

Appendix T - Public Comments on the DRMP/DEIS and BLM Responses

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General DRMP/DEIS Comments and Responses

1 Comment: The BLM should adopt the Steens-Alvord Coalition “Citizens Alternative”.

Response: The Steens-Alvord Coalition alternative is not a fully developed alternative that comprehensively addresses the range of resource issues in the Planning Area. The individual proposals in the “Citizens Alternative” are incorporated throughout the five alternatives in the DRMP/DEIS. Analysis of the overall alternative would not differ significantly from analyses for Alternatives B and C.

2 Comment: The EIS does not contain an adequate range of alternatives. BLM Instruction Memorandum No. 2001-075 states “The impacts of all alternatives addressed must be fully analyzed in the NEPA document. They must also reflect the actual situation on the ground.” In short, this RMP must present and analyze a range of alternatives that comply with the planning criteria and existing law and should therefore include the elements of the Citizen’s Alternative.

Response: The document contains five alternatives which were subject to public review and comment. “What constitutes a reasonable range of alternatives depends on the nature of the proposal and the facts in each case.” (Forty Most Asked Questions Concerning CEQ’s NEPA Regulations 1b.) Since the “proposal” in this case is a wide-ranging management plan, the alternatives themselves must be wide-ranging. In this document, alternatives range from few management activities and uses to considerable activities and uses. The instruction memorandum cited has expired and is no longer to be used as guidance in accordance with BLM Instruction Memorandum No. 2003-195 which deleted the statement quoted above. Also see response to comment 1 concerning the “Citizen’s Alternative”.

3 Comment: Analysis should not be undertaken through alternatives which are contrary to various laws and regulations.

Response: “An alternative that is outside the legal jurisdiction of the lead agency must still be analyzed in the EIS if it is reasonable. A potential conflict with local or federal law does not necessarily render an alternative unreasonable, although such conflicts must be considered... Alternatives that are outside the scope of what Congress has approved or funded must still be evaluated in the EIS if they are reasonable, because the EIS may serve as the basis for modifying the Congressional approval or funding in light of NEPA’s goals and policies.” (Forty Most Asked Questions Concerning CEQ’s NEPA Regulations 2b.)

4 Comment: The Draft fails to include sufficient details and data for analysis purposes.

Response: An RMP is a planning document not an implementation document. The purpose of an RMP is to provide a general management framework and guidance for future management activities. The EIS, which analyzes proposals put forth in a Draft RMP, analyzes those proposals on a level commensurate with the purpose of an RMP. Extensive details and data are more appropriate for, and pertinent to, implementation level environmental documents.

5 Comment: The Draft fails to analyze cumulative effects.

Response: The geographic extent of a land use plan results in most of the impact analysis being equivalent to a cumulative effect assessment. There is a cumulative effects discussion at the end of each resource section. In addition, new discussion has been added to some cumulative sections for some of the resources. Cumulative effects analysis, as with all other analysis in the document, is commensurate with the purpose of an RMP. Specific cumulative effects analysis is conducted in implementation environmental documents wherein specific actions are being proposed. See also response to comment 2.

6 Comment: The Proposed Final Southeast Oregon RMP promised that the scoping comments for the SEORMP would be considered during the current RMP process.

Response: The Proposed Final SEORMP stated that the comment letters on the Draft SEORMP pertaining to the Andrews RA “...will be retained at the Burns District and appropriately utilized in the district’s upcoming planning efforts.” The Draft comments were retained at the Burns District. The letters were reviewed and those which provided substantive comments different from those received on the current DRMP/DEIS document were considered. Initial scoping comments on the SEORMP were considered during the scoping period for this RMP process.

7 Comment: Hiring Enviroscientists, Inc. to write the Plan constitutes a conflict of interest due to connection with the mining industry, and the document shows bias in favor of the extractive industries as a result.

Response: In the contracting process, affiliations with professional organizations are not considered a conflict of interest under Federal Acquisition Regulation at FAR Part 9.5 *Improper Business Practices and Personal Conflicts of Interests*, no matter what the nature of the organization may be. This regulation is used Government-wide to evaluate contracting proposals for potential conflicts of interest. No conflicts of interest were identified during the procurement planning process for the companies that submitted proposals for the project. Selection of the contractor was done in a manner consistent with government contracting procedures established by the General Services Administration. The content of the document was not subject to influence by of the contractor. Most resource sections of the document were written wholly, or for the most part, by BLM specialists, including the minerals sections which were written entirely by the

Burns BLM minerals specialist. Resource sections were reviewed by appropriate staff of the Oregon State Office of the BLM and the Washington Office of the BLM, as well as specialists in the Burns DO. The Proposed RMP was reviewed extensively and supported by the SMAC. All language appearing in the RMP must ultimately be approved by BLM management no matter the author.

8 Comment: The EIS fails to describe the nature of effects that would result under the alternatives considered; the EIS fails to provide any reasonable assessment of the direct, indirect and cumulative effects of the alternatives. The EIS lacks an adequate analysis of proposed mitigation measures under various alternatives or a comprehensive assessment of their effects.

Response: The EIS for an RMP generally does not go into a more detailed level of analysis since the decisions made in an RMP are primarily planning framework decisions and guidance for future management actions, not site specific implementation decisions resulting from a particular proposed action. Mitigation measures are developed for implementation activities. Each resource section contains a discussion of direct, indirect, and cumulative effects in Chapter 4. The various action alternatives include design features and standards that represent mitigation at the plan level.

9 Comment: All public comment letters should be printed in the plan as the Lakeview BLM did in the Proposed Final RMP/Final EIS.

Response: The Andrews/Steens DRMP/DEIS generated over three times the number of comment letters received by Lakeview. In addition, the Burns DO received over 4,500 form letters. Printing all comment letters would render the Proposed RMP/FEIS document very costly and unnecessarily voluminous. The CEQ regulations (the NEPA regulations) at 40 CFR 1503.4(b) state that all substantive comments can be summarized if there has been a considerable number of comments.

10 Comment: The Purpose of the Cooperative Management and Protection Area...as stated in 102 (a) of the Steens Act, is the guiding principle of how the CMPA is to be managed: *“to conserve, protect, and manage the long-term integrity of Steens Mountain for future and present generations.”* The fact that this quote cannot be found anywhere in this RMP is disturbing. It appears BLM has chosen to not implement the Steens Act according to its mandates.

Response: This purpose is stated on page 2-2 of the DRMP/DEIS and appears in the Proposed RMP/FEIS along with the thirteen purposes of the Steens Act at Section 1 (b), and the five objectives [Section 102 (b)] which further the purpose of the CMPA. The BLM is required to implement all mandates of the Steens Act, and the RMP is an integral part of that implementation.

11 Comment: The AMU and CMPA plans should be separate.

Response: The Final RMP will consist of two separate plans with two RODs - one for each of the two areas.

Water Resources

1 Comment: Table 2.2 is a good start but what about all the other listed streams?

Response: The revised table in the Proposed RMP/FEIS, formerly Table 2.2, actually contains a more comprehensive list of streams in the Planning Area and includes all 303(d) streams associated with public land, with the exception of Skull Creek and Rock Creek which contain limited or no public land along the listed stream reach.

2 Comment: Using Best Management Practices (BMP) from Appendix D is fine, but BLM does not tell the reader which ones are needed because it avoids identifying grazing, and acts as though the source needs to be determined. Reference to the use of adaptive management and generalizations about what BLM can and might do in the future is not reassuring.

Response: Grazing is recognized as a potential contribution of nonpoint source pollution in the Proposed RMP/FEIS. For example, the assumptions identified under the Water Resources section state that BMPs range from specific practices designed to protect water quality at individual sites to management actions designed to reduce potential adverse water quality effects from recreation, grazing, or other activities. Appendix F, rather than Appendix D, provides a list of some recognized BMPs, including some that specifically address controlling livestock access and use of riparian areas which would contribute to maintenance or improvement of water quality. However, Appendix F acknowledges that this is not an “exhaustive list” and that BMPs may need to be refined and additional practices recognized. Adaptive management provides for interim adjustments and refinement of management actions, including BMPs, provided through implementation and effectiveness monitoring, as well as new management concepts, policy, regulation and opportunities. Management of water quality is a dynamic process in which requirements and emphases vary over time, as recognized by the EPA in 40 CFR 130(e).

3 Comment: Total Maximum Daily Loads (TMDLs) should be developed to ensure that water quality is improved and impaired waters are de-listed within ten years.

Response: The development of TMDLs is the responsibility of the DEQ. The current schedule for developing TMDLs for subbasins within the Planning Area identifies completion of all subbasins by the end of 2010 (<http://www.deq.state.or.us/wq/303dlist/TMDLTargetsMap.htm>). The BLM is working with the DEQ to develop Water Quality Restoration Plans for waters included on the 303(d) list and within BLM’s administrative jurisdiction.

4 Comment: At a minimum the RMP/EIS should state that grazing permits for allotments adjacent to or containing water quality limited streams will be put into Temporary Non-renewal status until the streams are no longer listed under the Clean Water Act 303(d) list.

Response: 43 CFR 4130.6-2 defines nonrenewable grazing permits and leases as: “Nonrenewable grazing permits or leases may be issued on an annual basis to qualified applicants when forage is temporarily available...”. This is an additional temporary allocation of forage. Based on the overall context of the comment, the BLM assumes the comment was intended to reference temporary suspension of grazing, 43 CFR 4110.3-3, Implementing reductions in permitted use which states: “when continued grazing use poses an imminent likelihood of significant resource damage, after consultation with, or a reasonable attempt to consult with, affected permittees or lessees, the interested public, and the State having lands or responsible for managing resources within the area, the authorized officer shall close allotments or portions of allotments to grazing...” The option of temporarily suspending grazing adjacent to water quality limited streams is within the existing regulations. However, this is relative to resolving site specific issues through consultation with affected interests, and the state having management responsibilities. The DEQ has specific responsibility relative to water quality limited streams in the Planning Area. Assessment of resource condition and actions to “de-list” are addressed through the TMDL and Water Quality Management Plan, and recognized BMPs. The Proposed RMP/FEIS Appendix F identifies BMPs for livestock grazing management including “Fencing to delineate pastures associated to area-specific management objective(s), or to establish permanent, temporary or seasonal exclusion from specific areas.”

5 Comment: How many TMDLs currently exist within the Planning Area? How many will likely exist within five and ten years from now?

Response: The Alvord Lake subbasin TMDL and Water Quality Management Plan has been developed by the DEQ and approved by the EPA. The DEQ prioritized subbasins for development of TMDLs (<http://www.deq.state.or.us/wq/303dlist/PRIORITIZATION.pdf>). All subbasins within the Planning Area are scheduled to be completed by 2010.

6 Comment: The plan’s non-specific, non-immediate promise to develop and implement “best management practices” to restore water quality and meet Oregon water quality standards for listed waters fails to satisfy the requirements of CWA Section 313. Note that the requirements of CWA 313 and FLPMA 202 are mandatory in nature.

Response: Although Section 313 (Federal Facilities Pollution Control) of the CWA appears to be more associated with point source pollution from facilities/properties, this section is stated in terms of “subject to, and comply with, all Federal, State, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of water pollution” Potential water pollution associated with public land management in the

Planning Area is recognized as nonpoint source in the Proposed RMP/FEIS. As stated in Copeland (1997), “because there are no federal controls over these sources under the Clean Water Act, the primary implementation measures will be state-run nonpoint source management programs coupled with state, local, and federal land management programs and authorities”. The DEQ administers the state water quality program as discussed in the Proposed RMP/FEIS. The TMDL, and associated implementation plan (WQMP), process implements water quality standards and thus provides a regulatory framework and defines the components for measuring compliance with the CWA (see Overview of the TMDL Process [<http://yosemite.epa.gov/R10/water.NSF>]). The FLPMA 202(c)(8) states “In development and revision of land use plans, the Secretary shall provide for compliance with applicable pollution control laws, including State and Federal air, water, noise, or other pollution standards or implementation plans”. As presented in the Proposed RMP/FEIS, the Forest Service and Bureau of Land Management Protocol for Addressing Clean Water Act Section 303(d) Listed Waters developed in conjunction with the EPA and the DEQ, and subsequent WQRPs (provided in all alternatives) provides for compliance with applicable water pollution control laws. The BLM reissued a MOA with the DEQ in 2003. The MOA stipulates the BLM and DEQ responsibilities under the CWA and each agency’s commitment to a collaborative approach for developing TMDLs and WQMPs/WQRPs. The BLM and DEQ have agreed to develop more specific details for the 303(d) listed waters in the BLM’s jurisdiction. Per EPA requirements for developing TMDLs and WQMPs, designated management agencies have one year after completion of the TMDL to develop a WQMP for water quality restoration.

7 Comment: Section 303 of the CWA, 33 U.S.C. 1271-1387, addresses water quality via water quality standards, which specify the appropriate uses of water bodies and set standards to protect those uses. Implementation of water quality standards requires states to place those waters not meeting water quality standards on the 303(d) list. 33 U.S.C. 1313(d)(1)(A)-(B) (requiring states to “identify those waters for which the effluent limitations required by section [303(b)(1)(A)] and section [303(b)(1)(B)] ... are not stringent enough to implement any water quality standards applicable to such waters”). States must then calculate total maximum daily loads (TMDLs) for those waters not meeting water quality standards. The Draft RMP/EIS fails to make clear that its adaptive management approach to listed water bodies without approved TMDLs is likely to lead to continuous violations of the CWA.

Response: The CWA does not directly regulate nonpoint source pollution; the primary implementation measures are through state-run nonpoint source management programs and federal land management programs and authorities (Copeland 1997). The TMDL process implements water quality standards (Overview of the TMDL Process [<http://yosemite.epa.gov/R10/water.NSF>]); thus, technically there would be no violation pending approved TMDL. Adaptive management as discussed in the D RMP/DEIS, as well as the Proposed RMP/FEIS, is a process of defining management practices, evaluating their effectiveness and refining as needed. WQRPs are recognized in the Proposed RMP/FEIS as the primary mechanism to address and restore waters identified on the 303(d) list. These plans will further describe management actions and monitoring to attain or progress towards attainment of state water quality standards and implement requirement(s) outlined in the TMDL and associated Water Quality Management Plan. Through MOA with the DEQ and according to the EPA requirements, the BLM has one year following the development of a TMDL to develop plans for water quality restoration.

8 Comment: The DRMP/DEIS fails to adequately analyze the impacts on water quality of land use practices such as grazing, and fails to provide compliance with water quality standards by referring only to potential future implementations of adaptive management measures, rather than providing objective standards with definite triggers and responses to water quality problems. In order to satisfy the requirements of NEPA, and particularly if the RMP is going to allow grazing in riparian areas, the agency must analyze the potential impacts of livestock grazing to water quality. Additionally, the D RMP/DEIS does not identify what changes “would be made”, nor does it provide any scientific evidence that these changes would prevent impairment of water quality. It also appears that the BLM is linking PFC to water quality, when achieving PFC (let alone “progressing toward” PFC) may still leave a water body in violation of water quality standards.

Response: The BLM planning regulations at 43 CFR 1601.0-5(k) describes an RMP as a plan that “generally establishes in a written document” allowable resource uses, resource condition goals and objectives, and the need for an area to be covered by more detailed and specific plans, among other items. The definition further recognizes that “it is not a final implementation decision on actions which require further specific plans, process steps, or decisions under specific provisions of law and regulations”. Potential effects to water resources from grazing have been discussed. The effects analysis of grazing management on water resources are in the context of the stated grazing management actions, such as those described under Management Common to All Alternatives. This action is to develop and implement changes in grazing management necessary to meet habitat and other resource objectives, including water quality, based upon project level assessments and planning. This is further supported through the objectives and alternatives under Water Resources to maintain or improve water quality and comply with state and federal requirements to protect public waters. Identification and implementation of management practices, such as the BMPs identified in Appendix F, would be conducted through project level assessment and planning. Management to maintain or restore water quality would further be reviewed through development of WQRPs in support of TMDL and WQMPs developed by the DEQ.

Adaptive management is a process of evaluating the effectiveness of management practices, including BMPs, and modifying as necessary based on monitoring and assessment. Therefore, grazing management would be assessed and implemented at the project level to meet resource objectives, including water quality. PFC is both an assessment method

and a condition rating. PFC is an assessment of the physical function of riparian areas through consideration of hydrology, vegetation, and soil/landform attributes. This assessment utilizes existing site specific inventory and monitoring data, as well as helping to identify site specific management objectives and additional monitoring needs. Riparian areas are considered properly functioning when adequate vegetation, landform or large woody debris is present to dissipate stream energy associated with high water flows, thereby reducing erosion and improving water quality. Achieving or maintaining PFC establishes a level of resiliency and foundation for managing riparian/wetland areas for desired values, including water quality.

9 Comment: Review all grazing allotment management plans, and revise as necessary, to expedite meeting state water quality standards in all 303(d) listed streams.

Response: Review and necessary revision of grazing allotment management plans in regards to 303(d) listed streams is provided for in the Proposed RMP/FEIS, particularly through evaluations for the S&Gs and the development and implementation of WQRPs developed in coordination with the DEQ.

10 Comment: Under the federal reserved water rights doctrine an implied reserved water right exists if water is necessary for the purposes of the reserve and, the agency in question, may claim water for the minimum amount necessary to fulfill the purposes of the reservation. The BLM, therefore, should pursue implied federal reserved instream flow water right for fish, recreation, or wildlife purposes as authorized by this doctrine.

Response: Other than those lands specifically reserved for purposes that provide for application of a federal reserved water right such as designated WSRs, the public lands in the Planning Area are considered part of the public domain, not a reservation. Therefore, federal reserved water rights would not be applicable. In regard to designated WSRs in the Planning Area, the application of federal reserved water rights is discussed under the Water Resources section of the Proposed RMP/FEIS. While the option for applying a federal reserve water right exists, it is not warranted at this time for the following reasons: 1) the Donner und Blitzen River system is fully appropriated; and 2) these river/stream segments are within the Steens Mountain Wilderness with the majority from headwater to the downstream Wild and Scenic Rivers boundary.

11 Comment: I was involved in most of the inventory of riparian areas and fisheries habitat on public lands from 1971 to 2000. I continue to visit many of these areas and find that along many stream sections junipers and topographic relief provide the only significant stream shade. Junipers provide valuable overhanging structure and ameliorate high summer water temperatures. Some places there are riparian shrubs, such as willows, that also occur but in other places after many years of protection from grazing juniper is the only significant tall shade providing species. I witnessed, while working for BLM, that the burning out of riparian areas usually had strong negative impacts on stream structure, shade, and tons of sediment was deposited in the stream bottoms the first year following burning. You reference that “Application of BMPs based on site-specific analysis would minimize or mitigate potential short-term sediment input?”. What BMP would that be? Short term impacts of high sediment yield often have long term impacts as when pools are silted in and spawning gravel is impacted by sediment that is usually a long term impact.

Response: The context of this comment appears to be related to actions proposed under the Vegetation-Woodlands Management Alternatives and the Indirect Effects to Water Resources. The Vegetation-Woodlands Proposed RMP and Alternatives A, C, and E propose the use of mechanical removal or prescribed burning or both to reduce the influence of western juniper on riparian plant communities. As described, the objective is to reduce the influence of post-settlement western juniper to restore riparian habitats. The effects of these alternatives are in the context of restoration of watershed and riparian function and values, while recognizing other potential ancillary effects such as increased sediment delivery. However, the effects of increased sediment are presumed to be negligible due to the likelihood of similar sediment input relative to site conditions such as reduced ground cover often associated with the presence of western juniper and the assumption that project design and application of BMPs would prevent or reduce project related sediment inputs. The potential effect on stream shade was not addressed in the Indirect Effects under the Water Resources section of the DRMP/DEIS; this has been included in the Proposed RMP/FEIS.

As indicated in the comment, riparian sites in the Planning Area vary in existing presence of riparian species presence and density. Additionally, site characteristics such as valley slope and confinement, stream channel gradient, and bank and floodplain stability associated with substrate (e.g. boulders) also vary among riparian areas. Therefore, specific treatment and BMP development and implementation rely on site specific assessment and planning to achieve project objectives while preventing or reducing adverse effects to water resources such as nonpoint source pollution. Again, the BMPs identified in Appendix F is not an exhaustive list. An example of recently prescribed BMPs for a watershed restoration project to reduce western juniper presence and competition employed in the Planning Area involved retaining a buffer of western juniper along the riparian area while treating (cutting and burning) junipers in the adjacent upland, subsequently cutting the junipers within the riparian area and burning during a period of low air and soil temperature and riparian vegetation dormancy to reduce potential impacts to existing riparian vegetation. Additionally, project actions that may result in initial reduction of shade or increased sediment input would be assessed and coordinated with the DEQ. Project design and BMPs would be implemented to prevent, reduce or mitigate potential adverse effects. The Oregon Administrative Rules, Division 41 Water Quality Standards allow short-term degradation of existing water quality as a result of activities that are intended to restore the geomorphology or riparian vegetation of a water body, or control invasive species, so long as the DEQ determines that there is a net ecological benefit of the restoration activity.

Reasonable measures that are consistent with the restoration objectives for the water body must be used to minimize the degradation. Because streams are affected by energy input via direct solar radiation, the factors that control energy inputs to streams (such as channel width and stream shading) are among the most important factors affecting stream temperature that can be affected by BLM management. The condition of the riparian canopy and its ability to regulate solar radiation is important for moderating the solar energy input to streams, especially during the summer months (Beschta 1987). The amount, type and distribution of shade-providing vegetation at a given site is controlled by channel processes and land use. The character of riparian vegetation communities in many locations of the Planning Area has been altered as a consequence of grazing, altered wildland fire regimes, and juniper encroachment. Channel incision has been causally linked with conversion of riparian ecological types to vegetation communities more typical of upland areas (e.g. juniper) (Toledo and Kauffman 2001). Although juniper provides stream shading (a larger contribution than would occur naturally), channel incision and juniper encroachment adversely affect species that provide canopy cover, bank stability, and streambank/floodplain roughness that contribute to stream shading and sediment deposition. The purpose of juniper removal from riparian areas identified in the Proposed RMP/FEIS is to aid restoration of riparian vegetation communities, and subsequent maintenance or restoration of water quality.

12 Comment: We recommend that the EIS incorporate the framework provided in the Forest Service and Bureau of Land Management Protocol for Addressing 303(d) Waters in its discussion of water quality.

Response: The Forest Service and Bureau of Land Management Protocol for Addressing 303(d) Listed Waters is presented and incorporated by reference into the water quality discussion on page 3-6 of the DRMP/DEIS.

Soils

1 Comment: What level of resources does BLM have on an annual basis to work with landowners on soil conservation? How many full time employees does BLM currently allocate towards soil conservation work and how many full time employees does the EIS assume will be allocated to working with private landowners in the future? What evidence from BLM's current efforts supports the idea that BLM will be able to effectively protect soils on private land in the Planning Area.

Response: A BLM ESI team maps soils and vegetation information on public lands. The Natural Resource Conservation Service does the same type of mapping of soils and vegetation on private lands. It is the Natural Resource Conservation Service that most private landowners work with to improve or maintain soils conditions on their land. BLM has no full time employees assigned to working with private landowners for management of private land. The BLM works with private landowners on cooperative management projects, where private land is intermixed with public land. In this situation, the BLM pulls together an ID team made up of various resource specialists, with input from the private landowner, to complete a plan and EA for the project area. The public and private lands are then treated together to obtain the expected effects across the landscape. The BLM can effectively treat private land and protect soils and other resources in a cooperative management plan only if the landowner is a willing participant.

2 Comment: Microbiotic crusts (also known as biological soil crusts) are a major indicator of healthy rangelands.

Response: Biological soil crusts are one of at least twelve potential indicators used in evaluating watershed function for uplands. The condition or degree of function of a site in relation to the standards and its trend toward or away from any standard is determined through the use of reliable and scientifically sound indicators. The consistent application of such indicators can provide an objective view of the condition and trend of a site when used by trained observers (Standards for Rangeland Health OR/WA; USDI 1997). "BLM agrees that the Andrews/Steens RMP will provide for monitoring of the indicators of rangeland health, including biological soil crusts..." (see 2-7 of the DRMP/DEIS, Management Actions 3A-3E), "... and that the BLM will use the data resulting from this monitoring to inform decisions..." (see 2-7 of the DRMP/DEIS, Management Actions 1B-1E) "... regarding management of grazing and other resource uses." (USDI Office of Hearings and Appeals settlement of OR-020-97-01 and OR-020-96-01).

3 Comment: The DRMP/DEIS fails to discuss the condition or degradation of the microbiotic crusts in the planning area.

Response: The discussion of biological soil crusts in Chapters 2, 3, and 4 of the Proposed RMP/FEIS has been greatly expanded directly in response to this and other comments on the DRMP/DEIS and includes discussions concerning management framework; factors that influence biological soil crust distribution (including disturbance); biological soil crusts role in a functioning ecosystem; recent literature that provides insight into disturbance of biological soil crust communities in the Planning Area; and future crust monitoring that would be one of the tools for the study and adaptive management of biological soil crusts.

The BLM acknowledges that the information base on biological soil crusts is incomplete for the Planning Area; however, CEQ's regulations regarding the implementation of the NEPA (43 CFR Part 1502.22) allow an analysis to move forward with incomplete or unavailable information.

4 Comment: The critical importance of crusts on arid landscapes like those in the planning area has also been widely recognized in recent years. See, e.g., Thomas J. Stohlgren et al., Patterns of Plant Invasions: A Case Example in Native Species Hotspots and Rare Habitats, 3 Biol. Invasions 37-50 (2001) (finding exotic species richness strongly negatively correlated with crust cover, and that crusts often present a "physical barrier to invasive species establishment and growth").

Response: Stohlgren et al. (2001), examined microbiotic crusts in southeastern Utah, an area that receives summer rain and is quite different ecologically from the Northern Great Basin region of the Planning Area (which does not receive summer rain). The habitat types and species composition of the microbiotic crusts are different than those found in the Planning Area. Therefore, this research is not directly applicable to the Planning Area.

5 Comment: The BLM must, in order to engage in a meaningful RMP process, and one that complies with statutes, regulations, and the BLM's internal guidance, inventory for soils and crusts.

Response: The benefit of continuing inventories for planning is recognized.

The information used in this analysis is the best available, specifically from the Planning Area, that can be reasonably supported. Monitoring efforts will continue after the RMP is approved. As new information becomes available during or as a result of RMP implementation, it will be evaluated. If new information is significant and clearly indicates a need to make a change to the management direction outlined in the Proposed RMP/FEIS, a plan amendment can be pursued, consistent with the BLM's planning regulations.

Much information specific to the Planning Area can be gathered via new monitoring proposed for the Pueblo-Lone Mountain Allotment and other allotments in the Planning Area; this information can be utilized to inform decisions on future management actions.

6 Comment: The BLM must establish soil and biological crust condition goals and objectives to be attained.

Response: The BLM acknowledges that the information base on biological soil crusts is incomplete for the Planning Area. BMPs in Appendix F of the DRMP/DEIS are not an exhaustive list of BMPs (see the DRMP/DEIS at F-1). Additional BMPs for biological soil crusts may be identified in an interdisciplinary process when evaluating site specific actions. CEQ regulations regarding the implementation of NEPA (43 CFR Part 1502.22) allow an analysis to move forward with incomplete or unavailable information.

The Burns DO, as part of a continuing effort concerning biological soil crusts, has included the development and implementation of the Pueblo-Lone Mountain monitoring studies. This biological soil crust monitoring is an important and major part of this effort. Additionally, the DRMP/DEIS states that the proposed monitoring methodology will be appropriate for other allotments within the Planning Area (see page 2-7 DRMP/DEIS) and future crust monitoring would be one of the tools for the study and adaptive management of biological soil crusts.

New monitoring studies are proposed in this document for the Pueblo-Lone Mountain Allotment and other allotments in the Planning Area in order to inform future management actions.

The Proposed RMP/FEIS provides for monitoring of the indicators of rangeland health, including biological soil crusts (see page 2-7 of the DRMP/DEIS, Management Actions 3A-3E). The BLM will use the data resulting from this monitoring to inform decisions (see page 2-7 of the DRMP/DEIS, Management Actions 1B-1E) regarding management of grazing and other resource uses. (USDI Office of Hearings and Appeals settlement of OR-020-97-01 and OR-020-96-01). (See also Proposed RMP/FEIS Appendix Q.)

7 Comment: The BLM must provide for continued monitoring of biological crusts.

Response: The Burns DO, as part of a continuing effort concerning biological soil crusts has included the development and implementation of the Pueblo-Lone Mountain monitoring studies. This biological soil crust monitoring is an important and major part of this effort. Additionally the DRMP/DEIS states that the proposed monitoring methodology will be appropriate for other allotments within the Planning Area (see page 2-7 DRMP/DEIS) and future crust monitoring would be one of the tools for the study and adaptive management of biological soil crusts. See response to comment 6.

8 Comment: The Draft RMP/EIS fails to provide the same level of protection and attention to crusts as it provides for soils.

Response: The BLM acknowledges that the information base on biological soil crusts is incomplete for the Planning Area. BMPs in Appendix F of the DRMP/DEIS are not an exhaustive list of BMPs (see the DRMP/DEIS at F-1). Additional BMPs for biological soil crusts may be identified in an interdisciplinary process when evaluating site specific actions. The CEQ's regulations regarding the implementation of NEPA (43 CFR Part 1502.22) allow an analysis to move forward with incomplete or unavailable information.

There is limited research currently available specific to biological soil crusts in the Planning Area or surrounding lands and not all of the available research is directly pertinent to the Planning Area. The BLM has considered the available research that was applicable to the area. To reflect the insight provided by this collection of work and in response to comment 8 and other comments on the DRMP/DEIS, modifications have been made to chapters 2, 3, and 4 of the Proposed RMP/FEIS.

The Burns DO, as part of a continuing effort concerning biological soils crusts, has included the development and implementation of the Pueblo-Lone Mountain monitoring studies. This biological soil crust monitoring is an important and major part of this effort. Additionally, the DRMP/DEIS states that the proposed monitoring methodology will be appropriate for other allotments within the Planning Area (see page 2-7 DRMP/DEIS) and future crust monitoring would be one of the tools for the study and adaptive management of biological soil crusts. See response to comment 6. (See also Proposed RMP/FEIS Appendix Q.)

Vegetation - Riparian/Wetland

1 Comment: With respect to livestock grazing, the BLM should acknowledge that grazing has damaged approximately 80 percent of stream and riparian ecosystems in the United States. These riparian areas provide critical habitat for desert plants and animals (see Belsky et al. 1999). An estimated 70-80 percent of all desert shrubs, grasslands and animals depend on riparian areas. Grazing has converted many of the riparian habitats in the West, including within the Planning Area, into communities dominated by habitat generalists and weedy species. As a result, both habitat quality and native species diversity have been drastically reduced. Moreover, available evidence suggests that the impacts in semi-arid areas such as those within the Planning Area are similar to those within drier areas. Thus, the grazing proposed in this plan will almost surely have very significant detrimental impacts on riparian vegetation.

Response: The statement from Belsky (1999), “Grazing by livestock has damaged 80 percent of the streams and riparian ecosystems in arid regions of the western United States” is referenced from the USDI (1994). USDI (1994) references Cooperrider, et al. (1986) which is further in reference to publications from the late 1970s, and use the terms “up to” and “possibly as much as”, respectively. While a complete search of the origin of this statement was not conducted, the context is one of past condition and at a nation wide scale. Additionally, both USDI (1994) and Cooperrider, et al. (1986) are stated relative to “human disturbance” as a whole, not exclusively livestock grazing. The USDI (1994) expresses current nation wide condition of surveyed riparian areas (acres) for BLM lands in terms of PFC at the following levels: PFC 34 percent, Functioning At Risk 47 percent, and Nonfunctioning 19 percent. PFC data (stream miles) presented for the Planning Area in the DRMP/DEIS (page 3-10) are as follows: PFC 72 percent, Functioning At Risk 25 percent, Nonfunctioning 3 percent. Fifty-five percent of the systems rated as Functioning At Risk were observed in an improving trend. These data suggest that existing grazing management has maintained and improved riparian condition within the Planning Area, and grazing management proposed under the Proposed RMP/FEIS would continue to maintain and improve riparian vegetation through subsequent assessment and application of additional BMPs as needed. Recognition of maintenance and improvement of riparian vegetation is further expressed in biological opinions pursuant to the ESA which identify current grazing management along several streams in the Planning Area as providing improvement to riparian habitat (USFWS 2001, 1999, and 1995). Additionally, a portion of the Planning Area which includes much of the riparian habitat has been excluded from livestock grazing pursuant to the Steens Act. Therefore, the data do not support your assertion that “this plan will almost surely have very significant detrimental impacts on riparian vegetation”.

2 Comment: In analyzing the impacts of the preferred alternative, the Draft RMP/EIS (page 4-35) states that “grazing management would continue toward improved riparian/wetland conditions while providing sustainable livestock grazing.” The document never explains how it can simultaneously allow grazing in riparian areas, while still protecting riparian health. Nor does the plan fully explain what the impacts of grazing on riparian areas would be under the individual alternatives. This, of course, violates NEPA’s requirement to analyze and discuss the individual and cumulative impacts of the proposed action and disclose a full environmental analysis to the public.

Response: The BLM’s planning regulations(43 CFR 1601.0-5(k)) describe an RMP as a plan that “generally establishes in a written document” allowable resource uses, resource condition goals and objectives, and need for an area to be covered by more detailed and specific plans, among other items. The definition further recognizes that “it is not a final implementation decision on actions which require further specific plans, process steps, or decisions under specific provisions of law and regulations”. The indirect effects analysis of grazing management on riparian/wetland vegetation are in the context of the stated grazing management actions, such as those described under Management Common to All Alternatives. This action is to develop and implement changes in grazing management necessary to meet habitat and other resource objectives based upon project level assessments and planning. Therefore, grazing management would be assessed and implemented at the project level to maintain, restore, or improve riparian/wetland resources such as composition and abundance of riparian vegetation necessary to achieve or progress towards attainment of project level riparian objectives.

3 Comment: As Riparian and Wetlands biological importance continues to increase it will be important to get all springs in the Andrews Management unit into proper functioning condition. Photo trend plots need to be established to document progress at all sites. Pictures of degraded and improved sites should be published in the draft documents. BLM’s Technical Reference 1317-37 A Guide to Managing, Restoring and Conserving Springs in the Western United States should be consulted for management practices. All springs that have been developed for livestock use need to be modified to allow 50 percent of the water to enter the original wetland riparian areas. This would involve fencing and moving water troughs considerable distances from the water source. Funding and work can come from allotment users because grazing rates are artificially low to help offset costs like this. Also pipe line maintenance needs better monitoring where users oversee the operation of such. Wells should be drilled to allow springs to return to a free flowing state. No new spring developments should be implemented until all current developed springs are properly maintained. All developed springs should be inventoried for needed repairs and put on a maintenance schedule. This information needs to be included in the final draft of the RMP/EIS. These suggestions need to be included in the Preferred Alternative.

Response: The Proposed RMP specifies direction to assess and manage riparian/wetland areas, including springs, to a minimal level of PFC. Assessment and monitoring may include photo trend and management would incorporate technical references such as A Guide to Managing, Restoring and Conserving Springs in the Western United States. However, accomplishing continuous monitoring on 100 percent of riparian/wetland sites would be overwhelming. Development

and maintenance of water developments, including monitoring and restoration activities, is project specific and outside of the scope of this Proposed RMP/FEIS; however, the direction is incorporated in the Proposed RMP/FEIS.

4 Comment: I own 120 acres of land that is completely surrounded by BLM-WSA. Under cooperative agreement with USDI-FWS (Partners in Wildlife), I have dedicated this land to wildlife habitat improvement and riparian restoration.

BLM has an easement, entered into with the previous owner, that allows BLM to “pipe” water from Dip spring through my property into a storage tank hence into more pipeline for watering cattle. I am suggesting that in order to be consistent with their priorities, BLM abandon the pipeline through my property so as to allow for a more meaningful riparian restoration of Dip Creek.

BLM has drilled many wells throughout the Great Basin desert of Oregon, a well to replace Dip Creek water seems appropriate.

Response: The BLM acknowledges your issues and suggestions for managing water and riparian resources. However, to appropriately address this potential opportunity would require project level assessment and planning which is outside of the scope of this RMP. The BLM encourages you to follow up with the Burns DO to further discuss the opportunities you have presented.

5 Comment: As a gauge to measure the health of riparian areas, the RMP consistently relies on the “properly functioning condition” standard. Rather than providing for the outright maintenance of desirable riparian attributes, however, “proper functioning condition” (PFC) refers to the availability of the proper components which are necessary to produce such attributes, and therefore may occur anywhere from early to late-seral stages. (Bureau of Land Management, USDI, Riparian area Management, Process for Assessing Proper Functioning Condition, Technical Reference 1737-9, 5, 11-12 (1993)). As a result, the Plan would authorize the BLM to resume impacts to riparian areas in which vegetative cover, wildlife habitat, biodiversity, improved water quality and other desirable attributes have not been fully achieved.

Response: As defined in the technical references for PFC assessment and reiterated in the D RMP/DEIS page 3-10, PFC occurs when adequate vegetation, land form, or large woody debris is present to dissipate stream energy associated with high water flows. Achieving or maintaining PFC establishes a level of resiliency and foundation for managing riparian/wetland areas for desired values and associated desired ecological status. The range of alternatives described under the Riparian/Wetland Vegetation section further couples PFC to managing toward a desired ecological status through subsequent site/reach specific assessment and relevant to management obligations such as the CWA, ESA, WSRs Act and Wilderness Act.

6 Comment: The use of chain saws to remove junipers from the riparian corridor is highly preferred over burning if it is needed. The riparian areas make up a small percentage of the Andrews MU and adjacent ground cover is not disturbed significantly by chain saw operations.

Response: Chain saws would be a mechanical method included as a tool for removing western juniper from riparian areas as proposed under the Proposed RMP and Alternatives A, C, and E.

7 Comment: We support the Riparian/Wetland Vegetation Objective 2, Preferred Alternative. However, we remain concerned regarding the use of “desirable nonnative species”. Please provide additional information on the potential proposed use of restoration with nonnative species and how this would help achieve the stated goal and objective. We recommend that rehabilitation in areas dominated by nonnative species should attempt to restore native vegetation. Additionally, we recommend that Preferred Alternative be altered to include the following: Restoration sites would be managed to progress toward native vegetation communities within the RMP goal timeframe of 20-50 years.

Response: The Proposed RMP states: “Restoration of adjacent upland vegetation communities that influence riparian/wetland areas would include establishment and management for a range of vegetation, native to desirable nonnative, relative to site specific emphasis of multiple resource management objectives.” The potential use of nonnative species in upland communities that influence riparian/wetland areas would be analyzed through project specific planning. The use of nonnative upland vegetation would provide opportunities to utilize vegetation that may provide restoration/protection qualities such as limiting the spread of wildland fire into riparian areas through higher moisture retention and reduced flame length, and higher establishment success rates for soil stability over native vegetation alone, thus providing for maintenance, restoration, or improvement of native riparian/wetland vegetation. Under the Proposed RMP, the application of nonnative upland vegetation, and restoration or management towards native upland vegetation would be developed and assessed on a project specific basis to achieve riparian/wetland management objectives, as well as other management objectives or legal requirements identified in the DRMP/DEIS.

8 Comment: Please clarify how the BLM would meet Objective 2 for Preferred Alternative if “ecological status objectives would be dependent on meeting multiple use resource management objectives”.

Response: Objective 2 under Riparian/Wetland Vegetation is to “Maintain, restore, or improve riparian/wetland vegetation communities relative to ecological status, site potential and capability, or site-specific management objectives”. Under the Proposed RMP, “management would include passive and active measures relative to site-specific

emphasis of multiple resource management objective(s)". Objective 2 and the Proposed RMP account for both site and reach/area scale to meet identified objectives based on interests and obligations such as recreational use, commodity use, the CWA and the ESA. The following hypothetical example illustrates application of passive or active measures for multiple resource management: An active grazing allotment contains a reach of stream that is on the CWA 303(d) list and provides habitat for an ESA threatened fish. Interdisciplinary evaluation concludes livestock concentration and use of riparian areas has reduced the abundance and diversity of riparian vegetation. Reduced riparian vegetation has contributed to reduced thermal buffering of stream temperatures and reduced overhanging cover of aquatic habitat. Active measures (BMPs) may include fencing to develop a pasture that incorporates livestock season of use or off channel water development that promotes distribution and use in upland habitat rather than along the stream. Planting of riparian trees or shrubs to increase diversity and abundance (active measure) coupled with natural recruitment through reduced use (passive measure) would be monitored to assess progress toward site specific objectives such as percent shade (surrogate measure of thermal buffering and aquatic habitat cover).

9 Comment: Objective 3. Action 1: why are beaver discussed here instead of under wildlife? These industrious little fellows should not only be viewed from the perspective of how they affect riparian areas.

Response: This was discussed at length during some of the initial meetings of the RMP team. To reduce some redundancy of having management actions for beaver under both Riparian and Wildlife headings, it was decided to discuss them under Riparian because of the objective which is to "maintain, restore, or improve soil moisture content and retention of alluvial groundwater to augment base flows during warm summer months."

10 Comment: Why, then, does the Draft RMP/EIS allow for natural expansion of beaver in all alternatives but the preferred alternative, given the cost/benefit analysis that seemingly heavily favors natural expansion over ODFW transplants? As it stands, this particular proposed decision is not well reasoned or supported, and ONDA asks the BLM to select an alternative that allows for natural expansion of beaver in order to provide one of the key ingredients to the recovery, maintenance and improvement of key riparian areas throughout the planning area.

Response: The Proposed RMP does allow for the natural expansion or reintroduction of beaver. The management action states "Allow for the natural expansion or reintroduction of beaver into suitable habitat." Refer to the text for Objective 3, 1D, in the Riparian Section of the Management Actions Table (page 2-11) or in the text portion (page 2-92) of the DRMP/DEIS under Alternative D.

11 Comment: Preferred Alternative is acceptable only if BLM institutes safeguards to ensure that the resource is actually being harmed rather than simply removing a nuisance.

Response: This is the intent of the Proposed RMP. Any request for removal of beaver will have to be coordinated with the ODFW and the person requesting removal of the beaver.

12 Comment: Objective 3, Proposed RMP, Page 2-92: Proposed RMP allows for the natural expansion or reintroduction of beaver into suitable habitat, except that the BLM would recommend their removal to ODFW if economic harm or ecological damage occurs. The Service concurs with the BLM that beaver are important to the health and functions of riparian habitat, and we support the natural expansion or reintroduction of beaver into suitable habitat. We request clarification on the criteria that would be used to remove beaver from BLM administered lands.

Response: A couple of examples may help to clarify the intention of this management action. Economic harm could take on one of several types. One example: If a beaver were to block a culvert on a stream and the water that was backed up from the blocked culvert degraded the roadbed, causing the road to wash out.. Another example: if a beaver blocked a irrigation diversion located on public land and caused loss of water to a private individual. Ecological damage could occur if beaver moved into an area where the BLM had transplanted willow or cottonwood shoots to revegetate a degraded riparian system after juniper removal. Even though the area may be fenced, beavers have been known to find ways to get under or through fences and destroy new plantings.

13 Comment: Statements in the draft plan conflict regarding the roles of the ODFW and the BLM in fish and wildlife management. On page 4-70 (4.6.1.2) it states that "ODFW or the USFWS or both, retain jurisdiction over the management of fish and wildlife populations". However, on page 4-77 (4.6.1.4) it states that " alternatives D and E allow for beaver to be removed if economic harm or conflicts with other objectives can be demonstrated." This statement infers that the BLM is establishing criteria and deciding whether beaver removal will be allowed. We recommend all alternatives regarding beaver management in the draft plan be revised so that they are consistent and reflect the fact that it is the role of the BLM to manage beaver habitat and the responsibility of the ODFW to manage beaver populations. We encourage the BLM to provide input to us regarding beaver population management and share your desire to maintain healthy beaver populations in balance with other resources and land uses.

Response: The BLM Manual 6500, Wildlife Management, contains a section on Cooperative Relations with State Agencies (6521.1) which states:

"The BLM strives for a partnership approach with State fish and wildlife agencies on the full range of fish and wildlife related efforts on the public lands and waters. Bureau policy is based upon the premise that management of fish and

wildlife on the public lands and waters should be a joint effort between BLM and State fish and wildlife agencies, with BLM managing the habitat and *the States managing the resident fish and wildlife species. Further, State wildlife agencies have regulatory authority over resident fish and wildlife and, at times certain migratory species.*" (emphasis added)

The next section in the manual discusses development of an MOU with State agencies. The current MOU between the BLM and the ODFW was signed in 2001 and reiterates on page 4 (2), that the BLM "recognizes the Department [ODFW] as the agency responsible for management of fish and wildlife species on public lands in conformance with applicable Federal and State laws and regulations."

The DRMP/DEIS points out this fact as noted on p 4-70 and also on p. 2-90, p. 2-103 (twice), p. 2-106, p. 3-15, p. 4-29, p. 4-78, and p. 4-99. The section pointed out in the comment is in the Summary of Effects section. It is meant to be a comparison of the effects of the different alternatives and not a reiteration of the management framework or assumptions that were already set out in the various sections prior to the alternative descriptions and discussions of effects. There is no inference intended as to the BLM establishing criteria for managing populations. There are many other statements in the DRMP/DEIS that refer to the BLM making recommendations to the ODFW for management of different species populations, especially beaver. The Burns DO has worked well with the local ODFW office and looks forward to a continued close working relationship.

14 Comment: Please provide information on the location of areas to be reseeded, the areas/acres that are proposed for brush-beating and information on the technique that will be used to beat brush and its impact.

Response: The method that has been used in the past has been a wheeled tractor pulling a mower behind it. The height of the blades can be set to allow for young sagebrush plants to not be cut and provide a new crop of sagebrush without having to wait for seeds to sprout. The width of areas cut depends on the size of the area and the objectives of the project. This method allows for grasses and forbs to remain untouched. The cut strips, if planned according to wind and snowfall direction may allow for more snow to accumulate in these areas, which could result in more ground moisture to aid in grass and forb growth in subsequent years.

The locations of and acres to be seeded or brushbeat will be identified through site specific plans as the analysis is completed. The analysis will be available to the public for comment when completed. These areas are scattered throughout the Planning Area.

Vegetation - Woodlands

1 Comment: Some other methods that should be evaluated include harvesting cut juniper for use, expanding pole cutting opportunities for public.

Response: The Proposed RMP and Alternative E would allow for commercial utilization of the cut western juniper. Utilization could include, but may not be limited to removal for specialized wood products, post and poles, firewood cutting, or biofuels. The BLM would notify the public of such opportunities. Careful planning will be required to meet the requirements set by transportation and other management sections.

2 Comment: The service would like to work with you on the juniper woodland removal projects. We are particularly interested in the removal of junipers that have invaded sage grouse habitat. We recommend each project have site specific analysis. We suggest that BLM convene a committee to assess the restoration potential of each site. The removal of juniper may not result in the expected repopulation by native species that we want.

Response: Each project is evaluated through an ID team process. Within this process, site specific factors are evaluated and post-treatment responses projected. Participation of the USFWS is welcome at any stage in the process.

Each site is evaluated for potential post-treatment response. Sites selected for treatment, for the most part, have understory plant communities capable of responding to overstory reduction or removal. In situations where the understory vegetation is not capable of responding to overstory removal, the plant species will be seeded or planted to facilitate reestablishment of a perennial dominated plant community.

3 Comment: ...recommend cutting and burning activities be closely evaluated on a site-by-site basis.

Response: Each project is evaluated through an interdisciplinary process in the planning, implementation, and evaluation steps. Monitoring is an integral part of management actions. The targets for success are established in the planning phase. These targets are measured/observed during implementation and evaluation. Adjustments are made to future projects if monitoring indicates a change will better achieve the goal.

4 Comment: The Eastern Oregon Agricultural Research Center, based out of Burns, Oregon, has done a considerable amount of research on this issue and would be valuable asset in assisting in prioritizing juniper control efforts and prescribing follow-up treatments to maintain or enhance the ecological integrity of impacted plant communities.

Response: The Burns DO has been working with the Eastern Oregon Agricultural Research Center on juniper management issues since the early 1980s. Some of the seminal research relating to western juniper ecology and management was conducted on the Burns District and Steens Mountain. Many current management actions are based on recommendation from research conducted by the research center. The Burns DO also works with a number of other universities, conservation groups, and institutes. Research funded by the BLM and other granting agencies is vital to the management. These relationships will be sought and encouraged in the future.

5 Comment: We request additional information on the proposed mechanical removal of 90% of the younger (<120 yo) western juniper trees... We are particularly interested in the removal of juniper in areas that provide habitat for sage grouse. Please provide the following information: 1) number and location acres of old growth western juniper woodlands within the Planning Area; 2) number and location of acres proposed to be treated under Preferred Alternative; 3) remaining tree densities after proposed treatment; 4) potential short-term and long-term impacts to special status species and other wildlife species; 5) area and location of juniper encroachment in relation to occupied and historic sage grouse habitat; and 6) proposed measures and mitigations that would be used to avoid and minimize impacts to special status species.

Response: Research conducted by Miller and Rose (1995) estimated that western juniper has increased approximately 90 percent on the Steens Mountain since the late 1800s. Western juniper has invaded mountain big sagebrush, low sagebrush, quaking aspen, and riparian habitats. However, western juniper densities have also increased in historic locations. Historically, western juniper was limited to the rocky ridge tops and shallow soil areas where fires burned at low intensities and frequencies allowing western juniper to establish and survive. This increase in number and cover has increased the threats of high intensity wildfires. The increase of western juniper has occurred at the expense of the associated understory vegetation.

Old growth western juniper stands have not yet been mapped; however, they occur within the western juniper belt on the rocky ridge tops and shallow soil areas. Using the figures of Miller and Rose (1995), the Steens Mountain would have approximately 10,660 acres of western juniper that established prior to the 1870s. This is based on the approximately 90 percent increase of western juniper since the 1970s. In most cases the old growth western juniper stands fall within current post-settlement western juniper woodlands. They occur as small islands on rocky, shallow soils or ridge tops.

The number and locations of treatments and their site specific impacts on special status species will be evaluated for each project through the ID team and NEPA process.

6 Comment: Specific acreage of mountain mahogany are not provided. Please provide information regarding the loss of these habitats to juniper encroachment, and the estimated acres and location of proposed treatment.

Response: Mountain mahogany was specifically mapped as a vegetation type in the GIS data base; however, on the ground experience indicates that this species forms small stands across the middle elevations of the Planning Area. Little information is available on the ecology of mountain mahogany and mountain mahogany plant communities. Observations indicate that western juniper is actively invading some of these stands and the western juniper appears to be reducing the health of the mountain mahogany stand. Little to no new mountain mahogany seedlings are establishing and older mountain mahogany are losing vigor and dying. The increase in the western juniper also increases the fuel continuity of the stands, increasing the risk of stand replacing fires.

7 Comment: Why is the juniper to be removed to 90% of pre-settlement status? – this a major effort that is more properly declared a range management operation than a landscape restoration one.

Response: According to site specific research by the Eastern Oregon Agricultural Research Center, western juniper has increased its range by approximately 90 percent since the 1870s. This increase has had a tremendous impact on sagebrush, quaking aspen, and riparian plant communities. These plant communities are experiencing a conversion and overall simplification of plant and animal communities. Reducing the influence of western juniper in these plant communities will help to restore sagebrush, aspen and riparian plant and animal communities.

Removal of 90 percent of the western juniper is in relation to the level of tree removal within stands selected for treatment. In old growth stands at least 10 percent of the trees that established after the 1870s will be left to act as replacements for natural mortality.

8 Comment: The draft plan identifies correctly the ecosystems and vegetation management issues that are most in need of critical attention in order to achieve and maintain healthy watersheds, but we did not see a reasoned method or design to site vegetation management actions on the landscape.

Response: Specific project locations are based on funding and agency direction. Areas for project location are based on these factors in addition to resource management issues.

9 Comment: Management of fir groves should include fire suppression but there should also be demographic work done on the population to determine reproductive success and to delineate factors at the site.

Response: This suggestion will be considered in the Burns Interagency Fire Management Plan. The fir groves are a unique vegetation community and management actions will take into account the protection of this area.

10 Comment: What are the desirable non-native plant species to which the EIS is referring and describe the adverse environmental impacts of these species.

Response: Non-native species will be used in accordance with current BLM and Department of Interior policies. The use of non-native species and species selection will also be based on site specific analysis. Native species will be utilized when and where possible following BLM policy.

11 Comment: First and foremost, broad-scale mechanical (or other method) treatment of western juniper should be tempered with current scientific research on the issue, including paying close attention to the current and historic causes of juniper expansion – and especially using the information gleaned from the studies conducted within the Wildland Juniper Management Area.

Response: The BLM works closely with local university and federal agency scientists and other university and private foundation researchers to base management decisions on the most current site specific research. Many projects currently underway within the Planning Area contain research plots. The Planning Area also has many long-term studies examining a variety of subjects. Some of the earliest work done examining the expansion of western juniper was done on Steens Mountain. This research helped to build the foundation of current management direction and agency policy. This research is also continuing to help shape future decisions. The WJMA will help to further this information and also help to provide a demonstration area to illustrate past, current, and future management actions and the response of the plant community.

12 Comment: It is important to consider-and this issue is not even mentioned in the draft plan- the possible incremental loss of old growth sagebrush habitat if fire is to be used as a tool for juniper removal.

Response: Site specific research indicates that approximately 90 percent of the western juniper present on Steens Mountain is less than 120 years old (Miller and Rose 1995). Western juniper increases have occurred primarily in the mountain big sagebrush plant communities between 4,500 and 7,000 feet. Miller and Rose (1995, 2000) identified three major factors that have contributed to the increase in western juniper: 1) fire suppression; 2) introduction of domestic livestock; and 3) subtle climate changes. The increase in western juniper has been found by research in Oregon and

northern California to occur at the expense of the understory vegetation. Shrubs were negatively affected across all sites. The impact on associated understory vegetation was related to soil depth, as well as the western juniper overstory. On deeper soil, the herbaceous vegetation held on longer in the understory than on shallow soil sites. Sites with deep soils were found to maintain a fairly good cover of grasses and forbs under the western juniper overstory, but shrubs were reduced to very low levels. If western juniper woodland progresses to a closed woodland, the shrub understory will be lost.

13 Comment: ...areas where juniper has been removed should be rested from all livestock grazing until they have fully recovered to native species plant communities.

Response: Treatment of western juniper dominated big sagebrush stands are evaluated on a site by site basis. Most sites selected for treatment contain an understory plant community of natives capable of response to treatment. Areas that utilize prescribed fire will be rested from livestock grazing for at least one year prior to burning and at least two growing seasons following burning.

14 Comment: Why, then does the BLM propose-before a single study has even commenced and without the aid of any results from any studies undertaken as part of the five million dollar project- to remove ninety percent of western juniper less than 120 years old throughout the planning area?

Response: The BLM works closely with local university and federal agency scientists and other university and private foundation researchers to base management decisions on the most current site specific research. Many projects currently underway within the Planning Area contain research plots. The Planning Area also has many long-term studies examining a variety of subjects. Some of the earliest work done examining the expansion of western juniper was done on Steens Mountain. This research helped to build the foundation of current management direction and agency policy. This research also is continuing to help shape future decisions. The WJMA will help to further this information and also help to provide a demonstration area to illustrate past, current and future management actions and the response of the plant community. Published articles in refereed journals and gray literature that report results from western juniper, pinyon-juniper, sagebrush-steppe, quaking aspen, and riparian plant communities that have applications to the Planning Area.

The DRMP/DEIS indicates that up to 90 percent of the western juniper less than 120 years old will be removed from old growth stands. Leaving at least 10 percent of the younger trees in the old growth stands will help replace trees lost through natural mortality, lightning strikes, or insects. The RMP does not propose removal of 90 percent of the western juniper less than 120 years old throughout the Planning Area.

15 Comment: The Management Alternatives and the Environmental Consequences Chapters do not provide any quantitative data on how much of the Rangelands are to be burned/mechanically treated except for the seeding/interseeding figures give.

Response: Actual acres and locations are related to site specific plans and will be analyzed by ID teams through the NEPA process.

16 Comment: Burning of the sagebrush community in the southeastern part of Steens Mountain (along the east slope of the Steens) and the Pueblo Mountains is likely to result in a strong stand of cheatgrass.

Response: The BLM agrees. Any projects that occur in these areas will need to include a seeding treatment. Cheatgrass has made significant inroads into the plant communities in these areas. Large portions of these areas are already dominated by introduced annual plants. Fire regimes have shifted to a very frequent fire condition, a fire every 3 to 5 years. Some of these areas may have crossed an ecological threshold where a single mechanical or burning treatment will not restore the native plant community. Numerous treatments following mechanical treatment or burning will be required to restore the native plant community.

17 Comment: Junipers provide valuable overhanging structure and ameliorate high summer water temperatures. Some places there are riparian shrubs, such as willows, that also occur but after many years of protection from grazing juniper is the only significant tall shade providing species. I witnessed, while working for the BLM, that the burning out of riparian areas usually had strong negative impacts on stream structure, shade and tons of sediment was deposited in the stream bottom the first year following burning.

Response: Western juniper within the riparian area will provide some measure of shade; however, there are other factors that must also be considered. Western juniper is a coniferous species. Litter from western juniper can increase soil pH. This may be a significant shift in the soil chemistry. Most riparian species are deciduous. Litter from these species is slightly basic (pH > 7). Dominance of western juniper in the riparian area may change overall soil chemistry.

Riparian hardwood species are reestablishing following removal of western juniper. Most of these species sprout following top removal. The combination of sprouting and establishment from seed is helping to restore the riparian plant communities.

Areas where western juniper dominates the riparian area are associated with uplands dominated by western juniper. Recent work done on the Steens by the USDA Agricultural Research Service indicates that up to 0.5 tons of soil per acre is lost from closed western juniper woodlands following a rain event of one inch. An adjacent area where western juniper had been cut and understory grass cover was approximately 25 percent lost no measurable soil from a similar event. Initial, short-term pulses of sediment out weigh moderate, long-term inputs from runoff.

18 Comment: The AMS (p.2-5) has a figure of 200,000 acres of woodland while on p3-12, first paragraph, has figure of 100,000 to 200,000 acres. As one of your goals under Juniper Woodlands your Preferred Alternative, has a figure of 10,000 acres a year to be burned (page 4-53) that “would be appropriate for current desired vegetation conditions.” On page 4-194 you state “Over the next 15 to 20 years at least 10,000 acres of western juniper woodlands (established after 1870) must be treated to restore and maintain a 35 year fire return interval.” Which way is it?

Response: The exact number of acres dominated by western juniper cannot be provided given the current data. Acres presented are from data collected in the early to mid 1980s. Another factor would be how the data is interpreted. 134,259.76 acres are classified in the current GIS GENVEG layer as western juniper plant communities; however, if you include all acres where western juniper is present that number would be over 250,000 acres. A range of acres was given to give the reader an indication of the conditions. This is also explained in the text. Western juniper has continued to encroach upon other plant communities since the early to mid 1980s. This number will continue to grow. Current treatments do not remove all western juniper trees from the plant community, especially following prescribed fires.

19 Comment: At the bottom of p 4-194 you are back to 10,000/year. Are you proposing 10,000 acres a year or 10,000 over 15 to 20 years? If you are using that 100,000 acre figure and you are doing 10,000 acres a year you are out of junipers in 10 years. Appendix I, Table I-2, has 21,300 acres of proposed juniper cutting/brush control and 21,500 acres of prescribed burning. That is a total of 42,800 of vegetation treatment. Is this the goal of Preferred Alternative?

Response: The estimates of number of acres were inaccurate and have been removed from the text. Part of the data used to calculate these acres included the Three Rivers Resource Area. The previous comment addressed the accuracy of the acres identified as western juniper woodlands. Until there is an accurate estimate of the number of acres of western juniper, these types of calculations will be misleading.

The number of acres identified for treatment in Appendix I are potential projects. Adding the two figures, prescribed fire and cutting/brush control, together yields a misleading number. The prescribed fires would occur in some areas that have been cut; therefore, the total number would be somewhat less than the 42,800 acres calculated. The exact number of acres would be established after site specific evaluations for each project.

20 Comment: The use of chainsaws to remove junipers from the riparian corridor is highly preferred over burning if it is needed. The riparian areas make up a small percentage of the Andrews MU and adjacent ground cover is not disturbed significantly by chainsaw operations.

Response: Chainsaws are one tool available for the mechanical treatment of western juniper. In many instances chainsaws are used to pre-treat areas for prescribed burning. Chainsaws are used in areas where accessibility is restricted by slope, rocks, or areas where the ground disturbance must be kept to a minimum. Currently, chainsaws are the primary mechanical tool utilized by the Burns BLM for western juniper cutting.

21 Comment: Maximizing juniper removal for fuel by-products would be a huge impact on those areas that would be opened to this on the Steens Mountain. . . . P. 4-90 says roads would be encouraged. Why would you encourage new road construction with all of the negative impacts of roads? How many per square mile? A range of permissible road densities per mile?

Response: Page 4-90 in the DRMP/DEIS refers to Alternative E, where road construction would be encouraged in the AMU. The CMPA does not generally allow construction of new roads.

Vegetation - Rangelands

1 Comment: Please provide additional information on the potential proposed use of restoration with non-native species and how this would help achieve the stated goal and objective.

Response: Restoration with nonnative species is done, following a wildfire, primarily because it allows the BLM to get a perennial ground cover established immediately, before introduced annual plants like cheatgrass get a chance to take over a site. It is very hard to get most native plants, especially grasses, established and is also very expensive to purchase the seed. By getting a cover of perennial plants on a site following a fire, the objectives that prevent invasive, introduced, annual plants from being established would be achieved.

2 Comment: Please clarify what native and non-native species would be used and the desired benefits it would provide to sage grouse habitat and /or deer winter range.

Response: The action described under the Proposed RMP for Objective 2 is to diversify nonnative seedings, primarily crested wheatgrass seedings, to make them more desirable for deer and sage-grouse. To do that the BLM tries to plant native species such as big sagebrush, four-wing saltbush, bitterbrush, bottlebrush squirreltail, Thurber's needlegrass, needle and thread, thickspike wheatgrass, dropseed, Sandberg's bluegrass, globemallow, lupine, hawksbeard, and agoseris for diversity, cover, and food. If we cannot get native species to grow, desirable nonnatives such as Hobbler Creek big sagebrush, forage kochia, crested wheatgrass, and genetically altered grass species such as nezpar Indian ricegrass, goldar bluebunch wheatgrass, magnar basin wildrye, trailhead basin wildrye, and arriba western wheatgrass would be planted to satisfy habitat requirements or provide ground cover to keep undesirable annual species from getting established. Other nonnative species that may be seeded for ground cover or cover and food for wildlife include appar blue flax, tall wheatgrass, secar bluebunch wheatgrass, siberian wheatgrass, paiute orchardgrass, ladak alfalfa, and nomad alfalfa.

3 Comment: Please clarify how you will apply "when consistent with other resource objectives".

Response: We would only propose management actions in the Proposed RMP that would not conflict with objectives for other resources.

4 Comment: Please provide information on the location of areas to be reseeded, the areas/acres that are proposed for brush-beating and information on the technique that will be used to beat brush and its impact.

Response: The RMP is a programmatic plan and does not make decisions concerning individual locations of seedings or areas to be brush-beat. That information will be determined and analyzed during the implementation of the RMP, using appropriate NEPA analysis. The existing seedings are shown on the rangeland improvements map on the supplemental map CD.

5 Comment: Please clarify if you are proposing to convert native vegetation acres into new, non-native seeding areas.

Response: The BLM is not proposing to convert native vegetation into nonnative seedings. The BLM is concerned, that in some areas of native vegetation, the perennial grass layer is absent and cheatgrass is the dominant species beneath the shrub layer. If a fire burns such a site, the shrub layer would be gone (if big sagebrush was the dominant shrub) and cheatgrass would occupy the site completely. If desirable nonnative, perennial species were planted following the fire, cheatgrass would not have such an easy time dominating the site and the fire interval for the site would be longer. With cheatgrass as the dominant species on a site, the fire interval would be much more frequent.

6 Comment: What are the "desirable non-native plant species" to which the EIS is referring and describe the adverse environmental impacts of these species?

Response: The desirable non-native plant species that are used in seeding mixes include crested wheatgrass, forage kochia, nezpar Indian ricegrass, goldar bluebunch wheatgrass, magnar basin wildrye, trailhead basin wildrye, arriba western wheatgrass, appar blue flax, tall wheatgrass, secar bluebunch wheatgrass, siberian wheatgrass, paiute orchardgrass, ladak alfalfa, and nomad alfalfa. These species may not be native to the region but they serve a purpose; to establish a perennial plant cover on the soil to prevent invasive annuals from dominating the site. These desirable nonnative species are chosen because they do not readily spread from where they are planted so there are no long-term adverse environmental effects.

7 Comment: The vague description of impacts from the various alternatives in the rangelands section ignores the significant effects that BLM has described as resulting from activities such as off road vehicle use and grazing.

Response: With the possible exception of the emphasize commodity alternative (Alternative E), the management actions for grazing and OHV are designed for implementation without causing significant effects to rangeland or riparian vegetation. The S&Gs are assessed periodically for each grazing allotment, and the guidelines for livestock grazing management are followed; therefore, effects to natural resources from grazing public lands are acceptable.

8 Comment: The EIS virtually ignores the impacts of non-native species that are not considered noxious weeds but nonetheless are having significant adverse impacts as a result of habitat simplification, competition with native species, and threats posed to native vegetation in key habitats.

Response: The effects of nonnative species are discussed in the environmental consequences section under Rangelands for Alternative B. The direct effect of allowing natural processes to happen after a fire or other disturbance is potential domination by introduced annual species.

9 Comment: We did not see a reasoned method or design to site vegetation management actions on the landscape. The Planning Area is very large and contains numerous opportunities where restoration actions could take place whether they are localized weed eradication projects or larger prescribed burns. If these numerous actions are not sensibly laid out and coordinated amongst one another there could be a diminished overall response on the landscape.

Response: The Proposed RMP/FEIS is a programmatic document and is not the place where the BLM would lay out the implementation actions for vegetation management in the Planning Area. Following the publication of the ROD, individual projects would be scheduled and implemented over several years and in various locations. The BLM may combine some of the projects into single plans, covering larger areas, so implementation will be in an orderly manner to facilitate management and maximize the response of the treatment areas.

10 Comment: On page 3-9 your figures indicate that within the AMU, the big sagebrush type is the largest of any vegetation type, yet in the proposed alternative (and others), there is no figure on what the proposals are.

Response: If the proposals you are referring to are brush control projects, brush beating is proposed to be implemented on 50 percent to 75 percent of seeded areas, depending on the alternative, where the brush cover is high. Prescribed fire would be utilized to create a mosaic of multi-successional stages within both western juniper and big sagebrush types. The extent and size of each proposal will be determined through subsequent project analysis and decisions.

11 Comment: Alternative A concerning brush control is wrong. In the 1982 Andrews MFP, 1983 Andrews Grazing Management Program Final EIS, and the Andrews RPS, there were specific proposals identified for burning and those are on maps in those documents. Those acres were completed long ago. You have already exceeded the acres of seeding and brush control that were given in those documents and those are the decision documents that pertain to Alternative A, present management.

Response: After looking back at the maps for the three documents that were referred to above, it appears that many of the specific sites that were proposed to be treated back then, have still not been treated. The 1984 Andrews Rangeland Program Summary also had proposed approximately 150,000 total acres of brush control only along with brush control and seeding. The BLM has still not exceeded 150,000 acres of land treatments in the Andrews RA since 1984. The BLM has treated many areas containing western juniper and brushbeat sagebrush in some seedings since 1984. There have been significant changes in technology since 1984, and the BLM has since recognized new areas that they would like to treat to improve ecological status. This RMP will replace the Andrews MFP developed over 20 years ago.

12 Comment: The description of the big sagebrush and mountain big sagebrush communities is lacking in identifying one of the most important factors that strongly affected the condition of those communities. In the late 1950s and the 1960s, extensive areas of big sagebrush were sprayed with 2,4-D on Steens Mountain. Many of those areas are still apparent by looking at aerial photographs. Spraying sagebrush that resulted in a 95 percent kill over vast areas had a huge influence and it is not described.

Response: This information has been added to Chapter 3 in the Proposed RMP/FEIS.

13 Comment: The section is inaccurate at 3.5.4.8 where it states that sites may remain in a dominant crested wheatgrass community for about ten years until sagebrush and rabbitbrush recolonize the site. There are many examples in the north part of the Steens where brush was cleared and crested wheatgrass was seeded and little brush has come back on the site.

Response: It is true that in some of the crested wheatgrass seedings in the north part of the Steens, big sagebrush and rabbitbrush have not recolonized those sites. That information has been changed in Chapter 3 of the Proposed RMP/FEIS.

14 Comment: Of all the issues addressed in today's BLM management planning, I believe the seeding of sagebrush (rather than managed thinning to sagebrush) to be the most controversial and damaging to our ecosystem and rangeland management practices.

Response: In the past, the BLM has cleared the public lands of sagebrush in many areas, primarily to promote the growth of native or nonnative grasses for livestock forage. In recent years, sagebrush has been seeded following wildfires and is proposed to be seeded in nonnative seedings to provide for the needs of sagebrush dependent wildlife, especially special status species such as the Greater sage-grouse and pygmy rabbit. Neo-tropical birds also depend on sagebrush for habitat and nesting cover. Sagebrush is a native plant and it is important that the BLM maintain large areas containing

sagebrush because habitat fragmentation is considered as one of the major causes of the decline of sagebrush dependent species. One of our primary goals is to prevent the listing of plant and animal species as threatened or endangered.

15 Comment: The EIS's statement that ODFW has the management responsibility for wildlife populations appears to deflect from the statutory and regulatory duties that BLM has to maintain and protect wildlife and their habitats. This responsibility is not reflected in the EIS and the extent to which various alternatives would affect wildlife species as a result of vegetation impacts is not adequately addressed.

Response: BLM Manual 6500, Wildlife Management, contains a section on Cooperative Relations with State Agencies (6521.1) which states:

“The BLM strives for a partnership approach with State fish and wildlife agencies on the full range of fish and wildlife related efforts on the public lands and waters. Bureau policy is based upon the premise that management of fish and wildlife on the public lands and waters should be a joint effort between BLM and State fish and wildlife agencies, with BLM managing the habitat and the States managing the resident fish and wildlife species. Further, State wildlife agencies have regulatory authority over resident fish and wildlife and, at times certain migratory species.”

The next section in the manual discusses development of MOU with state agencies. The current MOU between the BLM and the ODFW was signed in 2001 and reiterates that the BLM “recognizes the ODFW as the agency responsible for management of fish and wildlife species on public lands in conformance with applicable Federal and State laws and regulations.”

The effects of vegetation treatments on various wildlife species are discussed in the Wildlife and Special Status Species sections under the Indirect Effects subsection for the various alternatives.

Vegetation - Noxious Weeds

1 Comment: Please provide additional information on BMP that will be employed for OHV use to control introduction of noxious weeds. Many weed seeds are carried on, and spread by motor vehicles including OHVs.

Response: BMP #5 (Appendix F, Noxious Weed Management section, page F-7) recommends that all vehicles, including off-road and all-terrain, traveling in or out of weed-infested areas should clean their equipment before or after use on public land. The BLM is not currently planning to do more than recommend this action as there is no infrastructure in place for enforcement. The BLM will develop and disseminate brochures, handouts, and signs where appropriate to educate the public about the issue of noxious weeds and the potential for spread from vehicles.

2 Comment: All vehicles that have been used off the highway must be cleaned before entering the Area to remove all traces of invasive weed seed.

Response: See previous response.

3 Comment: Weed Free Feed shall be required within the Area for all stock users.

Response: At this time, the Burns BLM District does not have a requirement for using weed-free forage. Nor does Oregon/Washington BLM have such a requirement. The State of Oregon does not have an organized weed-free forage program in place and there is no infrastructure for certification, inspection, or listing of potential growers of certified weed-free forage. BMP #4 (Appendix F, Noxious Weed Management section, page F-7) recommends that all baled feed, pelletized feed, and grain transported into weed-free zones and used to feed livestock should also be certified as free of noxious weed seed. At this time, BLM is not currently planning to do more than recommend this action as there is no infrastructure in place for enforcement. The BLM will develop and disseminate brochures, handouts, and signs, where appropriate, to educate the public about the issue of noxious weeds and the benefits of weed-free forage. Recreational stock users are not required to bring in feed, and except for campgrounds and parking areas, little recreational stock feed is brought in and used on public lands.

4 Comment: All stock, including cattle, shall be groomed or otherwise cleaned to assure no weed seed shall be transported or introduced into the Area. Definition of stock includes cattle, horses including draft stock, mules, burros, llamas, and goats.

Response: While this is a very worthwhile goal, the impracticality of the action and lack of ability to enforce it suggests that it is not something the Burns BLM can reasonably do. The BLM will consider livestock quarantine (BMP #3 [Appendix F, Noxious Weed Management section, page F-7]) where necessary, and will develop and disseminate brochures, handouts, and other educational material, where appropriate, to educate recreational stock owners about the issue of noxious weeds and the potential for spread from their animals. It would also be important to educate campers and hikers to assure weed seeds are not transported in boots, pants cuffs, or tents and bedding.

6 Comment: ONDA is very concerned with the BLM's references to the use of livestock grazing as a "tool" for the control of noxious weeds. See e.g. DRAFT/EIS at 3-15, 4-64. The Draft RMP/EIS offers no scientific evidence in support of its claim that livestock can be an effective "tool" for managing weed infestations. Nor is there any meaningful information about specific management actions planned, or how grazing would be managed to achieve this result. This does not satisfy NEPA's requirement to take a "hard look" at the environmental effects of a proposed action. Because of the significant scientific evidence that grazing is not an effective or desirable mechanism to control the spread of weeds, ONDA asks that the preferred alternative eliminate all mention of the use of livestock as a possible "tool" for the control and management of noxious weeds within the planning area.

Response: The Burns BLM will continue to consider the use of all available tools for the management of noxious weeds throughout the Planning Area. Managed livestock grazing has been shown to be very effective in reducing noxious weeds under some circumstances as part of an integrated weed management program. The BLM, under the authority of the Invasive Species Executive Order, issued February 3, 1999, currently participates in the National Invasive Species Council and follows the guidelines set forth in the January 2001 Management Plan: Meeting the Invasive Species Challenge. This plan lists the use of grazing animals as one of the tools for management of noxious weeds.

7 Comment: Objective 1, Preferred Alternative, page 2-102: Non-native species, including noxious weeds are a recognized threat to native communities and listed species. Weed control is important in maintaining and restoring native habitat conditions for wildlife, fish, and native plants. We concur with BLM's goal to control the introduction and proliferation of noxious weeds. Efforts to control non-native invasive and noxious weeds should be a priority undertaking for the BLM. We recommend that BLM include the following into the selected alternative in addition to the protective measures included in Preferred Alternative: Inventories for noxious weeds would increase to provide maximum detection of new infestations.

Response: The Burns BLM agrees with this statement and it is included in the Proposed RMP and Alternative E. "Integrated weed management would be implemented for the control of noxious weeds. Control on disturbed areas such

as roads, ROWs, waterholes, and recreational sites would be emphasized. Priority would be given to lands with high quality natural resource values. Emphasis would be on prevention, restoration, research, and expanded efforts to inventory and detect new infestations.”

Fish and Wildlife - Fish and Aquatic Habitat

1 Comment: Degraded habitat due to cattle grazing has been identified in numerous inventories conducted by BLM and ODFW. Table 3.10 refers to degraded habitat but gives no reason for the damage in the text. Page 3-30 (DRMP/DEIS) has grazing mentioned but some causes listed for habitat degradation are not pertinent to the Planning Area. It also has nothing on trend. Much of the habitat inventoried in the 1970s and 1980s has improved. There are only vague references in places in the draft but it should be in this section. Instead in the text you mention that further improvement in riparian condition has occurred. Where is the data? Instead you provide a table with data that is 20 to 30 years old. In the draft 1998 Southeast Oregon RMP/EIS, Volume 2, Table D 3 you have trend data for the streams of the Andrews Resource Area. Why was it omitted when you went to a draft plan for the Andrews Planning Area only 5 years later? Annually BLM is updating monitoring so the 1998 data could have been updated.

Response: The Affected Environment section provides a general description of resources in the Planning Area. The general effects of the alternatives, including the existing situation, are discussed in the Environmental Consequences section of the Proposed RMP/FEIS. The text in Section 3.6.1 of the DRMP/DEIS associated with Table 3.10 addresses trend in the statement: "These surveys further indicate that 54 percent of the riparian habitat rated as 'Fair' and 'Poor' were in an improving trend." The summarized data collected during the 1970s and 1980s provides an overall condition and trend for the Planning Area. This information is a consolidation of that presented in the 1998 DraftSEORMP/EIS, Volume 2, Table D 3. The type and frequency of ongoing monitoring throughout the Planning Area varies and does not necessarily lend itself to the general description, rather it provides for localized evaluation and management adjustments, as needed, at the activity level.

2 Comment: Also, there is no mention of how many miles of fish habitat are in the no grazing area. This is important and is recognized in places but there is no quantification of it. Quantification is basic to the Environmental Consequences section.

Response: The information provided in the Proposed RMP/FEIS and maps provides perspective on the relative amount of fish habitat in the No Livestock Grazing Area.

Fish and Wildlife - Wildlife and Wildlife Habitat

1 Comment: This section does mention that upland birds are present in the area. It gives no indication of the extent of chukar abundance nor that it is a valuable recreation resource. Page 3-40 mentions totals for hunting but does not break out upland bird from any other hunting. ODFW has estimates on chukar hunting expenditures and it is significant for the Steens and Pueblo Mountains.

Response: Much of this information has been incorporated into the Proposed RMP/FEIS.

2 Comment: Section 3.6.2.2 - This section on mule deer is deficient. There are no estimates on deer numbers... what number in the planning area. Antelope numbers? You give estimates on elk and bighorn numbers. Why not deer and antelope?

Response: This information has been incorporated into the Proposed RMP/FEIS.

3 Comment: Objective 1, Alternative D, Page 2-104: The service concurs with this objective. The Service would like to work with the BLM to determine the areas to be reseeded, species composition of the seed mix, the use of locally collected seed and livestock grazing prescriptions. We recommend that the selected alternative allow for restoration up to 20,000 acres.

Response: According to our data, the amount of seedings that are still mainly crested wheatgrass is about 20,000 acres. The purpose for only having 10,000 acres in the Proposed RMP was to provide a mid point of acreage to work on to restore vegetative diversity. During the life of the plan, with all the other vegetative restoration projects that could occur, approximately 10,000 acres was thought to be an amount that could be accomplished during the life of the plan. This amount of treatment acres would allow time for the treated acres to produce seed and possibly spread, increasing the area having improved species diversity and structure. Also, in trying to balance competing uses, livestock grazing would be affected in the attempts to restore native vegetation and increase species diversity and structure.

4 Comment: Objective 2, Alternative D, Page 2-105: We recommend that the selected alternative include the following: "Forage for wildlife would be allocated at greater than management objective level. Wildlife populations would be allowed to expand naturally or through limited transplants in coordination with the ODFW."

Response: Forage allocations for wildlife are reviewed through the ODFW planning process approximately every five years. At that time, management objective levels for different game species can be adjusted to match new information on the different species. Through working with ODFW the BLM could adjust allocations of forage for wildlife.

5 Comment: It is hard to accurately assess the impacts of all of the vegetation treatments on various species of wildlife, special status species, etc.

Response: The intent of this document is to address effects of different actions in a programmatic fashion. Site-specific analysis would be completed at the time that projects are proposed.

6 Comment: Looking at the overall map I see too much that is piecemeal and fragmented, and I think wilderness, wildlife and multiple uses should consider reducing the fragmentation.

Response: The purpose of many of the vegetation treatments in the Proposed RMP/FEIS is to restore some habitat connectivity where it has been lost due to past actions, such as crested wheatgrass seedings and other brush treatments. The expansion of juniper in sagebrush habitat has also fragmented that habitat and made parts unusable for sagebrush dependent species.

Special Status Species - Animals

1 Comment: BLM points out in 3.7.1 that there are 73 special status plant species, but makes the reader count the number of special status animal species in Table 3.12. There are 71.

Response: Actually there are 62 special status species animals listed in Table 3.12 fo the DRMP/DEIS and that number has been inserted in the text in Section 3.7.2.

2 Comment: In looking at Appendix L, which lists all plant and animal species in the Planning Area, very few species appear to be doing well.

Response: Appendix L is not a complete list of all the plants and animals species found in the Planning Area and it only a list of the plant and animal species cited in the document. Wording will be added to the title to clarify this.

3 Comment: An action should be added to control the placement and construction of new utility structures and fences throughout the planning area to avoid impacts on sage grouse survival and mitigate for habitat damage incurred by existing fences and structures.

Response: Management actions under Objective 2 for Special Status Animals Species (2.7.3) directs the BLM to manage according to the “Greater Sage-Grouse and Sagebrush Steppe Ecosystem Management Guidelines.” In these guidelines, Suggested management actions already exist and the BLM intends to follow these guidelines until they are replaced by a statewide conservation strategy, which should include these management actions. Most proposed actions along these lines such as ROW or fence lines, would be reviewed when the action is proposed. The management guidelines would be implemented at that time to avoid or mitigate the effects of the proposed action on sage-grouse.

4 Comment: Table 3.12 indicates that the inland western snowy plover (*Charadrius alexandrinus*) is a Threatened Species in Oregon and holds a place on List 2 of the Oregon Natural Heritage Program for that reason. It is also a BLM Sensitive Species though not shown as such in Table 3.12.

Response: Table 3.12 of the DRMP/DEIS is correct in that the western snowy plover is not a BLM Sensitive Species. Even though not it is on the BLM list because of the listing as Threatened by the State of Oregon, the BLM is directed in 6840 Manual (Special Status Species Management) to “carry out management for the conservation of State listed plants and animals.”

5 Comment: BLM has photos of tire tracks in the snowy plover nesting site though not located in a place most of the travel occurs, and the BLM has not put up fences to protect the area because this would attract attention to the area and potentially harm the birds.

Response: These photos were sent to the BLM by the ODFW in 1990 with a letter stating that if this continued, the BLM and the ODFW should get together to work out a solution. There is no record in our files of further damage so no action was needed to protect the site. The ODFW conducted annual trips through the 1990s to the snowy plover nest sites to monitor populations and nesting habitat. Since that time, their monitoring trips have been about every three years. Nothing has been brought to the BLM’s attention indicating a further need to protect the site. Construction of fences does not totally protect a nesting site. While it may provide protection from OHV traffic, fence posts provide roost sites for ravens and other nest predating birds which may decrease nest success. The public has also been known to disturb sites by trying to take close up pictures or trying to more closely view the adults and chicks. This may cause a loss in productivity.

6 Comment: The EIS fails to adequately consider the RMP’s effects on sensitive, threatened and endangered species and their critical habitat, such as sage-grouse, snowy plover, and redband trout. The EIS also lacks an adequate analysis of the proposed mitigation measures under various alternatives or a comprehensive assessment of their effects.

Response: An RMP is a plan that generally establishes in a written document allowable resource uses, resource conditions and objectives, and considers effects on federally listed species and their critical habitat and the need for an area to be covered by more detailed and specific plans. Consultation with the USFWS under Section 7 of the ESA on the effects of the Proposed RMP/FEIS on listed species is occurring. Additional consultations have been completed at the site specific level and the RMP actions are not substantially changing any of those actions. The USFWS has been involved in the RMP process as a cooperating agency and has commented on various sections. As for other special status species such as sage-grouse, snowy plover, and redband trout, the BLM can ask for assistance from the USFWS and the ODFW on a site specific basis during project formulation for opinions on the effects of proposed actions. Proposed mitigation measures would be suggested and incorporated into site specific projects to reduce or eliminate the effects of the proposed action.

7 Comment: Question #4 - How does the Proposed RMP/FEIS comply with Section 7(a)(1) of the Endangered Species Act (ESA) which highlights that BLM has an affirmative duty to recover listed species?

Response: In the Special Status Species section, Objective 2 states “Conserve special status animal species and the ecosystems on which they depend.” The management action 1A under this objective is, “Manage special status species animal habitat for conservation and recovery,” supports this objective and is what Section 7(a)(1) is directing the BLM to do.

8 Comment: The EIS largely ignores any potential adverse effects from the installation of “wildlife guzzlers.”

Response: Wildlife guzzlers, while providing water in areas where water may not be presently available, may have problems with water quality that can be eliminated through design. Other “potential effects” from supplying water in areas where water does not presently exist are still being debated with no resolution at present. Through this RMP process, the BLM, is working with the ODFW to restore bighorn sheep to historic habitat as is stated through our support of the ODFW’s bighorn sheep plan. Installation of guzzlers will be analyzed on a site-specific basis and more information may be available at that time regarding any effects that might be detrimental to wildlife.

9 Comment: Manage big sagebrush communities to meet the life history requirements of sage-grouse and other sagebrush dependent species.

Response: This is one of the management actions that is already included in the Special Status Species section under Objective 3.

10 Comment: Objective 2, Preferred Alternative, Page 108: It is unclear what this alternative proposes; the description states that management of special status species would be developed through site-specific analysis or site-specific activity plans to balance a variety of resource management and uses. Please provide additional information regarding the project proposal under the preferred alternative.

Response: At present, there is no specific project proposal under the Proposed RMP. The intent of this alternative is that when projects are proposed or analysis of watershed conditions is undertaken, special status species habitats and requirements will be considered and effects to habitats would be analyzed with appropriate avoidance/mitigation/restoration measures included to meet the needs of special status species.

11 Comment: The Service concurs with the BLM regarding the importance and value of bats and supports your proposal to install bat gates at the entrances to abandoned mines to protect roost sites from disturbances while still allowing bat movement. We are concerned that Preferred Alternative will only “consider” withdrawal of “critical sites” from mineral entry. The service recommends that the selected alternative include the following: All caves that provide roost sites for bats be withdrawn from mineral entry. Additionally, bat species are not limited to roosting in caves. Rocky outcrops and large trees provide important roosting habitat for bats. We recommend additional surveys, particularly in old growth juniper woodland.

Response: There are no known caves in the Planning Area. Most of what are considered caves are more similar to rock overhangs and were inventoried in the 1990s for consideration as significant caves. None were identified as significant for roosting bats although some use did occur.

All of the rock overhangs with known bat roosts are located within areas where no surface disturbance from mining activities may occur (WSAs and Mineral Withdrawal Area). The BLM has inventoried abandoned mines for bats roosts and are in the process of protecting those with significant use. The BLM has not inventoried many other types of areas but do have requests in our annual work plan process to fund inventory for bats in other habitats to determine distribution and possible roost sites. Should roost sites be located, which are not already protected by a specific land designation or withdrawal, the BLM will evaluate the situation and look at protective measures for the site.

12 Comment: The primary differences in alternatives are the amount of area to be addressed. Please describe what you mean by “most” in Preferred Alternative description...”meet DRCs in most big sagebrush habitats.”

Response: The definition of “most” in this case is our realization that trying to meet the DRCs in all sagebrush communities may not be possible in the life of this plan. Areas exist that for some reason may not fit into one of the classifications of the DRCs due to constraints from other resource uses or management decisions. The term also indicates that the BLM will do as much as possible in meeting the DRCs across sagebrush habitats.

13 Comment: The draft EIS should analyze the direct, indirect, and cumulative effects of these threats to sage-grouse populations in the Planning Area. The Draft EIS identifies nesting and brood rearing habitat present in the Planning Area. However, the draft EIS does not explain whether surveys for sage grouse have been conducted. Additionally, there are no maps depicting nest or lek locations in relation to other planned activities such as rehabilitation, brush beating, prescribed fire, grazing, roads, energy and minerals, or recreational activities. There is no discussion of potential impacts to the sage-grouse from implementing the Proposed RMP. We recommend that the EIS analyze impacts resulting from multiple uses proposed in the alternatives to assess the adequacy of the plans to conserve the sage-grouse. Additional information regarding status of sage grouse within the Planning Area and monitoring information on the condition or the range would be useful in assessing project impacts to this species. We are concerned without thorough analysis of effects to sage grouse, activities may further degrade important sage grouse habitat.

Response: Surveys for sage-grouse have been conducted throughout much of the Planning Area. There are about 75 known leks in the Planning Area of which most (80 to 90 percent) are still active though not all are monitored every year. Research was conducted on the south end of the Steens during the late 1990s tracking sage-grouse movements, nesting areas, and brood rearing habitat for radio-collared birds. This research was conducted to study the effects of fire on habitat use by sage-grouse. The map depicting the leks is on the DRMP/DEIS supplemental map CD. The BLM has worked with the ODFW over the last few years to identify known sage-grouse habitat (breeding, nesting, brood-rearing, winter, year long) and does have that mapped in the GIS system. Although not all effects were analyzed in the DRMP/DEIS due to incomplete management actions in some areas, many were analyzed and are listed under Indirect Effects for Special Status Species. Further analysis will be included in the Proposed RMP/FEIS where needed to disclose effects. As with many activities proposed in the Proposed RMP/FEIS in a general manner, site-specific analysis will be conducted when specific proposals are brought forward. At that time, depending on the status of sage-grouse or other special status species, mitigating measures and project design will reduce/eliminate effects of the project. The main purpose of including many of the management actions dealing with special status species habitat and the DRCs in Appendix P are to help shape project design to conserve or improve special species habitat.

14 Comment: Page 2-111, Alternatives A, C, D, E - Where are the new domestic sheep and goat areas. As part of the alternatives these locations should be shown in order for you analyses in the Environmental Consequences section. A nine mile buffer from current bighorn range may seem like a long distance, but in the Andrews area bighorns have readily pioneered new habitat and have established populations where neither BLM nor ODFW suspected they would appear. Often these areas exceeded the 9-mile buffer from where they were released or were residents of.

Response: The Proposed RMP/FEIS states that new applications for domestic sheep or goat permits will be evaluated for consistency with the 1998 Revised Guidelines for Management of Domestic Sheep and Goats in Native Wild Sheep Habitats. There are no new domestic sheep and goat areas being proposed in the Proposed RMP/FEIS. Any new applications for sheep and goat permits will be evaluated with the ODFW's Bighorn Sheep Management Plan and will consider areas that have been proposed for many years as suitable habitat as areas to not allow new domestic sheep or permits. The nine-mile buffer is current BLM policy.

15 Comment: On p.4-99 you state, "BLM manages the habitat of these species in cooperation with the ODFW and USFWS through plans for various species." That is wrong. You do not have plans for the many Special Status Species. There are few plans available. The draft misleads the public into assuming that there is consideration for Preble's shrew, loggerhead shrike, and many other species listed in Table 3.12.

Response: The intent of this statement was to point out that the BLM coordinates with the ODFW or the USFWS or both on the effects of a proposal on special status species when the BLM is analyzing a project. There are several plans in place for species such as bald eagle and Lahontan cutthroat trout, and interim guidelines for sage-grouse and sagebrush steppe habitat, and other documents such as the Migratory Bird Executive Order that are in place and that direct the BLM on management of special status species.

Special Status Species - Fish

1 Comment: Review all grazing allotment management plans, and revise as necessary, to expedite meeting state water quality standards in all 303(d) listed streams.

Response: Review and necessary revision of grazing management in regard to 303(d) listed streams is provided for in the Proposed RMP/FEIS, particularly through evaluations for the S&Gs, and the development and implementation of WQRPs developed in coordination with the DEQ.

2 Comment: Alternative B is the best choice to protect the Borax chub and its ecosystem.

Response: The Proposed RMP closely resembles Alternative B with the intent of establishing permanent protection for Borax Lake chub; however, the Proposed RMP is based only on protection through Conservation Agreement or cooperative agreement rather than purchase. Comments provided by TNC, owner of the private land parcels associated with Borax Lake, indicates that TNC is interested in cooperative management for protection of the area, rather than disposal. Additionally, the Proposed RMP has been modified to reflect protection of the public land portions of Borax Lake chub critical habitat with the following text: "Permanent protection of Borax Lake chub critical habitat would be pursued through establishment of a Conservation Agreement or other cooperative agreement among the BLM, TNC, USFWS, ODFW, or other private landowners to manage and protect the area for the conservation or recovery of the species, including closing the area to livestock grazing, off-road travel, and limiting or closing vehicle access."

3 Comment: I would recommend that the BLM develop a cooperative management plan with The Nature Conservancy (TNC) relative to management of the Borax Lake area. Development of such a cooperative management plan would be consistent with the existing recovery plan and would improve management of the Borax Lake chub and the unique hot spring habitats of the ACEC.

I also recommend that the Andrews/Steens plan allow for closure of roads in the Borax Lake ACEC. Visitor use in the area is important, but currently, vehicle access is unrestricted and damage is occurring to wetland and lake shoreline areas. I would further recommend that the Borax Lake ACEC be removed permanently from livestock grazing. Both the road and livestock grazing actions would be consistent with the recovery plan for the Borax Lake chub and could be further addressed in the cooperative management plan for the area.

Response: The Proposed RMP and Alternatives B, and C, in the Special Status Species section of the DRMP/EIS provide for development and implementation of cooperative management for the Borax Lake ACEC and Borax Lake chub critical habitat. The Proposed RMP has been modified to reflect recommendations of the Borax Lake chub Recovery Plan and the Borax Lake Chub Conservation Status Review in the following manner: *Permanent* protection of the public land portions of Borax Lake chub critical habitat would be pursued through Conservation Agreement or other cooperative agreement among the BLM, TNC, USFWS, ODFW, or other private landowners to manage and protect the area for the conservation or recovery of the species, *including closing the area to livestock grazing, off-road travel, and limiting or closing vehicle access.*

4 Comment: An access management plan for Borax Lake and the surrounding unique features of the ACEC should be developed and implemented. The access management plan should encourage visitation of these unique resources, but minimize vehicle use and associated recreational impacts. Interpretive signs should be posted to explain the unique features of the ecosystem and provide a guide to visiting the area, furthering the public awareness task of the Borax Lake chub Recovery Plan. A boardwalk and viewing platform may also be appropriate to limit damage to the fragile Borax Lake and springs ecosystems. In addition, we recommend establishing a camping closure within 500 feet of Borax Lake to help eliminate damage to the lake's fragile shoreline and protect aquatic health.

We recommend, based on the Borax Lake Chub Conservation Status Review, that the BLM's proposed cooperative monitoring program also include an assessment of visitor use. Visitor use monitoring should be designed to adaptively guide management actions that minimize impacts of visitors on Borax Lake chub and its habitat. In addition, the cooperative agreement should cover management actions which provide permanent protection to Borax Lake chub critical habitat.

We recommend that BLM ensure its final action include measures that guarantee permanent protection of Borax Lake chub critical habitat from threats identified in the Borax Lake chub Recovery Plan. Threats identified in the Recovery Plan include grazing, mineral and geothermal exploration, and vehicle use. Specific components of the draft alternatives B and C appear to provide permanent protection of designated critical habitat.

The goal of downlisting or delisting the Borax Lake chub under the ESA should also be included in the BLM's final action.

Response: Development and implementation of a Conservation Agreement or other cooperative management agreement for the Borax Lake chub critical habitat should incorporate management of access (including transportation), visitor use, and education/interpretive opportunities. The Conservation Agreement or cooperative management agreement should incorporate monitoring and an adaptive management component. Implementation of a camping closure within 500 feet

of Borax Lake is outside the scope of this RMP and would need to be established through cooperative management with TNC, the owner of the property. The overall intent of developing and implementing a Conservation Agreement or cooperative agreement would be to provide permanent protection for Borax Lake chub and its habitat to facilitate downlisting or delisting under the ESA. Additionally, the Proposed RMP has been modified to reflect recommendations of the Borax Lake Chub Recovery Plan and the Borax Lake Chub Conservation Status Review in the following manner: *Permanent* protection of the public land portions of Borax Lake chub critical habitat would be pursued through Conservation Agreement or other cooperative agreement among the BLM, TNC, USFWS, ODFW, or other private landowners to manage and protect the area for the conservation or recovery of the species, *including closing the area to livestock grazing, off-road travel, and limiting or closing vehicle access.*

Special Status Species - Redband Trout Reserve

1 Comment: Alternative C is the appropriate choice for all Actions in this section. The only exception is that we prefer BLM to remove (rather than modify) the Page Springs gauging station weir to allow natural migration of redband trout in the Blitzen River system. If the migration of other fish species is a problem, we would like to see BLM find another way to deal with that migration, preferably outside the CMPA, and that such action take place before the weir is removed.

Response: The Proposed RMP for the RTR is essentially the same as Alternative C, and has been modified to include managing for an advanced ecological status of riparian vegetation as stated in Alternative C. The direction to evaluate, develop and implement alternatives for the removal or modification of the Page Springs gauging weir would include reviewing other options for addressing migration of nonnative fish species as recommended.

2 Comment: I am concerned that Preferred Alternative will not provide for expansion of redband trout habitat. In particular, greater protection is needed for water quality and riparian vegetation. Grazing plans should meet water quality standards. BLM should move as soon as possible to remove the Page Springs weir, which likely inhibits fluvial and adfluvial forms of redband trout. Conservation of these forms of redband trout is likely to be critical to the long-term survival of redband trout. Removal of the weir also would be a logical complement to river restoration measures along the lower Donner und Blitzen to promote free movement of fishes in the river.

The Redband Trout Reserve should be defined to include current and future redband trout habitat in the mainstem Donner und Blitzen River and tributaries (Alternatives B, C, and D).

Increase the distribution and abundance of redband trout by managing riparian and aquatic habitats for an advanced ecological status that provides for a diversity of high quality fish habitat (Alternatives B and C).

Response: The RTR as delineated under the Proposed RMP and Alternatives B, and C, contains the majority of redband trout habitat in the Planning Area with the expressed purpose of conserving, protecting and enhancing the Donner und Blitzen population of redband trout. The Proposed RMP under the objective of “Increase the distribution and abundance of redband trout in the RTR through maintenance or restoration of habitat quality and quantity” has been modified to include managing for an advanced ecological status. Specifically regarding water quality in support of redband trout habitat, redband trout are considered by the DEQ as the most sensitive beneficial use within their distribution by which water quality parameters are established. Water quality will be addressed more specifically through development and implementation of WQRPs and are supported by the alternatives described in this Proposed RMP/FEIS. The BLM agrees that passage associated with the Page Springs weir should be addressed as soon as possible; however, this project specific activity is subject to funding and workload priorities of the BLM and cooperators.

3 Comment: We recommend that measures be included in the RMP to modify the Page Springs gauging weir to allow for native fish passage for all life stages, while ensuring maintenance of streamflow gauging capabilities.

Response: Development and evaluation of alternatives to improve fish passage at the Page Springs gaging weir would be conducted subsequent to the completion of the RMP and is intended to assess passage for multiple aquatic species and ages, and life history patterns such as fluvial or adfluvial redband trout in coordination with the USFWS, ODFW, SMAC and other local interested public and organizations. Retention or modification for continued streamflow gaging would also be a component of alternatives developed.

4 Comment: We recommend this document consistently recognize the authority and management responsibility of ODFW to protect and enhance redband trout populations. This authority is recognized on pages 4-70 (4.6.1.2) and 4-122 (4.7.4.2), but is not clearly stated in chapter 2. For consistency, we recommend the RMP either remove references to fish population management actions, or clearly state in each reference that coordination and cooperation with the BLM is encouraged, but the authority for fish management actions lies with ODFW.

Response: The authority of the ODFW in managing fish populations is recognized in the DRMP/DEIS Management Framework for Fish and Wildlife (page 2-103), Management Framework for Special Status Species (page 2-106), Assumptions for Fish and Wildlife (page 4-70), Assumptions for Special Status Species (page 4-99), and RTR Assumptions (page 4-122). To accommodate the request for consistency, the Management Framework for the RTR in Chapter 2 has been modified to reflect the ODFW’s authority for managing fish populations in the RTR.

5 Comment: Chapter 4 refers to specific alternatives to protect genetic integrity of redband trout (Page 4-126, 4.7.4.4). These alternatives do not match the objective and actions listed in chapter 2 (Page 2-24, 2.7.4.1.2), objective 2, Page 4-122, 4.7.4.1, objective 2). We recommend this segment be revised to match the alternatives listed in chapter 2.

Response: The Analysis of Effects section has been modified to reflect the action regarding Objective 2.

6 Comment: Genetic integrity of redband trout. page 4-126, 4.7.4.4:

Our recommendation is that the BLM adopt a policy prohibiting stocking of non native fish in public waters on lands under the authority of the BLM, including warm water fish, in order to maximize the protection of native redband trout.

Response: The section discussing redband trout genetic integrity in the DRMP/DEIS Summary of Effects (4-126) has been deleted to reflect the management action “Coordinate and cooperate with the ODFW and Malheur NWR in developing or revising Native Fish Conservation Plan(s) for the Donner und Blitzen subbasin in support of the ODFW’s Native Fish Conservation Policy” under the objective “Maintain genetic integrity of redband trout in the RTR” (2-112). This is in recognition of the ODFW’s jurisdiction and responsibility for managing fish populations.

The ODFW has jurisdiction over the management of fish populations, including stocking, while BLM manages habitat on public lands as described in the MOU between the ODFW and the BLM. Therefore, adopting a policy to prohibit stocking nonnative fish on public lands is outside of the scope of this RMP, and in conflict with the ODFW’s jurisdiction and the MOU. Protection of native redband trout is addressed in the ODFW’s Native Fish Conservation Policy.

7 Comment: What is the unique population of waterfowl found in the Blitzen River?

Response: There is no unique population of waterfowl known from the Blitzen River in the RTR. Waterfowl do use various areas along this river system but most are common to the area and Malheur NWR. Some text in the Steens Act was ambiguous regarding migratory waterfowl. In Title III, Section 302 (1)(a) the wording is “Those portions of the Donner und Blitzen River in the Wilderness Area are an exceptional resource that provides habitat for unique populations of native fish, migratory waterfowl, and other wildlife resources, including a unique population of redband trout.” In the preceding statement the first instance of the word unique is referring only to the populations of native fish.

Paleontology

1 Comment: Alternative C would be preferred in Goal 2, Objective 1, Action 1 because signing paleontological sites would attract people and result in resource damages.

Response: On-site interpretive signs would be planned so that the minimum of resource damage would occur at signed paleontology localities. Localities chosen for interpretation would be near a main road to facilitate adequate maintenance of facilities and provide ample opportunity for surveillance by law enforcement and other BLM employees.

2 Comment: Off-road vehicle use should be prohibited until all paleontological localities are inventoried.

Response: Most paleontological localities are known. Fine-tuning inventory to assess paleontological significance and condition has not been completed. Under the Proposed RMP, only 25,286 acres of the Planning Area would be open to OHV. The 25,286 acres left “open” is the Alvord Desert playa, an area not likely to contain paleontological localities. The remainder of the 1,649,470 acres would be under OHV designations such as “limited to designated routes” or “closed”.

Cultural Resources

1 Comment: The DRMP does not provide any analysis of the potential effects on identified and unidentified historic and cultural resources, nor does it specify activity restrictions to prevent adverse effects.

Response: Chapter 4 in the DRMP/DEIS analyzes by resource the various direct and indirect effects on historic and cultural resources (both archaeological sites and Native American Traditional Practice locations) in detail. A site-specific effects analysis with proposed specific management actions was not completed for the DRMP/DEIS but will be included in Appendix R in the Proposed RMP/FEIS. Additional information on specific effect agents on cultural resources in the AMU and CMPA is shown on Tables 3.9.1 and 3.9.2.

2 Comment: The DRMP/EIS does not adequately discuss BLM cultural resources stewardship role as part of current management.

Response: Chapter 2, Alternative A (existing management) was re-written for the Proposed RMP/FEIS to demonstrate the level of cultural resources stewardship activities under current management.

3 Comment: Ninety three percent of the Planning Area is uninventoried for cultural resources. BLM should adopt Alternative B until cultural resource inventories are complete.

Response: Overarching management authority for the Planning Area is found in the FLPMA. The management philosophy and mandate in the FLMPA is multiple use. Alternative B affects cultural resources the least of all the alternatives but cultural resources is only one of many resources or resource uses. Management objectives outlined in Chapter 2 show the current practice of annual, incremental cultural resources inventory, site monitoring, salvage, law enforcement surveillance and mitigating effects to cultural sites on a case-by-case basis. In addition to the current management, a predictive model for discovering the most likely locations for conflicts between cultural resources and other resources and resource uses is proposed for future implementation. This model, tied to sample inventory on an annual basis, would be designed to discover significant sites most likely to be affected.

4 Comment: The Area should be closed to off-road vehicle travel until cultural resource inventories are complete.

Response: Under the Proposed RMP/FEIS, only 25,286 acres of the Planning Area would be open to OHV and mechanized vehicle use. The 25,286 acres left “open” is the Alvord Desert playa, an area not likely to contain intact, significant archaeological sites. The remainder of the 1,649,470 acres would remain under OHV designations such as “limited to designated routes” or “closed”.

5 Comment: Gating the Cold Springs Road was a stipulation in the purchase agreement with the previous owner of Riddle Brothers Ranch National Historic District. The gating was intended to protect historic and cultural resources within the ranch. This restriction should be continued and mentioned in Alternative A.

Response: Alternative A was altered to reflect this omission and the restriction was included in all other alternatives. Use of the road within Riddle Brothers Ranch is available only by permit from the Authorized Officer and for administrative use.

6 Comment: Do not maintain or restore historic structures in wilderness.

Response: Nothing in the Wilderness Act precludes maintenance or restoration of historic structures in wilderness and historic or cultural features are listed as special wilderness features. BLM is responsible for maintaining National Register eligible or listed historic buildings/structures, inside wilderness and out. Noneligible or listed buildings/structures can be maintained or restored at BLM discretion. MRDG would be required prior to maintenance and restoration activities and adhered to during implementation of these activities.

7 Comment: Remove mining roads, building, landings and associated abandoned hardware and trash.

Response: The BLM is required to follow a process when reclaiming mining areas. A part of the process is determining the historic nature of the remains and their significance, and determining their eligibility for inclusion on the National Register of Historic Places. If mining sites (including roads, tailings piles, hardware, buildings, etc.) are found eligible, the effect of their removal will be mitigated according to a process established in 36CFR800. Generally, reclamation of a National Register eligible mining site would require completion of a Historic American Engineering Record by a qualified professional and coordination with the Oregon State Historic Preservation Office, the National Park Service, and the Advisory Council on Historic Preservation.

Native American Traditional Practices

1 Comment: The Burns Paiute Tribe encourages closure of Steens Mountain to mineral development.

Response: Steens Mountain was withdrawn from mineral entry by Congress in the Steens Act.

2 Comment: Tribal members should be allowed access to roadless areas by traditional (foot or horse) means only.

Response: The Steens Act states that it will not be construed to diminish tribal rights, including those of the Burns Paiute Tribe, regarding access to federal lands for tribal activities, including spiritual, cultural, and traditional food gathering activities. Recent traditional use of Steens Mountain and the surrounding area includes access by auto, horseback and walking. Access via auto has been limited to existing open roads and developed recreation areas. More remote locations are accessed by horseback or on foot. It has not been established that Indian people used mechanized means of access to areas on Steens Mountain where access has changed since wilderness designation.

3 Comment: Provide adequate documentation that BLM has sought consultation on a “government to government” basis with all Native American Tribes that might have an identified interest in the planning area.

Response: During the SEORMP process, contact and consultation occurred with a number of Indian tribes. Pages 5-2 to 5-4 of the Draft SEORMP are a summary of key public involvement events. First they show that scoping letters were sent to the Burns Paiute Tribe, Confederated Tribes of the Warm Springs Reservation, Confederated Tribes of the Umatilla Reservation, Fort McDermitt Shoshone-Paiute, Shoshone-Paiute Tribes at Duck Valley Indian Reservation, Shoshone-Bannock Tribes at Fort Hall Indian Reservation, Klamath Tribe and Nez Perce Tribe. These letters were followed up with phone calls. Based on scoping contact, RMP meetings were held with the Burns Paiute Tribal Council, Fort McDermitt Shoshone-Paiute Tribal Council and Confederated Tribes of the Warm Springs Reservation. Additional contact was made with tribes in the form of a plan update and offer to meet to discuss the Draft SEORMP. With the passage of the Steens Act, the CMPA and AMU were separated from the SEORMP process. However, the tribal contact/consultation experience was carried forward to the AMU/CMPA RMP process. Initial scoping letters were sent to the Burns Paiute Tribal Council, Confederated Tribes of the Warm Springs Reservation, Fort McDermitt Tribal Council and Klamath Tribes. Only the Burns Paiute Tribe expressed interest in being involved in the RMP planning process and eventually became a cooperating agency. Their representative has been involved in DRMP/DEIS review and they also have a representative on the SMAC. The SMAC has worked closely with the BLM in preparation of the management objectives and alternative selection of the Draft and Proposed RMP/EISs. In addition, the Burns Paiute Tribe has a representative on the RAC.

4 Comment: Protect resources Tribes identify during consultation, especially those that cannot be adequately protected by adherence to the National Historic Preservation Act.

Response: The Burns BLM is involved in active consultation with the Burns Paiute Tribe on a number of issues identified by both the BLM and the tribe. The BLM also has a signed MOU that forms the basis of our consultation and cooperation. The BLM will not knowingly advocate or allow activities on public land that would threaten resources identified by the tribes during consultation.

Visual Resources

1 Comment: The EIS does not describe how the various alternatives would affect visual resources nor does it include the nature and effectiveness of potential visual BMPs or mitigation measures. The EIS does not describe the visual effects of mineral development or OHV use.

Response: An RMP is a general planning document, as described in Chapter 1. For this reason, the specific visual effects and proposed visual mitigation measures of a specific activity or project cannot be described in this document. The effects of management actions on Visual Resources are described in *Indirect Effects* discussions in Section 4.11.3. In the Proposed RMP and Alternatives B, and C, there would be minimal visual effects to Visual Resources from OHV and mechanized vehicle use because the area open to OHV and mechanized vehicle use is a very small percentage of the Planning Area. In all alternatives, the majority of OHV and mechanized vehicle use is limited to designated or existing roads, ways, and trails, so most effects would be restricted to the current road network.

2 Comment: The effects of cutting juniper and letting it lay have not been adequately evaluated.

Response: Vegetation management methods and their effects will be analyzed in separate activity or project level documents.

3 Comment: WSA additions should be designated as ARM II

Response: In accordance with current BLM policy, there are no WSA additions proposed in the Proposed DRMP/FEIS. In the future, should WSA additions be allowed, the recommended ARM Class would be I, not II, because Class I ARM designations are assigned to those areas where a management decision has been previously made to maintain a natural landscape. This includes areas such as national wilderness areas, the wild section of national wild and scenic rivers, and other congressionally and administratively designated areas where decisions have been made to preserve a natural landscape (H-8410-1, p. 6).

Energy and Minerals

1 Comment: The RMP should close the entire Steens planning area to oil and gas, geothermal, and mineral exploration and development; we are concerned about mineral development in our Steens Wilderness Area; we are concerned about the recommendation to open mining in the CMPA.

Response: The entire CMPA is closed (withdrawn) from leasable and locatable mineral exploration and development under the Steens Act. The CMPA area includes the Steens Wilderness Area. In addition, the Mineral Withdrawal Area designated by the Steens Act also closed 496,364 acres of the AMU (see Map 3.13.1) to leasable and locatable mineral exploration and development.

2 Comment: The Proposed RMP/FEIS does not take into account Congress' clear mandate, nor does it examine how it advances Congress' goals and objectives in passing the Steens Act

Response: The Steens Act did not withdraw the entire Planning Area from leasable and locatable mineral exploration and development. Consistent with the Steens Act, the Proposed RMP/FEIS considers leasable and locatable mineral exploration and development in the AMU portion of the Planning Area outside of the Mineral Withdrawal Area.

3 Comment: The Planning Area should be withdrawn from locatable and leasable mineral exploration and development where it has low potential for mineral resources

Response: It is USDI policy (DM 603, 1976) that all withdrawals of land shall be kept to a minimum. Areas are recommended for mineral withdrawal based on the resources they contain that conflict with exploration and development of locatable and leasable mineral resources in a culturally- and environmentally-sound manner. Areas are not recommended for withdrawal based on whether or not they have high mineral resource potential. In addition, it is BLM policy that the mineral leasing category of each area (closed, NSO, open with seasonal or other special stipulations, and open with standard leasing stipulations) is determined by the resources contained in that area and identification of the least restrictive mineral leasing category that would protect those resources under each management alternative.

4 Comment: It appears the BLM is not considering any alternatives with respect to locatable minerals other than making the maximum amount of land available for exploration and development

Response: See the Proposed RMP/FEIS Section 2.13.1. The goal of this section is to provide opportunities for the exploration and development of locatable minerals in a culturally- and environmentally-sound manner. See also Table 2.13.1 and its footnotes. The Proposed RMP/FEIS considers a range of management alternatives for the 467,831 available BLM acres. Under Alternative A, BLM recommends closing (withdrawing) zero acres to locatable minerals exploration and development. Under Alternative B, the BLM recommends closing 467,831 acres (the entire Planning Area) to locatable minerals exploration and development. Under Alternative C, the BLM recommends closing 254,859 acres to locatable minerals exploration and development. Under the Proposed RMP, the BLM recommends closing 20,367 acres to locatable minerals exploration and development. Under Alternative E, the BLM recommends closing zero acres to locatable minerals exploration and development.

5 Comment: Every possible reference to laws and regulations that provide support for mining and geothermal activities is listed while any that would support limiting these activities are missing

Response: Mineral resources laws and regulations both support and limit exploration and development activities. In the Energy and Minerals Section of Chapter 2 are minerals laws and regulations. In other resource sections are laws and regulation of those other resources. The other resource sections do not summarize the minerals laws and regulations and the minerals section does not summarize the laws and regulations of other resources.

The consideration of other resources in exploration and development of mineral resources is provided under each objective in the Energy and Minerals section in Chapter 2. . The effects of other resources on mineral exploration and development are discussed in the Energy and Minerals section in Chapter 4 under Analysis of Effects. The effects of mineral exploration and development on other resources are discussed in each resource section in Chapter 4.

6 Comment: BLM should note that FLPMA gives the Department of the Interior the authority to restrict Mining Law activities through the process of land use planning

Response: The FLPMA reference is in Chapter 1 at Section 1.4 of the DRMP/DEIS where it is noted that the RMP is a land use plan as prescribed by the FLPMA and that the RMP establishes areas for limited, restricted, or exclusive resource uses. In addition, at Section 2.17.1.1 it states, "Section 204 of the FLPMA gives the Secretary of the Interior the authority to make, modify, extend, or revoke withdrawals, and mandates review of withdrawals." Note that the Proposed RMP/FEIS recommends lands for withdrawal, but the authority for withdrawal rests with the Secretary of the Interior. A primary function of the RMP process is to identify land to recommend for withdrawal from mineral exploration and development, and this is the entire subject of Section 2.13. Under Objective 1 in Section 2.13.1.2 the

BLM identifies lands to be recommended for withdrawal from locatable mineral exploration and development under each management alternative.

7 Comment: What is required in the mineral withdrawal process?

Response: Lands are recommended for mineral withdrawal in the Energy and Minerals section of the Proposed RMP/FEIS but the mineral withdrawal process is a Lands and Realty action with supporting information from minerals specialists and other specialists. Justification and support for a withdrawal recommendation to the Secretary of the Interior must include a statement regarding consistency with a land use plan; a description of resource values; an environmental assessment or EIS; a justification of why the withdrawal is necessary including a detailed explanation why the 43 CFR 3809 requirements or a right-of-way or a cooperative agreement would not provide an adequate degree of protection; a mineral potential report; a description and an estimated value of investments of Federal funds on the lands; an estimated number of recreation visits per year if the proposal involves recreational use; a report identifying the present users of the land; a statement concerning use of water; a statement concerning wetlands and floodplains; and a statement of consultation with governmental bodies, agencies, and individuals.

8 Comment: The RMP should not open any part of the Planning Area to energy and mineral exploration and development

Response: The Proposed RMP does not open public land to mineral exploration and development, the public land is already open by law, regulation, and policy. As stated at Section 2.13.1.1 in the DRMP/DEIS, the General Mining Law of 1872 gave the public the basic right to explore and locate mining claims on public land. The Mining and Minerals Policy Act of 1970 declares that it is the continuing policy of the federal government to foster and encourage private enterprise in the development of domestic mineral resources. Section 102 of the FLPMA directs that the public land be managed in a manner that recognizes the nation's need for domestic sources of minerals and other resources. It is U.S. Department of the Interior policy (DM 603, 1976) that all withdrawals of land shall be kept to a minimum. It is BLM policy (1984) that public lands are open and available for mineral exploration and development unless withdrawal or other administrative action is clearly justified in the national interest.

9 Comment: BLM should close the entire Planning Area to mineral exploration and development.

Response: Comment noted that you prefer Alternative B; see also the response to comment 3.

10 Comment: All land not now closed should be kept open for mineral resource development.

Response: Comment noted that you prefer Alternative E.

11 Comment: The RMP does not cite the source for the statements claiming the land has mineral potential.

Response: References were generally not cited in the document to aid in readability. References are listed in Chapter 6 of the Proposed RMP/FEIS.

The BLM primarily used mineral potential maps developed by the USGS for our mineral potential information. The USGS should have been listed as the data source on the Locatable and Leasable Mineral Potential map (Map 3.13.2) and that has been corrected.

The USGS mineral potential information is presented in these two documents:

Peters, S.G., G.T. Spanski, H.C. Brooks, J.G. Evans, R.R. Carlson, G.K. Lee, K.A. Connors, J.J. Rytuba, A. Griscorn, G.V. Albino and P.F. Halvorson. 1996. Deposit Models, Tracts, and Estimation of Endowment for Undiscovered Metallic Resources in the BLM's Malheur, Jordan, and Andrews Resources Areas, Southeastern Oregon: U.S. Geological Survey Administrative Report to the Bureau of Land Management. 70 pp.

Smith, Cole L., ed., 1994, Mineral and Energy Resources of BLM's Malheur, Jordan, and Andrews Resource Areas, Southeastern Oregon: U.S. Geological Survey Administrative Report to the Bureau of Land Management, 232 pp.

The two administrative reports have been combined into one report edited by Jim Evans and that report is in the USGS editing and publication process. No publication date for the report has been established.

12 Comment: NEPA requires that all references be available for public review

Response: All references are available for public review at the Burns DO during office hours. Please call ahead to make an appointment so that the references you are interested in can be set aside in the public room. Some references are also publicly available through libraries and the agencies that published them.

13 Comment: Some important geologic references are missing in the References section.

Response: The USGS and BLM used references listed in Appendix B of the report edited by Cole L. Smith, which is an exhaustive list of geologic references for this area. It includes reports and publications by Gray and Rimal. It references an article in Oregon Geology by Gray in 1984 that provides additional geochemical sampling references.

14 Comment: Table 3.18 indicates that about one fifth of the study area, or over 300,000 acres, has high potential for one or more types of gold deposit and would be open for locatable mineral exploration and development; the RMP should analyze mining on three hundred thousand acres; acreages should be identified where a mineral developer can focus their efforts

Response: Note that Table 3.18 of the DRMP/DEIS (Table 3.13.2 in the Proposed RMP/FEIS) shows the mineral potential for the entire Planning Area, including land within the Mineral Withdrawal Area, WSAs, and non-BLM administered lands.

Table 2.13.1 shows that the Proposed RMP/FEIS supports minerals management decisions on 467,831 acres total (public land that is outside of the Mineral Withdrawal Area and WSAs). Land that is open for mineral exploration and development is not necessarily going to be mined. It is likely that only land with high mineral resource potential would be subject to exploration. Further, it is likely that only a portion of that area with high potential could be economically mined and would be proposed for a mine or mines.

Table 2.13.1 shows total available BLM administered acres (outside of the Mineral Withdrawal Area and WSAs) with high potential for hot-springs-type mineral deposits (deposits that formed associated with hot springs plumbing systems millions of years ago; there may be no hot springs located there today) as 32,055 acres (two percent of the Planning Area). There are zero available BLM administered acres with high potential for vein gold and 1,313 acres available BLM administered acres (less than 0.1 percent of the Planning Area) with high potential for porphyry-type gold deposits. There are zero available BLM administered acres with high potential for uranium, one acre with high potential for diatomite, zero acres with high potential for sodium or potassium leasable mineral resources, zero acres with high potential for oil and gas resources, and 332 available BLM acres with high potential for geothermal resources.

The map that shows Locatable and Leasable Mineral Potential (Map 3.13.2) shows that the areas with high potential for porphyry-type mineral deposits are entirely within the areas with high potential for hot-springs-type mineral deposits. The map also shows that the 332 available BLM administered acres with high potential for geothermal resources are located about a mile north of Fields. These high potential areas are the areas most likely for mineral exploration and development activity. This is where a mineral resource developer can be expected to focus their efforts.

There is a new map called “Available Areas with High Potential for Hot-Springs-Type Minerals”(Map 2.13.8) to show areas on BLM administered land, outside of WSAs and outside of the Mineral Withdrawal Area, with high potential for locatable minerals. Table 2.13.1 shows that under the Proposed RMP/FEIS 8,005 acres with high potential for hot-springs-type gold and mercury deposits would be recommended for closure (withdrawal) due to consideration of other resources. This would leave 24,050 acres with high potential for hot-springs-type gold and mercury deposits available for mineral exploration and development. On Map 2.13.8 the available high potential areas are shown in pink where they are recommended for withdrawal under the Proposed RMP/FEIS. The area along Denio Creek contains a Federallylisted threatened fish species but it does not show up on the map because the thick blue line symbol for the creek covers up the pink.

The USGS report by Peters and others provides estimated grade and tonnage for mineral deposits and shows that a typical gold deposit in this area would require mining twice as much rock to obtain half as much gold compared to a typical gold deposit in the Oregon-Idaho Graben south of Vale, Oregon, so it is unlikely that a gold mine will be developed here. In Section 4.13.5 of the DRMP/DEIS it states that a relatively small amount of locatable mineral exploration, mining, and occupancy have occurred in the past, is occurring now, and is expected to occur in the future. The potential for leasable minerals activity is low. It is unlikely that geothermal resources will be developed on 332 acres except for a small operation such as a swimming pool or greenhouse. Salable minerals are always in demand for road maintenance although development generally conflicts with one or more resources; salable mineral development would be subject to areas identified in the Proposed RMP/FEIS as closed and further subject to the judgment of the BLM Authorized Officer (Andrews Field Manager). Effects of exploration and mineral development are described in Chapter 4.

15 Comment: The RMP/EIS should establish the criteria that all mining claims will undergo a validity examination prior to having the BLM permit development; this would prevent speculative exploration and subsequent damage to natural resources.

Response: It is BLM policy that actions prompting a mining claim validity examination are a mineral patent application or a withdrawal. The government may choose to examine, and where appropriate, bring contest action against mining claims or mill sites in other situations only when such action is deemed to be in the public’s interest.

A validity exam is an involved process. A validity exam that finds that an operator's activities or occupancy are reasonably related to mining operations prepares the claimant to apply for a patent if the patent moratorium is lifted by Congress. It is likely that a validity exam on a claim within an area with high potential for mineral resources would find that an operator's activities are reasonably related to mining operations.

16 Comment: The EIS fails to consider the reasonably foreseeable direct, indirect and cumulative effects of the DRMP alternatives as they relate to mineral development and energy

Response: Chapter 4 in the Proposed RMP/FEIS considers reasonably foreseeable direct, indirect, and cumulative effects of the Proposed DRMP and alternatives as they relate to mineral development and energy.

17 Comment: The Andrews Management Unit includes the mineral-rich Pueblo and Trout Creek Mountains; interest in those areas caused new state regulations over cyanide heap-leach mining in the early 1990s.

Response: No gold mines were proposed in the Pueblo Mountains or Trout Creek Mountains in the early 1990s. You have the Pueblo Mountains and Trout Creek Mountains confused with Grassy Mountain, which is approximately 100 miles to the northeast in the Vale District. Grassy Mountain is in a different geologic setting (in the Oregon-Idaho Graben) where economic gold deposits are more likely as estimated by USGS specialists.

Most of the high mineral potential areas in the Pueblo and Trout Creek Mountains are within WSAs. Under the WSA IMP no surface-disturbing minerals activities are allowed in WSAs. As a result, the acreage within WSAs is not under minerals management consideration in this DRMP process.

18 Comment: Why doesn't the Proposed RMP/FEIS protect ACECs, RCAs, wild and scenic river corridors, areas containing special status species and their habitat, and roost sites for bats; why did BLM chose to recommend very little acreage for withdrawal under the Proposed RMP/FEIS?

Response: The Proposed RMP/FEIS considers a range of alternatives. More areas are considered for mineral withdrawal under Alternative C, which emphasizes protection of natural values, than under the Proposed DRMP, which balances cultural, economic, ecological, and social health in a manner that encourages cooperative management practices. The Proposed DRMP recommends for withdrawal existing BLM recreation and administrative sites, potential BLM recreation sites when development is approved, National Register listed cultural sites, significant paleontological localities, areas containing federally listed species and their designated critical habitat, and within 0.6 mile of sage-grouse leks.

Under Alternative C, all ACECs are recommended for withdrawal. Under the Proposed DRMP, not all ACECs are recommended for withdrawal so that there is a range of ACEC withdrawals within the alternatives. Most of the ACECs are within the Mineral Withdrawal Area and are already withdrawn from locatable and leasable mineral exploration and development (see Table 2.21.2). Under the Proposed DRMP those ACECs outside of the Mineral Withdrawal Area would be open to locatable mineral exploration and development, open to leasing under standard lease stipulations, and closed to salable mineral development (see Section 2.13).

Three of the ACECs outside of the Mineral Withdrawal Area are in WSAs (Long Draw, Pueblo Foothills, and East Fork Trout Creek ACECs) and are subject to the WSA IMP, including the nonimpairment criteria. There are no grandfathered mining claims in any WSAs in the Planning Area. WSAs are open to mining claims but surface-disturbing mineral exploration and development activities are not allowed (see Section 2.13). No new leases may be issued within WSAs and there are no grandfathered leases (see Section 2.13). Under the WSA IMP mineral materials sales and free use permits are not allowed except at one grandfathered site. Table 2.21.2 shows the three ACECs in WSAs as Open for locatable minerals (although they are open to the staking of claims, any activity must comply with the WSA IMP, including the nonimpairment criteria), NL for leasable minerals and Closed for mineral materials.

There are two ACECs outside of the Mineral Withdrawal Area and outside of WSAs under Alternative C (Picket Rim ACEC and Tum Tum Lake ACEC) and there is one ACEC outside of the Mineral Withdrawal Area and outside of WSAs under the Proposed DRMP (Tum Tum Lake ACEC). Under the Proposed DRMP Tum Tum Lake ACEC would be open to locatable mineral exploration and development, open to leasing under seasonal or other special stipulations because it is within deer winter range, and closed to salable mineral development (see Section 2.13). There have been locatable mineral exploration activities in Tum Tum Lake ACEC within the past 15 years. The activities did not impair the plant community and the site of the surface disturbance is fully reclaimed and unnoticeable.

Riparian areas are discussed in the Riparian/Wetlands Sections 2.5.1, 3.5.1, and 4.5.1. No mineral withdrawals are proposed for riparian/wetland areas under Alternative C because conflicts can be resolved under mining regulations at 43 CFR 3809 or under standard lease stipulations that allow wells to be moved up to 660 feet or leasing activities to be delayed for up to 60 days.

Wild and Scenic River corridors are withdrawn from locatable and leasable mineral exploration and development by Congressional action; that is not an DRMP decision. There are no grandfathered mining claims or mineral leases in WSRs in the Planning Area. WSR eligible rivers are protected from mining where they are within the Mineral

Withdrawal Area. WSR eligible rivers that are outside of the Mineral Withdrawal Area are Van Horn and Little Cottonwood Creeks in the Pueblo Mountains and Big Trout Creek in the Trout Creek Mountains, all of which are in WSAs and are subject to the WSA IMP, including the nonimpairment criteria.

In the DRMP/DEIS, areas containing special status species and their habitat, which includes Federally-listed species and their designated critical habitat, are recommended for withdrawal from mineral exploration and development under Alternative C (see Section 2.13). Under the Proposed DRMP areas containing Federally-listed species and their designated critical habitat are recommended for withdrawal.

All known bat roosts are within WSAs or the Mineral Withdrawal Area and are protected from locatable, leasable, and salable mineral activities. There are no known bat roosts of Federally-listed threatened and endangered species but if any are discovered those roost sites would be recommended for withdrawal under the Proposed DRMP where they are outside of WSAs and the Mineral Withdrawal Area.

19 Comment: Alt C is preferable because it would preclude mining in the Planning Area.

Response: Alternative B would preclude mining in the Planning Area; Alternative C would still leave 212,972 acres open to mineral entry (see Table 2.13.1), although very few of those acres have high mineral potential.

20 Comment: Precluding mining from the Planning Area would eliminate emissions from mining operations, thus improving air quality.

Response: Mining in the Planning Area currently consists of occasional mineral materials (aggregate) mining primarily by the Oregon Department of Transportation and the Harney County Road Department for use on roads in the area. Crushers used on those operations are under a state permit certifying acceptable dust exposure for the workers at the site. Maintenance of roads is a safety and national transportation issue and so aggregate mining will not be eliminated. There is no other mining occurring in the Planning Area.

21 Comment: The DRMP should protect from mineral entry that land in WSAs that might be dropped in the future

Response: This Proposed RMP/FEIS does not consider minerals management actions in WSAs except to state that the WSA IMP allows mining claims to be located but surface disturbance is not allowed, no mineral leases may be issued, and no mineral materials disposals are permitted except where grandfathered. WSA lands that are Congressionally released from consideration for Wilderness designation would only be protected from mineral entry if they are included in some other special area that is withdrawn from mineral entry or in an area withdrawn to protect a specific resource value. WSA lands that are Congressionally released from wilderness consideration could be considered for mineral withdrawal under an DRMP plan amendment that could be prepared at that time. When releasing WSA lands from wilderness consideration, Congress may specify management actions for those lands.

22 Comment: ACECs should be withdrawn from mineral entry because mineral entry would degrade values for which they were originally designated an ACEC; mineral leases should not conflict with resource values.

Response: ACECs and other areas are recommended for withdrawal only if the values they contain cannot be protected with less restrictive measures. Refer to Proposed RMP/FEIS Table 2.21.2 for recommended withdrawals and leasing categories in ACECs. Also see the responses to comment 3 and comment 18.

23 Comment: BLM must include in its planning process alternatives that consider a balanced range of mineral withdrawals.

Response: See Section 2.13 for the variation in areas for which mineral withdrawals would be recommended under the range of alternatives.

24 Comment. The range of alternatives needs more flexibility concerning small and low-impact minerals such as sand and gravel for road maintenance; the Proposed RMP/FEIS excessively restricts development of rock sources for road maintenance.

Response: Restrictions imposed on mineral materials development under the Proposed DRMP are not considered to be excessive. Development would still be allowed at existing sites, identified potential sites, and at many sites located in proximity to existing roads.

25 Comment: A section needs to be added regarding potential geologic hazards in the area; is there a hazardous materials response plan?

Response: There have been no historic landslides, mudslides, or large earthquakes in the area. 3.13.5 shows Potentially Hazardous Sites within the Planning Area that include abandoned mine land areas and areas with naturally-occurring mercury, arsenic, and uranium. Because emergency response or remediation of these hazards is not an DRMP decision, because there have been no historic incidents, and because these hazards are not expected to significantly affect the

human environment given the small and dispersed population of the area, there is no emergency response plan in this Proposed RMP/FEIS and no further discussion of these hazards.

26 Comment: I favor the reclamation of abandoned mining areas such as the obliteration of roads and landings, removal of buildings, and collection of scrap iron

Response: The Proposed RMP/FEIS considers obliteration of roads and landings in the TP. Roads to old prospects and mines provide access for recreationists to the east side of Steens Mountain from the East Steens Road and at other locations. Some recreationists enjoy seeing old mine areas so mine headworks were left at the Mogul Mine near Fields when the BLM backfilled shafts and adits in that area. Specific remediation actions at abandoned mine lands are subject to site-specific environmental analysis.

Wild Horses and Burros

1 Comment: The EIS assumes that under any of the alternatives a 20percent increase in the number of horses is expected. The EIS, however, fails to adequately address or evaluate the likely adverse effects that this increase would have on forage available for native species, the impacts on vegetation resources, water quality and a host of related effects that would result from a population increase of this magnitude.

Response: Presently, a 20percent annual increase would be expected under normal circumstances. Other alternatives call for changes in sex ratios and the possibility of birth control which could cause some reduction in this expected rate of increase. The normal schedule for gathers of wild horses every three years with numbers being reduced to the low end of the AML helps keep forage resources from being overutilized by wild horses and therefore unavailable for wildlife species. This should also help maintain water quality and keep conflicts for water resources between wild horses and wildlife to a minimum.

2 Comment: The following is in reference to a desired change in the Draft Resource Management Plan and Environmental Impact Statement under the heading of Wild Horses and Burros specifically in the paragraph 2.14.2 Monitoring. I would like to see the last sentence of this paragraph with the part in parenthesis to read as follows: (conformation, size, color, weight, unique markings).

Response: This has been incorporated in the text.

3 Comment: Wild horses and burros should be managed to protect native wildlife.

Response: This is the intent of the objectives listed in the Wild Horses and Burros section. While the BLM recognizes that there are conflicts for resources between native wildlife and wild horses and burros, the numbers of horses managed for in each HMA was established to recognize other resources and uses on public lands and not degrade the vegetation and water resources.

Livestock Grazing

1 Comment: Under Preferred Alternative in the Summary Table at S-18, it says “more flexibility in grazing resources” and “predicts an increase in utilization of grazing resources”.

Response: The statement in the Summary Table at S-18 in the DRMP/DEIS is in error. In the Proposed DRMP, livestock grazing would be maintained at a sustained level without any specific increases or decreases. Livestock use would be adjusted, as necessary, following periodic evaluations.

2 Comment: No assessment is provided of the impacts from continued grazing on the Planning Area outside the no-graze area.

Response: In Chapter 4, there are statements under the Indirect Effects sections for various resources that explain how those particular resources are affected by the management actions of livestock grazing outside the No Livestock Grazing Area. If grazing does not affect that resource, there is no statement of effects.

3 Comment: The DRMP fails to provide whether BLM has made any assessment as to the suitability of the Planning Area to grazing as required by FLPMA, NEPA, and the Taylor Grazing Act.

Response: The entire Planning Area was surveyed in the 1960's to determine the forage carrying capacity for livestock and wildlife. A usability and suitability assessment was completed on the Frenchglen Unit (Steens Mountain area) at that time. The usability and suitability assessment on the Wildhorse Unit (Alvord, Pueblo Mountains, and Trout Creek Mountains) was completed in 1979 in a separate survey. The usability and suitability criteria considered during the two surveys included the horizontal distance from water, arrangement of water, slope, and rockiness. Nowadays, the general health of ecological processes is periodically evaluated for individual allotments within the Planning Area to determine if current management is working. Allotments must meet the five elements of the Standards for Rangeland Health or management must change until the elements are met. The Guidelines for Livestock Grazing Management offer guidance in achieving goals, meeting standards, and fulfilling the fundamentals of rangeland health.

4 Comment: It is apparent that almost all the allotments have problems with water quality, riparian, and upland conditions, and are judged to need improvements. How does this compare to the allotment summaries when the Andrews MFP was written more than 20 years ago?

Response: Appendix I is intended to portray some of the basic objectives of each allotment, specifically, upland and riparian vegetation communities. Some areas are in a condition that the BLM is trying to maintain and others are in a condition the BLM would like to improve. Most of the areas where the BLM wants improvement are already on an upward trend because of grazing systems in place that satisfy natural resource objectives. When the MFP was written, more than 20 years ago, there were no detailed allotment summaries, so there is nothing on paper to compare to. Field experience over the years since the MFP was written indicates that there are fewer areas with riparian and upland problems than there were then. In the early 1980's there were very few allotments with working AMPs.

5 Comment: Information relating to the cause of unsatisfactory range condition is not identified. Does the BLM believe that problems pertaining to livestock grazing are not related to existing forage allocations?

Response: It is an accepted fact that most of the unsatisfactory range condition the BLM is still observing in the Planning Area was created by the uncontrolled grazing by cattle and sheep that took place in the late 1800s and early 1900s. Existing forage allocations are based on detailed evaluations designed to assess the health of the resources. If rangeland health is being compromised, and livestock grazing is determined to be the cause, action is taken to correct the situation. The type of action taken may be a reduction in allocated forage, change in the season of use, or complete removal, depending on the situation.

6 Comment: Will the BLM assess the effect of current grazing practices on biological soil crusts, distribution of invasive weed species, water quality, and sage grouse, and then take action to mitigate for them?

Response: Biological soil crusts, invasive weeds, water quality, and sage-grouse are all resources that are indicators of rangeland health. The effects of grazing on those and other resources would be assessed periodically in allotment evaluations or rangeland Standards and Guidelines determinations.

7 Comment: Do you have plans in place to provide for “accurate accounting of costs-to-benefit” of cattle grazing?

Response: No, the BLM is not addressing that topic in this Proposed RMP/FEIS. Any analysis of costs-to-benefit accounting of livestock grazing is outside the scope of this plan .

8 Comment: In the goal statement under grazing management, what does sustainable mean and what does healthy mean in this goal?

Response: Sustainable is meeting the needs of the present without compromising the abilities of future generations to meet their needs. When referring to grazing, it means the continuation of grazing at various levels as long as the Standards for Rangeland Health are met or improving. Healthy resources are those resources that are functioning at or near their potential.

9 Comment: I object to the grazing goals and objectives. Where did they come from?

Response: Livestock grazing is a resource that has historical privileges, which allow for the utilization of forage resources on public lands. The Taylor Grazing Act of 1934 authorizes grazing on public lands as well as providing the limitations to grazing necessary to protect other resources. The FLPMA continued to allow for livestock grazing on public lands, as does the Steens Act for certain areas within the CMPA. The goals and objectives were chosen because they provide for continued grazing as well as for attainment of resource objectives.

10 Comment: Many allotment evaluations, riparian evaluations, and other studies have been completed that have identified livestock grazing problems. The plan fails to identify when they will be addressed but calls for more monitoring and evaluations. The Andrews MU grazing program EIS was completed in 1984. Many changes have occurred in the grazing program since then. Why was this not addressed in the new RMP/EIS?

Response: The allotment evaluation and subsequent NEPA document identifies problems, if there are any, proposes actions to alleviate the problems, and analyzes the effects of those actions. The actions are then incorporated into the management plan for the allotment. Allotments are evaluated every ten years unless a situation arises that needs immediate attention. The DRMP is, by design, a programmatic plan, so information, such as changes in the grazing program for the last 20 years, is not incorporated. Both documents are available at our office for comparison purposes.

11 Comment: It is stated that there are seven allotments in the Planning Area that have temporary non-renewable grazing use authorized. Which ones are they? How many AUMs are involved?

Response: The allotments known to have had TNR authorized include: Alvord, Pollock, Sandhills, Hammond, Krumbo, Ruby Springs, and Reicken's Corner. TNR may have been authorized only once or several times, depending on the year and the allotment. Most of the use has been on crested wheatgrass seedings. The number of AUMs involved in TNR authorizations has not been determined. TNR allocations are by nature, temporary, and considered site specific, and therefore are not an DRMP decision. See changes in text.

12 Comment: Preferred Alternative includes an increase in livestock use over current levels. No identification of where the increases would occur and how much was given in chapter 2. Chapter 4 does not address the impacts; it merely states that the increases would occur. The TNR increase identified in chapter 2 is not addressed in Preferred Alternative.

Response: The management actions for grazing management in Chapter 2 do not increase livestock use over current levels for the Proposed DRMP. The Proposed DRMP calls for sustainable livestock grazing consistent with the Steens Act, the S & G's, and resource objectives. Increases over the current level are proposed for Alternative E in Chapter 2. The Comparison Summary Table at the beginning of the DRMP/DEIS on page S-18 indicated an increase in the utilization of available grazing resources. That portion of the table was wrong and has been corrected. The TNR statement was inadvertently left out of the management actions in Chapter 2. In the Proposed RMP/FEIS, TNR will be authorized in years of favorable forage production.

13 Comment: The exact same season of use, April-June, should be implemented throughout the Andrews Resource Management Unit. Implementing this change would greatly improve the high desert ecosystem. Winter grazing allotments need to be eliminated.

Response: Grazing livestock from April until June is not the ideal system for the entire Planning Area. This system works on the east side of the Pueblo Mountains because the soils are deeper and more moist. Vegetation, especially in the meadows and riparian areas, has time to grow back before the soils dry out. Winter use does not stress the vegetation because grazing happens during the period when the grasses and shrubs are dormant. In the valley bottoms, where many of the soils are shallow, and most of the winter use is authorized, it is recommended to not graze too long into April or regrowth might not happen. If plants are consistently grazed during the growing season, the root reserves could be used up and the plant would die.

14 Comment: There is a cow free, 97,995 acre no grazing area within the planning area. There is almost no discussion of the impacts to various resource uses within the no grazing area, as compared to the grazed areas outside of it. Yet, the BLM has mentioned that they recognize this on various pages

Response: The BLM will include more discussion of the effects of the No Livestock Grazing Area on various resources such as riparian, wildlife, special status species, wildland fire management, etc.

Wildland Fire Management

1 Comment: BLM must assume a let burn policy for natural fires with the exception of areas which are inhabited like the rural communities of Frenchglen, Diamond, Denio, and Fields.

Response: The Proposed RMP/FEIS sets provisions to manage natural ignitions. In situations where human life, private lands (unless under an agreement), or areas that possess a significant value or attribute are threatened, suppression action will be taken. In all situations, the BLM will evaluate the wildfire situations, notify appropriate parties, and take the appropriate actions as specified in BLM Wildland Fire Management Policy.

2 Comment: Woodlands/Fire/Weeds/Invasive Species-

Use prescribed burns and other actions if necessary to eradicate invasive species and hinder juniper encroachment resulting from skewed fire regimes of the past, if such actions will enhance special status species survival by restoring or protecting their habitat.

Response Prescribed burning is one tool identified in the Proposed RMP/FEIS to help manage the encroachment of invasive species into plant communities within the Planning Area. Projects will be evaluated for their effect on special status species present in the area or affected by the action. Encroachment of western juniper into other plant communities is partially attributed to altered fire regimes.

3 Comment: Include “Pursue cooperative management agreements with private landowners to manage wildfire cooperatively.”

Response: The section was modified to reflect changes.

4 Comment: Support the natural wildland fire to burn, as proposed in Alternative B, where cultural and natural resources are protected.

Response: Firefighter and public safety is the first priority in every fire management activity (Federal Wildland Fire Management Policy 2001). Wildland fires outside of the WUI will be evaluated for Wildland Fire Use (page 2-144 Draft RMP-EIS). The Federal Wildland Fire Management Policy (2001) goes on to outline eight additional guiding principles:

1. The role of wildland fire as an essential ecological process and natural change agent will be incorporated into the planning process.
2. FMPs, programs, and activities support land and resource management plans and their implementation.
3. Sound risk management is a foundation for all fire management activities.
4. Fire management programs and activities are economically viable, based upon values to be protected, costs, and land and resource management objectives.
5. FMPs and activities are based upon the best available science.
6. FMPs and activities incorporate public health and environmental quality considerations.
7. Federal, state, tribal, local, interagency, and international coordination and cooperation are essential.
8. Standardization of policies and procedures among federal agencies is an ongoing objective.

5 Comment: I support natural wildland fire, as proposed in Alternative B, where cultural and natural resources are protected. Special consideration to spread of cheatgrass must be executed.

Response: Wildland fire management actions consider a variety of situations, often occurring in very compressed timeframes.

The establishment and spread of cheatgrass throughout the western United States has presented land managers with many challenges. Many areas are maintained in simplified plant communities dominated by cheatgrass. Frequent fires help cheatgrass, and other introduced annuals and perennials, to dominate these burned areas. Current plant community is one of the factors that is considered when evaluating fire management actions. However, the primary goal of fire management actions is the protection of human life (firefighter and public).

Presence of cheatgrass (and other introduced annuals) in the pre-burn and post-burn plant community will be evaluated during all fire stabilization and rehabilitation processes. One of the goals of stabilization and rehabilitation projects is the reestablishment of perennial plant communities.

6 Comment: Recommend BLM include in the DRMP the potential for implementation of future conservation agreements with BLM and willing landowners.

Response: The BLM has had many projects in the past that have included working closely with the adjacent private landowners, conservation groups, and other interested publics. Projects of this type have proved to be successful in achieving multiple public and private land management goals. The BLM will continue to pursue these type of agreements where possible.

7 Comment: Please provide additional information on the potential proposed use of restoration with non-native species and how this would help achieve the stated goal and objective.

Response: The section heading “Alternative E” was inadvertently omitted from the page. The use of non-native forage species was identified as a component of Alternative E. The heading “Alternative E” will be added above the preceding paragraph.

8 Comment: Please provide information on the proposed native and introduced species that would be used, and clarify how the use of introduced species would meet Goal 2 to restore and maintain the integrity of ecosystem consistent with appropriate fire regimes and land uses.

Response: The best restoration practice would be to allow residual native plant species to revegetate a site following disturbance. However, this option is not available for some areas throughout the Planning Area. Areas where introduced annuals or weedy annuals and perennials have completely dominated a site may not have adequate native vegetation present to recover the pre-disturbance plant community. In these situations, plant species will need to be seeded. Selection of the species will be based on site specific conditions. In some instances introduced species may need to be used to reestablish desirable plant communities. Areas where the site has crossed an ecological threshold may no longer be able to support pre-disturbance plant species. In these situations, desirable introduced species may be utilized to facilitate recovery. This type of treatment would occur when the site had been altered enough that soils stabilization is the primary objective of the restoration actions. Once the site has been stabilized, native species may be reintroduced to the site. Restoration under these situations is a long-term project and reestablishment of native plant communities may take many years.

9 Comment: Wildland fire rehabilitation should be done to promote rehabilitation of native vegetation, rather than seeding with new forage species.

Response: Wildland fire stabilization and rehabilitation projects will move toward establishing native plant communities. However, in situations where the biophysical environment has been altered to the degree that an ecological threshold may have been crossed, use of desirable nonnative species may be used to stabilize the soil. The selection of species will be based on site specific criteria.

10 Comment: Wildland fire management and prescribed fire tools should be used in a manner to promote wildlife habitat improvement or restoration.

Response: Management of public lands administered by the BLM must take into account many objectives and land uses. Improvement and maintenance of wildlife habitat is one of the goals of land management.

11 Comment: Would prefer to stay away from prescribed fire in wilderness and WSAs. Prescribed fire actions (pretreatment, equipment needs) seem to cause more damage or disturbance than benefits derived plus the timing of prescribed burns usually don't coincide with a period when wildfires typically use to burn, which will impact natural conditions.

Response: BLM policy allows for prescribed burning in wilderness areas where natural fires do not meet wilderness fire objectives. Prescribed burning is allowed on a case-by-case basis for the following purposes:

1. to reintroduce or maintain the natural condition of a fire-dependent ecosystem;
2. to restore fire where past strict fire control measures had interfered with natural ecological processes;
3. where a primary value of a given wilderness will be perpetuated as a result of the burning; or
4. where it will perpetuate a threatened or endangered species.

BLM policy also allows prescribed burning in WSAs. However, the BLM will conduct all prescribed fire and suppression activities in accordance with fire management activity plans and subsequent operational plans for all WSAs, using caution to avoid unnecessary impairment of an area's suitability for preservation as wilderness.

12 Comment: ...why not have hundreds of airplanes loaded with water bombs and get the fire in the early stages??

Response: The DRMP is not the appropriate planning document for specific operational tactics that would assist fire suppression. Early and effective initial attack has proven to be the best method of suppression since the early 1900s. Fires are suppressed utilizing a variety of tools. Aerial resources are one tool that can be effective in certain circumstances; however, there are many areas where aerial application of retardant is either ineffective or impractical. Steep slopes, narrow canyons, adverse weather and smoke conditions can restrict flying. In these situations, ground resources are best suited to suppress fires. Ground resources also provide more flexibility. During periods with multiple fire starts and rapidly changing priorities, their movements can be more effectively directed than hundreds of airplanes trying to occupy the same airspace.

Boeing is currently working on developing a fire suppression technique that utilizes approximately 5 gallon water bombs. They would be delivered by airplane. The application of this technology is still many years out. See the Boeing web site for details <http://www.boeing.com/news/frontiers/archive/2003/august/ids4.html>

13 Comment: The use of prescribed burning and wildland fires to achieve ecosystem management objectives is described, but what appears to be lacking is any detail about the protection of air quality related values. How will the plans protect visibility and minimize contribution to regional haze?

Response: The plan states that the BLM will cooperate with federal, state and local governments on smoke management related to wildland fires, which includes prescribed fires or fires managed for resource benefits. The BLM will follow goals of the Oregon Smoke Management Plan.

Details related to smoke management will be site specific and related to individual projects. Analysis and actions will be developed under the ID team and NEPA process. Smoke management is a critical component of the environmental assessment and Burn Plan. Project specific information is available upon request.

14 Comment: -... I urge you to use burning of sage sites only for the purpose of increasing the overall health of the sage/forb community and not simply provide cattle forage.

Response: The BLM utilizes prescribed and wildland fires for resource benefits to meet a number of land management goals.

15 Comment: Please, no more crested wheatgrass monocultures.

Response: The BLM will utilize a variety of species in seeding mixtures used for site stabilization, and restoration. Species selection will be based on site specific factors and project and management goals and objectives.

16 Comment: We are concerned with language on page 2-199 which states “fire management activities will be designed to retain the natural characteristics of the ecosystem.” The natural characteristics of the existing ecosystem can only be maintained if the natural processes of wildland fire is allowed to play itself out, instead of being shaped and directed by fire management activities.

Response: The Proposed RMP/FEIS provides provisions for management of naturally ignited fires throughout much of the Planning Area; however, there are circumstances where suppression may occur. Under these conditions the BLM will follow current policy regarding fire suppression in wilderness areas.

Current policy also includes provisions for prescribed fire within wilderness areas. Prescribed burning within wilderness may be used to reintroduce or maintain the natural condition of a fire dependent ecosystem, restore fire where past strict fire control measures had interfered with natural ecological processes, or where it will perpetuate a threatened or endangered species.

17 Comment: Best Science-...I can’t find anywhere in the plan a reference to the latest and best science available concerning management of sagebrush communities.

Response: The Proposed RMP/FEIS utilizes a variety of information on which to base decisions. Some of this information is “science based.” In this case the most recent, published information is used in combination with older existing information. Resource specialists can make the best decisions by including a wide variety of current and historical information.

18 Comment: The Proposed RMP/FEIS does not address:

- I. Wilderness – Off-road travel according to Burns District policy, which preauthorizes helicopter landings and bucket work but chainsaws, engines, and other motorized equipment and mechanized transport, must be specifically approved.
- ii. WSAs – Off-road travel according to Burns District Fire Management Plan, which preauthorizes all fire suppression tactics except cat work
- iii. Other CMPA public lands – same as WSAs because the intent is the same.

Response: The BLM will follow current agency and district policies and plans as they relate to fire suppression tactics.

19 Comment: The EIS does not adequately consider the adverse effects of firefighting and “fire rehabilitation.” It fails to disclose the adverse effects of firefighting on aquatic or terrestrial resources as a result of fire retardant.

Response: The use of aerially applied fire retardant will occur using federally approved products and according to policies outlined in the current year’s Interagency Standards for Fire and Aviation Operations, also known as the Red Book. There have been recent studies that document some adverse, short-term impacts from the use of some types of

firefighting retardant. However, these studies did not address the long-term effects of either retardant use or type conversions caused by high intensity burning in riparian areas. Currently the BLM will avoid the use of certain types of retardant near riparian areas.

20 Comment: The EIS's conclusion that off road vehicle use would actually provide a benefit to fire control efforts since this use would maintain existing two track roads that could limit the spread of low intensity fires ignores that dramatically more likely situation that off road vehicle use would cause a wildland fire. Similarly, the EIS ignores the fact that open road networks significantly increase the likelihood of human-caused fire starts as has been recognized by both the Forest Service and BLM in the past.

Response: The BLM agrees that fire starts in other areas are often associated with road networks. However, over the past 20 years less than 1 percent of the fires suppressed on the Andrews RA have been directly the result of a vehicle or motorized equipment. Observations and situational awareness of firefighting crews indicates that roads are often used as control lines during evening or night time operations. They provide a solid or easily improved anchor point to begin suppression operations. This is also a detriment when managing a fire for resource benefits. The open road provides an artificial barrier to fire spread through an otherwise continuous fuel. The open road may actually limit the size of the naturally-ignited fires being managed for resource benefits.

Information will be added to the Indirect Effects section on the impacts of increased visitors to the Planning Area. In the past less than 20 percent of the fires on the Andrews RA have been human-caused. This number is far below the number in RAs closer to metropolitan areas, such as central Oregon. Reducing the miles of road may indirectly reduce the potential of human-caused fires.

21 Comment: The EIS also ignores the potential effects of re-seeding burned areas with non-native species that displace native plant species, decrease native forage, alter ecosystem functions and adversely affect butterflies and other *Lepidoptera* that depend on specific native species for key portions of their life cycles.

Response: The use of nonnative species will most often occur in areas where the historic plant community is no longer present, or present in such a stage that response to disturbance would result in dominance by introduced annuals or perennial noxious weeds. The plant community in these conditions may have crossed an ecological threshold that makes establishment of historic plant communities impossible without major site inputs and multiple successional stages. Plant communities in this condition may not support the historic *Lepidoptera*, or other animal community. The most common situation on the Planning Area occurs in areas dominated by cheatgrass. Introduced plants may be used as intermediate plant communities.

Lands and Realty

1 Comment: EIS fails to adequately describe the effects of land disposal.

Response: The purpose of an DRMP is to provide general management framework and guidance for future management activities. The EIS, which analyzes proposals put forth in the DRMP/DEIS analyzes those proposals commensurate with the purpose of the DRMP, not site specific actions. Chapter 4 in the EIS considers the reasonably foreseeable direct, indirect, and cumulative effects of land disposal. The EIS includes alternatives ranging from no land disposal in Alternative B to maximizing disposal opportunity in Alternative E. There are few specific land tenure proposals currently on the table. Those that do exist are currently in their early stages and are subject to negotiation and change. For these reasons, it is necessary to defer site specific interdisciplinary scoping and NEPA review of land disposal actions until concrete land adjustment proposals are developed.

2 Comment: Dispose of lands, including those found to be difficult and uneconomic to manage, only through land exchange.

Response: Sections 203 (sales) and 209 (mineral conveyances) of the FLPMA, the R&PP Act, and other acts authorize the BLM to dispose of lands when they are difficult and uneconomical to manage, for community expansion, public uses, and other purposes. Appendix J of the DRMP/DEIS specifies that exchanges are the preferred method of disposal but also provides criteria when sales can be utilized over exchanges as a method of disposal. These provisions of Appendix J have been carried forward to the Proposed RMP/FEIS. As major portions of Appendix J are a restatement of current policy, these provisions may be modified if shifts in national priorities and interests result in policy changes.

Sales of public lands under the Federal Land Transaction Facilitation Act of 2000 have a similar effect as land exchanges because the proceeds from such sales can be used to acquire inholdings in designated special areas.

3 Comment: Ensure that recent land exchange proposals are considered in the preferred alternative so that the proposals conform with the adopted DRMP.

Response: All of the referenced proposals were reviewed to determine whether they conformed with the land tenure provisions of the Proposed DRMP. Minor modifications to the Proposed DRMP were made to address this concern. Although available for exchange under the land tenure provisions of the Proposed DRMP, several of the selected parcels are in WSAs and may require legislative action to be exchanged.

4 Comment: All lands adjacent to Malheur NWR should be identified for retention due to deer winter range, recreation uses, and other public purposes.

Response: A review of the resource and other values existing on the referenced lands adjacent to the Malheur NWR indicates that retention and designation of those lands as Land Tenure Zone 1 is appropriate due to the existence of deer winter range, recreational values, public investment, interagency cooperation, and other factors. The Proposed DRMP has been adjusted to reflect this change.

5 Comment: Supports Zone 2A designation as a community expansion zone.

Response: Zone 2A, Community Expansion Zone has been carried forward into the Proposed DRMP with minor changes. Like the DRMP/DEIS, the Proposed RMP/FEIS provides that Zone 2A lands are available for exchange only for lands within the 1A Zone. To improve exchange opportunity the Proposed DRMP eliminates the requirement that was in the draft for a County planning change prior to disposal. Zone 2A in the Proposed DRMP would also allow conveyances of small tracts under the R&PP Act to provide lands for community and public purposes.

6 Comment: Retain all Zone 3 lands that may contain significant wildlife values such as deer winter range, that may facilitate public access, or are contiguous to large blocks of public land. Identify specific parcels for retention in Zone 1 or 2 because of these values.

Response: Section 203 of the FLPMA provides the authority to dispose of public lands when they have been found difficult and uneconomic to manage or meet other specific criteria of the Act. All Zone 3 lands have been reviewed to determine whether they meet these criteria. Generally, those Zone 3 parcels remaining in the Proposed DRMP with deer winter range are also adjacent to large tracts of high quality deer winter range which are secure in public ownership. Prior to any disposal action, each parcel would receive additional site specific review and inventory for the existence of resource values including wildlife and access considerations. Significant wildlife habitat, including deer winter range would be assessed to determine the quality and availability of habitat and how that might be affected by a change in ownership. If after this site specific review a parcel is found to be critical for a wildlife species or public access, it will be retained in public ownership. The specific parcels recommended for retention were reviewed for these qualities and have been rezoned to Land Tenure Zone 1 or 2 in the Proposed DRMP.

Note that the FLPMA criteria do not prescribe that the lands be isolated or landlocked by other private lands, only that they be difficult and uneconomic to manage. Public lands, even though they may be contiguous to large blocks of public land, may be difficult and uneconomic to manage because they are separated from other public land by fences, natural barriers, or other factors.

7 Comment: Discuss the effects of communications development at Buckskin Mountain on bighorn sheep. Phase out communications uses at the site. Continue road closure to Buckskin Mountain communications site except for administrative purposes to minimize effects to Bighorn Sheep.

Response: ROWs and other land uses including communications development are recognized as major uses of the public lands and are authorized pursuant to Sections 302 and 501 of the FLPMA. The provision to allow for additional communications site development at Buckskin Mountain is being carried forward into the Proposed DRMP. An existing road closure, to the top of Buckskin Mountain that was inadvertently left out of the DRMP/FEIS is included in the Proposed DRMP; this would limit human activity to that necessary for administration of the communications site and adjacent lands. The effects to bighorn sheep from communications development on Buckskin Mountain are contained in the Wildlife and Lands and Realty sections in Chapter 4 of the Proposed RMP/FEIS.

8 Comment: Land acquisition should be by exchange only.

Response: Section 205 of the FLPMA and Section 114 of the Steens Act provides the authority to acquire lands and interests in land by purchase, exchange, or donation. Regardless of authority, the BLM will follow the prevailing policy for addressing priority lands actions.

Exchanges are an important tool for the BLM to use to acquire land. However, some landowners have no desire to own other lands in the area, need cash assets, are willing donate land, or want to convey their lands in an expeditious manner. Sometimes public lands desired by an exchange proponent may not be available, are encumbered, or the proposal is otherwise infeasible. In these cases, a purchase or donation may be a viable option. These options are being carried forward in the Proposed DRMP as important acquisition tools.

In response to concerns regarding federal land acquisition activity in Harney and Lake Counties, the Fiscal Year 1992 Congressional Appropriations Act directed the BLM to maintain the private/public land ownership ratio as it existed on September 30, 1991. The directive is still in effect and applies to all forms of acquisition. Currently, in Harney County the BLM administers approximately 99,152 acres less than it did on September 30, 1991. It is not anticipated that adoption of the Proposed DRMP would change the public/private land ownership ratio in the county over time. Regardless of the acquisition tool used, the BLM considers the effect of every land tenure project on the County's tax base and its effect on other social and economic factors in its site specific analysis of each land tenure action.

9 Comment: Maintain current levels of public access and ensure that public access is considered in all land exchanges.

Response: Management Actions relating to access in the Proposed DRMP require that land tenure transactions, including exchanges, be designed to maintain and improve public access. Public access is a key factor in determining whether a land tenure transaction is in the public interest. See Appendix J.

10 Comment: Supports purchase of Steens inholdings.

Response: Acquisition opportunities within or adjacent to special management areas, including the Steens Mountain Wilderness and the CMPA, would be considered higher priority than acquisition of non public lands elsewhere in the Planning Area. Purchasing land is only one tool available to the BLM to acquire lands. Exchanges and donations are also authorized by Section 205 of the FLPMA and Section 114 of the Steens Act. Subtitle C of the Steens Act also authorizes cooperative management agreements, conservation easements and other incentives as an option to fee acquisition to improve and protect lands and further the purposes of the act.

11 Comment: Why are there no exchanges allowed in Alt. B.

Response: It was assumed for purposes of analysis that land disposals, including exchanges, would generally result in commodity production on lands that pass from public ownership. Typically, most proponents of land exchanges and other disposals desire lands that would be suitable for commodity producing activities such as conversion to seedings for livestock grazing, and development of rural residences and small ranches. Thus, to provide for a full range of alternatives no disposal of any kind was allowed in Alternative B. Land exchanges with emphasis on acquiring lands with natural values are allowable in the Proposed DRMP and Alternative C, and in A and E with emphasis for other purposes.

13 Comment: Alt. D has too much flexibility in the disposal of lands.

Response: The flexibility that was included in preferred alternative of the DRMP/DEIS that is being carried forward in the Proposed DRMP is critical to provide land consolidation and acquisition opportunities through land exchanges. The primary flexibility in the Proposed DRMP is that Zone 1 lands have limited availability for exchange in certain circumstances where a specific set of special resource values could be acquired through the exchange. Regardless of the

zone, all land disposal actions must be in the public interest and would be contingent upon site specific evaluation and inventory for resource values in accordance with the NEPA, along with the required public review and comment on the proposal.

14 Comment: Alt. D allows the potential for military maneuvers and land uses without the protection of natural resources.

Response: Military activities, ROW, and other land uses are considered valid uses of the public lands and are authorized under existing laws and regulations. All future proposed military activities and other land uses will be reviewed for land use plan consistency and considered on a case-by-case basis, with appropriate mitigation to protect natural resource values.

14 Comment: Land tenure adjustments in important areas such as Steens Mountain seems to be restricted and should be allowable on a case-by-case basis throughout the planning area.

Response: Although the management actions related to land tenure appear to introduce additional restrictions to land adjustment opportunities, they are necessary to comply with, and are reiterations of existing law. Section 102 of the FLPMA requires that public land be retained in federal ownership unless as a result of land use planning, disposal of a particular parcel would serve the national interest. For this reason, public lands must be identified and categorized for retention, exchange, sale, or other disposal in land use plans and cannot generally be made available on a case-by-case basis. Sec. 113(g) of the Steens Act limits disposals of lands in the CMPA to exchanges that further the purposes and objectives of the act. Except for lands within the Steens Mountain Wilderness and the Riddle Brothers National Historic District, all public lands within the CMPA could be considered for exchange subject to this required determination of the Steens Act and the findings required by the FLPMA.

15 Comment: Lands with high public values should be retained, but should not be consolidated and acquired at the expense of the private sector.

Response: The Proposed DRMP attempts to strike a balance between various types of land tenure adjustments to best meet the objective of retaining, consolidating, acquiring and disposing of lands. Under the Proposed DRMP the private sector should benefit from this balanced set of options. The private sector should be further protected by the willing seller provisions of the Steens Act and a similar implied provision of the FLPMA.

16 Comment: Retain the current policy to identify lands with high public resource values and retain them in public ownership. Re-evaluate existing zones to ensure they have high public resource values.

Response: One of the primary objectives of the lands and realty program, as expressed in the Proposed RMP/FEIS is to retain, consolidate, and acquire land or interest in land with high public resource values. This objective has changed little from previous plans. All lands in the Planning Area have been reevaluated through this planning effort in light of the Steens Act, new information and data, and current policy direction in order to identify lands with high public resource values for retention in public ownership.

Transportation and Roads

1 Comment: It is our understanding that the transportation plan will encompass and include the entire planning area.

Response: The TP in the DRMP only covers the routes currently mapped within the CMPA. The remainder of the CMPA will be inventoried and analyzed and comments from the public will be considered prior to completing the CMPA TP by December 2005. The AMU portion of the Planning Area is scheduled to have a completed TP by December, 2008. This schedule has been clarified in Chapter 2, Transportation and Roads.

2 Comment: The TP needs to be put out as either an independent document or as a segregated section of the DRMP.

Response: The completed portion of the TP will be included as an appendix in the Proposed RMP/FEIS.

3 Comment: The management alternatives discussed in Chapter 2 do not specify whether various actions will apply to the wilderness.

Response: The Chapter 2 management actions apply to all BLM administered lands within the CMPA. For example, Alternative B describes closing all routes bounded on one or both sides by the designated Wilderness. The Proposed DRMP closes a total of six miles of routes all of which are within WSAs.

4 Comment: Why are there no TP maps showing other alternatives besides Alternative A.

Response: The Proposed RMP/FEIS has an added transportation map showing the maintenance levels and closed routes. Map 2.8 in the DRMP/DEIS is designed to show the existing route situation for the CMPA including currently closed routes, road and way locations, public access easements, and potential Service/Permit Use Routes. Map 3.2 in the DRMP/DEIS represents the entire Planning Area and shows some of these same features plus potential easements, existing maintenance levels, and the recognized motorized routes. The OHV maps show which routes would be closed by alternative.

5 Comment: Closing all roads unless provided with justification for leaving them open is an approach that is more consistent with the Steens Act.

Response: Section 112 of the Steens Act calls for the TP to address the maintenance, improvement, and closure of roads and trails within the CMPA. It also states that the closures shall be made in consultation with the SMAC and the public. The closure of all roads and ways in and between WSAs and the Steens Mountain Wilderness is considered in Alternative B of the TP. The routes currently designated as open within the CMPA are shown on Map 2.8 of the DRMP/DEIS.

6 Comment: Motor vehicle use of backcountry routes transport invasive species, displace wildlife, cause ecological damage to streams and upland soils, and conflict with the use and enjoyment of these areas by non-motorized recreational users.

Response: The BLM is currently unaware of substantial consequential effects to fish or wildlife species from routes. Motor vehicle use along established routes can cause short-term disturbance to wildlife. Stream crossings can also cause short-term effects; however, these are normally localized and pose little threat to fish habitat. Routes found to be causing substantial effects to fish, wildlife, water quality, or other resources will be modified, re-routed or closed. Weeds can be transported by vehicles; however, the BLM and our partners monitor routes and treat weeds as they are found. The BLM recognizes vehicle travel along remote routes as a valid and popular recreation activity. There are over 100 miles of closed routes within the wilderness available for non-motorized and nonmechanized recreation users, as well as many other hiking opportunities absent of motor vehicles.

7 Comment: Permanently close and rehabilitate all routes in and adjacent to Wilderness and WSAs.

Response: All routes bounded by the Steens Mountain Wilderness or WSAs are being considered for closure in Alternative B of the TP. The Bone Creek Route and other routes not specifically addressed in the Proposed RMP/FEIS will be included in the inventory EA scheduled for completion in December, 2005.

8 Comment: Leave the Steens Loop Road unimproved.

Response: The Steens Loop Road has historically been maintained at a Level 5 which provides for passenger car travel at prudent speeds. Only the Rooster Comb portion of the road is maintained to a lesser standard. Alternative B would allow the Steens Loop Road to degrade to a level 3 which could require passenger cars to travel cautiously and where user comfort and convenience are not a priority. This level of maintenance could severely restrict visitation to the Steens and is currently not part of the Proposed DRMP.

9 Comment: I urge the BLM to study each mile of road in the planning area and close those routes which serve no traditional recreation purpose or legitimate ranching purpose.

Response: A study of the routes in the CMPA was started during Fall 2003 and is scheduled for completion in 2005. A study of the routes in the rest of the Planning Area will follow and is scheduled for completion by Fall 2008. Each study and accompanying EA will identify the routes to be closed or to remain open that best meet the resource objectives of this plan. The public will have opportunities to comment on the EAs.

10 Comment: Two tracks that go nowhere or are redundant for access outside of wilderness and WSAs should be closed.

Response: See responses to comments 6 and 9.

11 Comment: It's important to maintain the current level of road usage for recreational purposes.

Response: The Proposed RMP/FEIS identifies six miles of routes to be closed as shown on Map 2.18.3. The rest of the routes on public land as shown on the map will remain open pending the results of the comprehensive route inventories described under response to comment 9.

12 Comment: Transportation Maps 2.8, 2.9 and 3.2 incorrectly highlight routes within the designated wilderness as closed roads; the maps suggest the BLM is proposing to close these routes in the planning process.

Response: With the exception of the potential easements shown on DRMP/DEIS Map 3.2, the three maps are depicting the current situation. The closed routes inside the wilderness are shown to give readers an awareness of the route closures that occurred when the wilderness area was designated. Alternative A represents the current situation and has been added to the title on Map 2.18.1 to help prevent further confusion. Map 2.19.1 shows the proposed route closures as does Map 2.18.3, which is a new map.

13 Comment: Oppose winter access along the Steens Mountain Loop Road except for inholders.

Response : This suggestion is considered under Alternative B.

14 Comment: No motorized routes should exist in WSAs without a more thorough EA to meet the higher protective standards of WSAs, as opposed to general multiple use lands.

Response: WSAs were inventoried and designated in 1980 and the ways and cherrystem roads were also identified at that time. These routes will be studied again as part of the TP inventories and could be closed if they are causing environmental damage or are no longer needed for transportation purposes.

15 Comment: A recent inventory of vehicle routes on Steens Mountain shows that many routes actually go nowhere, are rarely used by the public, and are causing resource damage.

Response: Routes that go nowhere actually provide recreation opportunities for many public land visitors. The BLM is unaware of an inventory that identifies routes causing resource damage, however, BLM staff are currently conducting inventories and assessing whether resource damage is occurring and if so, how to resolve the problem.

16 Comment: Unmapped routes have been created illegally and need to be closed rather than added to the transportation system.

Response: Unmapped routes will be studied the same as mapped routes. Unmapped routes within WSAs or wilderness will be closed and possibly rehabilitated. Unmapped routes on other BLM administered land may be added to the transportation system if they help meet resource objectives. For example, some unmapped routes may actually take the place of existing routes if they are more easily maintained, have fewer effects to fish and wildlife, or help meet other management objectives.

17 Comment: Allowing motorized access to all campsites along all routes shown on Map 2.8 would effectively authorize illegal off road travel in the CMPA.

Response: The BLM will consider adding the routes to existing dispersed campsites as part of the route inventory explained under response to comment 9 above. Allowing access to campsites along existing routes should reduce the need for new campsites and new routes. Language has been added to the management action to clarify that new found routes in WSAs and Wilderness will be closed and will not be added to the transportation system.

18 Comment: 100 yards is beyond BLM's set back specifications for roads that are adjacent to Wilderness. Since ways in WSAs are not roads, no set backs exist for them, and any travel outside the area disturbed at the passage of FLPMA is not allowed.

Response: The management action provides for the parking of motorized vehicles 100 feet (not yards) from centerline of many of the open routes unless precluded by special designation or other resource concern. WSAs are special

designations and therefore, are excluded from the 100-foot parking allowance. Wilderness management guidance allows a 100 foot from centerline setback for the Steens Loop Road and 30 feet from centerline for smaller, open roads.

19 Comment: Safety on roads for horses, burros, and pack animals should be addressed in the TP.

Response: Public and equestrian safety are valid concerns and will be addressed in the comprehensive recreation plan to be written after the DRMP is completed. Immediate safety concerns are dealt with promptly with measures such as warning signs, or other appropriate action.

20 Comment: Existing management and state laws do not allow all terrain vehicles on the Steens Loop Road.

Response: The BLM has not administratively excluded all terrain vehicles from the Steens Loop Road and state law is not clear on the matter. There are no known conflicts that warrant BLM restricting all terrain vehicles use along the Steens Loop Road at this time.

21 Comment: The transportation monitoring plan needs to also deal with the violations of off road prohibitions and route closures.

Response: Monitoring of route closures will be added to the transportation monitoring plan.

22 Comment: An action should establish criteria by which any routes left open to travel will be closed if necessary “to protect persons, property, and public lands and resources.”

Response: The Management Common to All Alternatives section of the TP has been modified to include the protection of persons and property as criteria under which future route closures would be considered.

23 Comment: Within the CMPA; the EIS and ROD should reflect allowing inholders to keep the ability to access their personal property as their own management needs and desires dictate.

Response: The DRMP ROD will be consistent with the legal authorities governing public land management including the Steens Act, Wilderness Act, and federal regulations. These authorities provide for reasonable and adequate access to private land inholdings. The BLM is preparing site specific EAs to determine reasonable access to each inholding. These EAs provide for public involvement throughout the process.

24 Comment: There are many roads which are used by countless hunters, solitude seekers, wildlife watchers, Search and Rescue needs, Senior Citizens and disabled folks. All roads should remain open for any individuals.

Response: See response to comment 11 above.

25 Comment: If routes used by grazing permittees within the wilderness are no longer needed for the grazing permit, the route should be immediately closed.

Response: If the Service/Permit Use Route within the Steens Mountain Wilderness is no longer needed for grazing administration or inholder access, the authorization would cease and the road would be closed to motorized use.

26 Comment: BLM should seek Cooperative Management Agreements with private inholders that compensate inholders for removing their roads.

Response: The BLM has discussed possible terms of Cooperative Management Agreements with some of the inholders and will continue to seek agreements that meet the needs of the private property owners while protecting wilderness characteristics.

27 Comment: Without at least some road access corridors in WSAs and Wilderness, much of these vast relatively low elevation areas will be accessible to only the very hardest of walkers and to those with horses.

Response: The BLM is sensitive to the needs of people who rely on motor vehicles to visit public lands. This consideration is reflected in the Proposed DRMP that closes only six miles of routes within the CMPA, and will remain an important factor when determining the future use or closure of routes.

28 Comment: Having cars driving the Steens Loop Road and not allowing protection of the Wilderness detracts from the solitude and Wilderness type of experience.

Response: Closing the portion of the Steens Loop Road that is bounded on both sides by wilderness is being considered in Alternatives B and C. It is left open in the Proposed DRMP to allow motorized access to the overlooks. A vast majority of visitors to the overlooks rely on motor vehicles to access that portion of Steens Mountain.

29 Comment: No more road construction.

Response: Section 112 of the Steens Act prohibits new road construction within the CMPA unless the Secretary determines that the road or trail is necessary for public safety or protection of the environment.

30 Comment: Winter travel on the Steens, if we must have it, should remain by special permit.

Response: Permits are required for use of the North Steens Loop Road during the winter season. The permit requirement language has been added to the alternatives that provide winter use of the Steens Loop Road.

31 Comment: I hope you will not follow through with all the road closures in the plan. Packing in to these locations is no longer possible for me and I am sure other disabled visitors will want to be able to enjoy exploring as well. Please don't reserve these matchless areas only for the young and physically capable.

Response: While alternatives B and C are proposing many route closures, the Proposed DRMP would only close six miles of routes, at this time. Of the routes currently chosen for closure, two are parallel routes in close proximity to the South Steens Loop Road, one has an alternate route close by, and one is about 200 feet long and dead ends at the Steens Mountain Wilderness boundary Maps 2.19.1 and 2.18.3 show the proposed route closures.

32 Comment: Recreational access to remote roads should not be the reason for keeping them open.

Response: The BLM recognizes vehicle travel along remote routes as a valid and popular recreation activity. Routes that cause ecological damage or that are unsafe will be considered for closure during the route inventory process explained under response to comment 9 above.

33 Comment: Do you have a plan in place for road maintenance upkeep and decommissioning?

Response: Chapter 2 of the Transportation section of the Proposed RMP/FEIS identifies maintenance levels for all roads within the CMPA. Decommissioning routes identified for closure can take many forms including signing, using gates, closing with rocks, and or plowing and seeding with native or introduced plant species. Each decommissioned route would be studied to determine the best method of physical closure.

34 Comment: BLM does not clearly delineate "off-road motorized travel" or off-road vehicles (ORVs) within the proposed transportation plan nor does BLM attempt to examine un-inventoried roads. BLM should make every effort to inventory unrecorded roads and provide for adequate closures and management directives in the DTRMP.

Response: Off-road motorized travel is addressed in the OHV section of the Proposed RMP/FEIS. Due to the accelerated schedule mandated by Congress, the district was unable to complete the route inventory in time to apply specific prescriptions for every route within the CMPA. Route inventories and travel prescriptions are scheduled for completion by December 2005 for the CMPA; and by December 2008 for the AMU.

35 Comment: It is important to me that the RMP acknowledge private inholders rights of motorized access.

Response: The Proposed RMP/FEIS lists the Steens Act and Wilderness Act as legal authorities that guide the management of the public lands and the development of land use plans. The Steens Act and Wilderness Act provide for reasonable and adequate access to private inholdings and the RMP needs to be consistent with these acts.

36 Comment: The preferred alternative does not reflect the text of the SMAC recommendations nor do the current maps. We don't see how the public will have a fair opportunity to comment on the proposed alternative without viewing the appropriate information for transportation in its entirety.

Response: The Proposed RMP/FEIS has been amended and a map added showing the SMAC's recommendation, with one exception (possible Bone Creek Road closure would be considered during the CMPA TP.). The public will have a 30 day comment/protest period following release of the Proposed RMP/FEIS in which to comment on changes to the document.

37 Comment: Since the passage of the CMPA, it would be proper for the portion of the Cold Springs Road through the Riddle Brothers Ranch be open to motor vehicles by permit.

Response: If the upper portion of the Cold Springs Road stays open to motor vehicles a limited permit program for the Riddle Brothers Ranch segment would be made available to the public. Permit language has been added to the Proposed RMP.

38 Comment: There is little to no evaluation regarding management actions and their impacts to private inholdings including access issues.

Response: Site specific access issues related to wilderness inholdings are being evaluated in a separate EA and are therefore not specifically addressed in the Proposed RMP/FEIS. The Steens Act provides specific direction for the BLM to provide reasonable access to wilderness inholders. The BLM is not aware of issues with inholdings outside the Steens Mountain Wilderness.

Off-Highway Vehicles

1 Comment: A play area for OHVs should be developed/designated.

Response: There are no plans to develop an OHV/ATV play area in the Planning Area. OHV/ATV use is generally dispersed throughout the area, and as such, does not warrant the designation, development, and level of control suggested.

2 Comment: The use of OHVs, especially ATVs, should be restricted.

Response: The OHV management goal is to manage motorized OHV and mechanized (nonmotorized) vehicle use to protect resource values, promote public safety, provide OHV and mechanized vehicle use opportunities, where appropriate and allowable, and minimize conflicts among various users. The BLM recognizes managed OHV and mechanized vehicle use as a recreational activity and as a use which supports other authorized activities on public land. Different levels of use are provided for through the five alternatives.

3 Comment: Provide additional information on the BMPs to manage soils and to control introduction of noxious weeds in relation to OHV use.

Response: See Soils comment response 6 and Noxious Weeds comment response 1.

4 Comment: Maintain or increase the current level of public access.

Response: The Proposed RMP and Alternatives A, C, and E provide for this. Only Alternative B would severely restrict access.

5 Comment: Close and reclaim routes where they serve no function.

Response: Routes recognized by the BLM as existing would be closed with following the required NEPA documentation if it is determined that road closure is the best solution for resolving issues such as effects to resources, public safety, conflicts of use, or to meet RMP management objectives in the next phase TPs. Unauthorized roads and ways would be closed and reclaimed.

6 Comment: 43 CFR 8340 and BLM Manual 8340 should be referenced.

Response: Section 2.19 cites "43 CFR Part 8340," which includes 43 CFR 8341 and 43 CFR 8342. A citation has been added to Section 3.19.

7 Comment: All areas should be closed to off-road vehicles unless posted open.

Response: Although the Executive Order 11644 (as amended by Executive Order 11989) gives the BLM authority to establish policies and direct the use of off-road vehicles on the public lands, subsequent planning regulations require the BLM to establish designations through the land-use planning process. The BLM must designate public lands as "open," "limited," or "closed" to OHV use. The Proposed RMP/FEIS would close 1,649,470 acres to cross-country motorized and mechanized vehicle travel through "closed" and "limited to designated roads and ways" designations.

8 Comment: The environmental effects of OHV are not described.

Response: The effects of OHV and mechanized vehicle use are described in the *Indirect Effects* sections of the various affected resources in Chapter 4 of the DRMP/DEIS and the Proposed RMP/FEIS.

9 Comment: The analysis of the effects of OHV use is not detailed enough.

Response: An RMP, by its very nature, is a general document. In most cases, it does not propose site specific actions nor address site specific effects. Project level actions are proposed and analyzed in separate environmental assessments. The detailed level of information requested is not available. A road inventory of the CMPA is scheduled to be completed by December 2005. An inventory of the limited designation areas in the AMU is scheduled to begin in 2005 and be completed by December 2008, subject to funding.

10 Comment: Minimize OHV effects to cultural and ecological resources.

Response: A road inventory of the limited designation areas in the AMU is scheduled to begin in 2005 and be completed in 2008, subject to funding. The presence of cultural resources, special status species habitat, and the historic and current use of two-track vehicular ways by the public and by landowners are all factors that will be considered when proposing road closures in the AMU TP. Management of OHVs would comply with the NEPA.

11 Comment: Prohibit off-road vehicle use until all paleontological and cultural inventories are complete.

Response: See Cultural Resources comment response 4.

12 Comment: Only existing roads should be available for vehicle use. There should be no cross-country or open areas.

Response: The only open area in the Proposed RMP/FEIS is the Alvord Desert playa. This area has been used for over 40 years for a variety of motorized and nonmotorized activities. All existing roads in the AMU will be inventoried and determinations made as to whether they should be closed because of resource or health and safety concerns or left open and available for OHV and mechanized vehicle use. A TP will present recommendations for the roads and their management.

13 Comment: An OHV enforcement plan should be developed.

Response: This would be part of an activity level plan. A TP will be developed for the AMU after this planning effort is completed by 2008. The CMPA TP is scheduled to be completed by December 2005.

14 Comment: Road, way, and trail should be defined.

Response: Definitions of “road” and “way” have been added to the Glossary. The term “trail” is not used in the Proposed RMP/FEIS in reference to motorized or mechanized use.

15 Comment: All vehicles that have been used off-road should be cleaned to remove invasive weed seeds.

Response: See Noxious Weeds comment response 2.

16 Comment: Executive Orders 11644 and 11989 should be included in the EIS.

Response: A citation to Executive Order 11644 (as amended by Executive Order 11989) has been added to Legal Authorities section of Appendix D.

17 Comment: The above Executive Orders require that specific routes be named if they are to be open for use.

Response: The BLM Land Use Planning Handbook (H-1610-1) and recent clarification guidance (Instruction Memorandum No. IM 2003-005, Clarification of OHV Designations and Travel Management in the BLM Land Use Planning Process) allow the BLM to delay identification of specific routes in “limited” areas, when this cannot be completed in the RMP process. Further information has been added to Section 2.19.

18 Comment: A road inventory should be done for the AMU.

Response: As required by BLM Planning Handbook (H-1610-1) and as clarified in Instruction Memorandum No. IM 2003-005, Clarification of OHV Designations and Travel Management in the BLM Land Use Planning Process, an inventory of the limited designation areas in the AMU is scheduled to begin in 2005 and be completed in 2008, subject to funding. Once the inventory is completed, a TP would be developed with recommendations for closures, reclamation, signing, and management. This information has been added to Section 2.19.1.1.

19 Comment: The label “Limited Seasonally/Closed” on DRMP/DEIS Map 2.12 is incorrect.

Response: At the scale of the maps, the corridors of the roads that are bounded on one or both sides by the Steens Mountain Wilderness are not visible. These include, but are not limited to, the Steens Loop, Fish Creek, Cold Springs, Newton Cabin, Bone Creek, and Indian Creek Roads. The Limited Seasonally designation refers to these road corridors. Rather than trying to show each of these road corridors individually as Limited Seasonally, the entire Steens Mountain Wilderness and the road corridors are labeled as “Limited Seasonally/Closed” on DRMP/DEIS Map 2.12. However, motorized winter recreation would be allowed by winter recreation permit or SRP on those roads that are identified for such use in the comprehensive recreation plan. Until the comprehensive recreation plan is completed, winter use of seasonally closed roads would continue in compliance with the 1993 Andrews Plan Amendment for Recreation Access Surrounding the Steens Mountain Loop Road and current winter recreation policy.

20 Comment: Explain whether SRMAs decrease off-road motorized vehicle uses.

Response: The establishment of a SRMA does not decrease off-road driving opportunities. Where resource values require protection from the effects of OHV and mechanized vehicle use, appropriate OHV designations are proposed in the various alternatives. Examples of resources that may require protection include wilderness values of WSAs, important and relevant values of existing and potential ACEC/RNAs, scenic values, and ORVs of certain suitable rivers.

21 Comment: While Alternative “D” lists the Cold Springs Road, as a cherry stem there seems to be little written acknowledgment of that road extending to the South Steens Loop Road via the Riddle Ranch.

Response: While the Cold Springs Road does continue through Riddle Brothers Ranch to the South Steens Loop Road below South Steens Campground, a locked gate prevents through traffic. This is described in Section 3.20.1.

22 Comment: Permits should be issued to allow vehicles to drive the Cold Springs Road from the South Steens Loop Road, through Riddle Brothers Ranch, to the North Steens Loop Road.

Response: This is included in Section 3.20.1 and is a management action common to all alternatives under Recreation Objective 4.

23 Comment: The effects of OHV use on snowy plovers nesting on the Alvord Desert playa are not described.

Response: See Special Status Species - Animals comment response 4.

24 Comment: Minimize OHV and mechanized vehicle use in sites with cultural values, rare plants, erodible soils and sensitive biological species (both flora and fauna).

Response: The Proposed RMP protects these types of resource values by restricting or excluding OHV and mechanized vehicle use in specific locations. Throughout the life of the plan, emergency closures would be implemented should conflicts or resource concerns arise.

25 Comment: Move hiking access off the ways in WSAs.

Response: There is no requirement for hikers and horseback riders to travel only on ways in WSAs. They may travel cross-country in WSAs. Additionally, the WSA IMP does not allow the development of new recreational ways or trails, unless there are public health and safety issues or wilderness values are at risk.

26 Comment: The Alvord Desert WSA is incorrectly designated as an OHV and mechanized vehicle play area.

Response: The authority for allowing OHV and mechanized vehicle use of the Alvord Desert playa is contained in the Andrews MFP. The following statement can be found on page 28 of the Andrews MFP: "The Alvord Playa would be managed for all legitimate public land uses as well as ORV [sic] use. Recreation vehicles and commercial uses which do not impair the wilderness values of the Alvord [Desert] WSA would be allowed until Congress makes its final determination on wilderness." This statement is a recognition of the fact that OHV and mechanized vehicle use occurred on the playa prior to the FLPMA. OHV and mechanized vehicle use of the Alvord Desert playa does not cause permanent impairment of the wilderness values and does not preclude Congress from eventually designating the area as part of the national wilderness system. The BLM has allowed and proposes to allow this use to continue based on the determination that managed OHV and mechanized vehicle use would not preclude future wilderness designation. Should the Alvord Desert playa be designated as wilderness, OHV and mechanized vehicle use would not be allowed on the playa.

27 Comment: The *Federal Register* notice in Vol.52, No. 34 designated the Alvord Desert WSA as "limited."

Response: This notice also states in B.1 that WSAs "will be managed in accordance with the nonimpairment criteria of the Wilderness Interim Management Policy which allows off-highway vehicle use to continue in the manner and degree on ways and trails where such use was occurring on October 21, 1976. The only exception to this would be the designation of future cross-country travel in specific sand dune, play[a] and snow areas providing that such use does not impair wilderness character." This exception is being applied to the Alvord Desert playa.

28 Comment: Language clarifying vehicle travel in WSAs should be added to 4.23.2.

Response: The information contained in the above two comments has been added to Sections 2.23, 3.23 and 4.23.2.

29 Comment: The Alvord Desert WSA/ACEC should be closed to vehicles.

Response: Only the Alvord Desert playa (25,286 acres), not the entire Alvord Desert WSA, has been open to OHV and mechanized vehicle use. The open area is approximately ten percent of the 251,060-acre WSA. The remainder of the Alvord Desert is managed under the current OHV designation of "limited". The Alvord Desert ACEC (17,933 acres), northeast of the playa, is "limited to designated, existing roads and trails." The Alvord Desert ACEC is not the area that is currently available for OHV and mechanized vehicle use (see DRMP/DEIS Map 2-17).

30 Comment: The Alvord Desert playa should remain open for OHV and mechanized vehicle use.

Responses: The Alvord Desert playa would remain open in the Proposed RMP and Alternatives A, and E. The playa would be closed in Alternatives B and C.

31 Comment: Close roads or restrict vehicle access in the Borax Lake ACEC. Wetland and lake shore areas are being damaged.

Response: See Special Status Species - Fish comment response 3.

32 Comment: An access management plan for Borax Lake and the surrounding unique features of the ACEC should be developed and implemented. The access management plan should encourage visitation of these unique resources, but minimize vehicle and associated recreational impacts. Interpretive signs should be posted to explain the unique features of the ecosystem and provide a guide to visiting the area, furthering the public awareness of the Borax Lake chub Recovery Plan. A boardwalk and viewing platform may also be appropriate to limit damage to the fragile Borax Lake and springs ecosystems. In addition, we recommend establishment of a camping closure within 500' of Borax Lake to help eliminate damage to the lake's fragile shoreline and protect aquatic health.

Response: See Special Status Species - Fish comment response 4.

33 Comment: Describe how the proposed expanded seasonal closure on Steens Mountain would affect access to private lands.

Response: Landowners would be allowed reasonable ingress and egress to their private property adjacent to the North Steens Loop Road or the Moon Hill Road through the life of the plan. The *Federal Register* notice regarding winter access (Vol. 45, No. 183, September 18, 1980) which states, "Access into the area by ranchers and private landowners would be authorized by the District Manager for legitimate business purposes if weather conditions permit motorized vehicle travel." would need to be amended to reflect any changes in the seasonal closure area.

34 Comment: The dates of the seasonal road closures on Steens Mountain should be the same as Steens Loop Road closure.

Response: The seasonal closure on Steens Mountain, as it currently exists and is proposed through the alternatives, is an area closure. All public lands within an area closure, including the roads and ways, are closed to motorized vehicles on a seasonal basis. It is not necessary to specifically list or identify the roads closed.

35 Comment: The dates of the proposed Moon Hill Road area closure should be the same as existing Steens Mountain area closure.

Response: The Proposed RMP/FEIS has been modified to include two gates on the Moon Hill Road. The upper gate, ten miles south of the Diamond Grain Camp Road, would be closed when the Page Springs gate is closed. The lower gate, at the Diamond Grain Camp Road, would be closed from February 1 through May 15.

36 Comment: Designate all WSAs as limited seasonally to OHV and mechanized vehicle use.

Response: Seasonal OHV and mechanized vehicle closures are proposed in response to specific health and safety concerns and for specific resource protection issues. A WSA designation, by itself, does not warrant a seasonal closure.

Recreation

Planning Area

1 Comment: SRPs should continue to be issued.

Response: SRPs are managed under 43 CFR 2930 and BLM Manual Handbook H-2930-1 - Recreation Permit Administration (October 7, 2003). In addition, the Burns DO will soon have district SRP guidance. Each permit application will be evaluated on a case-by-case basis. Additionally, if warranted, an allocation system can be developed.

2 Comment: Party size should not be limited outside of the Steens Mountain Wilderness

Response: There are a number of reasons why party size could be limited. They include, but are not limited to, the presence of special status plant or animal species, physical limitations of a site, or compliance with the WSA IMP. SRPs are required for organized groups. The Burns DO will be evaluating permit applications and party size on a case-by-case basis.

3 Comment: An increase in visitors partaking in wildlife viewing and hunting opportunities would contribute numerous dollars to the economy in Harney County.

Response: There are many existing opportunities for wildlife viewing and hunting on public lands in Harney County. Additional Watchable Wildlife sites are not currently planned, but wildlife viewing will be one activity considered in the development of area management and site specific recreation plans. Hunting is managed by the ODFW and is beyond the scope of this DRMP.

4 Comment: Educate public land users to mitigate their negative impacts.

Response: The BLM would continue its public outreach efforts to communicate responsible uses and safety while visiting public lands, and to provide appropriate literature and other venues to inform land users how they can lessen effects to public resources. The use of programs such as “Leave No Trace” and “Tread Lightly” is an element in all of the alternatives.

5 Comment: Weed-free feed should be required for all stock users.

Response: See Noxious Weeds comment response 3.

6 Comment: All stock (cattle, horses, mules, burros, llamas, goats) should be groomed to ensure that weed seeds are not introduced.

Response: See Noxious Weeds comment response 4.

7 Comment: Information on the amount of chukar hunting should be included in the recreation section.

Response: The ODFW does not have hunter days of chukar hunting readily available. A statement has been added to Section 3.20.1. to reflect the importance of chukar hunting in the Planning Area.

8 Comment: The effects of other resource management actions on recreation are not discussed.

Response: The effects of other proposed resource management actions on recreation are described in the *Indirect Effects* discussions in Section 4.20.4.

9 Comment: Safety should be a consideration when determining development of new recreation areas. Fire-prone locations and other hazards make visitor rescues by local public agencies difficult and expensive.

Response: Harney County is a cooperating agency with the BLM and has had the opportunity to participate, through review and comment, in all parts of the DRMP development process. Issues such as fire safety and natural hazards would be addressed and mitigated as practical during a recreation site’s design, development and maintenance, with public input requested to help identify and minimize effects to visitor safety as they participate in associated recreation activities. Short of prohibiting most dispersed recreation activities, associated natural hazards and personal risks taken when participating in such activities may result in occasional emergency rescue efforts. Public awareness and informational outreach efforts provided by the BLM, private organizations, and other government agencies are venues for informing visitors of their personal responsibility to conduct their recreational pursuits in a safe manner.

10 Comment: Any new recreation developments need to be consistent with local planning and zoning.

Response: Harney County has had the opportunity to review and comment on the proposed management actions. No specific comments have been received concerning the consistency or inconsistency of any proposed recreation development in the Planning Area.

11 Comment: Aircraft should be allowed to land on public lands.

Response: Aircraft use in the Planning Area would be managed on a case-by-case basis and in conformance with land use restrictions (such as prohibitions within wilderness areas) and state law.

CMPA

12 Comment: Manage commercial recreation and large public outings to protect the wilderness experiences of all wilderness users.

Response: The BLM currently manages these commercial and organized group activities through the SRP program. When an existing permittee notifies us of a scheduled activity or when a permit application is received, the activity and location are entered on a master calendar. This calendar is used to monitor the number of groups and their locations, and to suggest alternate dates and locations for a proposed activity, thereby allowing the group or permittee to decide how many other people they wish to encounter. Also, group size limits are proposed for Steens Mountain Wilderness.

13 Comment: Existing special recreation permittees should have preference over new applicants.

Response: The Steens Act recognizes historic uses of the CMPA. The Steens Act also allows the renewal of existing SRPs in the Steens Mountain Wilderness when the permit is consistent with the Wilderness Act. At present, there are no limitations on the number of outfitted trips or organized groups. Should an allocation system be needed in the future, this issue would be addressed.

14 Comment: Trail users should not be restricted to designated trails.

Response: The management action concerning the restriction of use to designated trails refers to use only at the overlooks.

15 Comment: Recreation use on the Steens Loop Road detracts from wilderness experiences and degrades the wilderness.

Response: The Steens Loop Road is an open road and motor vehicle use is allowed on it, even if wilderness users' experiences are affected, as long as the wilderness itself is not physically affected.

16 Comment: Clarify what is meant by "recreational river use."

Response: The term "recreational river use" has been replaced by "nonmotorized boating".

17 Comment: Do not allow large group encampments.

Response: At present, some groups camp on the private lands between Fish Lake and the Jackman Park gate. The lands are not subject to BLM jurisdiction. Other groups occupy two or more campsites in the developed campgrounds. In an effort to better manage the existing group use of Steens Mountain, a variety of alternatives have been proposed. However, the Proposed RMP/FEIS states that any additional CMPA facilities or actions to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed.

AMU

18 Comment: Expand the Pueblo Mountains SRMA north to the Catlow Valley Road and west to the Oregon End Table and Funnel Valley Roads.

Response: Recreation use in these additional areas is very limited and very dispersed. These areas do not have the qualities and use that are needed for designation as a SRMA.

19 Comment: The Pueblo and Trout Creek Mountains areas should continue to be managed as part of the Andrews ERMA.

Response: In recent years, the Pueblo and Trout Creek Mountains have received increasing recreation use. The BLM expects this use to continue to grow, thereby requiring more intensive management. Identified concerns are area-wide issues and require more than site specific responses and basic stewardship.

20 Comment: Trailheads should not be developed for the Desert Trail.

Response: Development of Desert Trail facilities would be considered and analyzed in a separate project level plan and environmental document when there is demonstrated public interest.

FACILITIES

Planning Area

21 Comment: Lakes, campsites, and campgrounds should be developed.

Response: Developments on public land within the CMPA are limited by the Steens Act. However, the Proposed DRMP states that any additional CMPA facilities to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed. The AMU would be managed primarily for dispersed recreation with minimal recreation developments at sites where health and safety or resource concerns exist.

CMPA

22 Comment: The horse staging area and connecting trails should not be constructed.

Response: These facilities are proposed to resolve current resource and safety issues, to reduce congestion at existing trailheads, and to manage existing recreation use. However, the Proposed DRMP states that any additional CMPA facilities to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed.

23 Comment: Pullouts along the Steens Loop should be only to reduce resource damage in existing disturbed areas.

Response: The Proposed DRMP states that any additional CMPA facilities or actions to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed.

24 Comment: Vehicle access to Riddle Brothers Ranch should be described. The current restrictions on vehicle access should be continued.

Response: This language has been added to Sections 2.20.1.2 and 3.20.1.

25 Comment: Recreation facilities on the Steens should be kept to the minimum necessary.

Response: Proposed recreation facilities would be the minimum necessary to provide for visitor health and safety and to protect resources. The Proposed RMP/FEIS states that any additional CMPA facilities to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed.

26 Comment: The Fir Grove Trail should be designated and developed.

Response: The Proposed DRMP states that any additional CMPA facilities or actions to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed. This plan would include language to allow trails to be developed where there is a demonstrated public interest. Any specific trail proposal would be subject to interdisciplinary review and environmental analysis.

27 Comment: Lily Lake needs to be managed more intensively or closed to camping.

Response: The Proposed RMP/FEIS states that any additional CMPA facilities or actions to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed.

28 Comment: There should be a shuttle service to ferry people up the mountain.

Response: Almost all visitors to the area drive their own motor vehicles. The BLM has no plans to offer or contract such a service. However, there are several special recreation permittees who offer tours of Steens Mountain and the surrounding area.

29 Comment: Overlook trails should be accessible.

Response: Accessibility at the overlooks would be addressed in a site-specific plan. However, the Proposed RMP/FEIS states that any additional CMPA facilities or actions to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed.

30 Comment: Parking along the Steens Loop Road should be allowed only in the disturbed area of the roadway.

Response: Currently, many areas adjacent to the Steens Loop Road are commonly used for parking. To require the public to park on the roadway would be unsafe, create hazards, and cause congestion along the road.

31 Comment: The Black Canyon Gate on the South Steens Loop Road should be moved to the Steens Mountain CMPA sign near Highway 205.

Response: The location of the Black Canyon Gate allows some winter use, particularly chukar hunting, of lower Steens Mountain. The gate is also in a location that physically inhibits vehicular traffic around the gate. To move the gate lower on the South Loop Road would not be practical because the fences could be cut and the gate easily bypassed.

32 Comment: Trailhead facilities are needed to address congestion, safety, and resource protection issues.

Response: The Proposed RMP/FEIS states that any additional CMPA facilities or actions to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed.

33 Comment: Turnouts along the Steens Loop Road should be big enough to accommodate up to 6 horse trailers.

Response: To create parking areas of the size suggested would cause more disturbance and would be more than needed to accommodate the existing use of the area. The Proposed RMP/FEIS states that any additional CMPA facilities or actions to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed.

34 Comment: New trails should be allowed outside the Steens Mountain Wilderness in order to meet recreational demands and to protect the wilderness.

Response: The Proposed RMP/FEIS states that any additional CMPA facilities or actions to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed. This plan would include language to allow trails to be developed where there is a demonstrated public interest. Any specific trail proposal would be subject to interdisciplinary review and environmental analysis.

AMU

35 Comment: The Wildhorse Canyon staging area should not be developed.

Response: There is very limited public access to the east side of the Steens and this parcel of land was specifically retained to provide for public access to adjoining public lands during a land exchange. Identification of the parcel of public land as a staging area, which connects the Steens Mountain Wilderness to the Penland Road, would allow public access in this area. The design of any facilities would be addressed in a separate environmental analysis.

36 Comment: Limited facilities should be planned for Little Cottonwood Creek in the Pueblo Mountains.

Response: Little Cottonwood Creek is located in the Pueblo Mountains WSA. Any development or facilities would be subject to analysis under the WSA IMP. The proper location for this type of analysis would be a Recreation Area Management Plan or a site specific Recreation Project Plan.

37 Comment: Maintain the primitive character of the AMU. Do not add large developments.

Response: No large developments are planned or anticipated in the AMU, but there are several areas with health and safety concerns or continuing resource damage. These issues could, and should, be addressed with the minimum facilities necessary to accommodate the existing recreation use. Site specific plans and environmental analyses would be completed in the future.

38 Comment: The BLM, in conjunction with the Oregon State Parks, should plan for and construct a wayside/rest area at the Frenchglen corrals.

Response: The BLM has considered this option. However, the community of Frenchglen does not currently demonstrate wide support. Should community support change in the future, the BLM will participate to the extent possible.

39 Comment: An interpretive site should be located at the top of P Hill, west of Frenchglen.

Response: This type of project would be evaluated and analyzed in a site specific plan and environmental analysis; or within the CMPA comprehensive recreation plan if the project is determined to be viable. It is not an DRMP level decision.

WINTER RECREATION

40 Comment: An indicator should be developed to respond to snowmobile trespasses into the wilderness or WSAs.

Response: This is addressed in the Steens Mountain Wilderness and WSR Management Plan. These uses will be monitored and will be adjusted if monitoring indicates wilderness violations.

41 Comment: Winter access for motorized vehicles should not be expanded or allowed beyond Kiger Overlook.

Response: The Proposed RMP/FEIS states that any additional CMPA actions to accommodate or manage recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed. Winter recreation would be monitored and adjusted if monitoring indicates wilderness or WSA violations.

42 Comment: Winter travel on the Steens should remain by special permit.

Response: The present winter recreation program and permit system would continue until a comprehensive recreation plan for the CMPA is prepared after the DRMP is completed.

43 Comment: A description of how the BLM would manage snowmobile use on Steens Mountain should be added to the EIS.

Response: A description of the winter recreation program and guidelines has been added to Section 3.20.1. These guidelines would continue to be implemented. These guidelines address the possible effects to wintering mule deer along the first six miles of the North Steens Loop Road. As part of the management of the winter recreation program, motorized and nonmotorized users are scheduled for different weekends. To assist in this scheduling, the BLM inquires as to the preferences of nonmotorized users. The Proposed RMP/FEIS states that any additional CMPA actions to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed.

44 Comment: The Steens Loop Road should be closed to snowmobiling.

Response: The elimination of snowmobile use on Steens Mountain is considered in Alternatives B and C. However, the Steens Act recognizes historic uses of the CMPA. In the Proposed RMP/FEIS, limited snowmobile use would continue under the current permit system, as described in Section 3.20.1, and can be further restricted at any time should an emergency OHV use closure be necessary.

45 Comment: A larger area should be designated as snowmobile free.

Response: Snowmobiles are currently excluded from all WSAs and the Steens Mountain Wilderness, so a large area that is “snowmobile free” already exists. Snowmobile use is currently restricted to the North Steens Loop Road and to two side roads when accompanied by a permit holder or member in good standing of the local snowmobile club.

46 Comment: Snowmobiles should not be allowed to affect the experiences of nonmotorized winter recreationists.

Response: As part of the management of the winter recreation program, motorized and nonmotorized users may be scheduled for different weekends. To assist in this scheduling, the BLM inquires as to the preferences of nonmotorized users.

47 Comment: The effects of motorized winter use on the Steens should be described.

Response: Snowmobiling is a historic use of Steens Mountain and, therefore, is allowed to continue. Motorized winter recreation is currently limited to three existing roads on the mountain, as described in Section 3.20.1. This use is very limited; therefore, the effects are not substantial. The effects of motorized winter recreation on other resources are described in the Indirect Effects sections of those resources.

48 Comment: The effects of helicopter skiing should be analyzed.

Response: Helicopter skiing had been included in one SRP holder’s Operating Plan, but this activity is no longer offered. This permittee’s current Operating Plan was recently described and analyzed in Environmental Assessment EA-OR-020-02-38.

49 Comment: The effect of the winter recreation program on wintering mule deer should be discussed.

Response: Information on the current winter recreation permit system has been added to Section 3.20.1. The existing management guidelines with regard to the number of wheeled vehicles allowed through deer winter range will continue to be used. Wintering mule deer were observed on seven of the last 17 winter recreation monitoring trips. Only one of those seven monitoring reports mentioned that some of the deer observed had been disturbed by the vehicle.

50 Comment: The BLM should continue monitoring winter motorized use.

Response: This language is in Section 2.20.2. The indicator and actions developed for the Steens Mountain Wilderness and WSR Management Plan will be implemented.

51 Comment: The winter recreation program, as it is described in the 1993 *Andrews Plan Amendment for Recreation Access Surrounding the Steens Mountain Loop Road*, should be Alternative A, not the use that is currently allowed.

Response: Information on the current winter recreation program has been added to Section 3.20.1. The currently allowed snowmobile use is not precluded by the MFP.

52 Comment: The Cold Springs Road should be open for motorized winter recreation, especially when conditions higher on the mountain are unsafe.

Response: Historic permitted use during the winter limited snowmobiles to specific routes, and Cold Springs Road beyond Nye Cabin was not part of this historic permit. The SMAC considered this proposal, but did not recommend it. Use of the Cold Springs Road would be allowed in emergency situations to save lives, but not for touring or play, and such use would be rigorously monitored.

53 Comment: BLM should develop cross country skiing and snowshoeing routes through the WJMA.

Response: The Proposed RMP/FEIS states that any additional CMPA facilities or actions to accommodate or manage the existing recreation use would be addressed in a comprehensive recreation plan that would be prepared after the DRMP is completed. The development of cross-country skiing and snowshoeing trails would be considered in the comprehensive recreation plan. if there is demonstrated public interest.

54 Comment: Cooperative Management Agreements should be used for implementing and monitoring the winter recreation program.

Response: There is currently an agreement in place with the local snowmobile club, but there has been no club activity on Steens Mountain since the passage of the Steens Act. This agreement needs to be updated. Other opportunities for cooperative management will be explored and are encouraged by the Steens Act.

Areas of Critical Environmental Concern

1 Comment: The Alvord Desert ACEC should be expanded to include the desert playa.

Response: The proposal to expand the Alvord Desert ACEC to include the entire playa was reviewed by an ID team. It was decided that the ACEC should be expanded to include two parcels on the edge of the playa that were state land when the area was designated in 1983, and an area in the southeast corner of the ACEC, containing a large Wyoming big sagebrush flat. The ACEC already contains several hundred acres of playa margin community on the west boundary, which satisfies the ONHP requirement. The relevant and important values of the ACEC are wholly contained within this boundary of the ACEC and are not necessarily under greater protection with the inclusion of the Alvord Desert. The Alvord Desert is also within the Mineral Withdrawal Area, which provides protection from energy and minerals activities.

2 Comment: The Buck Buttes area should be added to the Long Draw RNA/ACEC to protect the intermittent stream, make a more natural boundary and add additional diversity to the area.

Response: The proposal to expand the Long Draw ACEC to include the Buck Buttes area was reviewed by an ID team. It was decided that, even though the proposal was a unique area, it did not contain the same key elements associated with the Long Draw ACEC, which is a big sagebrush/Indian ricegrass/needle and thread and needlegrass plant community. Consequently, the expanded area did not contain the relevant and important values needed for the area to become part of the RNA/ACEC.

3 Comment: The East Fork Trout Creek Proposed RNA/ACEC should be expanded to include the upper basin to create more ecologically sensitive boundaries and make it more manageable.

Response: The proposal to expand the East Fork Trout Creek proposed RNA/ACEC was reviewed by an ID team. It was decided that the 361 acres proposed for the RNA/ACEC covered all of the key (relevant and important values) elements and that making the entire basin an ACEC was not necessary. Protection from grazing is not a concern because of the present grazing system that has been established there.

4 Comment: The Guano Slough area did not get considered as an RNA/ACEC in the Draft Plan.

Response: The Guano Slough proposal was reviewed by an ID team and it was decided that the site did not meet the relevance and importance criteria. The site contained a good stand of silver sagebrush, but the basin wildrye component was lacking.

5 Comment: It is important to retain protection of Pickett Rim since it contains habitat of birds of prey including nesting grounds. This particular ACEC is located in zone 2, which means it could be exchanged which could lead to endangerment of the birds of prey habitat.

Response: The Pickett Rim ACEC was reviewed by an ID team and it was determined that the density of nesting raptors in the rims was not significant enough to maintain this area as an ACEC. Raptors routinely are protected in all areas of the Planning Area through stipulations applied to leases or permits, and no additional protections are specifically provided by ACEC designation. The relevant and important values were not present, so the ID team recommended that the designation be removed.

Wilderness

1 Comment: The wilderness management plan should not be included in the Steens/Andrews DRMP.

Response: . The Steens Mountain Wilderness is contained completely within the CMPA which has certain mandates that are required by the Steens Act of 2000. One mandate in Section 111(b) (Management Plan) states, “Within four years after the date of the enactment of this Act, the Secretary shall develop a comprehensive plan for the long-range protection and management of the Federal lands included in the CMPA, including the Wilderness Area”. In other words, the wilderness management plan is required to be written as part of the overall CMPA plan. The Steens Mountain Wilderness and WSR Management Plan’s proposed management actions are in the Proposed RMP/FEIS but the proposed wilderness management plan would function as a separate and freestanding document and is an appendix to the Proposed RMP/FEIS. BLM Manual 8561, “Wilderness Management Plans”, in Section .07, “Concept”, also states that management direction in formulating wilderness management plans comes from, but is not limited to, the DRMP process.

2 Comment: “It should be stated that no Action or text applies to Wilderness except those in the Wilderness section.”

Response: Because of the interrelationships between resources, information relating to wilderness appears in other resource sections of the document, . Wilderness related information does not appear solely in the Wilderness sections of the Proposed RMP/FEIS.

3 Comment: All open cherrystemmed roads in Steens Mountain Wilderness should be closed.

Response: The legislative map, which is a legal attachment to the Steens Act, identifies certain roads within the wilderness as designated open. Some alternatives in the Proposed RMP/FEIS analyze the closure of a portion of the open roads within the wilderness.

4 Comment: The two different management/monitoring areas or ‘zones’ proposed for Steens Mountain Wilderness should not allow degradation of one area over the other. The BLM must not allow for a moderate degree of solitude. And... if wilderness zone management occurs then show in the Wilderness Act or the Steens Act where it is permitted to deviate from stewardship responsibilities for different portions of the wilderness. “I urge you to consider an additional zone for the less-used canyons which would preserve the remote and more pristine experiences found there. Wilderness designation is supposed to prevent future degradation of conditions.”

Response: The proposed Management Areas for the Steens Mountain Wilderness are based on use of the area since its designation as wilderness. The Gorges Management Area is the most popular attraction and destination in the Steen Mountain Wilderness and receives the most visitor use, especially Little Blitzen and Big Indian Gorges. The Uplands Management Area (all areas in the wilderness other than the five gorges) has less visitation, shows fewer signs of visitor use, and offers more solitude.

BLM Manual 8560, “Management of Designated Wilderness Areas”, states the following: “In developing wilderness management plans, the concept of stratification or zoning between wilderness areas or within individual areas should be considered as a means of achieving management objectives or providing different experiences and opportunities.” The Manual also recognizes that variations in the level of naturalness, solitude and types of primitive recreation exist in wilderness and that zoning can help wilderness managers achieve objectives, protect resources, and satisfy user demands and expectations.

5 Comment: “BLM should remove the statement in 2.22.2.1.2 about permits not currently being planned. This unnecessarily limits management options.”

Response: The fact that permits are not currently planned does not preclude their issuance in the future.

6 Comment: “BLM appropriately states that it must determine carrying capacity, per Manual 8560 (.08.B.5 and .14C), in order to ensure that Wilderness recreationists will enjoy their Wilderness experience”. And... “We suggest you conduct a study using the Leave No Trace organization to find out what is a sustainable carrying capacity”.

Response: The DRMP/DEIS inappropriately used the term carrying capacity rather than use capacity. BLM Manual 8560, “Management of Designated Wilderness Areas”, states in Sections .08.B.5 and .14C that the BLM must determine use capacity. Use capacity is very different from carrying capacity. Carrying capacity is a dated recreation planning process that deals with the number of visitors to an area which could be accommodated without causing unacceptable levels of resource and social impacts. Use capacity recognizes that visitor behavior, site resiliency and resistance, type of use, and timing of use are more important in determining the level of effects rather than only the amount of use an area receives. This has been confirmed by over 2,000 studies of social and resource impacts in wilderness across the country.

“Wilderness Planning, a Framework for Developing Wilderness Management Direction”, the text developed and used by the Arthur Carhart National Wilderness Training Center for teaching wilderness planning to Park Service, Forest Service, BLM and Fish & Wildlife Service employees states:

“The shortcomings of the carrying capacity approach became apparent. Foremost was recognition that searching for a single number was an elusive and probably impossible task. Second, by focusing on determining how many visitors an area could accommodate, managers lost sight of what they were trying to achieve (goals and objectives). Third, if you assume that there is a linear relationship between use and impact, your only management option is to reduce use when there is a problem.”

The monitoring process developed and used for Steens Mountain Wilderness considers all aspects of the use capacity concept listed above and engages multiple indirect and direct management options in three different levels (some of which are listed in BLM Manual 8560, .3 A., “Visitor Management”) needed to prevent degradation including limiting the amount of visitor use.

Leave No Trace is an outdoor ethics education organization and does not conduct wilderness carrying capacity studies.

7 Comment: It is difficult for the public to understand how Level I, II and III management options, guidelines, standards, indicators and conditions all fit together in the Steens Mountain Wilderness Management Plan. The management plan seems to be incomplete and lacking information on this issue.

Response: The proposed wilderness management plan is displayed in Appendix U of the Proposed RMP/FEIS . Additional management issues are analyzed in the proposed plan. The wilderness monitoring plan has been incorporated into the Proposed RMP/FEIS to show how social and resource monitoring may affect changes in management options. The changes made in the proposed wilderness management plan make it more responsive to public comments.

8 Comment: Change Objective 1 under Goal 1 to, “Manage the Wilderness to recognize areas of differing past levels of resource use, yet assure all provide outstanding opportunities for solitude or primitive and unconfined recreation.”

Response: The language for this objective has been changed to read, “Manage public visitation in the wilderness to provide outstanding opportunities for solitude and primitive and unconfined recreation and naturalness and other features including ecological, geological, scientific, educational, scenic and historic.”

9 Comment: “There should be an Objective 2 that breaks out those Actions addressing ‘naturalness’ using similar language as Objective 1.”

Response: This was incorporated into Goal 1, Objective 1.

10 Comment: Additional management issues and action items need to be addressed in the Steens Mountain Wilderness Management Plan. Such issues may include research, Native American uses, religious uses, trapping, prohibited sporting activities, fire management, weed management, wildlife management, as well as other pertinent issues involving wilderness management and nonconforming uses.

Response: The text displayed in the DRMP/DEIS outlined proposed management actions for Steens Mountain Wilderness. Several more management issues have been added and analyzed in the Proposed RMP/FEIS in response to comments.

11 Comment: The BLM needs to use the ‘Minimum Requirement Decision Guide’ (formerly called a ‘minimum tool analysis’) for determining any needed maintenance, construction or project work in Steens Mountain Wilderness. Any project work, construction or maintenance work projects needed in the Wilderness must be the minimum amount necessary for the administration of the area and for preserving the wilderness character of the area. Projects such as trail maintenance, weed control, trailhead facility development, signing, fire management, and many others, should be analyzed by this method.

Response: The proposed Steens Mountain Wilderness Management Plan now includes the “Minimum Requirement Decision Guide”. The guide is a two part process developed by the Arthur Carhart National Wilderness Training Center for use by managers in making management decisions related to administrative actions in wilderness. The first part of the decision guide is used to determine if the proposed action is needed. If the decision is made to proceed, the second part of the decision guide analyzes which tool/action/method will minimize the negative impacts to wilderness character and values.

Project work should be the minimum necessary to preserve the wilderness resource or for the health and safety of the visitor as noted in BLM Manual 8560, “Management of Designated Wilderness Areas” in Section .1, part .13. This section of the BLM Manual also lists some but not all acceptable tools.

12 Comment: The BLM needs to clarify the continued existence of Nye Cabin and other buildings in Steens Mountain Wilderness and not just assume these structures may remain. And, that existing or future improvements and/or maintenance of such buildings must be justified as historic or required for visitor safety or resource protection as per direction from BLM Manual 8560 Section .31.B.1. Nye Cabin and other buildings in the Wilderness must be analyzed in the Andrews/Steens DRMP or in a forthcoming Environmental Assessment (EA). The BLM should not assume that Nye Cabin will remain and should change the language in Goal 2, Action 1 from ‘would’ to ‘could’.

Response: BLM Manual 8560 in Section .16 A “Condition for Retention” directs the BLM to inventory and evaluate existing structures for purpose and need and historic significance. This section further states that if the structure does have historic significance it may be retained. If the structure does not have historic significance it may be maintained for continued use if it is the minimum necessary for human health and safety or for protection of the wilderness resource.

The Burns District archaeologist plans to conduct a survey of buildings in the Steens Mountain Wilderness in the future. This analysis would lead to a determination and evaluation of the historic significance of those particular structures. BLM Manual 8560 gives no direction that this analysis needs to be addressed in either the DRMP or an EA. However, any federal actions to remove or restore these structures may require environmental analysis.

Section .32 “Cultural and Historic Resources,” in BLM Manual 8560 subsection A, states that historic sites are a unique part of the wilderness resources and lists some of the laws by which they are protected. Subsection D (“Retention of Historic Features”) of the same section says that some structures may qualify for retention as historic features or under the minimum tool policy. If structures are not of a historic nature they can be removed or allowed to deteriorate naturally. The language in Goal 2, Action 1 has been changed from would to could so as not to assume that Nye Cabin may be retained without proper evaluation.

13 Comment: BLM must specify that prescribed burns would be allowed only to achieve resource objectives that would re-establish natural conditions and retain the natural characteristics of the ecosystem. No motorized equipment or mechanized transport should be used or their use must be restricted and carefully monitored.

Response: Prescribed fire is allowed in designated wilderness per BLM Manual 8560 Section .35, subsection A, “Fire Management”, part 3. The manual states that prescribed burning by agency personnel is allowed on a case-by-case basis for certain purposes, such as to reintroduce or maintain the natural condition of a fire dependent ecosystem. Specific decisions that would potentially authorize motorized equipment or mechanical transport would be considered in the MRDG.

14 Comment: There should be an Objective 2 for interagency coordination for allowing the use of motorized or mechanized equipment and transport under circumstances such as search and rescue, wildlife management, horse gathers, predator control, etc.

Response: Interagency coordination for both emergency and nonemergency uses occurs on a routine basis and is not an DRMP decision. Such management activities and actions are considered in the proposed wilderness Management plan (see Appendix U).

15 Comment: “This RMP/EIS should establish criteria for allowing mechanized transport and motorized equipment by ranching operations in the Steens Mountain Wilderness, upon which all EAs addressing specific ranches should be based, not the other way around. RMPs do not tier to EAs on projects.”

Response: The rancher and inholding access issues are not DRMP level decisions. Such issues were in need of resolution and analysis prior to the completion of the DRMP. Completed components are included in the proposed wilderness management plan in Appendix U. If changes occur in the Final RMP, EAs will be written for such operations and activities to analyze implementation of the changes.

16 Comment: A ‘needs analysis’ is required for all commercial services operating in the Wilderness.

Response: Outfitters, guides and packers and similar commercial services may be provided within wilderness to the extent necessary for activities which are proper for realizing recreational and other wilderness purposes according to BLM Manual 8569 Section .15 subsection I “Commercial Services”. A needs analysis is not required in the Proposed RMP/FEIS, but would be prepared as required or necessary for new SRPs. Historic commercial recreation permits are authorized under the terms of the Steens Act and a needs analysis is not required for these.

17 Comment: Action 1 under Goal 3, Objective 2 needs to be changed to add the language, ‘no permanent camps allowed’ for SRP permittees and outfitter guide operations.

Response: The installation, erection or building of temporary or permanent structures is prohibited by 43 CFR 6302.20 (f) except for overnight use, or camping within the recognized length of stay limit in the wilderness.

18 Comment: Create an additional Action item under Goal 3, Objective 2 regarding conflict and coordination between large groups and outfitter/guide trip schedules.

Response: A management action regarding scheduling and coordination of large groups and outfitter/guide trips has been added. The statement reads, “The BLM would try to avoid crowding and user conflicts by informing large groups and outfitter/guides of each other’s plans.”

19 Comment: RMPs do not tier to EAs. The BLM needs to establish criteria for inholder access.

Response: Inholder access to private lands within the wilderness is not an DRMP level decision and has been an ongoing issue which needs to be addressed regardless of the schedule for completion of the DRMP. The EA regarding this issue has been in development and may be completed before the DRMP is final. Should the DRMP change any overall constraints to access, the access EA and decisions would need to be updated to ensure conformance with the DRMP.

20 Comment: Add additional action item under Goal 3, Objective 3 stating BLM should purchase or exchange private inholdings in Steens Mountain Wilderness.

Response: This action is covered by Title I, Section 114 of the Steens Act, and is addressed in the Lands and Realty section of the Proposed RMP/FEIS.

21 Comment: The first four ‘provisions’ listed on page 3-63 are not from BLM Manual 8560 as stated but from BLM Manual 8561, Appendix 1 and are referred to as ‘goals’ of wilderness management planning. Statement number 5 from page 3-63 is from the Code of Federal Regulations and is out of place with the other goals/provisions.

Response: The statement on page 3-63 of the DRMP/DEIS has been changed (see section 3.22).

22 Comment: On pages 3-62 and 4-234, additional documents regarding BLM’s wilderness administrative direction should be listed. These include BLM Manuals 8560 and 8561. And as noted in BLM Manual 8561 Section .07, the BLM should refer to chapter 8 of Wilderness Management for guidance.

Response: Additional administrative policy, directives, regulations and authorities regarding the BLM’s management of wilderness areas have been added to the existing list (see Section 3.22).

23 Comment: On page 3-63 of the Andrews/Steens Draft DRMP, change the reference of CFR 6310 to CFR 6302.2.

Response: Reference to CFR 6310 on page 3-63 of DRMP/DEIS has been changed to CFR 6302.2.

24 Comment: Remove term ‘mechanized vehicle’ from Andrews/Steens DRMP glossary and add definitions for ‘motor vehicle’, ‘motorized equipment’ and ‘mechanical equipment’ and state that ‘mechanical equipment’ is not prohibited in wilderness.

Response: The term ‘mechanized vehicle’ in the DRMP glossary pertains only to the OHV and mechanized vehicle designations. Definitions for motor vehicle and motorized equipment/mechanized equipment have been added to the glossary.

25 Comment: “Instead of writing a plan with built in triggering points for permitting further degradation, the BLM is required to first assess the existing level and quality of Wilderness characteristics present at the time the land was designated.” And... “Unless I am mistaken, I do not believe the BLM has ever done the work necessary to determine baseline conditions.” And... “You might wish to consult with your Wilderness Management handbook or ask the folks at the USFS for some guidance.”

Response: Beginning in 1998, the BLM began a basic inventory of campsites in the gorges of Steens Mountain and along the Donner und Blitzen River, including photo documentation. Files were developed for each campsite. The inventory process was extended to other areas of the Steens Mountain vicinity, becoming more defined and detailed each year as knowledge of the area is gained and more is learned about the inventory process. During 2002, a monitoring process was developed which used the widely accepted modified Cole monitoring form as well as site photo documentation and GIS coordinates for each campsite.

In 2003, the BLM initiated a complete inventory of all campsites that could be located within Steens Mountain Wilderness during the 2003 and 2004 field seasons and it was decided that these campsites would be inventoried and monitored using the modified Cole process. The data collected during 2003 and 2004 would then be used as the baseline from which all future annual monitoring within Steens Mountain Wilderness would occur. A thorough reconnaissance of the Steens Mountain Wilderness added several campsites to the inventory. During the 2003 field season, all campsites in the wilderness were checked and monitored twice, once early in the season and once at the end of the field season. The monitoring form was modified slightly so it would be compatible with the proposed wilderness management plan.

The SMAC also requested a change in direction in the wilderness management plan to accommodate flexibility to keep it from becoming unnecessarily restrictive in nature. The SMAC also requested that hard and fast indicators, which would immediately trigger a restrictive management action by the BLM, not be used. After reviewing a number of BLM

and Forest Service wilderness management plans a proposed plan was developed using, as a template, the wilderness management plan of the San Juan-Rio Grande National Forests, which is the administrative base for five wilderness areas in Colorado. The San Juan-Rio Grande National Forests plan and the proposed plan use monitoring to track percentages of change for an area which can initiate mitigation at three different levels before restrictions are enforced. Restriction and control would be used only as needed.

BLM Manual 8560, "Management of Designated Wilderness Areas", (Section .2, subsection .21, part B) requires that wilderness management plans have flexibility in order to reflect changes in wilderness condition and use. Manual 8560 (Section .08, subsection A, part 4) further recognizes that some level of change in conditions will occur from most uses but managers must determine what human-caused changes can be allowed without causing degradation, thus the need to establish the monitoring baseline. The monitoring and the wilderness management plans may be further developed and expanded in the final version of both documents. The monitoring plan may include monitoring of factors such as naturalness and the wilderness management plan include more management issues.

26 Comment: "Including the modified Cole report and any other reference material with regard to wilderness monitoring and campsite evaluation appendices would be helpful/important."

Response: The proposed wilderness management plan, including the complete monitoring plan, are included as Appendix U in the Proposed RMP/FEIS.

27 Comment: A detailed map of Steens Mountain Wilderness needs to be included in the RMP/wilderness management plan.

Response: A map of the wilderness is included in the proposed wilderness management plan (Appendix U) showing boundaries, open roads, trails, and trailheads.

28 Comment: Alternatives used in the DRMP are inappropriate for wilderness analysis and have no relationship to the statutory mandate to preserve and manage wilderness character.

Response: The NEPA states in Section 102 ©) (iii) that any proposed action, such as those shown in the DRMP/DEIS, must analyze alternatives. Additionally, the CEQ requires all environmental impact statements to assess an adequate range of alternatives as stated in 40 CFR 1502.14. The BLM recognizes that not all of the alternatives' themes used in the Proposed RMP/FEIS may be completely appropriate to wilderness. Yet, Steens Mountain Wilderness is contained completely within the boundary of the CMPA which has mandates required by the Steens Act. One mandate in Section 111 (b) "Management Plan" states, "Within four years after the date of the enactment of this Act, the Secretary shall develop a comprehensive plan for the long-range protection and management of the Federal lands included in the CMPA, including the Wilderness Area." In other words, the wilderness management plan is required to be written as part of the overall CMPA plan and is subject to the range of alternatives for purposes of analysis and comparison.

29 Comment: "Mechanized or motorized equipment should be allowed for purposes related to grazing."

Response: Both the Wilderness Act and the Steens Act allow for grazing to continue in both the CMPA and portions of the wilderness. BLM Manual 8560, Section .1, subsection .15, part G., "Livestock Grazing" states that where grazing is not precluded and where it existed prior to wilderness designation, it may continue subject to BLM grazing regulations in CFR 4100 and House Report 96-1126, "Grazing in National Forest Wilderness Areas". The manual also gives extensive direction under subsection .37, "Rangeland Management", which provides direction in several parts and sub-parts for the use of mechanical and motorized equipment and transport for grazing management in wilderness. While such uses are allowed, policy directs that use should be the minimum necessary to achieve the objectives of grazing management and impacts be kept to a minimum. House Report 101-405, Appendix A gives further direction for allowing the use of motorized equipment for the maintenance of range improvements relating to grazing.

30 Comment: Predator control activities are not conducive to protecting the natural conditions mandated by the Wilderness Act and should be banned in Steens Mountain Wilderness.

Response: BLM Manuals 8560 and H-8560-1 give direction for predator control within wilderness. It is preferred that predators be allowed to play a role in the natural selection and survival processes within wilderness. However, there are instances where predator control may be needed to protect federally listed threatened or endangered species, to prevent the spread of diseases and parasites, to prevent the serious loss of livestock or to control nonindigenous species. Under such circumstances, acceptable lethal and nonlethal control methods may be implemented by some state or federal agencies pursuant to cooperative management agreements or MOUs.

31 Comment: How will the BLM control snowmobile use on Steens Loop Road and keep snowmobiles restricted to the designated corridor? And how will snowmobile use on the Steens Loop Road be monitored?

Response: Standards, guidelines and management options have been added to the Proposed RMP/FEIS which deal specifically with unauthorized motor vehicle intrusions into the Steens Mountain Wilderness, including snowmobiles.

Unauthorized motor vehicle use within the Steens Mountain Wilderness would trigger management options which may lead to the restriction of certain types of recreational activities in areas near the wilderness.

The BLM has implemented both a winter recreation and unauthorized motor vehicle intrusions monitoring program for the Steens Mountain Wilderness. Part of the wilderness monitoring plan includes the winter recreation use permit system for Steens Loop Road. An individual obtaining a permit to use the Steens Loop Road receives information that snowmobiles and other motorized vehicles are not allowed within the Steens Mountain Wilderness, and receives maps showing the wilderness boundary. The Steens Loop Road is marked by orange snow poles which are maintained throughout the winter recreation season.

Further monitoring includes patrols of Steens Loop Road by BLM personnel to check on snowmobile use and to look for intrusions into the wilderness by snowmobiles or other unauthorized motor vehicles. Parameters have been developed in the proposed wilderness management plan where a set number of violations by snowmobiles into the wilderness will require the elimination or reduction of snowmobile use on the Steens Loop Road, the Cold Springs Road to Nye Cabin, or the Dingle Creek Road.

32 Comment: Group size limits for commercial and non-commercial groups should be the same. There should be no exceptions for 'historic uses'.

Response: Group size limits would be set at the same level for commercial and noncommercial users in the Steens Mountain Wilderness. Exceptions to this are some historic uses which existed prior to the designation of the wilderness and were recognized by Congress, including one SRP holder and Native American Tribes. BLM Manual 8560, Section .07, "Mandate from Congress", subsection J states that, "In some cases, special provisions have been incorporated into the legislation. These provisions override the general management provisions of the Wilderness Act and must be regarded as specific direction for management of the area in question." Monitoring of permitted events would be used to determine the level of effects to the wilderness area and appropriate modifications may be needed if monitoring determines an inappropriate level of effect, to ensure that the permit is consistent with the Wilderness Act and the Steens Act.

33 Comment: Encounters between groups, including both commercial and non-commercial groups, should be kept within limits to preserve the primitive experience of wilderness.

Response: Perception of Solitude is one of the standards included in the proposed Steens Mountain Wilderness Management Plan. Indicators for that standard include number of campsites occupied within sight or sound of each campsite, number of party encounters on or off trail per eight-hour day, and percent of sampled visitors who report being moderately or extremely crowded. These indicators would be monitored and evaluated annually as part of the wilderness monitoring plan. Increases or changes in these indicators from the baseline data collected during the 2003 and 2004 field seasons would require implementation of Level I, II, or III management options to correct the situation and keep numbers and use at baseline levels.

34 Comment: The group size limits in Preferred Alternative of 12 people and 15 head of stock in the Wilderness is too large.

Response: The group size limit would remain at 12 persons for the Proposed DRMP but recreational stock numbers would be increased to 18 based on discussion with recreational stock user groups. In discussions with these groups it was determined that one pack animal is needed for every two horseback riders..

Annual monitoring would determine if these numbers are appropriate for persons and recreational stock. Standards which would be monitored include Campsite Condition, Perception of Solitude and Recreational Stock Use. If any of the indicators under these standards are found to exceed the parameters set in Levels I, II, and III, corrective management actions would be initiated.

Recreational stock will be allowed to graze freely without being required to pack in feed, consistent with standards and guidelines for grazing.

Monitoring includes standards for naturalness. Monitoring of these standards may include forage utilization surveys for recreational stock. There are also Level I, II, and III management options for this function.

35 Comment: The BLM needs to implement a system to monitor effects to wilderness resources. There should be system of limits of change and mitigation actions implemented when thresholds are exceeded for such areas as soil compaction, camping impacts, informal trail density.

Response: A monitoring plan has been included in the proposed wilderness Management plan (Appendix U). Wilderness standards covered by the monitoring plan include: Campsite Condition, Campsite Density, Perception of Solitude, Trail Density, Length of Stay, Recreational Stock Use, and Unauthorized Motor Vehicle and Mechanical Transport Intrusions.

36 Comment: The Steens Mountain Wilderness Management Plan should place strong emphasis on making the wilderness a motor-free wilderness to the fullest extent possible under the law. This includes motorized use for BLM administrative purposes, and by other local, state or Federal agency personnel and motor vehicle use by grazing permittees.

Response: Travel within the wilderness would normally be by nonmotorized and nonmechanized means. Nonconforming but accepted uses specifically permitted in wilderness areas by the Wilderness Act and subsequent laws are allowed in a manner that will prevent undue degradation of wilderness character. Some motor vehicle uses are allowed, either by BLM policy directives, such as Manuals 8560 and H-8560-1, by legislation or through Congressional clarification and interpretation of legislation regarding motorized and mechanized use, such as House Report 101-405. Any proposal for administrative use of motorized or mechanized equipment or transportation would first be evaluated using the MRDG.

37 Comment: Additional facilities and developments within the Wilderness or near the Wilderness boundary should not be initiated for visitor ease or convenience but only to protect wilderness values and characteristics and for visitor safety and to prevent resource damage.

Response: BLM Manual 8560, Section .1, subsection .14, part B, “Acceptable Facilities” states, “Visitor use facilities may be installed if they are the minimum necessary for the health and safety of wilderness visitors or for the protection of the wilderness resource”. It further states, “Facilities solely for the convenience of the visitor are not compatible with preservation of wilderness character and therefore will not be provided in wilderness areas”. Further direction regarding facilities and developments comes from House Report 95-540 as it interprets the Wilderness Act relating to such uses as trails, trail signs and sanitation facilities.

38 Comment: The Alternative ‘B’ proposal to require human waste to be packed out of Steens Mountain Wilderness is unwarranted and the Preferred Alternative proposal to dispose of human waste in ‘catholes’ should be adopted.

Response: The Proposed DRMP recommends that human waste be packed out of the wilderness but does not require it except for some permitted activities. The use of catholes to dispose of human waste would be required.

39 Comment: “Establish criteria to determine whether actions proposed by BLM or any other agencies (for example emergencies, predator control, horse gathers, game control) are “necessary to meet minimum requirements for the administration of the area” as required by the Wilderness Act. Such activities must then be shown to be the minimum tool necessary so as “to preserve its wilderness character.”

Response: This level of analysis is outside the scope of the DRMP. Individual projects and actions proposed either by the BLM or other agencies working on BLM administered lands are subject to NEPA analysis at the project level. If necessary, the MRDG would be applied.

40 Comment: “Preferred Alternative (page 2-216) indicates that weeds will be controlled using a full range of equipment after a minimum tool analysis is completed. This clearly indicates that the preferred alternative is selecting the tools and methods for weed management in wilderness prior to doing the minimum tool analysis, thereby rendering any minimum tool analysis as merely an empty exercise.”

“There is no special exception in the Wilderness Act for weed management. The Act only grants BLM wide discretion in the management of fire, insects, and disease. Nonnative plants do not fall into any of these three categories. The use of incompatible equipment such as motorized tools and vehicles should not be allowed in wilderness for weed management, because it is not the minimum action required for protecting the area as wilderness.”

Response: The Proposed RMP now states “The minimum requirement decision guide(minimum tool analysis) would be completed in order to determine the method of control and range of equipment needed to control noxious weeds in the wilderness.”

Also, while weed management is not specifically stated in the Wilderness Act, direction for weed control is clearly stated in BLM Manual 8560, “Management of Designated Wilderness Areas” in Section .37, “Rangeland Management” under (2) “Plant Control” part (b)(2), which states, “Plant control must be approved only for. . . (b) Noxious farm weeds by grubbing or with chemicals when they threaten lands outside wilderness or are spreading within wilderness, provided the control can be effected without serious adverse impacts on wilderness values.”

Manual 8560 also states in section .13, “Minimum Tools” subsection A, “Acceptable Tools”, that spray equipment is an acceptable tool.

41 Comment: The percentage guidelines of Alternative B is most appropriate for each recreational use impact indicator in the Wilderness Management Plan. If the Steens Mountain Wilderness receives increased recreational use, mitigation must come promptly to assure Wilderness characteristics do not degrade from where they were when the Steens Act passed.

Response: Generally, the percentage of change guidelines used in Alternative B are very low, possibly too low to be effectively detected and checked during the monitoring process. The percentage of change guidelines in the Proposed DRMP have been reduced, but are still detectable for triggering management options and mitigation actions. Overall, Steens Mountain Wilderness at this time has fairly low levels of recreation use and accompanying effects. The levels of recreational related effects appear to be fairly consistent throughout the entire wilderness. Even in the more used and visited areas, such as Little Blitzen and Big Indian Gorges, recreational effects and change are low compared to other wilderness. In order for change due to visitor use and its associated effects to remain at a relatively low level, and thus prevent degradation of wilderness characteristics, it is preferable to use percentages of change overall, which are lower than in the DRMP/DEIS Preferred Alternative yet higher than those in Alternative B, which appear to be too low to be useful.

Overall the change guidelines in Alternative C set a useful level of change which can be monitored effectively yet not allow wilderness characteristics to degrade below acceptable limits. Percentage of change guidelines in Alternative C are now reflected in the Proposed DRMP.

42 Comment: “Allowing highlines on the surface seems like a good idea, but this type of vegetation is not durable for repeated trampling that occurs. If the BLM wants to prescribe highlines, they should designate highline areas, which will become ‘sacrifice areas’.”

Response: In the Proposed DRMP highlines or picketing are not required except for management of pack goats. Free grazing of other recreational stock is allowed and would be monitored according to the S&Gs.

43 Comment: We request the following statement be included in the final RMP/EIS. ‘Traditional recreation saddle and pack stock use is an appropriate, current and historical use of the Steens Mountain Wilderness.’”

Response: The statement, “Traditional recreation saddle and pack stock use is a current and historic use of Steens Mountain Wilderness” has been added to Chapter 3. ’.

44 Comment: We ask for confirmation that recreation riding and pack stock be allowed to graze freely in the commercial ‘no grazing’ area in Steens Mountain Wilderness.

Response: The language in section 2.22.3.1, Proposed RMP/FEIS, has been changed to reflect this. Grazing of recreational stock in the No Livestock Grazing Area of the wilderness is allowed consistent with standards and guidelines for grazing management. Grazing would be more limited in Little Blitzen RNA, and the area would be monitored for grazing utilization with management actions initiated as needed.

45 Comment: In order to spread potential use away from the Wilderness develop trails outside of the Wilderness to provide additional hiking and non-motorized recreation opportunities.

Response: The Development of trails outside the wilderness would be considered in a comprehensive recreation plan for the CMPA that would be developed after the DRMP is completed.

46 Comment: How will inappropriate ‘user-created’ trails be managed?

Response: Trails considered to be inappropriate would be monitored as part of the wilderness monitoring plan. Such trails would be reclaimed if monitoring shows a need.

47 Comment: We disagree with the 5-day length of stay limit in Preferred Alternative and that it is an unnecessarily restrictive regulation until monitoring shows impacts are exceeding present levels. A 14-day length of stay would be appropriate at this time.

Response: The Proposed DRMP now adopts the 14-day length of stay, which is the standard on many federal lands. This number would be used until such time that monitoring shows a need to determine a different length of stay.

Wilderness Study Areas

1 Comment: WSAs should be more oriented towards protecting wilderness characteristics

Response: The WSA IMP specifically states (on page 8) that “the preservation of wilderness values within a WSA is paramount and should be the primary consideration when evaluating any proposed action or use that may conflict with or be adverse to those wilderness values.” The WSA IMP will be followed for any proposed action in a WSA.

2 Comment: Range improvements in WSAs should be limited and should be done in a manner that maintains wilderness characteristics.

Response: Management of WSAs is guided by the WSA IMP. Range improvements are specifically discussed on pages 41 and 42. The WSA IMP will be followed for any proposed action in a WSA.

3 Comment: Other alternatives should consider eliminating or reducing grazing in special management areas or areas of special concern, such as . . . WSAs.

Response: For those public lands which were being grazed by livestock or were part of an approved livestock grazing system at the time the FLPMA became law in 1976, and then became part of a WSA, the law recognizes livestock use as a grandfathered activity of those public lands. Thus, eliminating livestock or reducing grazing on the single premise of public land being located within a WSA would not be in compliance with federal law. A reduction of grazing in WSAs is not justified in the absence of supporting rationale. Changes in grazing use are proposed through the allotment evaluation process and evaluated allotment-specifically through the NEPA process.

4 Comment: Comments reference BLM Instruction Memorandum No. 2001-075.

Response: Instruction Memorandum No. 2001-075, Bureau wide Implementation of the Solicitor’s Opinion on Jack Morrow Hills Coordinated Activity Plan, has expired and is no longer used for guidance. A portion of this Instruction Memorandum was replaced by a revision (Release 1-1675) to the Land Use Planning Handbook (H-1601-1) on August 22, 2002.

5 Comment: How will the BLM identify and manage lands found to have wilderness characteristics.

Response: Additional text has been added to Section 3.23.

6 Comment: Since ways in WSAs are not roads, no set backs exist for them, and any travel outside the area disturbed at passage of FLPMA is not allowed.

Response: See Transportation and Roads comment response 18.

7 Comment: Language clarifying vehicle travel in WSAs should be added to 4.23.2.

Response: See Off Highway Vehicles comment response 28.

8 Comment: The EIS should analyze the effects of other programs on WSAs and the effects of not protecting those parcels found to have wilderness characteristics.

Response: The general effects of various management actions on WSAs are described in Section 4.23.3. Site-specific analyses for the actions of other programs would be done on a case-by-case basis.

9 Comment: BLM should protect the wilderness characteristics of wilderness-quality lands.

Response: BLM policy does not allow the designation of new WSAs or the addition of lands to existing WSAs. The management actions analyzed in Alternative C to protect parcels found to have wilderness characteristics includes the following: designation as Class II ARM, designation as limited to designated roads for OHV and mechanized vehicle use, retention as public land, and ROW exclusion or avoidance. All the parcels currently found to have wilderness characteristics are located within the Mineral Withdrawal Area, and are, therefore, not open to mineral leasing or entry. Protections of these characteristics within the Proposed RMP/FEIS include mineral withdrawal, OHV and mechanized vehicles limited to designated roads, and retention as public land.

10 Comment: The purpose of DRMP/DEIS Map 2.18 is not clear from the map key.

Response: DRMP/DEIS Map 2.18 shows those land parcels (in addition to the existing WSAs and the Steens Mountain Wilderness) that the BLM has found to have wilderness characteristics.

11 Comment: The BLM should refer to H-6301-1. It provides direction for protecting wilderness character in the RMP/EIS process.

Response: H-6310-1, the Wilderness Inventory and Study Procedure Handbook, was rescinded on June 20, 2003 and is no longer used.

12 Comment: Contracts for work in WSAs should include language on the WSA IMP.

Response: WSA IMP requirements are applied as appropriate on a case-by-case basis. This is not an DRMP level decision.

13 Comment: The use of surface disturbing equipment for suppressing WSA wildland fires should not be restricted. Mechanical or mechanized suppression and presuppression activities are not totally precluded in designated wilderness.

Response: WSA management is guided by the WSA IMP, not the Wilderness Act. The WSA IMP specifically states on pages 48-49 that the BLM will use caution to avoid unnecessary impairment of the area's suitability for wilderness preservation. "Light-Hand-On-The-Land" fire suppression tactics will be used. Specific authorization is required before earth moving equipment is used in a WSA. Suppression methods that may be used include the use of power tools, aircraft, and motorized fire fighting equipment while applying "light-hand-on-the-land" techniques. More detail can be found in the WSA IMP.

14 Comment: The BLM should designate additional WSAs through the DRMP process.

15 Comment: BLM should re-inventory the lands for wilderness values and should re-assess the suitability of the WSAs that were not recommended for wilderness designation.

Response: As a result of the settlement of Utah v. Norton, the BLM is no longer able to designate new WSAs under FLPMA Section 202, make new wilderness suitability recommendations, or manage any additional lands under FLPMA Section 603. This authority expired in 1993 with BLM's recommendations to Congress on the suitability or nonsuitability of the existing WSAs as wilderness. The BLM may manage lands found to have wilderness characteristics through a variety of land use plan decisions to protect the identified wilderness characteristics. The land use plan decisions include, but are not limited to, ARM class designation, OHV designation, lands and realty designations, and conditions of use to be attached to permits, leases, or other authorizations. This language has been added to Section 3.23.

16 Comment: The BLM should designate additional acreage as wilderness.

Response: Only Congress can designate an area as wilderness. Since the Final Wilderness Inventory decisions of 1980, no new WSAs have been designated in the Planning Area. However, Congress did add over 170,000 acres to the National Wilderness Preservation System with the designation of the Steens Mountain Wilderness in the Steens Act of 2000.

17 Comment: A citizens' WSA proposal should be discussed in the EIS.

Response: Text has been added to Section 3.1.

18 Comment: Lands recommended for WSA designation should be considered for ACEC status.

Response: Only those areas that an ID Team found to have "Relevant and Important Values" are retained or proposed for ACEC status. The citizens' WSA proposals, in general, do not have the required "Relevant and Important Values." A portion of one citizens' WSA proposal is proposed as the Serrano Point ACEC (679 acres) in the Proposed DRMP and Alternative C.

19 Comment: Ranchers and hunters should be allowed to travel off road in WSAs.

Response: Off-road travel is currently not allowed in WSAs by any public land user. Landowners, grazing permittees, hunters, and any other motorized or mechanized vehicle user are not allowed to drive cross-country in any WSA. WSAs or portions of WSAs cannot be designated as "open" for OHV and motorized vehicle use, unless they are sand dune or snow areas for use by appropriate sand or snow vehicles or where an area was designated open prior to October 21, 1976. There is also no provision in the WSA IMP to allow other than emergency exceptions to the prohibition on off-road travel. Additionally, Section 112 (b)(1) of the Steens Act prohibits the use of motorized and mechanized vehicles off road in the CMPA. Typically, grazing permittees access range improvements for maintenance activities over inventoried ways rather than cross-country travel.

20 Comment: All WSA cherrystem roads and ways should be closed.

Response: In accordance with the WSA IMP, the use of OHVs and mechanized vehicles is limited to designated cherrystem roads and ways or to those cherrystem roads and ways that existed at the time of the wilderness inventory. An emergency closure of specific roads or ways associated with a WSA could be implemented if undue and unnecessary

degradation of resource values by motorized vehicles should occur, or where there is a need to provide for public safety or resolve user conflicts.

21 Comment: WSA cherrystem roads and ways should remain open for access to these areas.

Response: The WSA cherrystem roads and ways are proposed to remain open in Proposed DRMP and Alternatives A, C, and E. Only Alternative B would close these travel routes.

22 Comment: Designate all WSAs as limited seasonally to OHV and mechanized vehicle

Response: Seasonal OHV and mechanized vehicle closures are proposed in response to specific health and safety concerns and for specific resource protection issues. WSA designation, by itself, does not warrant a seasonal closure.

23 Comment: BLM should describe its process for managing OHV designation violations.

Response: This would be part of an activity level plan. For example, the Wilderness and Wild and Scenic River Plan addresses monitoring and thresholds for changed management based on motorized vehicle intrusions into the Steens Mountain Wilderness. A TP for the CMPA will be completed by December 2005. A TP for the AMU will be completed by December 2008..

24 Comment: Lands released from WSA designation in the future should be assigned an OHV designation of limited to designated ways and trails for OHV and mechanized vehicle use.

Response: These lands would be evaluated at the time of release and an appropriate OHV designation proposed. Maintenance of an existing designation or change to a new designation would be based on laws, regulations, and policies in place at that time and the rationale or provisions given by Congress in the specific release language.

Wild and Scenic Rivers

1 Comment: It is unclear from the Draft RMP/EIS what the conclusions of the BLM's 1997 evaluation were, but Appendix N on the Draft RMP/EIS states that each and every river considered is "not suitable" for inclusion in the system. It is confusing, then, when the Draft RMP/EIS states that "all eligible rivers will be evaluated for suitability for potential inclusion into the National WSR System by Congress." The document then later suggests that Appendix N constitutes this "Wild and Scenic Rivers Suitability Evaluation". Section 5(d)(1) directs that the BLM must: In all planning for the use and development of water and related land resources, consideration shall be given by all Federal agencies involved to potential national wild, scenic and recreational river areas, and all river basin and project plan reports submitted to the Congress shall consider and discuss any such potentials.

Response: BLM Manual 8351, Wild and Scenic Rivers, Policy and Program Direction for Identification, Evaluation, and Management defines eligibility as "qualification of a river for inclusion into the National WSRs System through determination that it is free-flowing and with its adjacent land area possesses at least one river-related value considered to be outstandingly remarkable." As discussed on page 2-220 of the DRMP/DEIS, rivers within the Planning Area were evaluated for their eligibility for inclusion to the National WSRs System. The evaluation of rivers for their eligibility and subsequent suitability, was conducted by a BLM ID team in preparation for the 1998 Draft SEORMP. The evaluations followed the eligibility basis for determination provided in BLM Manual 8351 and identified twelve rivers as eligible as identified on 3-65 and Appendix N of the DRMP/DEIS (with the exception of Wildhorse Creek, which was designated by Congress through the Steens Act). Therefore, the remaining rivers were found not eligible because they were determined not to possess outstandingly remarkable values. BLM Manual 8351 further states that "each eligible river segment is further evaluated in the DRMP process to assess whether or not it would be suitable for inclusion in the National WSRs System" and "the planning determination of suitability provides the basis for any decision to recommend legislation". The 11 rivers evaluated as eligible were found not suitable for inclusion into the National WSRs System as described in Appendix N. River segments determined nonsuitable in the Proposed RMP/FEIS shall be managed in accordance with the management objectives as outlined in the DRMP (BLM Manual 8351).

2 Comment: General comments were received as to either designating or not designating more Wild and Scenic Rivers in the Planning Area.

Response: The BLM evaluates rivers for their eligibility and suitability for inclusion in the National WSRs System which provides the basis for recommended legislation. See the description in the response to Comment 1.

3 Comment: Alternative A says "The following eligible rivers would continue to be managed in conformance with BLM Manual 8351 for protective management of eligible WSRs". Since the Preferred Alternative recommends absolutely no rivers in the Planning Area suitable to be designated as a Wild and Scenic River by Congress, the current protection afforded 120 miles of 11 rivers that have been considered eligible since being evaluated 6 years ago will be lost. Please explain how BLM justifies decreased protection on these rivers, some of which are within the CMPA where ecological protection is to be enhanced, and some of which are 303(d) listed by Oregon.

Response: River segments determined eligible but nonsuitable in the Proposed RMP/FEIS shall be managed in accordance with the management objectives as outlined in the DRMP (BLM Manual 8351). These management objectives and strategies provide adequate protection of these streams. The alternatives and effects are described under the respective resources, including discussion of CWA 303(d) listed waters.

4 Comment: BLM should go beyond Alternative C and recommend 179 miles of rivers as suitable for WSR status, as identified, described and mapped by ONDA on Oregon High Desert Protection Act brochure and shown in the Citizens' Alternative. These qualify every bit as much as the ones designated in the Steens Act. This gives BLM the opportunity to enhance the water quality of these streams and protect their existing ORVs (scenery, recreation, geology, history, pre-history, culture, wildlife, fish) from the negative impacts of dams and other water developments, construction of buildings and roads, mining activities, and overgrazing.

Response: BLM Manual 8351 directs the BLM to include an alternative that provides for designation of all eligible river segments. Alternative C proposes recommending all eligible river segments as administratively suitable for potential designation by Congress as WSRs. Rivers listed in the Oregon High Desert Protection Act brochure are included in the eligibility, and when appropriate, suitability assessments. Those that were not included are Deep Creek, Ankle Creek, Mud Creek, Little Fish Creek, and Dry Creek. Ankle Creek and Mud Creek were designated as WSRs the Steens Act. The public land portion of Deep Creek was functionally included through administratively delineated WSR boundaries associated with the designation of the Donner und Blitzen River. Dry Creek is contained within wilderness or WSA in the CMPA. The process for evaluating and determining eligibility and suitability of potential WSRs was followed in accordance with BLM policy and completed in 1997 and 1998. No additional information has warranted change of these prior determinations.

5 Comment: The impacts of reclassifying Riddle Brothers Ranch Historic District, the Page Springs and Jackman Park campgrounds, as well as, the Blitzen Crossing were not properly considered or described in the EIS.

Response: No recommendations for reclassification of river segments associated with the Riddle Brothers Ranch Historic District, the Page Springs and Jackman Park Campgrounds, and Blitzen Crossing are included in the Proposed RMP/FEIS. The text discloses the improvements that existed on the date of Wild River designation, and BLM's intention to continue to use and maintain these improvements over time.

6 Comment: The impact of alternatives that would not recommend any rivers as "administratively suitable" for potential WSR designation was not analyzed or disclosed.

Response: Manual 8351 at .52C1 states "For river segments determined nonsuitable in the DRMP, the river shall be managed in accordance with the management objectives as outlined in the DRMP". Therefore, proposed actions and associated direct, indirect, and cumulative effects are presented in the Proposed RMP/FEIS under the respective resources.

7 Comment: The RMP/EIS identifies 800 miles (by adding totals in Table 3.1 and 3.2) of perennial rivers in the Planning Area. Approximately 220 miles are now either designated WSRs or eligible for such designation. But information about the other 580 miles of perennial streams in the Planning Area is missing.

Response: The stream miles identified in DRMP/DEIS Table 3.1 and 3.2 are an approximation generated from GIS that encompasses the entire area including private lands, state lands, and the Malheur NWR. The public land streams were evaluated by a BLM ID team for inclusion in the National WSRs System as discussed in the Proposed RMP/FEIS.

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