories. New sites identified will be classified and evaluated for their NRHP eligibility, and protected accordingly. Increased visitation and potential vandalism will be addressed with additional law enforcement and cultural resource management staff.

Comments noted that there is a significant need to protect the pristine trail segments, context of the Emigrant Trails, and their viewsheds.

Criteria have been developed for evaluating trail remnants, inventorying and evaluating cultural resources, and viewshed management. The trail setting would be preserved through VRM designations of Class I in wilderness and Class II in the remainder of the planning area, shown on Map 8-9.

Concerns were expressed for managing cultural sites for Public Use.

The emphasis on Public Use will be only applied to sites that are already heavily visited or damaged. For example, the pristine Emigrant Trail traces would be managed for Conservation or Conservation/Scientific, while traces that are commonly traversed by motorized vehicles would be managed for Public Use.

Wilderness and Special Designations

Many comments indicated a lack of support for the "natural" and "wild" emphasis zones in Wilderness as described in Alternative C of the Draft EIS/RMP.

The "natural" and "wild" emphasis zones proposed in Alternative C of the Draft Plan are not being used in the proposed plan.

Concern was expressed over Nevada's authority to conduct management-based activities within wilderness areas.

A Statewide MOU between the BLM and NDOW is currently being prepared. The MOU will specify the terms and conditions under which wildlife management activities in the wilderness areas may occur, and will outline the process that will be used to authorize these actions. Construction of new wildlife waters will be allowed when they are the minimum required action necessary for the management of the areas as wilderness.

Several comments indicated that signing of Wilderness boundaries at prescribed intervals was not appropriate.

The language in the proposed plan in decision WILD-3 for wilderness signing has been adjusted to reflect an adaptive management approach. BLM has also prepared maps of individual wilderness areas and has made them available to the public, so that they may more easily locate the boundaries. Additional law enforcement officers have been added to the NCA staff to enforce wilderness regulations.

Mixed sentiment was received regarding the management of ten acquired parcels in the LCT Area.

Due to a recent court settlement, BLM's authority to designate new WSAs has expired. However, wilderness values continue to be an important part of BLM's multiple use mandate and BLM may continue to protect areas with wilderness characteristics and identify management prescriptions needed to accomplish this. Decision LCT Area-1 in the Wilderness Section outlines management for areas with wilderness character in the Lahontan Cutthroat Area.

A number of comments indicated that Wild and Scenic Rivers should not be designated through the RMP.

BLM planning guidance requires that stream segments in the planning be evaluated for Wild and Scenic eligibility and suitability. To be eligible a stream segment must be free flowing and contain at least one Outstandingly Remarkable Value. It is not necessary that a stream segment have consistent yearlong flow to be eligible. The Outstandingly Remarkable Values for all eligible stream segments can be found in Table 3-6 in Chapter 3 of the Draft Plan. BLM planning guidance mandates that BLM conduct an inventory of stream segments to determine if any are eligible and suitable for Wild and Scenic River status. The results of this inventory can be found in Table 3-6 of Chapter 3 of the Draft Plan. The plan does not propose designation for Wild and Scenic Rivers, only Congress or the Governor may do that. The protection afforded by Wilderness, NCA, or Wilderness Study Area designation was considered sufficient to protect the outstandingly remarkable values of these stream segments.

Several comments received voiced concerns over the size of the Soldier Meadows and High Rock Canyon ACECs.

ACECs are designated where important resources require special management. For this planning effort, ACECs are considered an appropriate designation when multiple, and potentially conflicting, locally unique resources occur in areas expected to have concentrated human use. The purpose of the ACEC designation then would be to protect those important resources and simultaneously raise the information and education transfer to the users of the importance of the resources. Additionally, ACEC designation in itself does not add additional layer of rules and regulations. Each ACEC is designated to provide special management actions required by important resources values. It is those management actions that change uses within an ACEC, not the designation itself. The RMP reduces the ACEC acreage by 75%, but better conforms to areas where high visitor use is associated with high resource values.

Vegetation and Water Resources

Several comments pointed out the need to control noxious weeds, but requested control methods with the least impacts to other uses, natural processes, and native vegetation.

The NCA and Wilderness remain areas where native vegetation in good condition remains more common than invasive species. Noxious weeds are invasive, non-native species that can replace native vegetation over wide areas. The Proposed RMP provides for active inventory followed by aggressive response to weed populations before they become substantial. Control of noxious weeds would be conducted using the best combination of treatment practices developed specifically for the target species and infested site, consistent with Nevada Revised Statute 555.010 (see Section 8.2.8.1).

Concern was expressed over potential water rights takings from existing water rights holders and having sufficient water rights to manage natural resources.

BLM has long recognized the State's regulatory authority to administer waters within their boundaries (BLM Manual at 7250.06 1984), and the goal of protecting private water rights is a regulatory responsibility of the Nevada State Engineer. Continuation of existing management regarding water rights is included under all alternatives. BLM would continue to file for water rights through the State of Nevada to support uses consistent with this plan that help to achieve resource management objectives and maintain healthy and functioning riparian and upland systems (WATER-7).

Livestock Grazing and Wild Horses and Burros

Concerns were expressed over continuing livestock grazing in the NCA.

The enabling legislation provides that livestock grazing will continue where it was permitted at the time of designation, subject to existing laws and regulations. Therefore, closing areas to livestock grazing or retiring livestock permits at some future date is not consistent with the NCA Act or current grazing regulations.

Concerns were expressed over monitoring impacts from livestock grazing.

The Proposed RMP provides for that specific grazing prescriptions and stipulations to meet Land Health Standards and other objectives of the RMP be incorporated in site-specific grazing authorizations following evaluations. Use of the Land Health Standard for soils provides indicators for soil health and apply to all uses and programs in the Proposed RMP. Identification of soils needing additional protection meet the soil standard will be accomplished through the evaluation process associated with livestock grazing and other programs.

Concerns were expressed over impacts from wild horses and burros. The need to maintain appropriate wild horse and burro numbers was noted.

The law requires that wild horses and burros be managed on public lands in a manner that maintains a thriving ecological balance between horses and other natural resources. The NCA Act identified wild horses and burros as one of the values within the NCA. Over the past several years over 3,000 animals have been removed from the NCA in order to maintain this balance. BLM will continue to manage horse and burro numbers to meet the population management goals.

Fish and Wildlife

Mixed sentiment was expressed for retaining or removing wildlife water developments in wilderness areas.

The existing constructed wildlife water sources will be maintained as stated in decision FW-10 of the wildlife section in the proposed plan. Construction of new wildlife projects will be authorized in wilderness if they meet the criteria of being the minimum required action necessary for management of the areas as wilderness, as mandated by the Wilderness Act of 1964. Emphasis in wilderness areas will be put on native wildlife and natural population dynamics.

Concern was expressed that the specifics of wildlife management could compromise the jurisdiction and responsibilities of Nevada Division of Wildlife (NDOW) within the designated wilderness and NCA.

The Proposed RMP includes the language from the legislation that identifies the role of NDOW in managing wildlife populations. Actions related to wildlife management in wilderness areas have been revised in the Proposed RMP where they were consistent with management of lands as wilderness to address issues identified by NDOW during the planning process. BLM is committed to working closely with NDOW in the future in order to effectively manage wildlife populations and habitats and is confident that any future required site-specific analysis could be completed in a timely manner.

Visual Resources

Comments noted that the NCA should preserve the primitive, unaltered setting of the NCA. There was concern that some of the proposed management directions in various alternatives threaten that setting with road upgrades, increased signage, lower VRM standards, and development of recreational facilities.

The entire planning area would be managed to achieve Class I or II VRM standards. Management direction under the proposed RMP would focus on retaining the wild and undeveloped character of the planning area. Off-site methods of public outreach and interpretation/education would be emphasized, such as maps, driving guides, websites, self-guided tours, and informational exhibits located near the entry points of the NCA boundaries. Facilities, signage, and road upgrades within the NCA would be kept to a minimum, and partnerships would be pursued to provide visitor services outside the NCA boundaries. Activity level planning would determine the specific details of site development, interpretation or other visitor facilities. Road maintenance levels and directional signage would also be handled through the implementation of the transportation plan

Lands and Realty and Mineral Resources

Concerns were expressed over utility management decisions and above ground power lines.

See decision LAND-4. Existing utility corridors are retained. See decisions LAND-2, LAND-3 and LAND-7. Applications to installing

utilities would be analyzed on a case-by-case basis to determine their suitability to meet visual resource management objectives or other resource management objectives.

Concern was noted over the future of private inholdings as a result of the management plan.

Decision actions proposed in the RMP/EIS only apply to public lands. There is no plan to purchase any private lands within the NCA, however, BLM will entertain purchasing lands with high resource values if BLM is approached by the landowner indicating a desire to sell that land. See decisions LAND-1, LAND-2, LAND-4 and LAND-5.

Mixed sentiment was received of whether or not areas should be open to mineral leasing laws and geothermal exploration outside the NCA.

In addition to the NCA and Wilderness Areas designated by Congress, this RMP/EIS addresses other federal lands considered to be an integral part of the Black Rock System. Increases in conflicting public demand dictates an RMP that addresses uses on these other federal lands, however, buffer zones or VRM standards for lands surrounding the NCA and Wilderness Areas have not been created. These other federal lands addressed in the RMP/EIS contained low potential for locatable minerals. Use of mineral materials in some of these other federal lands will be allowed for road maintenance. The South Playa area contains high potential for geothermal resources where leasing with "no surface occupancy" (or "no above ground facilities") will be allowed. This would conform to the current Administration's emphasis on development of alternative energy sources.

Recreation and Public Outreach and Visitor Services

Comments voiced concern over the decision to designate the NCA as a Special Recreation Management Area (SRMA).

Special Recreation Management Area is a BLM administrative term used to define an area where significant recreation issues may require further planning and intensive management. BLM policy requires SRMA designation for all areas with significant recreation management issues. Intensive recreation use, with related impacts and conflict, is

occurring in the planning area. SRMA designation does not imply an emphasis on providing for recreation nor does it require any specific on the ground management, rather it recognizes the potential for recreation related impacts and enables BLM to address recreational use.

Several comments disagreed with or questioned the utility, the boundary definitions for zones, and whether or not the use of zoning was within the intent of the NCA legislation and Wilderness designation.

Zoning is a management tool for use by the managing agency, which is not intended to change the visitor experience or the resource condition. They are used to help maintain the diversity of resources and related experiences that currently exist. Zones describe the character of visitor facilities, activities, etc., which are permitted within them, and are based on existing conditions or desired resource conditions. The management zone boundaries have been adjusted based on public input. Please see Decision REC-15, Map 8-13, and the zone descriptions found in Appendix B of this Plan.

Mixed sentiment was received in response to proposed decisions for Special Recreation Permits.

Large-scale permitted events were given specific mention in the legislation that created this NCA. Large scale permitted activities would be permitted in areas of the playa shown on Map 8-14. Minor modifications were made to reduce the northern extent of the permit area proposed in the preferred alternative of the Draft RMP. The language found in decisions REC-25 and REC-27 were adjusted based on public input to clarify the intent of concentrating large-scale permits to the southern portions of the Black Rock Desert playa, as well as maintaining access and opportunities for solitude.

Many comments expressed concern over developed and designated campgrounds in or near the NCA.

Private landowners within the NCA and private operators outside of the NCA would be encouraged to provide visitor services (See Decision REC-11). Encouraging developments to occur on private lands is an attempt to draw visitation away from attraction areas on public

lands. To allow continued overnight use of attraction areas on public lands, developed campgrounds could be used to concentrate use to suitable locations away from sensitive resources in the Frontcountry Zone (See decision REC-7). The Frontcountry zone encompasses those areas where developed facilities currently exist, and areas receiving high levels of visitation. Therefore, impacts to the undeveloped nature and opportunities for solitude in these areas would be minimal. Campgrounds would be primitively developed; facilities would be used for resource protection more than visitor comfort. They would be designed to be visually unobtrusive and compatible with the surrounding environment (See decision REC-8). Visitor management of attraction areas within the Rustic Zone would be handled through the use of designated campsites (See decision REC-17 and REC-18). Rather than concentrating use, overnight use would be dispersed through the provision of limited designated campsites within the immediate vicinity of popular destinations (i.e., Black Rock Springs, roaded portions of the LCT Area and Double Hot Springs). Camping would also be restricted within one-half mile of designated sites (See decision REC-16 and REC-19).

Comments supporting the routing of the Desert Trail were received, except for a few who questioned the level of development involved with the routing.

Consideration was given to the National Desert Trail in the RMP. The trail would not be constructed, but would be routed through the NCA and wilderness. The use of designated sites would be encouraged, but only vehicular camping in High Rock Canyon would be required to use designated sites, unless monitoring indicates a need for additional restrictions. See decisions REC-14, REC-18 and Map 8-4.

Mixed sentiment was received regarding implementation of outreach, signing, and visitor services.

Management direction under the proposed RMP would focus on retaining the wild and undeveloped character of the planning area. Off-site methods of public outreach and interpretation/education would be emphasized, such as maps, driving guides, websites, self-guided tours, and informational exhibits located near the entry

points of the NCA boundaries. The increased use of volunteers and BLM presence would also help to provide information in the absence of developed facilities. Facilities, signage, and road upgrades within the NCA would be kept to a minimum, and partnerships would be pursued to provide visitor services outside of the NCA boundaries. Activity level planning would determine the specific details of site development, interpretation or other visitor facilities. When facilities are deemed necessary to protect resources or to provide opportunities for interpretation/education they would be limited to the Frontcountry zone, areas that currently have developed facilities, areas where monitoring indicates impacts to sensitive natural and cultural resources, where public safety concerns exist, where there is continual motorized trespass in wilderness, and where inadvertent damage related to uninformed visitor use continues. All facilities would be designed to be unobtrusive and aesthetically compatible with the landscape. Developments would not occur in designated wilderness, unless a specific resource concern arises. Existing interpretive and directional signage would be maintained until the completion of the signing plan.

Other Comments

Some comments expressed concern that staff, funding and/or adequate law enforcement would not be available to implement the proposed management actions.

All decisions in the Proposed RMP were developed under this assumption and BLM will pursue funding to implement decisions found in the plan in order to achieve plan objectives. In addition, BLM has hired two new Law Enforcement Rangers (one in Cedarville and one in Winnemucca), and a backcountry ranger to increase our presence in the NCA and monitor use in the NCA.

Concerns were expressed over the functionality of implementing the adaptive management approach.

Chapter 9 in the Final RMP/EIS address implementation of the RMP. A substantial portion of this section deals with the application of Adaptive Management.

Some comments suggested forming a public involvement group composed of affected interests, state agencies and stakeholders to work together in plan implementation.

The introduction to the Proposed RMP includes an outline for a public involvement group to participate in the implementation of the RMP.

5.5.3.2 Responses to Comments

As stated earlier, over 4500 comments were received during the 90-day public comment period. To reduce the cost and volume of this document, only agency comment letters have been reprinted in their entirety. All other comments received have been summarized or have been synthesized into a representative comment capturing the main points of several similar comments. BLM maintains files of all original comments in their offices.

Public comments received have been documented, analyzed and considered in decision-making, and incorporated into the Final EIS/Proposed RMP, as appropriate. Comments that presented new data or addressed the adequacy of the document, the alternatives or the analysis were responded to pursuant to BLM's NEPA Handbook. Comments expressing personal opinions or that had no specific relevance to the adequacy or accuracy of the Draft RMP/EIS were considered in the decision-making process, but not responded to directly.

Comments and responses are included in Appendix N. Appendix N includes:

- Agency letters with responses following each.
- Summaries of substantive comments from all other sources with responses.
- Comments addressing the same resources and issues that have been combined with consolidated responses.
- Comments supporting or opposing an alternative or management action were considered and used in aiding the decision-making process, however, in accordance with the BLM NEPA Handbook (H-1790-1) these comments do not require responses.
- Names of all identified commenters.

A number of comments provided valuable suggestions on improving the Draft RMP/EIS. Some comments led to changes reflected in the Final EIS/Proposed RMP. Others resulted in a

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response to explain BLM policy, to refer readers to information in the EIS, to answer technical questions, to further explain technical issues, to correct reader misinterpretations, or to provide clarification. Table 5-5 provides a statistical summary of the comments received.

Table 5-5. Statistical Summary of Comments Received

Comment Category	Comments	Percent
Air Quality	1	0.05%
Cultural Resources (including emigrant trails)	62	3%
Fish and Wildlife	82	4%
General comment	375	18%
Land Health Standards	6	0.3%
Lands and Realty	51	2%
Livestock Grazing	77	4%
Mineral Resources	30	1%
Native American Values	9	0.4%
Other	18	1%
Other/Adaptive Management	6	0.3%
Other/Advisory Group	8	0.4%
Other/Law Enforcement	14	1%
Other/Zoning	13	1%
Paleontological Resources	10	0.5%
Public Outreach and Visitor Services	88	4%
Recreation	124	6%
Recreation/Desert Trail	20	1%
Recreation/SRPs	541	26%
Socioeconomics	3	0.1%
Soils	6	0.3%
Special Designations	72	3%
Special Status Species	8	0.4%
Transportation and OHV Routes	234	11%
Vegetation	74	4%
Visual Resources	17	1%
Water Resources	15	1%
Wild Horses and Burros	15	1%
Wilderness	84	4%
Wildland Fire	29	1%
Total Unique Issues¹		2,092
Comments supporting Wilderness Society form letter		More than 3,400
Total Comments Received		4,529
Of the total comments:		
Total e-mails		4,313
Total letters		206
Total comments typed at the public meetings		10

¹ Multiple unique issues may be addressed within a single comment. Therefore, the total number of unique issues is not equal to the total number of comments.

5.6 SUMMARY OF CONSULTATION MEETINGS AND ISSUES

Table 5-6 provides a summary of agencies, Tribes and other entities consulted during the planning process, with meeting dates, issues raised, and how the issues were addressed.

Table 5-6. Summary of Consultation Activities and Issues

CONSTITUENCY	MTG DATES	LOCATIONS	POSITIONS	HOW ADDRESSED IN FEIS/PRMP
Tribes	1/16/02 4/12/02 7/26/03 8/1/03 8/12/03 8/12/03 8/13/03 8/23/03	Reno NV Winnemucca NV Winnemucca NV Nixon NV Ft McDermitt NV Fallon NV Lovelock NV Ft Bidwell CA	Protect Traditional Uses– Protect Summit Lake & Tributary Water Quality– Protect Lahontan Cutthroat Trout Habitat–	All alternatives protect traditional uses to varying degrees. Rangeland Health Standards protect water quality in all alts. All alts protect LCT habitat (LCT is a threatened species).
State Black Rock Team	2/21/02 3/21/02 8/20/02 9/5/02 11/14/02 5/16/03	Winnemucca NV Carson City NV Reno NV Reno NV Carson City NV Carson City NV	Conform with State plans and regs–	BLM regs require conformance wherever consistent with federal laws and regs.
Economics Team	11/27/01 3/14/02 8/14/02	Lovelock NV Lovelock NV Lovelock NV	Assure that County concerns are recognized–	Planning process fully considered all county plans.
County Transportation	3/13/02 9/16/02	Winnemucca NV Winnemucca NV	Share maintenance costs due to NCA visitation–	All alts include varying levels of road maintenance.
Private Landowners	11/1/01	Gerlach NV	Assure access to private lands–	The NCA Act and Wilderness Act assure reasonable access.
RAC NCA Subgroup	7/13/01 9/21/01 11/2/01 – 11/3/01 12/13/01 1/25/02 3/11/02 – 3/12/02 6/20/02 – 6/21/02 9/18/02 – 9/20/02 5/9/03 6/2/03 – 6/3/01	Reno NV Winnemucca NV Cedarville CA Reno NV (Wldrns Trng) Reno NV Reno NV Reno NV Reno NV Reno NV Verdi NV	Fifteen interests were represented on the Subgroup. These covered the entire range of concerns considered by the NCA Planning Staff during this process–	All concerns have been addressed in the range of alternatives.

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CONSTITUENCY	MTG DATES	LOCATIONS	POSITIONS	HOW ADDRESSED IN FEIS/PRMP
NE California RAC	4/5/01 6/1/01 1/10/02 4/19/02 7/11/02 – 7/12/02 10/18/02 2/27/03 – 2/28/03 6/5/03 – 6/6/03	Reno NV (Subgroup formed) Cedarville CA Alturas CA Susanville CA Cedarville CA Sparks NV (NCA Joint Mtg) Susanville CA Alturas CA	No concerns beyond those expressed by the Subgroup were expressed.	All concerns have been addressed in the range of alternatives.
SF-NWGB RAC (NW NV)	4/5/01 4/26/01 7/26/01 11/9/01 3/28/02 7/25/02 – 7/26/02 10/18/02 1/28/03 4/29/03 – 4/30/03 7/16/03 – 7/17/03	Reno NV (Subgroup formed) Genoa NV Winnemucca NV Elko NV Carson City NV Bridgeport CA Sparks NV (NCA Joint Mtg) Carson City NV Fallon NV Winnemucca NV	No concerns beyond those expressed by the Subgroup were expressed.	All concerns have been addressed in the range of alternatives.
Public Meetings	2/26/01 2/27/01 2/28/01 3/5/01 3/6/01 3/7/01 11/28/01 11/29/01 11/30/01 12/3/01 12/4/01 1/16/02 1/17/02 4/21/03 4/22/03 4/23/03 4/24/03 4/25/03	Susanville CA Alturas CA Cedarville CA Reno NV Gerlach NV Winnemucca NV Winnemucca NV Gerlach NV Cedarville CA Sacramento CA Reno NV Reno NV Sacramento CA Winnemucca NV Gerlach NV Cedarville CA Sacramento CA Reno NV	Initial public reaction included concerns about use of condemnation to acquire private lands, and blocking off access to private lands and interests in the planning area, and severe limitations on public recreational access.	These early concerns have been all but eliminated during the collaborative planning process. Public meetings now take place in an atmosphere of friendly discussion on a wide array of non-controversial topics. Mutual respect and fair hearings of all points of view are the rule.

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CONSTITUENCY	MTG DATES	LOCATIONS	POSITIONS	HOW ADDRESSED IN FEIS/PRMP
Interagency (Fed/Tribal /State/ County)	6/26/01 – 6/28/01 1/16/02 2/21/02 5/29/02 10/22/02 – 10/25/02 11/14/02 4/21/03 8/7/03	Winnemucca NV Reno NV Reno NV Winnemucca NV Verdi NV Carson City NV Winnemucca NV Gerlach NV	<p>NTC course – Community Collaborative Planning Workshop</p> <p>NV Division of Wildlife wants to continue to use aircraft to manage wildlife and habitat in newly designated Wilderness Areas–</p> <p>SHPO expressed concern that wagons not be used to recreate lost traces of the historic trails, and wants more cultural surveying in the planning area–</p> <p>Railroad crossings providing playa access are unsafe, and it is unclear who is responsible for maintaining them.</p>	<p>This workshop was well attended by State, county, Tribal and private interests.</p> <p>RMP allows use of minimum tool management techniques and does not preclude the appropriate use of aircraft in Wilderness.</p> <p>The proposal to use wagons to recreate trail ruts was dropped during the planning process, and several of the alts include proactive surveying and site categorization by type.</p> <p>Within the Planning Area, one RR crossing accessing the playa will be developed and will be maintained by BLM. Three other crossings will be closed.</p>